

DATE OF MEETING: June 26, 2026

TO: Hornby Island Local Trust Committee

FROM: Ian Cox, Planner 2
Local Planning Services

SUBJECT: TUP application for Non-farm Use
Applicant: Dierdre Atkinson
Location: 9926 Central Road, Hornby Island

RECOMMENDATION

1. That the Hornby Island Local Trust Committee approve issuance of Temporary Use Permit PL-TUP-2026-0103 for a term of 3 years.

REPORT SUMMARY

The purpose of this report is to seek Local Trust Committee (LTC) approval for a Temporary Use Permit (TUP) to allow the use of the property for two annual community-oriented events: The Hornby [Island Music] Festival, and the Hornby Island Fall Fair. Staff recommend approval of the permit as presented in **Attachment 1**.

BACKGROUND

The proposal is to allow the non-farm use of land that is currently zoned Agriculture (A1), for the annual Hornby Festival and the Hornby Island Fall Fair, both which draw more attendance than is permitted under the Agricultural Land Reserve (ALR) Use Regulation governing “Gathering For An Event” in the ALR. The property is 26.27 hectares (64.9 acres) in size, shown in Figure 1. The use is also not permitted under the Hornby Island Land Use Bylaw (LUB) whose regulations are in accordance with the ALR Use Regulation.

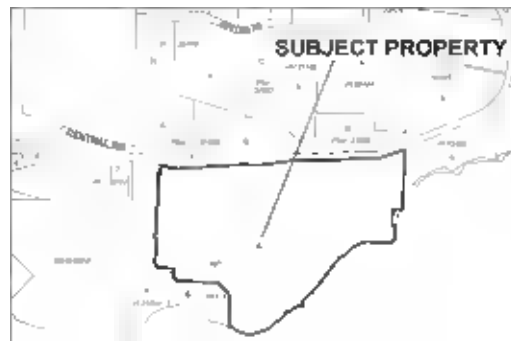


Figure 1 - Subject Property

The LTC previously reviewed a [staff report](#) for the Agricultural Land Commission (ALC) referral portion of this application in the agenda package for its regular business meeting on March 20, 2026. The

report provided site context, compressive analysis of the proposed land uses, ALR regulations, OCP and LUB policies and regulations, and described the application timeline and sequence of administrative approvals. The following sections of this report provide a condensed version of that information for reference, as well as the staff recommendation on the TUP issuance and the available alternatives. The LTC passed the following resolution on March 20th, forwarding the ALR application to the Agricultural Land Commission (ALC) with support:

HO-LTC-2026-016

that the Hornby Island Local Trust Committee supports application PLALR20260065 for non-farm use in the Agricultural Land Reserve and directs staff to forward the application to the Agriculture Land Commission for further consideration including a letter of support with the following comment:

Subject to Local Trust Committee approval of a Temporary Use Permit, the property has an open Temporary Use Permit application in-process to allow the events within zone which will be considered subsequent to any Agricultural Land Commission approval.

CARRIED

ANALYSIS

Policy/Regulatory

Islands Trust Policy Statement:

Directive policies relevant to this application include the following. A comprehensive analysis of the TUP Guidelines is included in **Attachment 2**.

Agricultural Land

4.1.8 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.

Recreation

5.5.1 It is Trust Council's policy that recreational activities in the Trust Area should be compatible with preservation and protection of the environment, natural amenities, resources and community character.

Economic Opportunities

5.7.1 Trust Council holds that economic opportunities should be compatible with the conservation of resources and protection of community character. Directive Policy.

5.7.2 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.

Official Community Plan:

The OCP provides the following Broad Community Objectives:

To limit or reduce present and future stresses upon natural and community resources, particularly those generated by increasing seasonal uses

To encourage a self-reliant rural community based on agriculture, low impact businesses and home occupations that are sustainable and non-polluting.

To ensure changes, growth and development are gradual and support the sustainability of the community

The Objectives and Policies for Sustainable Land Use section includes the following items of note:

Agriculture

6.4.2.4 To support existing agricultural operations, accessory uses should be permitted where such uses do not impinge on the principal farm use and will not degrade the land nor reduce its capability for agricultural production, provided such uses are authorized by the ALC Act.

6.4.2.5 Temporary non-agricultural uses of existing buildings on agricultural land involving no impact upon the land itself or the principal farm use, may be considered upon application for a Temporary Use Permit which may include specific conditions to address impacts such as noise, parking, water supply and waste disposal.

Visitor Accommodations and Tourism

6.5.2.9 New developments and promoted events are encouraged to focus upon year-round and off-season activity rather than upon attracting more visitors during the summer peak season.

Outdoor Recreation

6.6.1.8 Organizers of outdoor recreation activities or events should ensure that these do not unduly interfere with the public access and enjoyment of the land and should provide adequate toilet facilities that comply with Provincial regulations.

6.6.1.9 Activities that have little or no impact upon the environment are considered preferable forms of outdoor recreation.

The property is not subject to currently enacted Development Permit Areas (DPAs).

Land Use Bylaw:

The subject property is zoned **Agriculture 1 (A1)** under the [Hornby Island Land Use Bylaw No. 150](#). The following is an excerpt:

8.5 Agriculture 1 (A1) Zone

Permitted Uses

8.5 (8) Where land is in the Provincial Agricultural Land Reserve, non-farm uses permitted by this Bylaw within a zone are permitted only:

- a) if also approved by the Provincial Agricultural Land Commission by written order and only to the extent provided by the written order; or
- b) if also permitted by the Agricultural Land Reserve Use Regulation and only to the extent permitted by this Bylaw.

Agricultural Land Reserve:

ALC regulations pertaining to 'Gathering For An Event' as defined in the ALC Act and Regulations, are explained in ALC [Policy L-22](#).

The Commission released its Reasons For Decision for Non-Farm-Use Application 106809 on May 21, 2026, included as **Attachment 3** to this report.

Issues and Opportunities

The Hornby Festival and Hornby Island Fall Fair have been operating on the property for many years and are generally accepted as having broad community support. The ALR and TUP applications were initiated due to a separate ALC enforcement issue on the property. There is no active Islands Trust bylaw enforcement file open for the festival/event uses on the property.

Accommodation for these types of events is supported by the OCP, considering they have been demonstrated to support existing agricultural operations and do not impinge on principal farm use, will not degrade the land nor reduce its capability for agricultural production, and so on as outlined in the ALC Reasons For Decision.

Conditions of the proposed TUP are taken from the Hornby OCP TUP Guidelines (**Attachment 2**) and the ALC decision conditions themselves, for closest alignment and clarity for the applicant.

Consultation

Notice of the TUP was circulated to surrounding property owners and residents on June 12, 2026 and published in the Hornby Island Tribune on June 17, 2026 in accordance with the *Local Government Act*. No correspondence in response to the notice was received at the time of preparing this report, but may be received before the LTC meeting on June 26, 2026.

Two letters of support for the ALC Non-Farm Use application were provided by the applicant, one from the Comox Valley regional District Area Director and another from the Hornby Island Farmland Trust Society (**Attachment 4**). Any submissions received after the agenda is published will be sent to the LTC prior to the meeting and will be raised by the planner at the meeting. Correspondence should be sent to northinfo@islandstrust.bc.ca.

Rationale for Recommendation

Staff recommend issuance of the proposed permit as found on page 1 of this report under the following rationale:

- The proposal is supported by the objectives and policies of the OCP.
- The proposal does not result in any permanent structures on the property.
- The ALC has allowed the Non-Farm-Use application subject to conditions, for a period of twelve (12) years.

ALTERNATIVES

1. Request additional information

The LTC may request further information prior to making a decision. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request. Recommended wording for the resolution is as follows:

That the Hornby Island Local Trust Committee request that the applicant submit to the Islands Trust the following information prior to making a decision on PLTUP20260103 [insert information request].

2. Deny the application

The LTC may deny the application. The decision should be accompanied by reasons. Recommended wording for the resolution is as follows:

That the Hornby Island Local Trust Committee deny application PLALR20260103 for the following reasons [list and describe reasons].


NEXT STEPS

- If approved, the application will be forwarded to the ALC for consideration.

Submitted By:	Ian Cox, Planner 2	June 9, 2026
Concurrence:	Renee Jamurat, RPP MCIP, Regional Planning Manager	June 9, 2026

ATTACHMENTS

1. Proposed TUP
2. TUP Guidelines
3. Agricultural Land Commission – Reasons for Decision (NFU)106809
4. Letters of Support for ALC application 106809 (CVRD, HIFTS)

 <p>Islands Trust</p>	<p>HORNBY ISLAND LOCAL TRUST COMMITTEE TEMPORARY USE PERMIT PL-TUP-2026-0103 (Hornby Festival/Fall Fair) 9926 Central Road, Hornby Island</p>
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To: 0859430 BC Ltd.

1. This Permit applies to the land described below:

PID 027-554-660

LOT A, SECTIONS 2 AND 18, HORNBY ISLAND, NANAIMO DISTRICT, PLAN VIP85172

a) Pursuant to Section 493 of the *Local Government Act* and Section 6.10 of the *Hornby Island Official Community Plan Bylaw No. 149, 2014*, and despite *Hornby Island Land Use Bylaw No. 150, 2014*, this Permit is issued to **allow temporary events in the form of the annual “Hornby [Island Music] Festival” and “Hornby Island Fall Fair”**, conducted in accordance with the *Agricultural Land Commission Act*, *Agricultural Land Reserve Use Regulation* and the Agricultural Land Commission Reasons For Decision (Non-Farm Use) 106809.

2. This permit is subject to the following conditions:

- a) The general layout of the temporary events (parking and event activities) shall be in substantial accordance with Schedule “A”- Subject Property Map and Schedule “B”- Site Plan attached to and forming part of this permit, as signed and dated by the Deputy Secretary, Islands Trust.
- b) All temporary events authorized under this Permit must comply with the Agricultural Land Commission Reasons for Decision 106809.
- c) Potable water delivery must be provided for all events to ensure adequate water supply on site in accordance with public health guidance.
- d) Off-road parking must be provided in accordance with Section 5.4 of the *Hornby Island Land Use Bylaw No. 150, 2014*. For the purposes of this permit, parking requirements shall be calculated based on “community hall, church, social hall” uses relative to the size of the event and designed to the standards of that bylaw.
- e) All garbage and recycling generated by the events must be taken to the Hornby Island Recycling Depot or to an appropriate off-island facility immediately following the event. Compostable waste shall be disposed of appropriately.
- f) Portable toilets must be provided based on the expected attendance and duration of each event, in accordance with public health guidance, at a minimum ratio of one toilet per 50 attendees. All units must be promptly removed following each event.

- g) Events must be reasonably screened from adjacent residential uses to minimize visual impacts and maintain privacy.
 - h) Proposed events must comply with the Comox Valley Regional District Electoral Areas Noise Control Regulations Bylaw No. 102. Events shall conclude no later than 12:00 a.m., and noise levels must be actively monitored and managed throughout the duration of the event.
 - i) The holder of the Permit will be responsible for any violation of the conditions of this Permit. For the purpose of investigating a complaint, Islands Trust staff may enter the property during business hours to ensure compliance with the Temporary Use Permit.
3. It is the responsibility of the landowner to obtain any required authorization under the *Water Sustainability Act*, the *Public Health Act*, the *Sewerage System Regulation* or any other relevant legislation pertaining to groundwater, public health and safety, and waste management.
 4. This Permit is valid for a period of three years from the date of issuance.
 5. This is not a Building Permit or a Siting and Use Permit, nor does it relieve the Permittee from the need to secure all other approvals necessary for the proposed land use.

AUTHORIZING RESOLUTION PASSED BY THE HORNBY ISLAND LOCAL TRUST COMMITTEE THIS 26th DAY OF June, 2026.

Deputy Secretary, Islands Trust

Date Issued

**HORNBY ISLAND LOCAL TRUST COMMITTEE
PL-TUP-2026-0103
SCHEDULE "B"
Site Plan**



ATTACHMENT 2 – TEMPORARY USE PERMIT GUIDELINES

HORNBY ISLAND OFFICIAL COMMUNITY PLAN BYLAW NO. 149, 2014 AND LAND USE BYLAW NO. 150, 2014

Guideline Not Met	Guideline Met Subject to LTC Decision	Guideline Met
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Temporary Use Permits Objective 6.10(1) - OCP:

to consider allowing a temporary event as per Policy 6.5.1.10;

Temporary Use Permit Objective 10.2(1) – LUB*:

to consider allowing a temporary event as per OCP Policy 6.5.1.10;

OCP Guideline	LUB Guideline	Complies?	Planner Comments
<p>6.10.1: Upon application, Temporary Use Permits may be considered for all parcels of land within the Hornby Island Local Trust Area, with the following exclusions:</p> <p>a) properties less than one quarter of a hectare, except when the application is for vacation home rental use;</p> <p>b) land designated as Park, as shown on Schedule B; and</p> <p>c) a parcel identified as containing an environmentally sensitive area, as shown on Schedule D1 or D2, unless information is provided by the owner that establishes that the proposed land use does not negatively impact the environmentally sensitive features or is located outside of the sensitive area on the parcel.</p>	<p>10.3(1): Upon application, Temporary Use Permits may be considered for all parcels of land within the Hornby Island Local Trust Area, with the following exclusions:</p> <p>(a) properties less than one quarter of a hectare except when the application is for vacation home rental use;</p> <p>(b) land zoned as public park, ecosystem management area or water supply protection, as shown on Schedule B; and</p> <p>(c) a parcel identified as an environmentally sensitive area, as shown on Schedule D1 or D2 of the Hornby Island Official Community Plan Bylaw No. 149, unless information is provided to illustrate that the proposed land use does not negatively impact the environmentally sensitive features.</p>		<p>Schedule D1 mapping shows that the property has occurrences of both Mature Forest and Woodland ecosystems. However, the property has been largely cleared for gricultural purposes.</p> <p>Schedule D2 mapping shows the subject property is in the IIIA – Moderately developed, high vulnerability Environmentally Sensitive Areas Aquifer. The property is located outside a Recharge Zone.</p> <p>Staff determine that no further environmental assessment is required, primarily due to the fact that the property is cleared and in agricultural production.</p>
<p>6.10.2: Applications for Temporary Use Permits may be referred to the Advisory Planning Commission which may be requested to provide an opportunity for public input to be received and considered</p>	<p>10.3(2): Applications for Temporary Use Permits may be referred to the Advisory Planning Commission which may be requested to provide an opportunity for public input to be received and considered</p>		<p>For LTC Decision: Determine whether to refer this application to the Advisory Planning Commission.</p>

OCP Guideline	LUB Guideline	Complies?	Planner Comments
in preparing its recommendations.	in preparing its recommendations.		
6.10.3: Temporary Use Permits for parcels within the Agricultural Land Reserve should only be issued for uses that do not conflict with Agricultural Land Commission policies and regulations.	10.3(3): Temporary Use Permits for parcels within the Agricultural Land Reserve should only be issued for uses that do not conflict with Agricultural Land Commission policies and regulations.		<ul style="list-style-type: none"> The subject parcel is located within the ALR. The applicant has applied for and obtained a Non-Farm Use approval from the ALC, Reasons for Decision 106809, included in Attachment 3 to the staff report.
6.10.4: A professional assessment of hydrological impacts may be required when the proposed use is within an identified groundwater recharge area or an aquifer classified as heavily developed as shown on Schedule B or D2 and if the proposed use involves more than minimal potential impacts upon the groundwater resource.	10.3(4): A professional assessment of hydrological impacts may be required when the proposed use is within an identified groundwater recharge area or an aquifer classified as heavily developed.		<p>Schedule D2 mapping shows the subject property is in the IIIA – Moderately developed, high vulnerability Environmentally Sensitive Areas Aquifer. The property is located outside a Recharge Zone.</p> <p>Not within a recharge zone. Aquifer is Moderately developed.</p>
6.10.5: Where approvals are required from other agencies, these should be obtained prior to the issuing of a Temporary Use Permit.	10.3(5): Where approvals are required from other agencies, these should be obtained prior to the issuance of a Temporary Use Permit.		See ALC Non-Farm Use Reasons for Decision 106809.
6.10.6: The general conditions for issuing a Temporary Use Permit are as follows: a) adequate off-road parking should be provided;	10.3(6): The general conditions for issuing a Temporary Use Permit are as follows: (a) adequate off-road parking should be provided;		<p>Included as a condition of the proposed permit.</p> <p>The applicant has indicated that parking will occur off-road on the field.</p> <p>In accordance with Section 5.1(1) of the Hornby Island Land Use Bylaw (LUB), all required off-road parking spaces will be located on the lot.</p> <p>Per Table 5.4 of the Hornby Island LUB, where a particular use is not specifically listed, the number of parking spaces required for the most similar listed use applies. The closest use in this case is item 11. community hall, church, social hall.</p>
6.10.6.b) there should be adequate provision for approved waste disposal before consideration is given by the Local Trust Committee;	10.3(6)(b) confirmation that site conditions allow for adequate provisions for approved waste disposal;		<p>Included as a condition of the proposed permit.</p> <p>Applicant has indicated that garbage and recycling will be taken to the Hornby Island Recycling Depot</p>

OCP Guideline	LUB Guideline	Complies?	Planner Comments
			immediately following events. Compostable waste will be disposed of appropriately, and portable toilets will be provided for duration of the events.
6.10.6.c) commercial uses (other than very short term uses or vacation home rentals) should be screened from adjacent residential uses;	10.3(6)(c): commercial uses (other than very short term uses or vacation home rentals) should be screened from adjacent residential uses;		Hornby Festival and Fall Fair are both considered very short term uses.
6.10.6.e) there should be adequate setbacks of the use to minimize impacts upon adjacent properties;	10.3(6)(e) there should be adequate setbacks of the use to minimize impacts upon adjacent properties;		Screening included as a condition of the proposed permit. Parking and event activities are to be located as centrally as possible on the 26 hectare/65-acre property, with the festival and fair grounds located in the lower southeast portion of the lot adjacent to 10005 Central Road which is under the same ownership.
6.10.6.f) noise generation should be addressed to prevent disturbance of the neighbourhood and to ensure compliance with regional district regulations;	10.3(6)(f) noise generation should be addressed to prevent disturbance of the neighbourhood and to ensure compliance with regional district regulations;		Included as a condition of the proposed permit. <ul style="list-style-type: none"> • Events shall be compliant with the Comox Valley Regional District (CVRD) Electoral Areas Noise Control Regulations Bylaw No. 102. • Staff recommend the events to conclude no later than 12:00 am, and noise levels to be actively monitored and managed throughout.
6.10.6.g) the use should be conducted so as to not risk contamination of the land, surface water or groundwater, including by making adequate provision for the safe storage of toxic materials;	10.3(6)(g) the use should be conducted so as to not risk contamination of the land, surface water or groundwater, including by making adequate provision for the safe storage of toxic materials;		Event does not involve the storage or use of any toxic or hazardous materials. As such, there is no anticipated risk of contamination. All waste will be managed through appropriate disposal measures, including the use of portable washrooms and on-site garbage collection.
6.10.6.h) water supply should be addressed so as to not create negative impacts upon existing common water sources;	10.3(6)(h) water supply should be addressed so as to not create negative impacts upon existing common water sources;		Included as a condition of the proposed permit. Potable water will be delivered for events.
	10.3(6)(i) other potential impacts upon the neighbourhood should be mitigated, including by limitations upon the hours of operation where appropriate		Included as a condition of the proposed permit. Staff recommend that events do not run past 12am.

OCP Guideline	LUB Guideline	Complies?	Planner Comments
<p>6.10.6.j) the owner of the property may be required to provide a security to guarantee the performance of the terms of the permit and should be required to provide an undertaking to demolish or remove any building or structure and to restore the land to a condition specified in the permit, especially in circumstances where temporary housing is provided and such housing is no longer used for the temporary purposes; and</p>	<p>10.3(6)(j) the owner of the property may be required to provide a security to guarantee the performance of the terms of the permit and should be required to provide an undertaking to demolish or remove any building or structure and to restore the land to a condition specified in the permit, especially in circumstances where temporary housing is provided and such housing is no longer used for such temporary purposes; and</p>		<p>The events do not involve the construction of permanent or semi-permanent structures or include any form of temporary housing or land alteration. The requirement for a security deposit or post-event site restoration undertaking does not apply in this case. See Also ALC Reasons for Decision 106809.</p>
<p>6.10.6.k) lands with good agricultural potential should not be compromised by any use permitted by a Temporary Use Permit.</p>	<p>10.3(6)(k) lands with good agricultural potential should not be compromised by any use permitted by a Temporary Use Permit.</p>		<p>Events use is subject to mitigation and restoration measures imposed by the conditions of ALC Reasons for Decision 106809.</p>
<p>6.10.7: Applicants for Temporary Use Permits should address the issues identified in these policies in their applications and are strongly encouraged to consult with neighbours about the proposed use prior to making application.</p>	<p>10.3(7): Applicants for Temporary Use Permits should address the issues identified in these policies in their applications and are strongly encouraged to consult with neighbours about the proposed use prior to making application.</p>		<p>Events are long standing, multi-year initiatives which are understood to have broad community support, both from residents and organizations. Letters of support have been received from the CVRD and Hornby Island Farm</p>
<p>6.10.9: The Local Trust Committee should consider the climate change impacts of any proposed temporary use when reviewing Temporary Use Permit applications.</p>	<p>10.3(9): The Local Trust Committee should consider the climate change impacts of any significant change in reviewing temporary use permit applications.</p>		<p>No anticipated long term increased GHG emissions beyond current festival attendance for the temporary events.</p>

May 21, 2026

ALC File: 106809

Dierdre Atkinson
Hornby Festival Society
Delivered by e-mail

Dear Dierdre Atkinson:

Re: Reasons for Decision - ALC Application 106809

Please find attached the Reasons for Decision of the Island Panel for the above noted application (Resolution #434/2026). As the agent, it is your responsibility to notify the applicants accordingly.

Please note that the submission of an administrative fee may be required for the administration, processing, preparation, review, execution, filing or registration of documents required as a condition of the attached Decision in accordance with section 11(2)(b) of the ALR General Regulation.

Under section 33 of the ALCA, a person affected by a decision (e.g. the applicant) may submit a request for reconsideration. A request to reconsider must meet the following criteria:

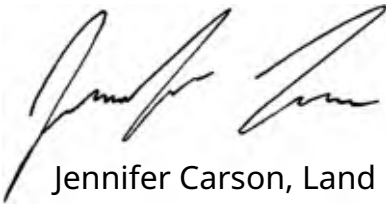
- No previous request by an affected person has been made, and
- The request provides either:
 - Evidence that was not available at the time of the original decision that has become available, and that could not have been available at the time of the original decision had the applicant exercised due diligence, or
 - Evidence that all or part of the original decision was based on evidence that was in error or was false.

The time limit for requesting reconsideration of a decision is one year from the date of the decision's release, as per [ALC Policy P-08: Request for Reconsideration](#).

Please refer to [ALC Information Bulletin 08 – Request for Reconsideration](#) for more information.

Please direct further correspondence with respect to this application to
ALC.Island@gov.bc.ca

Yours truly,

A handwritten signature in black ink, appearing to read 'Jennifer Carson', is written over a light grey rectangular background.

Jennifer Carson, Land Use Planner

Enclosure: Reasons for Decision (Resolution #434/2026)

cc: Islands Trust (File: PLALR20260065). Attention: Rob Pingle

106809d1



Agricultural Land Commission File 106809

Reasons for Decision of the Island Panel

Non-Farm Use Application Submitted Under s.20(2) of the *Agricultural Land Commission Act*

Applicants: Hornby Festival Society & Hornby Island Fall Festival Committee

Property Owner: 0859430 B.C. LTD., INC.NO. BC0859430

Agent: Dierdre Atkinson, Hornby Festival Society

Property: Parcel Identifier: 027-554-660
Legal Description: Lot A, Sections 2 and 1,
Hornby Island District, Plan VIP85172
Civic: 9925 Central Road, Hornby Island, BC
Area: 26.3 ha (Entirely within the ALR)

Panel: Jennifer Dyson, Chair
Jeff McCallum
Jan Slomp

OVERVIEW

- [1] The Property is located within the Agricultural Land Reserve (“ALR”) as defined in section 1 of the *Agricultural Land Commission Act* (“ALCA”).
- [2] The Applicant is applying to the Agricultural Land Commission (the “Commission” or “ALC”) under s. 20(2) of the ALCA to continue to use 6 ha of the Property, called Rosemuir Farm, for the six-day Hornby MusicFest and the one-day Hornby Island Fall Fair (the “Events”) including festival fairgrounds and parking area on an annual basis for up to 2,500 people, for the next 20 years (the “Proposal”).
- [3] The Proposal was considered in the context of the purposes and priorities of the Commission set out in section 6 of the ALCA:

6 (1) The following are the purposes of the commission:

- (a) to preserve the agricultural land reserve;
- (b) to encourage farming of land within the agricultural land reserve in collaboration with other communities of interest; and,
- (c) to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of land within the agricultural land reserve and uses compatible with agriculture in their plans, bylaws and policies.

(2) The commission, to fulfill its purposes under subsection (1), must give priority to protecting and enhancing all of the following in exercising its powers and performing its duties under this Act:

- (a) the size, integrity and continuity of the land base of the agricultural land reserve;
- (b) the use of the agricultural land reserve for farm use.

EVIDENTIARY RECORD

[4] The Proposal, along with related documentation from the Applicants, Agent, local government, third parties, and Commission is collectively referred to as the “Application”. All documentation in the Application was disclosed to the Agent in advance of this decision.

BACKGROUND

[5] The Application notes that the Property is Class 9 – Farm under the BC *Assessment Act* and is used for cattle and hay production.

[6] On February 5, 2026, ALC Compliance and Enforcement attended the Property for another matter. During their visit, it came to light that the Events had not received authorization of the Commission. The Applicant submitted the Application shortly after that visit.

[7] The Application explains that the Hornby MusicFest and the Hornby Island Fall Fair are two long-standing, community-based events. In

particular, the Application notes that the Hornby MusicFest has been running for 44 years and has been located on the Property for the last 30 years, and the Hornby Island Fall Fair has been held on the Property for over 20 years. The Application explains that the Hornby Island Fall Fair celebrates local agriculture and farmers through competitions, harvest displays, community meals, and educational activities. The Application further explains that all the event infrastructure is temporary, no fill is required, and that the parking is not permanent and site use are carefully managed to avoid interference with agricultural production.

[8] The Islands Trust Administrative Report dated March 20, 2026 (the “Islands Trust Report”) states that the Property is designated as Agricultural under the Official Community Plan Bylaw No. 149, 2014. The Island Trust Report notes that the Proposal is in line with the OCP designation. The Islands Trust Report notes that allowance for these Events on the Property is supported by the OCP as the events have been found by the Islands Trust to support existing agricultural operations, and that they do not impinge on the principal farm use and will not degrade the land nor reduce its capability for agricultural production.

[9] The Islands Trust Report also states that the Property is zoned Agriculture 1 (A1), under the Land Use Bylaw No. 150, 2014. The Island Trust Report notes that the Proposal is not line with the current zoning designation, however, the owners of the Property have applied for

Temporary Use Permit (“TUP”) to ensure compliance with the Land Use Bylaw if the Events are approved by the Commission.

[10] At its meeting of March 20, 2026, the Hornby Island Local Trust Committee resolved to forward the Application to the ALC for further consideration with a letter of support. Its letter of support states that the Events are important for locals and visitors to celebrate growing, harvesting, preserving and foraging on Hornby. The letter of support further notes that the Events have demonstrated careful stewardship of the land in that all infrastructure is temporary, parking is managed to avoid interference with farm use, and there have been no concerns raised about impacts on agricultural production or the integrity of the farmland.

[11] The Application also provided a letter dated February 11, 2026 from Marilyn Kopansky who is the Chair of the Hornby Island Farmland Trust Society who has hosted an information booth at both the proposed events. The letter indicates that, the events have not caused “undue stress on the farm and that all appropriate measures are taken to ensure that land is respected and used lightly”.

ANALYSIS AND FINDINGS

[12] The Applicant is proposing to continue hosting the two Events on the Property for the next 20 years.

[13] The Panel first gave consideration to whether to allow the Events on the Property. The Panel considered the nature of the proposed Events and their agricultural and rural focus including celebrating local agriculture and farmers, competitions, harvest displays, community meals, and educational activities. The Application also states that the Events provide direct and indirect benefits to agriculture as the Events bring hundreds of residents and visitors onto working farmland, which aids in fostering an appreciation for local agriculture, food production, and land stewardship.

[14] Given the above, the Panel finds that the Events have provided visibility for local agriculture in Gulf Islands.

[15] To assess agricultural capability on the Property, the Panel referred to agricultural capability ratings. The ratings are identified using the Canada Land Inventory (CLI), 'Soil Capability Classification for Agriculture' system. The improved agricultural capability ratings applicable to the Property are Class 2 and Class 3, more specifically more specifically 70% of Class 3 with the limitation of soil moisture deficiency (M) and 30% of Class 3 with the limitation of stoniness (P).

Class 2 - land is capable of producing a wide range of crops. Minor restrictions of soil or climate may reduce capability but pose no major difficulties in management.

Class 3 - land is capable of producing a fairly wide range of crops under good management practices. Soil and/or climate limitations are somewhat restrictive.

- [16] Based on the improved agricultural capability ratings, the Panel finds that the Property has prime agricultural capability which can support a wide range of agricultural activities with minimal limitations.
- [17] The Panel then considered the potential physical impact of allowing the Events to continue on the Property. The Panel considered that holding large events on ALR land, particularly prime agricultural land, comes with certain risks of short-term or long-term damage if not property mitigated and reclaimed.
- [18] The Panel notes that, although the Events have operated without Commission approval, the Applicants have demonstrated a consistent record of stewardship that has maintained the Property's agricultural use between events and has worked with the Property owners to preserve the integrity of the Property. More specifically, the Application notes that all tents, staging, fencing and other infrastructure are temporary, and site use is carefully managed. The Application submits that over the decades of the Events, there have been no incidents or concerns affecting the agricultural viability of the land. ensuring that the Events have not adversely impacted the agricultural use of the Property.

- [19] With respect to mitigation of the Event impacts on the Property, the Agent has provided information discussing the Applicants' approach to mitigating impacts including:
- Hosting events during August and September when the ground is hard and dry;
 - Events not exceeding 6 hours per day;
 - Volunteers ensuring that no vehicles with visible signs of leakage or unsafe conditions are permitted entry; and,
 - Thoughtful placement of the different stages, parking areas, circulation routes and portable toilets.
- [20] The Agent provided additional information regarding the set up and clean up for the Events. For the Fall Fair, one day on either side of the mid-September event is required for set up and clean up. For the MusicFest approximately four days on either side of the six-day event for set up and clean up.
- [21] With respect to reclamation measures after the Events, the Agent advised that a formal post-event reporting process will begin this year to document site inspections, confirm removal of all event-related infrastructure and materials, and verify that the land has been returned to its original condition.
- [22] The Panel will allow the Events to continue on the Property provided that mitigation measures are in place such as posting signage along fencelines to avoid trespass to neighbouring properties, designating

vehicle corridors and parking areas to limit traffic impacts; geotextiles be used under stages, dance floors, and other high traffic areas if necessary; portable washrooms be sited away from drainage channels, a post-event report confirming reclamation for agricultural use. The Panel finds that with the appropriate conditions in place, the continuation of the Events are unlikely to negatively impact the integrity of the land.

[23] The Panel finds that approving the Events for 20 years is too long. The Commission cannot assume that site conditions, surrounding land uses, or compliance with conditions will remain unchanged over that period. A shorter approval term is more appropriate because it allows the Events to continue on a timeline that supports medium-term planning, while also giving the Commission an opportunity to revisit the use, confirm that conditions have been followed, and ensure the land's integrity has been maintained before considering any further approval. In this case, the Panel considers 12 years to be appropriate because it aligns with two TUP terms, including renewals.

[24] The Panel wishes to clarify that approval of the two Events does not prohibit the Property owners from hosting events under section 17 of the ALR Use Regulation "Gathering for an Event" provided that all criteria are met.

DECISION

[25] For the reasons given above, the Panel alternately approves the Events to continue to use 6 ha of the Property for the annual six-day Hornby MusicFest and the one-day Hornby Island Fall Fair for up to 2,500 people for the next 12 years subject to the following conditions:

General Conditions

- (a) The Property maintains Class 9 - Farm status under the *BC Assessment Act*;
- (b) The MusicFest has an overall timeframe of no more than three weeks, and the Fall Fair has an overall timeframe of no more than one week, these timeframes encompass the event set-up, the event days, and post-event clean-up;
- (c) Siting of the Events and event areas must be in accordance with Schedule A of this decision;
- (d) No permanent parking area or permanent facilities may be constructed or fill placed; and all temporary structures must be removed after each event;
- (e) Signage must be placed along shared fencelines to mitigate trespass to adjacent properties;
- (f) Geotextile mats must be placed under the stage, dance floor, and high-traffic zones, if necessary;
- (g) Portable washrooms must be sited away from drainage channels;
- (h) Post-event reclamation must be completed with 30 days of the last each year;

End by November 30, 2037

- (i) The use of the Property for the Events as proposed is for 12 years.

Pre-Event Assessment

- (j) A one-time baseline assessment, as conducted by a Professional Agrologist **before the first event**. The pre-event assessment should include:
- a. Agricultural capability ratings;
 - b. Existing soil conditions (structure, compaction, drainage, any existing disturbance);
 - c. Pre-event photographs of Event areas;

Post-Event Assessment – Due November 30 each year

- (k) Submission of an annual post-event report by **November 30th each year** for review and approval by the ALC. The post-event report should include:
- Comparison of agricultural capability ratings and soil conditions to pre-event assessment;
 - Post-event photographs to compare to pre-event photographs;
 - Weed/invasive species inventory;
 - Description of any disturbance (compaction, rutting, erosion, drainage impacts, weed introductions) resulting from the Events; and,
 - Reclamation actions taken (methods, seed mix, application rates).

[26] This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government,

and decisions and orders of any person or body having jurisdiction over the land under an enactment.

- [27] Should the above conditions of approval not be completed to the satisfaction of the ALC within the timeframe(s) specified, the approval will expire and a new application may be required.
- [28] This decision does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.
- [29] These are the unanimous reasons of the Panel.
- [30] A decision of the Panel is a decision of the Commission pursuant to s. 11.1(3) of the ALCA.

- [31] Resolution #434/2026
Released on May 21, 2026



Jennifer Dyson, Chair

On behalf of the Island Panel

Enclosure: Schedule A: Decision Map



File: 0360-20

February 13, 2026

Sent via email only: ALCBurnaby@Victoria1.gov.bc.caAgricultural Land Commission
133-4940 Canada Way
Burnaby, BC V5G 4K6

To the Agricultural Land Commission,

Re: Letter of Support – Application for Event Exemptions at Rosemuir Farm, Hornby Island

I am writing in my capacity as Director for Electoral Area A (Baynes Sound, Denman and Hornby Islands) of the Comox Valley Regional District to express my support for the application submitted by the Hornby Festival Society and the Hornby Island Fall Fair Committee (a volunteer committee of the Hornby Island Residents and Ratepayers Association - HIRRA) regarding community events at Rosemuir Farm, ALC land.

The application seeks limited exemptions from the ALR Non-farm Use Regulations to allow the long-standing Hornby Festival and the Hornby Island Fall Fair to continue to be held at this location. Specifically, the request is for an exemption from 1. the 150-person capacity limit and 2. for the six consecutive days of the Hornby Festival to be counted as a single annual event rather than six separate 24-hour events. The application also requests that these exemptions be granted for a twenty-year period, as the need to apply annually would create undue administrative and financial hardship for both the landowners and the non-profit organizations that host these community events.

Both events have deep roots in the community and have taken place at Rosemuir Farm for decades. The Hornby Festival has been a central cultural event on the island for more than forty years, and the Fall Fair has been held at the site for over twenty years, celebrating local farmers, harvest traditions, and agricultural life. Together, these events are beloved, intergenerational gatherings that play a significant role in the social, cultural, and economic vitality of the island.

Importantly, these events are closely aligned with the purposes of the Agricultural Land Commission. They bring residents and visitors onto working farmland in a respectful and

The views expressed in this letter are those of the director and do not necessarily reflect those of the corporation or the full board of directors.

temporary manner, fostering a deeper understanding of agricultural land, local food systems, and the importance of preserving farmland. The Fall Fair is explicitly focused on agriculture, while the Festival provides opportunities for agricultural education and outreach.

Hornby Island is a small, rural, and remote community with very limited land suitable for large gatherings outside the ALR. There are no practical alternative sites of sufficient size, amenities or accessibility. The continued use of Rosemuir Farm, with the generous support of the landowners, is essential to the viability of these non-profit, community-driven events.

Over many years of operation, both events have demonstrated careful stewardship of the land. All infrastructure is temporary, parking is managed to avoid interference with farm use, and there have been no concerns raised about impacts on agricultural production or the integrity of the farmland.

In my view, allowing these events to continue under the requested exemptions would support community well-being while remaining consistent with the Commission's mandate to preserve agricultural land and encourage its use. These events help build public awareness, appreciation, and long-term support for farming and farmland protection.

Thank you for your consideration of this request.

Sincerely,

D. Arbour

Daniel Arbour
Director, Comox Valley Regional District
Baynes Sound / Denman & Hornby Islands

cc: Dierdre Atkinson, artisticdirector@hornbyfest.com

Hornby Island Farmland Trust Society
1350 Sollans Road,
Hornby Island, BC V0R1Z0

February 11, 2026

Agricultural Land Commission

Re: Hornby Island ALR Event Regulations (BC Regulation 30/2019)

We are writing to express our support for the Community Events held annually at Rosemuir Farm, Central Road, Hornby Island. We understand that the Hornby Festival and the Hornby Island Fall Fair comply with Event Regulations, with the exception of the limit on number of attendees. We are writing to request that you grant an exemption for these events in the interests of supporting Agriculture on Hornby Island.

The Farmland Trust Society is a BC Incorporated Society S-0061166 (CRA Charitable status #811858240RR00011166). We were incorporated in 2013, with a strong mandate to promote agriculture and horticulture on Hornby Island.

Hornby Island has a long tradition of agricultural production, delivering supplies by steamship to Victoria and Vancouver. Now many of the heritage farms are not active or producing hay crops only. Many of the smaller farms are suffering some decline as the owners' age and cannot keep up production. We are committed to seeing more of our farmland returned to production. Information and outreach about farm transition, the young agrarians program, sharing farm equipment and undertaking a Hornby Island Agricultural Plan are part of our current activities.

The Hornby Island Fall Fair and the Festival are important opportunities for locals and visitors to the island to celebrate growing, harvesting, preserving and foraging on Hornby and learn about the abundance of our island. Rosemuir Farm is a beautiful site, with an active cattle farm and resident farm manager. It is also a significant Heritage Farm, dating from the union of an early settler, George Ford, and his indigenous wife, who settled here in the 1850s. Descendents of the Ford Strachan family still reside on the island. Acknowledgement and reconciliation are always part of the events.

We have had the opportunity to host a booth at events, allowing us to reach out with information about the crucial importance of farmland and food production for island self-reliance. The Fall Fair has been held at the site for over 20 years, bringing the community together annually to celebrate the farmers with competitions, harvest basket auction, pie table, games and Market booths. The Hornby Festival also contributes to agricultural awareness by bringing residents and visitors onto a working farm in a respectful, temporary way. Experiencing performances and community gatherings in this setting fosters a deeper appreciation and emotional connection to farmland, local food systems, and the importance of protecting agricultural land.

We are so grateful for Rosemuir Farm to continue the tradition of this farm and to share it with the community within the ALR rules. In our view, the attendance causes no undue stress on the farm and that all appropriate measures are taken to ensure that land is respected and used lightly.

Thank you in advance for considering the variance on numbers for this exceptional event.

Sincerely,

Marilyn Kopansky

Marilyn Kopansky

Chair, Hornby Island Farmland Trust Society.