



Hornby Island Local Trust Committee Minutes of Regular Meeting

Date: May 6, 2022
Location: Room to Grow
 2100 Sollans Road, Hornby Island, BC

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

Staff Present: Heather Kauer, Regional Planning Manager
 Katherine Vogt, Recorder

Others Present: Wendy Burton, Chair of the Hornby Island Advisory Planning Commission
 Approximately three (3) 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 Fast called the meeting to order at 10:35 am. She acknowledged that the meeting was being held in territory of the Coast Salish First Nations. She introduced Trustees and Staff, and welcomed members of the public, noting that the meeting was being recorded for posting on the Islands Trust website.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- Add item 10.1 Budget for Official Community Plan Targeted Review

By general consent the agenda was adopted as amended.

3. RISE AND REPORT - November 26, 2021 In Camera Meeting

Chair Fast rose and reported that at the last in-camera meeting, in response to a request from Senior Intergovernmental Policy Advisor Lisa Wilcox for the Hornby Island Local Trust Committee (LTC) to support the K'omoks First Nation Cultural Heritage Policy, the following motion was passed:

HO-IC-2021-007s

It was MOVED and SECONDED,

1. that the Hornby Island Local Trust Committee request staff to develop an internal policy for approval consideration by the Denman Island Local Trust Committee that:
 - a. initiates an internal information-sharing process with the K'omoks First Nation so they may consider siting and use permit applications with the Policy;

- b. requires on receipt of a complete siting and use permit application that Staff forward to the K'omoks First Nation within 20 days a copy of the Siting and use permit application with personal information redacted for K'omoks First Nation review;
 - c. requires any feedback from the K'omoks First Nation be provided in writing by no later than 60 days after the date the Siting and Use Permit application was sent to the K'omoks First Nation; and
 - d. states that, despite this information-sharing process, the Hornby Island Local Trust Committee remains the decision-maker and will process Siting and use permit applications as per the Islands Trust Act, its policies, procedures and bylaw requirements.
2. That the Hornby Island Local Trust Committee rise and report in open meeting on its decision on sharing of Siting and Use Permits with K'omoks First Nation.

CARRIED**4. REPORTS****4.1 Trustee Reports**

Trustee Scott reported on the following:

- Attendance at the last Trust Council meeting involved many differences of opinion regarding the Governance Management Review, the draft Trust Policy Statement, and the recently passed Trust budget.
- Plans to attend an upcoming May 11, 2022 meeting in Victoria with Cabinet Ministers Josie Osborne and Rob Fleming to discuss ferry safety liability issues and the possibility for a larger ferry; Karen Ross and Denman Island Trustee David Critchley also plan to attend.

Trustee Allen reported on the following:

- Attendance at the last Trust Council meeting where there was much interesting, divisive, and challenging commentary.
- Involvement with and support of the Governance Management Review.

4.2 Chair's Report

Chair Fast reported on the following:

- 'Trust Council Decision Highlights' document on page 104 of the present LTC agenda.
- Recent participation as Vice-Chair of the four-member Executive Committee of the Trust Council.
- Chairing the Gambier Island Local Trust Committee meeting recently held in North Vancouver.
- Chairing the Denman Island Local Trust Committee recent special 'Farm' meeting.
- Chairing Bowen Island Council meetings whose municipal budget will likely be increased by 7.8 percent this year.
- Recent attendance at the Howe Sound Community Forum as part of a biosphere region within the Unesco Biosphere Reserve.
- Attendance at the April 1, 2 and 3, 2022 Association of Vancouver Island and Coastal Communities and the Local Government Leadership Academy Convention in Victoria.

- Difficulties for elected officials across British Columbia due to social media issues.

4.3 Electoral Area Director's Report

None

5. TOWN HALL

Members of the public commented on the following:

- Acquiring Crown land for a mobile home park may be the quickest, cheapest, most feasible affordable housing solution. The land could be moved from the Public Use PU (a) zone to Public Use (PU) zone and the zoning could be made flexible, acceptable, and specific to the needs of Hornby Island. This rezoning needs to occur quickly to accommodate young people, elders and people living in the bush, whose campfires may endanger the entire island.
- The present Advisory Planning Commission is biased against short term vacation rentals (STR)s and have overlooked 2012 and 2017 community consultation records of support for STRs. Why is the issue being revisited when it was so thoroughly addressed in the recent past? Also, the current meeting process of the APC is non-representative of a broad selection of the community.
 - Trustee Grant noted that there would be upcoming extensive community consultations on the APC recommendations.
- Speaking as a designated speaking alternate for Electoral Area Director Daniel Arbor, Karen Ross reported that the Comox Valley Regional District (CVRD) was presently conducting a region wide review of BC transit services; that Denman and Hornby Islands were missing from the last 2014 review; and, that it is important that the Trust get involved given that many members of the Hornby public need local bus service.
- The LTC needs to consider rezoning options for affordable housing projects as a top priority.
- Regarding the Temporary Use Permit (TUP) for the smoke/fish shop, will the TUP be reissued?
 - Chair Fast invited the member of the public to contact a planner.
- A petition regarding Seawright Road was in process.

6. DELEGATIONS

6.1 Wendy Burton for Advisory Planning Commission Recommendations

APC Chair Wendy Burton presented the recently completed four-page APC report titled 'Housing and Short Term Rentals Recommendations from Hornby Island Advisory Planning Commission March 29, 2022,' noting that considerable time had been spent seeking community input and that the following resource persons with a voice but no vote had attended the APC meetings regularly over 5 months: Sadie Chezenko and April Lewis, members of the Hornby Island Housing Society; Katherine Ronan and Rudy Rogalsky, members of the Board of the Hornby Island Community Economic Enhancement Corporation (HICEEC); and Patrick Lui, Secretary of the Hornby Island Short Term Rental Association (HISTRA); and, that written submissions were received from Tony Law, Ed Hoepfner, Gina Horvath, and Fred Hunt.

Chair Fast and Trustees thanked the APC for their report.

7. MINUTES

7.1 Local Trust Committee Minutes dated February 18, 2022 - for adoption

By general consent the Local Trust committee meeting minutes of February 18, 2022 were adopted.

7.2 Section 26 Resolutions-without-meeting Report dated April 26, 2022

Received.

7.3 Advisory Planning Commission Minutes - for receipt

7.3.1 January 14, 2022

7.3.2 January 28, 2022

7.3.3 February 11, 2022

7.3.4 February 25, 2022

7.3.5 March 18, 2022

7.3.6 March 29, 2022

Received.

8. BUSINESS ARISING FROM MINUTES

8.1 Follow-up Action List Report dated April 26, 2022

Chair Fast noted that Senior Intergovernmental Policy Advisor Lisa Wilcox had moved on to other work.

8.2 Fees Bylaw No. 169 - Update - Staff Report

Regional Planning Manager Kauer presented the staff report that recommends that Trustees adopt the updated fees bylaw.

HO-LTC-2022-018

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee Bylaw No. 169, cited as "Hornby Island Local Trust Committee Fees Bylaw, 2022", be read a first time.

CARRIED

HO-LTC-2022-019

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee Bylaw No. 169, cited as "Hornby Island Local Trust Committee Fees Bylaw, 2022", be read a second time.

CARRIED

HO-LTC-2022-020

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee Bylaw No. 169, cited as "Hornby Island Local Trust Committee Fees Bylaw, 2022", be read a third time.

CARRIED

HO-LTC-2022-021**It was MOVED and SECONDED,**

that the Hornby Island Local Trust Committee Bylaw No. 169, cited as “Hornby Island Local Trust Committee Fees Bylaw, 2022”, be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

CARRIED**8.3 Siting and Use Permit Bylaw - Staff Report**

Regional Planning Manager Kauer presented the staff report on the updated Siting and Use Permit Bylaw 168 which removes outdated references and processes contained in the older Siting and Use Permit bylaw and which adds a new requirement that site plans within 1 meter of a required setback be professionally drawn rather than hand drawn by the applicant to reduce error.

HO-LTC-2022-022**It was MOVED and SECONDED,**

that the Hornby Island Local Trust Committee Bylaw No. 168 cited as “Hornby Island Local Trust Committee Siting and Use Permit Bylaw 168, 2021”, be read a first time.

CARRIED**HO-LTC-2022-023****It was MOVED and SECONDED,**

that the Hornby Island Local Trust Committee Bylaw No. 168 cited as “Hornby Island Local Trust Committee Siting and Use Permit Bylaw 168, 2021”, be read a second time.

CARRIED**HO-LTC-2022-024****It was MOVED and SECONDED,**

that the Hornby Island Local Trust Committee Bylaw No. 168, cited as “Hornby Island al Trust Committee Siting and Use Permit Bylaw 168, 2021”, be read a third time.

CARRIED**HO-LTC-2022-025****It was MOVED and SECONDED,**

that the Hornby Island Local Trust Committee forward draft Bylaw No. 168 cited as “Hornby Island Local Trust Committee Siting and Use Permit Bylaw 168, 2021” to the Islands Trust Executive Committee for approval.

CARRIED**8.4 Islands Trust Ferry Terminal Signage - for discussion**

Chair Fast, Trustees, and Regional Planning Manager Kauer noted the following:

- The original ferry sign at Buckley Bay which included requesting visitors to Denman and Hornby to be protective of the sensitive ecology of the islands has been lost for many years and BC Ferries does not know what happened to it.
- K’omoks First Nations had previously suggested that they be contacted for comment about welcome/entry signs after a sign is designed.

- The Islands Trust Draft Communications Policy is not completed yet.
- Claire Frater manages Islands Trust signage and may have a data base of signs. Trustee Allen volunteered to contact her regarding signage.
- HIRRA has another concept for a sign.

9. APPLICATIONS, REFERRALS AND BYLAWS

9.1 Bylaw No. 166 - for consideration of adoption

Regional Planning Manager noted that this bylaw regarding minimum average lot areas, had already gone through all three readings and executive and ministry approval, and was being presented to Trustees for final adoption.

HO-LTC-2022-026

It was MOVED and SECONDED,

that Hornby Island Local Trust Committee Bylaw No. 166 cited as “Hornby Island Official Community Plan, 2014, Amendment No. 1, 2021”, be adopted.

CARRIED

9.2 HO-DVP-2022.1 – Hornby Island Resorts- update

9.2.1 Staff Report dated February 18, 2022

Regional Planning Manager Kauer presented the staff report which asks that Trustees approve the application from Hornby Island Resort for variances for a building height extension and a sewage disposal field setback decrease.

The applicant joined the meeting after the presentation of the staff report at 11:56 am and spoke on the application.

Trustees expressed support for the height variance but concern about future wind and tide erosion of the proposed septic field variance; and, questioned if K’omoks First Nations had fully approved the variances, given that the staff report dated February 18, 2022 was being re-presented today without updates.

- Regional Planning Manager Kauer responded that staff had received, only two days ago, an email correspondence from Todd Boychuk, K’omoks Director of Intergovernmental Relations, and could forward this email to Trustees if K’omoks First Nations approved the forwarding of the email; and, that she could confirm that the correspondence indicated K’omoks First Nation had no concerns with the variances.

HO-LTC-2022-027

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee approve issuance of Development Variance Permit HO-DVP-2022.1 (Hornby Island Resort).

CARRIED

10. LOCAL TRUST COMMITTEE PROJECTS

10.1 Budget for Official Community Plan Targeted Review

Regional Planning Manager Kauer presented on a whiteboard the process of turning APC recommendations into formal bylaws within a budget of \$15,000, noting the following:

- that referral to First Nations and a Public Hearing and public readings of the bylaws were required by legislation, but that other or extra forms of public engagement were discretionary.
- that hiring a consultant to draft bylaws at \$150.00 per hour for 100 hours could take up the entire budget. There may be some limited capacity for a planner to draft bylaws.
- Public hearings cost approximately \$800.00; survey monkey is very low cost; First Nations expect money for their time spent looking at LTC referrals.
- Part of the budget could go to a public meeting facilitator.
- For online surveys, there was a system to ensure only one response per IP address.

APC Chair Burton and Trustees agreed that a public information meeting was better held before any drafting of bylaws.

- A member of the public noted that off island property owners needed access to the public engagement process.

HO-LTC-2022-028

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee request staff to develop a Project Charter with a detailed work plan based on the Advisory Planning Commission recommendations.

CARRIED

The meeting recessed at 12:30 pm and reconvened at 12:52 pm.

11. CORRESPONDENCE

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

11.1 Email dated March 3, 2022 - Greetings from the BC Electoral Boundaries Commission

Received.

11.2 Letter dated March 27, 2022 from T. Law regarding Amending the Home Owner Grant Program to Support Residential Housing

Received.

11.3 Email dated April 20, 2022 from G. Underhill regarding - Neighbourhood Beach Parking and Overuse on Hornby Island

Received.

12. NEW BUSINESS

12.1 Annual Report - Staff Report

HO-LTC-2022-029

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee endorse the following text for inclusion in the 2021-2022 Annual Report for approval by the Islands Trust Council and submission to the Minister of Municipal Affairs & Housing:

The Hornby Island Local Trust Committee (HOILTC) held five regular business meetings, one Public Hearing, one special business meeting and one special meeting/in camera meeting in the 2021/22 fiscal year, for a total of eight meetings.

Work for this period focused on advancing the HOILTC priorities to address freshwater sustainability, the Hornby Island Official Community Plan and Land Use Bylaw. The LTC gave three readings to an Official Community Plan amendment bylaw and adopted a Land Use Bylaw amendment focused on clarifying the minimum average lot area for subdivision.

The HOILTC also amended their Meeting Procedures Bylaw to allow all LTC meetings to be electronic when needed.

From April 1, 2021 to March 31, 2022, the HOILTC received and considered applications for six development variance permits, three development permits, and one temporary use permit. During the same time period staff also reviewed 16 siting and use permits, one crown lease referral, and one subdivision referral.

CARRIED

13. REPORTS

13.1 Trust Conservancy Report dated January 25, 2022

13.1.1 The Heron - Spring 2022

Chair Fast noted that William Tempest of Victoria had recently left 10% of his estate to the Islands Trust Conservancy.

13.2 Applications Report dated April 26, 2022

Received.

13.3 Trustee and Local Expense Report dated February, 2022

Received.

13.4 Adopted Policies and Standing Resolutions

Received.

13.5 Local Trust Committee Webpage

None.

14. WORK PROGRAM

14.1 Top Priorities Report dated April 26, 2022

It was noted that Hornby Island was the only Gulf Island with a Municipal Regional District Tax (MRDT) 'Pillow' tax.

HO-LTC-2022-030

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee request staff to find out whether the Municipal Regional District Pillow tax needs support and approval from the Local Trust Committee on top of Comox Valley Regional District approval, or not.

CARRIED

Regional Planning Manager Kauer noted that Katherine Ronan would be meeting with planning staff for a pre-application meeting regarding the rezoning of a piece of land proposed for affordable housing, adding that people who are not the owners of a parcel of land can apply for its rezoning with the owner's permission.

14.2 Projects List Report dated April 26, 2022

Regional Planning Manager Kauer clarified that land zoned agriculture is not necessarily also in the Agriculture Land Reserve and the two categories have different rules around second dwellings.

15. INFORMATION ITEMS

15.1 Islands Trust Council Decision Highlights - March 2022

[Decision Highlights](#)

Received

16. UPCOMING MEETINGS

16.1 Next Regular Meeting Scheduled for Friday, June 10, 2022 at 10:30 am at Room to Grow, 2100 Sollans Road, Hornby Island, BC

17. CLOSED MEETING

17.1 Motion to Close the Meeting

The regular meeting was closed at 1:12 pm.

HO-LTC-2022-031

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) and (d) for the purpose of considering appointment of Advisory Planning Commission Members and adoption of In-Camera Meeting minutes dated November 26, 2021 and that the recorder and staff attend the meeting.

CARRIED

17.2 Recall to Order

The meeting was reconvened at 1:28 pm.

18. ADJOURNMENT

By general consent the meeting was adjourned at 1:29 pm.

Sue Ellen Fast, Chair

Certified Correct:

Katherine Vogt, Recorder