



Islands Trust

Hornby Island Local Trust Committee Minutes of Regular Meeting

Date: February 18, 2022
Location: Electronic Meeting

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

Staff Present: Heather Kauer, Regional Planning Manager
Teresa Mahikwa, Planner
Katherine Vogt, Recorder
Wil Cottingham, Electronic Meeting Administrator

Others Present Approximately Eight (8) members of the public
Sadie Chezenko, Member of the Hornby Housing Network
Wendy Burton, Chair of the Hornby Island Advisory Planning Commission

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 Fast called the meeting to order at 10:02 am. She acknowledged that the meeting was being held in territory of the Coast Salish First Nations. She welcomed Trustees, staff, recorder, and members of the public. She noted that the meeting was being held electronically due to covid conditions. Members of the public were invited to watch on livestream through the video on demand button on the Islands Trust website if they were unable to connect to the Zoom Webinar.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. REPORTS

3.1 Trustee Reports

Trustee Scott reported on the following:

- Increasing taxes are of concern to a number of residents who question if they are getting good value for their tax contributions.
- The next Trust Council meeting on March 8, 9 and 10, 2022 in Nanaimo will most likely include lively debate on the proposed Trust budget on Wednesday, March 9.
- The Draft Islands Trust Policy Statement, also up for debate at the upcoming Trust Council meeting, seems too long and complicated and makes one question who it is written for.

Trustee Allen reported on the following:

- Phase 3 of public engagement on the Islands Trust Draft Policy Statement will include robust public engagement in March and April 2022, including virtual live question and answer sessions, community workshops, and focus groups. A summary of public responses will be completed in May 2022 and posted on the Islands Trust website. Members of the public can email islands2050@islandstrust.bc.ca to make a response to the Draft Policy Statement that will be made public. If one wishes to privately respond they can contact a Trustee.
- Stewardship awards are returning soon to celebrate outstanding community members and groups.

3.2 Chair's Report

Chair Fast reported on the following:

- The upcoming Trust Council meeting in March will be a hybrid format and may be attended in person in Nanaimo or by Zoom Webinar.
- The agenda for the upcoming Trust Council meeting includes the budget, the Draft Policy Statement, and the Governance review to which consultants will be speaking.
- A recent Financial Planning Committee meeting.

3.3 Electoral Area Director's Report

None.

4. TOWN HALL

None.

5. DELEGATIONS

5.1 The Hornby Housing Network - April Lewis

5.1.1 Letters of Support - Beulah Creek

Sadie Chezenko spoke for the Hornby Housing Network as a board director member about the progress of Beulah Creek Village, an affordable housing project comprising 26 rental housing units. Recent letters of support from individuals, businesses, and organizations on Hornby Island to BC housing were highlighted. The recent letter of support from Trustees to BC Housing was greatly appreciated. The Hornby Housing Network was further requesting that the Local Trust Committee (LTC) waive the project's development permit fees and make processing the permits an LTC top priority.

- Trustees and Chair Fast thanked Sadie Chezenko for her excellent presentation and thanked the Hornby Housing Network board for their hard work.

6. MINUTES

6.1 Local Trust Committee Minutes dated December 10, 2021 - for adoption

The following amendments to the minutes were presented for consideration:

- Correct the spelling of Trustee Allan to Trustee Allen at five locations: page 2 third paragraph; page 4 under 8.1 first paragraph; page 5 second and eighth paragraph; page 8 under 13.3 first paragraph.

HO-LTC-2022-007

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee adopt the Minutes of December 10, 2021 as amended.

CARRIED

6.2 Local Trust Committee Special Meeting Minutes dated January 24, 2022 - for adoption

HO-LTC-2022-008

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee adopt the special meeting minutes of January 24, 2022 as presented.

CARRIED

6.3 Section 26 Resolutions-without-meeting Report dated February 10, 2021

Received.

6.4 Advisory Planning Commission Minutes dated November 26, 2021 - for receipt

Received.

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List Report dated February 8, 2022

HO-LTC-2022-009

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee request staff to create a power point that describes the Trust and its authority in terms that can be presented on Hornby Island to assist public understanding.

CARRIED

Trustee Scott requested that this item be put on the next agenda, that it be added to the Follow-up Action List, and that approximately 30 slides already existing in Victoria be used for the presentation.

7.2 Model Fees Bylaw Update - Staff Report

Regional planning Manager Kauer prepared and presented the staff report which asks Trustees to consider giving first, second, and third reading to Bylaw No. 169 cited as "Hornby Island local Trust Committee Fees Bylaw, 2022," to replace the present LTC Fees Bylaw No. 132.

Regional Planning Manager Kauer noted the following:

- The Trust Council model fees bylaw had previously been referred to the Advisory Planning Commission (APC) who had recommended it be adopted with special consideration given to Temporary Use Permit (TUP) fees.

- Draft Bylaw No. 169 is consistent with the Trust Council model fees bylaw except for the removal of the option for TUPs for community benefit.
- Trust council recommends that fees should not be changed more than 20%.
- The original LTC Fees Bylaw No. 132 was adopted in 2007 and amended in 2018.

APC Chair Burton noted that the high increase in some of the fees seemed reasonable as they reflect the extra costs of processing certain types of applications and permits. The TUP fee was recommended for special consideration because of the possibility they could be bundled for less expensive processing when there was community benefit.

Chair Fast noted that Trust Council had determined that taxpayers should not be subsidizing private development.

Trustees discussed appropriate advertising for the proposed fees bylaw and thanked APC Chair Burton for the work of the APC.

HO-LTC-2022-010

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee defer decision on the Fees Bylaw No. 169 until the next Local Trust Committee meeting on May 6, 2022.

CARRIED

7.3 Screening of Dust 'n Bones - for discussion

Deferred to next meeting due to covid concerns.

7.4 Letter dated February 8, 2022 to BC Housing from Chair Fast, Hornby Island Local Trust Committee regarding Beulah Creek Housing Project

Chair Fast thanked Trustees and staff for facilitating the letter quickly and noted that Senior Intergovernmental Policy Advisor Lisa Wilcox had provided some input and that it was available on the Islands Trust website.

By general consent the meeting recessed at 11:08 am and reconvened at 11:17 am.

8. APPLICATIONS AND REFERRALS

8.1 Denman Island Local Trust Committee Referral Request for Response regarding Bylaw Nos. 241 and 242 - for decision

Regional Planning manager Kauer noted that these bylaws involved Official Community Plan (OCP) and Land Use Bylaw (LUB) amendments for affordable housing developments and that because an OCP amendment was involved, it needed to be referred to the Hornby Island Local Trust Committee (LTC).

HO-LTC-2022-011

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee responds to the Denman Island Local Trust Committee referral request for response regarding Bylaw Nos. 241 and 242 with interests unaffected.

CARRIED

8.2 HO-DVP-2021.2 (Wiig - 3930 Brigantine Crescent, Hornby, BC) - Staff Report - for decision

Planner Mahikwa prepared and presented the staff report which asks Trustees to recommend approval of the application for an increase in the height of an accessory studio building from 6.0 metres to 6.46 metres.

HO-LTC-2022-012

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee approve issuance of Development Variance Permit HO-DVP-2021.2 (Wiig).

CARRIED

8.3 HO-DVP-2022.1 (Hornstein - Hornby Island Resort) - Staff Report - for decision

Planner Mahikwa prepared and presented the staff report that recommended that Trustees consider approving the permit to increase the maximum allowable height of two accessory buildings to 7.0 metres and to decrease the required setback from the natural boundary of the sea for a proposed sewage disposal field from 30.0 metres to 18.0 metres. However, new information coming from K'ómoks First Nation (KFN) has updated the staff recommendation for the LTC to defer decision until the next LTC meeting on May 6, 2022.

Trustees noted that the present notification system is not working well and that they receive many complaints. A neighbor to this development had not received notification.

HO-LTC-2022-013

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee request further information prior to making a decision on application HO-DVP-2022.1, specifically information from K'òmox First Nation and neighbors.

CARRIED

8.4 HO-DP-2022.1 (Hornstein - Hornby Island Resort) - Staff Report - for decision

Planner Mahikwa prepared and presented the staff report which asks Trustees to consider approving two amendments to an already existing development permit which would involve changes to the phasing of construction and to the site plan.

Trustee Allen questioned if two covenants from March 22, 2011 between the LTC and the Thatch (Land Title Act Section 219 Document CA209177) on the property were being followed.

- Planner Mahikwa responded that a September 18, 2018 Staff report contained the covenants which obligates that the site incorporate rainwater catchment, green roofs, water conservation fixtures, energy conservation, landscaping, lighting, sewage treatment and recycling.
- Applicant Maris MacDonald responded that the site was adhering to the covenant; many aspects of which would be completed in the landscaping phase of development. He noted that the septic system for the resort was exceptional and exceeds present requirements. He explained that the building phases amendment

was to tighten up the construction schedule and that they had been working with KFN to reduce excavation on the midden site by altering the pub and septic designs.

- Applicant Jack Hornstein noted that they had been in recent and regular contact with Todd Boychuck, Director, Intergovernmental Relations for KFN and had complied with all requests from KFN and the Archaeology Branch.

Trustees expressed concern that KFN might not have been adequately referred.

HO-LTC-2022-014

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee approve issuance of Development Permit HO-DP-2022.1 subject to the conditions imposed therein and subject to receiving a letter from the K'ómoks First Nation with no objection to the proposed changes.

CARRIED

8.5 HO-DVP-2021.3 (Wall and Bixby) - follow up discussion

Chair Fast noted that the item had been addressed in the last LTC meeting of December 10, 2021 under item 9.3.

Regional Planning Manager Kauer noted that although the request to build a pool within the 8.0 metre required setback adjacent to a covenant protected oak grove had been denied at the last meeting, the pool is allowed under existing bylaws if it is situated within required setbacks.

Trustees expressed concern that the property was within very sensitive ecosystems.

HO-LTC-2022-015

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee add to the Top Priorities Project of the Comprehensive Official Community Plan Review: development that may impact within the steep slope and sensitive Gary Oak ecosystems between Central and Houston Roads.

CARRIED

By general consent the meeting recessed at 12:32 pm and reconvened at 12:46 pm.

9. LOCAL TRUST COMMITTEE PROJECTS

9.1 Official Community Plan (OCP) and Land Use Bylaw (LUB) Review Project

9.1.1 Advisory Planning Commission Recommendation - Public Use Zoning Correction

Chair Burton described the clerical error in the Hornby Island Land Use Bylaw 150 Section 8.21(1) Public Use Zone (a) which precludes The Hornby Spark from operating in their present location and precludes the possibility for multi-family dwellings on a piece of community land in the area.

HO-LTC-2022-016

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee request staff to review the recommended changes from the Advisory Planning Commission to the current Public Use Zone (a) bylaw wording and determine if there needs to be an administrative correction or a bylaw recommendation.

CARRIED

10. CORRESPONDENCE

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

10.1 Email dated January 1, 2022 from B. Weiss regarding Bylaw No. 170

Received.

10.2 Email dated January 6, 2022 from T. Law regarding Public Use Zoning

Received.

10.3 Email dated December 19, 2021 from S. Chezenko and response regarding Hornby Island Official Community Plan map correction**HO-LTC-2022-017**

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee add the aquifer classification system to the Top Priorities Project of the Official Community Plan Comprehensive Review as described in the email letter from Sadie Chezenko dated December 19, 2021.

CARRIED

11. NEW BUSINESS**11.1 Shoreline Report Briefing - for discussion**

Received.

11.2 Ferry Terminal Signage - for discussion

Chair Fast presented to Trustees, two recent Islands Trust installed entry signs, one of Bowen Island and one of Gambier Island. Senior Intergovernmental Policy Advisor Lisa Wilcox, along with First Nations, had been cooperatively involved with the wording and design of the signs. The soon to be released Islands Trust Communications Plan will contain information on signs. It is in the current Reconciliation Action Plan that First Nations are consulted regarding signs.

Trustee Grant offered to bring the sign issue up at the upcoming Ferry Advisory meeting.

Trustee Allen noted that the original Denman/Hornby entry signs had been missing since the new ferry landing comfort buildings were constructed.

Trustees requested that a presentation of the Draft Islands Trust Communications Plan be put on the agenda for next meeting, along with sign input from Senior Intergovernmental Policy Advisor Lisa Wilcox.

12. REPORTS

12.1 Trust Conservancy Report dated November 23, 2021

Received.

12.2 Applications Report dated February 8, 2022

Received.

12.3 Trustee and Local Expense Report dated December, 2021

Regional Planning Manager Kauer noted that the bulk of the budget for the Hornby Healthy Watersheds Initiative was being used for the Freshwater Strategy Project.

12.4 Adopted Policies and Standing Resolutions

Received.

12.5 Local Trust Committee Webpage

None.

13. WORK PROGRAM

13.1 Top Priorities Report dated February 8, 2022

Chair Fast noted that several items had been added to the Top Priorities Project today.

13.2 Projects List Report dated February 8, 2022

Received.

14. CLOSED MEETING - none

15. UPCOMING MEETINGS

15.1 Next Regular Meeting Scheduled for Friday, May 6, 2022 - time and location to be determined

Regional Planning Manager Kauer noted recent negative feedback from the public around electronic meetings held earlier than the usual time for in person meetings. Early enough notification of meeting times may mitigate the negative feedback.

Chair Fast noted that the electronic meetings for Denman and Hornby Islands had been moved from 10:30 am to 10:00 am with no negative feedback.

Trustee Scott requested that electronic Hornby LTC meetings go from 9:00 am to Noon.

16. ADJOURNMENT

By general consent the meeting was adjourned at 1:25 pm.

Sue Ellen Fast, Chair

Certified Correct:

Katherine Vogt, Recorder