

File No.: PLDVP20240341 – X.ref
PLDVP20240155 (Hornby Island Co-op)

DATE OF MEETING: March 21, 2025

TO: Hornby Island Local Trust Committee

FROM: Margot Thomaidis, Planner 2
Northern Team

SUBJECT: Development Variance Permit application

Applicant: Hornby Island Co-operative Association Inc. No. 710 - Scott Tory, AFC Construction (agent)

Location: 5875 Central Road, Hornby Island (PID 026-371-791)
Lot 1, Sections 6 and 10, Hornby Island, Nanaimo District, Plan VIP79310

RECOMMENDATIONS

1. That the Hornby Island Local Trust Committee approve issuance of development variance permit PL-DVP-2024-0341.

REPORT SUMMARY

The purpose of this report is to provide information to the LTC for consideration of a permit that is required to facilitate the redevelopment of the Hornby Co-op property at 5875 Central Road. The project includes construction of a new Co-op Store building with a grocery and hardware store, Canada Post, liquor store, deli, office rooms, and loading areas. The LTC has already issued a development variance permit (DVP) for the relaxation of setbacks and a development permit (DP) for proposed development in the Commercial Centres (Retail and Visitor Accommodations) DPA. However, an additional DVP for relaxation of maximum building height restrictions is required per the proposed plans.

A full analysis of the proposed project was provided to the LTC at their regular business meeting on November 1, 2024. This report asks the LTC to consider only the DVP for a height variance, as other variances and the DP have already been considered and approved. Staff recommends issuing the permit under the analysis and rationale provided in the following sections.

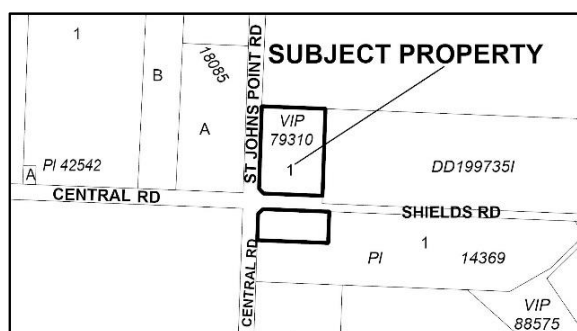


Figure 1 – Subject Property



Figure 2 – Approximate Project Area

BACKGROUND

Site Context

The subject property is located at the intersection of Central Road and Shields Road and is a “hooked” lot across those roadways. The Co-op Store and Ringside Market areas are located on the southern portion of the property, with services extending to the northern portion where the gas/service station and parking lot is located. Complete site and context information are found in **Attachments 1, 2, and 3**.

Project Overview

The application materials describe that the 12 existing Ringside Market buildings will remain with no change of use or occupancy. The existing general store is to be demolished and replaced with a new general store per the site plans and building elevations by Leckie Studio Architecture and Design Inc. (**Attachments 4 and 5**). The new general store will include mercantile space on level 1 and office space on level 2. Construction will also include a generator, fire pump enclosure, and above grade water tanks on the South-West corner of the site.

The project is proposed be carried out in two phases. Phase one includes the construction of the new Hornby Island Co-op store while maintaining operations at the existing building. On completion of the new store, the existing building would be demolished. Phase 2 includes plans to construct the front landscape area and entrance canopy after demolition of the old building is complete.

On November 1, 2024, the LTC approved issuance of two permits regarding the proposed project, as follows:

- A DVP to allow variances to the interior side and rear lot line minimum setback requirements for the new general store; and
- A Development Permit (DP) for the entire project per the Commercial Centres (Retail and Visitor Accommodations) DPA.

On November 5, 2024, staff also processed and approved a Siting and Use Permit (SUP) to permit the development per the [Hornby Siting and Use Permit Bylaw No. 168](#).

Following issuance of the three permits in November 2024, it was discovered that the proposed building height of the general store is 10.25 metres, which is 2.25 metres above the maximum permitted 8.0 metre building height limit in the Hornby Island Land Use Bylaw No. 150 (LUB). Therefore, an additional variance to the building height regulation is sought.

ANALYSIS

OCP

The subject property is designated Retail and Personal Service and included in the Commercial Centres (Retail and Visitor Accommodations) DPA per the [Hornby Island Official Community Plan Bylaw No. 149](#) (OCP) land use and development permit areas maps, Schedule “B” and “E” to the OCP, respectively. Staff consider the current uses on the property and proposed development applications to be compatible with OCP policies and objectives under section 6.5.1 for this designation.

LUB

Zoning

The subject property is zoned Commercial 1 -Retail (C1) (Co-op and Service Station) under LUB section 8.9, where retail, restaurants, service stations, personal services, and offices are permitted principal uses.

Height - DVP

The applicant is requesting a relaxation to the following LUB height regulation (**Attachment 8**):

- Section 3.4, Subsection (1) which states that **buildings and structures** other than agricultural buildings and structures **must not exceed a height of 8.0 metres**, is requested to be increased to **10.25 metres** for the proposed new general store.

Intent of regulation being varied

The purpose of building height regulations is to minimize impacts on adjacent properties related to:

- Establishing a consistent development pattern within a local area.
- Limiting the visual impact of development on adjacent properties.
- Protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
- Maintaining a rural character.
- Ensuring that the environmental integrity and amenity of adjacent lots, public roads and public land are not adversely affected.

Impact of granting variance

The applicant submits that the height of the new store building is necessary to enable the continued operation of services and stores at the Hornby Co-op, with site constraints and limited design options. The most impacted neighbours are the BC Parks Tribune Bay campground directly to the east and south of the proposed general store. Staff understand the applicant met with the BC Parks Area Supervisor, in September 2024 to walk the property and discuss a number of points, including the height of the new general store building and roof style, and the general aesthetics facing the campground including windows and privacy.

The applicant has responded to these concerns and was in dialog with BC Parks to improve the interface between the properties.

The specific implications of denying the height variance may be best articulated by the applicant. However, staff understand that if it is denied, this could have significant impact on the project timeline and could cause service interruptions to the store. The applicant would have the option of applying to the Board of Variance if the Development Variance Permit is denied.

CIRCULATION

Notification of the DVP was sent to property owners and residents within the vicinity on March 4, 2025 in accordance with the *Local Government Act* (**Attachment 7**). Public comments can be received up to and including the LTC meeting on March 21, 2024.

As of the date of this report, no correspondence has been received in response to the notification. Any submissions received prior to the LTC meeting date will be forwarded to the LTC and reported at the meeting for information and consideration.

First Nations

Islands Trust reviews all applications to ensure the preservation and protection of cultural heritage, archaeological sites, and ancestral places. As reviewed, the application is consistent with respect to LTC Standing Resolutions on reconciliation. Notwithstanding, to provide applicants with awareness regarding unknown archaeological areas, staff forwarded the Islands Trust Chance Find Protocol and the provincial Archaeological Branch guidelines on Heritage Act directly to the applicants with the initial application.

The applicant contacted staff at K'ómoks First Nation (KFN) to inquire whether a Cultural Heritage Investigation Permit (CHIP) is required and were notified that a CHIP is not required, however, if during construction potential archaeological material is identified, the applicant must halt work and contact KFN immediately.

Rationale for Recommendation

Staff recommend approval of the variance (DVP) request as found on page 1 of this report, considering the following:

- the height of the new general store building is necessary to enable the continued operation of services and stores at the Hornby Co-op, within site constraints;
- the proposed variance would not contradict Hornby OCP policies; and
- the use and structure(s) are supported by the LUB C1 zoning regulations.

ALTERNATIVES

1. Request further 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 [describe information] prior to further consideration of PLDVP20240341.

2. Deny the application

The LTC may deny the application. If this alternative is selected, the LTC should state the reasons for denial. Recommended wording for the resolution is as follows:

That the Hornby Island Local Trust Committee deny application PLDVP20240341 for the following reasons [insert reasons].

NEXT STEPS

If the LTC grants the DVP, staff will issue the permit and the project may proceed with phased construction.

Submitted By:	Margot Thomaidis, Planner 2	March 5, 2025
Concurrence:	Robert Kojima, Regional Planning Manager	March 7, 2025

ATTACHMENTS

1. Site Context
2. Existing Site Plan Survey Dated July 19, 2024
3. Project Brief – Leckie Studio Architecture + Design Inc. Dated July 26, 2024
4. Proposed Site Plan – Leckie Studio Architecture + Design Inc. Dated September 24, 2024
5. Building Elevations – Leckie Studio Architecture + Design Inc. Dated December 3, 2024
6. DVP for Variances to Setbacks Issued November 5, 2024
7. Statutory Public Notice of DVP
8. Proposed DVP

ATTACHMENT 1 - SITE CONTEXT

ATTACHMENT 1 - SITE CONTEXT - PL DVP 2024 0341 (HORNBY CO-OP)

LOCATION

Legal Description	LOT 1 SECTIONS 6 AND 10 HORNBY ISLAND NANAIMO DISTRICT PLAN VIP79310
PID	026-371-791
Civic Address	5875 Central Road

LAND USE

Current Land Use	Commercial (Co-op gas station and retail sales)
Surrounding Land Use	Park (Tribune Bay) to NE, Campground to SE, Agriculture to SW, Residential to W and SW

HISTORICAL ACTIVITY

File No.	Status
HO-ALR-2002.2	Closed
HO-CL-2020.7	Closed
HO-DP-1997.3	Closed
HO-DP-2004.2	Closed
HO-DP-2006.1	Closed
HO-DP-2017.1	Closed
HO-DVP-2017.2	Closed
HO-RZ-2003.6	Closed
HO-SUB-2003.2	Closed
HO-SUP-2004.23	Closed
HO-SUP-2006.15	Closed
HO-SUP-2018.5	Closed
HO-TUP-2020.3	Open
UN-DVP-1990.16	Closed
UN-DVP-1990.2	Closed
UN-DVP-1991.5	Closed
PL-DVP-2024-0155	Closed
PL-DP-2024-0156	Closed
PL-SUP-2024-0157	Closed
PL-DP-2025-0004	Open
PL-SUP-2025-0005	Open

POLICY/REGULATORY

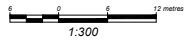
Official Community Plan Designations	Designation: Retail and Personal Service DPA: Commercial Centres (Retail and Visitor Accommodations)
Land Use Bylaw	Commercial 1 – Retail (C1) Zone (Co-op and Service Station)

Z:\09 Current Planning\06 HO\3190 DVP\25 Applications (P)\2024\PLDVP20240341 Hornby Coop\06 Staff Reports\PLDVP20240155_RPT_ATT02-Site-Context.docx

Other Regulations	C1 setback for interior side lot lines = 3.0 metres, maximum height for accessory structures = 6.0 metres
Covenants	Restrictive Covenant/Easement: EC26582, EC26583 (Tribune Bay access) Undersurface Rights: 220624G
Bylaw Enforcement	HO-BE-2014.2 – siting (Closed)

SITE INFLUENCES

Islands Trust Conservancy	No ITC interests adjacent to subject parcel.
Regional Conservation Strategy	Regional Conservation Strategy (2018) identifies the parcel as having Medium and High conservation values and priority. The new store building is to be installed in an existing developed/disturbed parking lot area.
Species at Risk	None mapped
Sensitive Ecosystems	Developed/Young Forest: IT SEM mapping
Hazard Areas	None mapped
Archaeological Sites	By copy of this report and as provided at the time the DP application was opened, the owners and applicant should be aware that there is a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i> . If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	New store to be constructed under current BC Building Code for commercial structures, no increased GHG emissions anticipated as directly related to the new structure apart from increase during construction phase. Building is well set back from natural boundary and storm water/drainage to be included in landscaping/parking plan.
Shoreline Classification	Not Applicable
Shoreline Data in TAPIS	N/A



LEGEND

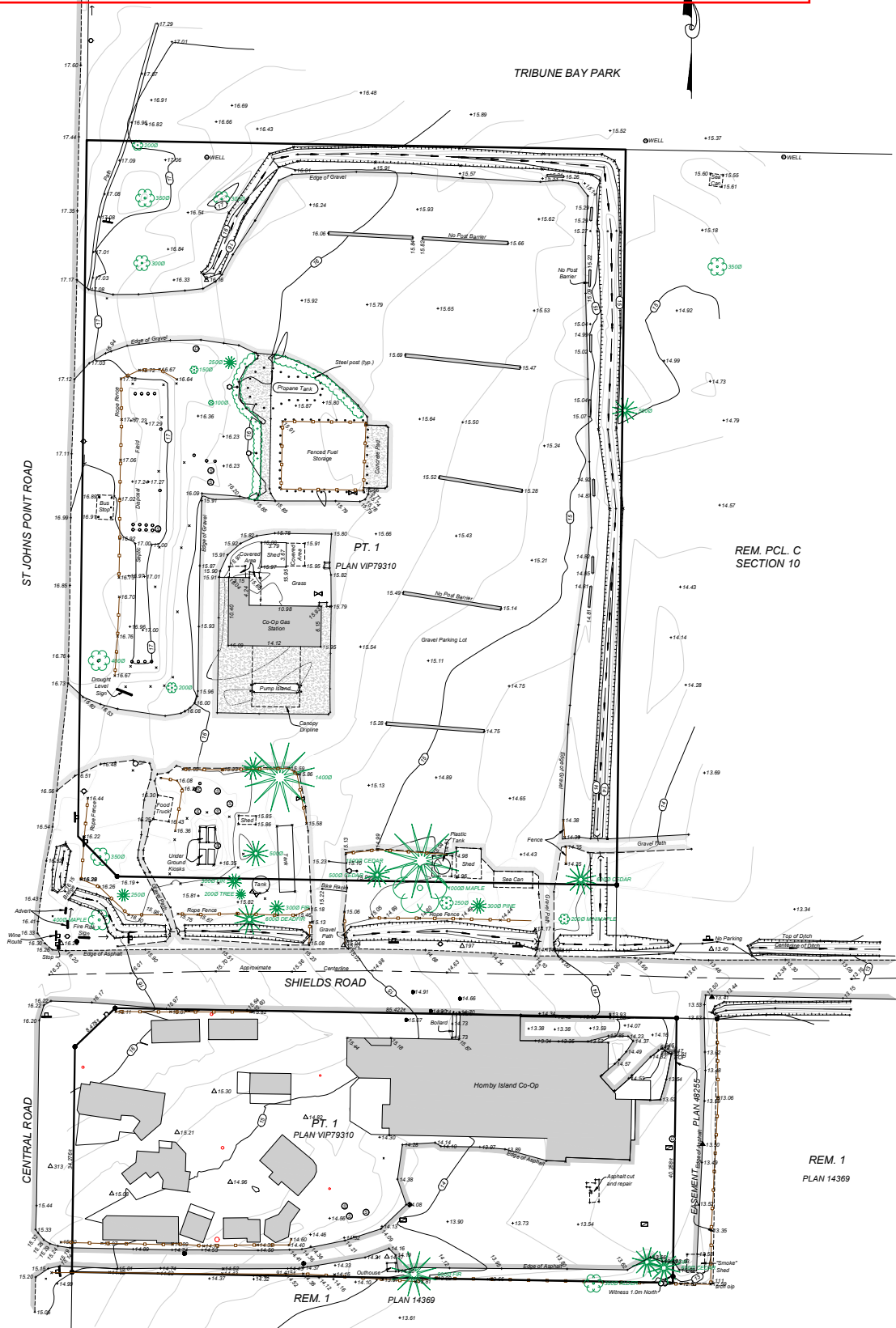
- Standard Iron Post
- + Spot Elevations
- Sign
- Lamp Post
- Catch basin
- Sanitary manhole
- Storm drain manhole
- Sanitary clean out
- Utility Pole
- Anchor
- Fire Hydrant
- Fence
- △ Traverse Hub
- Monitor well
- Tree Coniferous
- Tree Deciduous
- Water Valve
- Top of Ditch
- Centreline of Ditch

Elevations are geodetic and are based on Canadian Vertical Datum 2013 (CGVD2013) (1997).

Contour Interval = 0.25m
To convert geodetic elevations to assumed local add 83.42m to elevations shown.

Date of Survey:
July 11, 2024

ATTACHMENT 2 - EXISTING SITE PLAN



Certified correct

Memorandum

1/1

Re	Development Variance Permit	
Project	Hornby Island Co-op	
Project Code	HIC	
Project Address	5875 Central Road, Hornby Island, V0R 1Z0	
Date	26 July 2024	
To	-	Islands Trust
From	Emily Dovbniak	LSA+D
CC	Scott Torry	AFC

HIC - Existing and Proposed Uses

The proposed project is located at 5875 Central Road, Hornby Island. The subject lands comprise 1.29ha (3.19 acres) in total, divided into two properties as noted below. The two properties are separated by Shields Rd. running West-East along the frontages. The proposed project is located on the South property, with site services extending across Shields Rd. onto the North property as noted on civil site servicing plan C01.

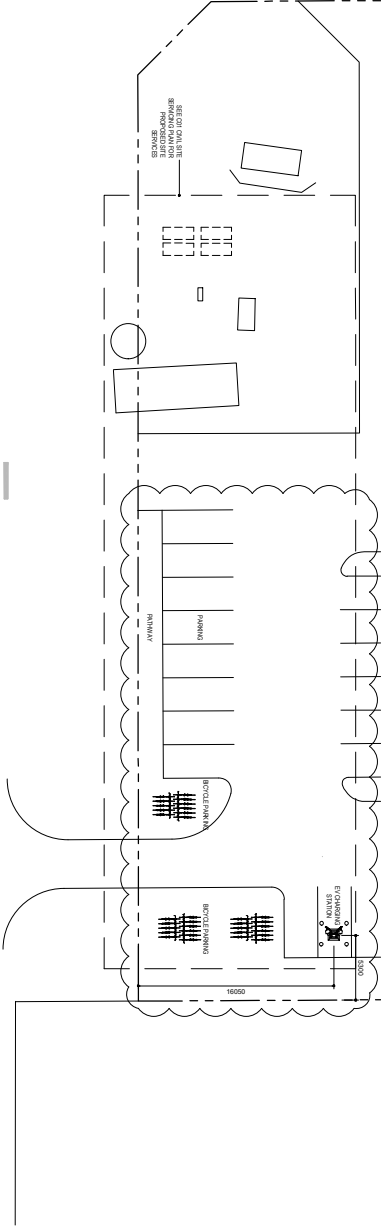
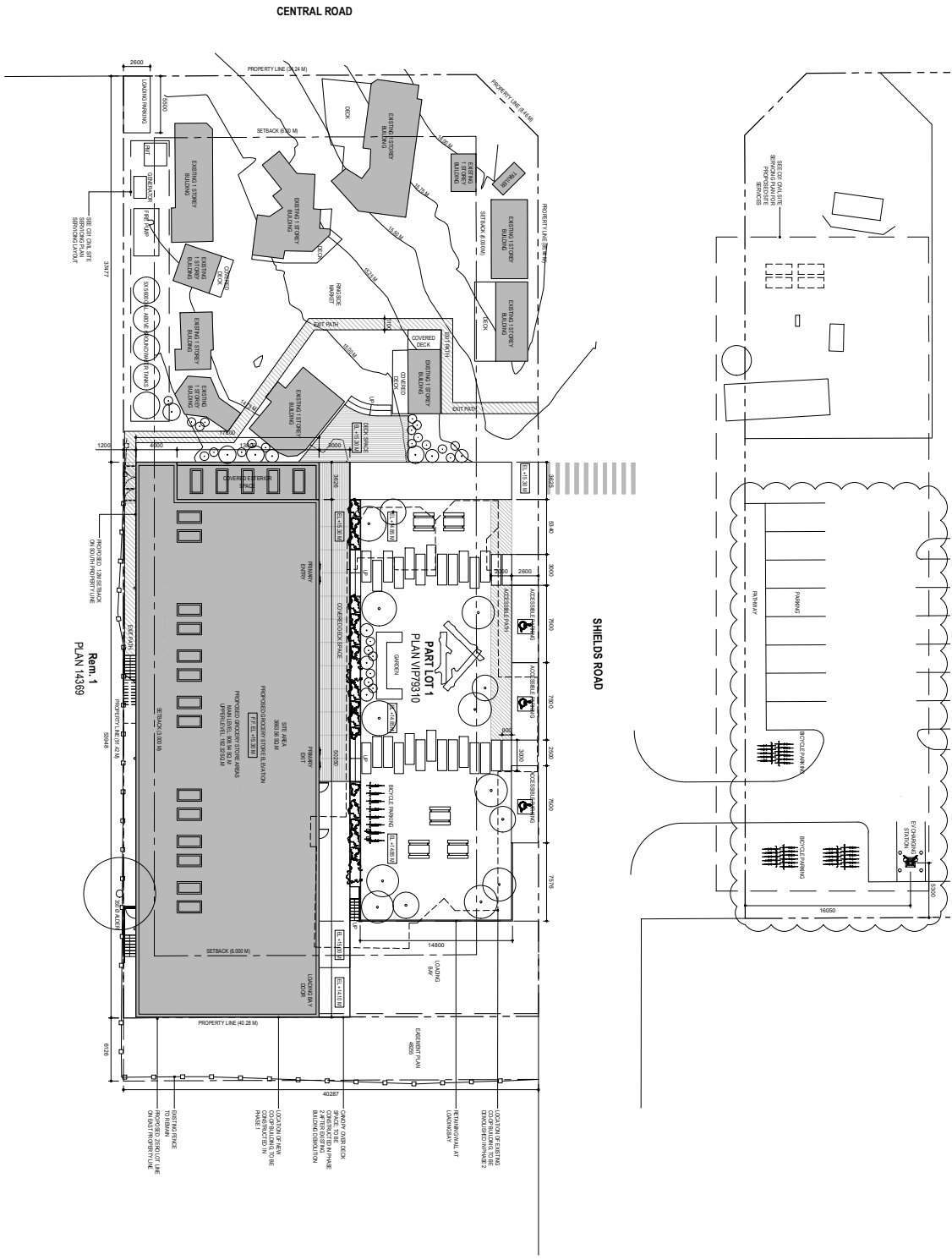
1. North Property: Consisting of an existing Co-op Gas Bar and gravel parking area (0.92ha).
2. South Property: Consisting of an existing Hornby Island Co-op General Store and Ringside Market (0.37ha).

The existing buildings on the site include a grocery store (Group E Mercantile Major Occupancy) and 12 single storey stand-alone buildings on the west extent of the site comprising the "Ringside Market".

The 12 existing Ringside Market buildings are to remain with no change of use or occupancy. The existing general store is to be demolished and replaced with a proposed new general store as per the attached drawings. The new general store will include mercantile space on level 1 (Group E Major Occupancy) and subsidiary office space on level 2 (Group D Subsidiary Occupancy). The new construction will also include a PMT, generator, fire pump enclosure, and above grade water tanks on the South-West corner of the site.

The project is proposed to include two phases. Phase one would include the construction of the new Hornby Island Co-op while maintaining operations at the existing Hornby Island Co-op. Upon completion of the new Co-op building, the existing Co-op would be demolished. Phase 2 would include constructing the front landscape area and front canopy of the building after demolition of the existing building is complete.

There are no proposed Home Occupations on the site.



Drawn by: **Site Plan - Proposed**

Client: **Hornby Island Co-op**

Project: **Co-op**

Location: **4875 Central Road, Hornby Island, BC**

Scale: **1:500**

Date: **2023**

Author: **Site Plan**

Project Code: **HC**

Sheet: **A011**

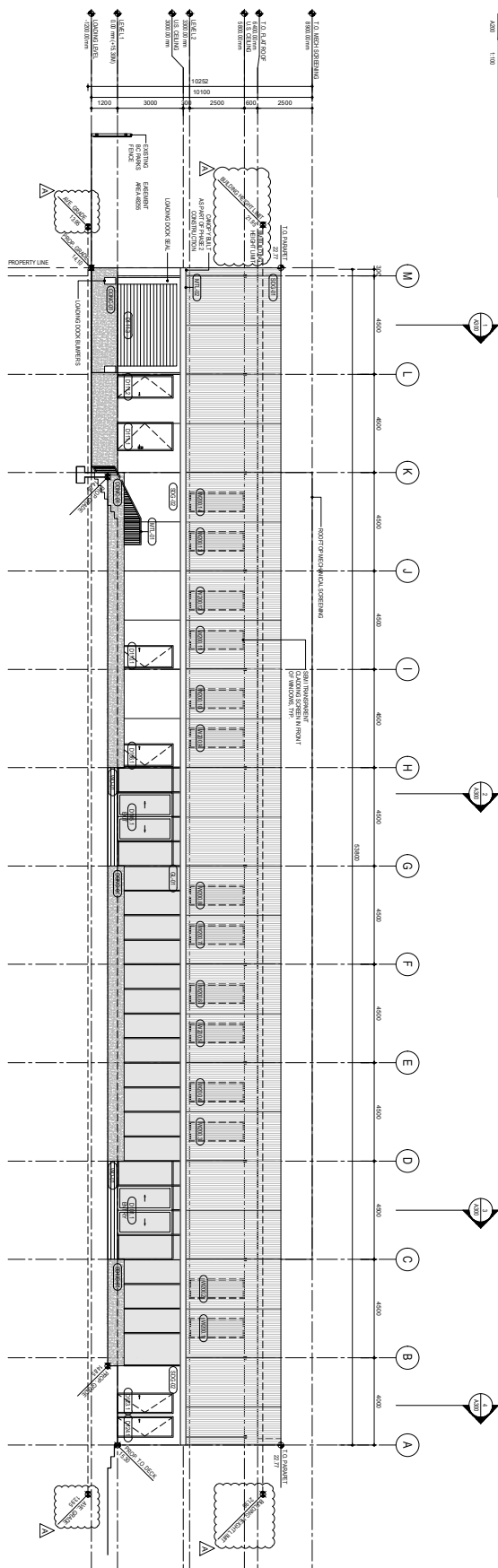
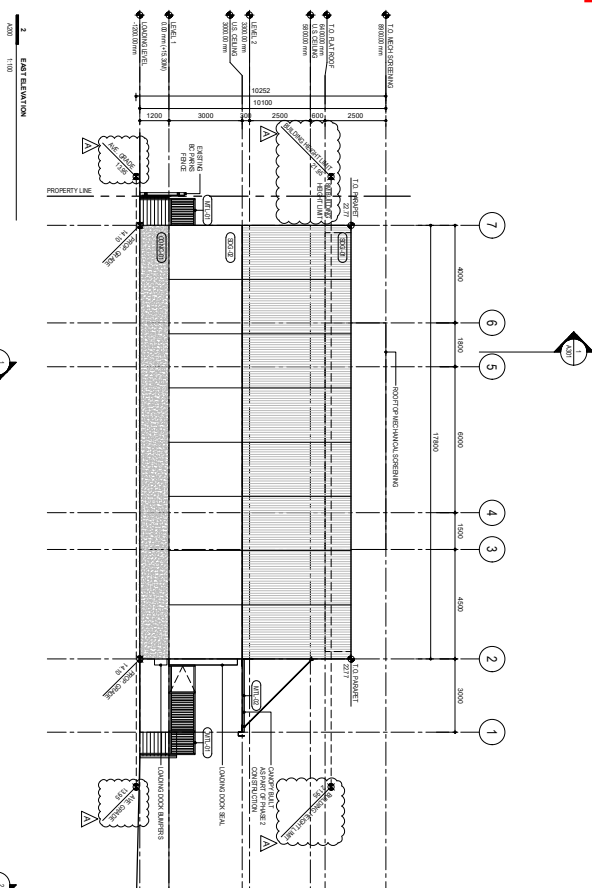
2023 BCIA 30th Anniversary
Member of the BCIA 75th
celebrating 75 years of
commitment to excellence

DRAWING LIST

ARCHITECTURAL	4000	COVER SHEET
	4001	TITLE SHEET & DRAWING LIST
	4010	SITE PLAN, EXISTING
	4011	SITE PLAN, PROPOSED
	4020	NORTH + EAST ELEVATION
	4031	SOUTH + WEST ELEVATION
CIVIL		
001		CIVIL SITE SERVING PLAN
002		STORMWATER MANAGEMENT PLAN

**Hornby Island
Co-op**
5875 Central Road
Hornby Island, BC

Drawn / Checked	Project Code
L 5AD	HIC
Scale	Date
N/A	24/12/03
Sheet Number	Revision



MATERIALS USED	
FINISH NO.	FINISH TYPE
CONC-01	CONCRETE OF CALKED TO
BOG-01	NON-COMBUSTIBLE CL
BOG-02	NON-COMBUSTIBLE CL
MTL-01	METAL GUARD
MTL-02	ROOF CANOPY
WD-01	WOOD DECKING
GL-01	STORE-ROOF GLAZING

**Lucido Studio
Architecture + Design Inc.**
205-397 W 7th Avenue
Minneapolis, MN 55412
612.601.4141
office@lucidostudio.com

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A	1B ISSUED FOR REVISIONS	24/12/00
	1 ISSUED FOR DEVELOPMENT PERMIT	26/07/02
199/00		

All drawings and related documents are the property of Leslie Studio Architecture + Design, Inc. and may not be reproduced in whole or in part without the architect's permission. This drawing should not be used to calculate areas. Do not scale this drawing. All dimensions to be confirmed on site by the general contractor and sub-contractors to be their responsibility. All work must comply with the relevant Building Code by Law and related documents. Drawing errors and omissions must be immediately reported to the architect.

**Hornby Island
Co-op**
5875 Central Road
Hornby Island, BC

**North + East
Elevation**

Drawn / Checked	Project Code
L.SAD	HIC
Scale	Date
1:100 @ 22 x 34	24/10/03
1:200 @ 11 x 17	
Sheet Number	Revision

A200



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**Hornby Island
Co-op**
5875 Central Road
Hornby Island, BC

Drawing Title
**South + West
Elevation**

Drawn / Checked	Project Code
L.SAD	MTC
Scale	Date
1:100 @ 22 x 34	24/12/03
1:200 @ 11 x 17	
Sheet Number	Revision

A201



ATTACHMENT 6 - DVP ISSUED NOV. 5, 2024

HORNBY ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT VARIANCE PERMIT
PLDVP20240155

To: HORNBY ISLAND CO-OPERATIVE ASSOCIATION, INC.NO.710

1. This Development Variance Permit applies to the land described below:

LOT 1 SECTIONS 6 AND 10 HORNBY ISLAND NANAIMO DISTRICT PLAN VIP79310
(PID: 026-371-791)

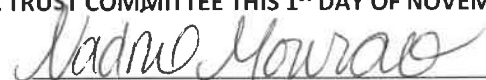
2. Hornby Island Land Use Bylaw No. 150, 2014 is varied as follows:

- a) **Section 8.9, Subsection (4)(b) which states that the minimum setback for any building or structure, except for a fence or pump/utility house shall be 6.0 metres from a rear lot line, is varied to permit the construction of a new grocery store building within 1.2 metres of the Southern rear lot line.**
- b) **Section 8.9, Subsection 4(c) which states that the minimum setback for any building or structure, except for a fence or pump/utility house shall be 3.0 metres from an interior side lot line, is varied to permit the construction of a new grocery store building within 0.0 metres of the Eastern interior lot line.**

The development shall be consistent with Schedule 'A' which is attached to and forms part of this permit.

3. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of "Hornby Island Land Use Bylaw No. 150, 2014" and to obtain other approvals necessary for completion of the proposed development.

AUTHORIZING RESOLUTION PASSED BY THE HORNBY ISLAND LOCAL TRUST COMMITTEE THIS 1st DAY OF NOVEMBER, 2024.


Deputy Secretary, Islands Trust

November 4, 2024

Date of Issuance

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE 4th DAY OF NOVEMBER, 2026 (2 YEARS FROM DATE OF ISSUANCE) THIS PERMIT AUTOMATICALLY LAPSES.

ATTACHMENT 7 - NOTICE

PLDVP20240541

HORNBY ISLAND LOCAL TRUST COMMITTEE

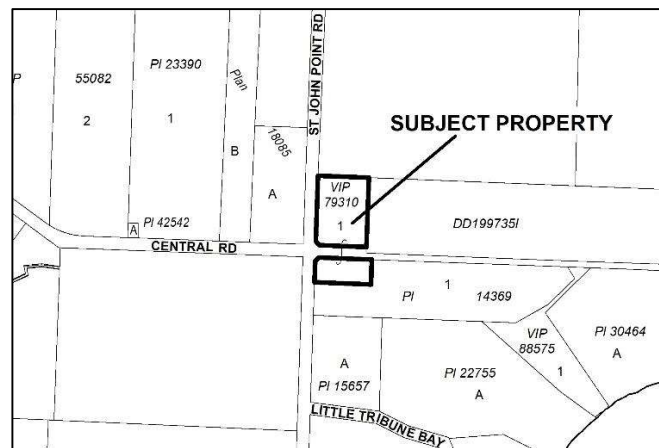
NOTICE is hereby given that the Hornby Island Local Trust Committee will be considering a resolution allowing for the issuance of a Development Variance Permit, pursuant to Section 499 of the *Local Government Act*. The proposed permit would vary the Hornby Island Land Use Bylaw No. 150, 2014 by:

- Permitting the siting of a proposed new grocery store building on the Hornby Co-operative Association property that is 10.25 metres in height, exceeding the 8.0 metre building height limit.

The property is located at **5875 Central Road, Hornby Island, BC** and is legally described as:

LOT 1 SECTIONS 6 AND 10 HORNBY ISLAND NANAIMO DISTRICT PLAN VIP79310 (PID: 026-371-791)

The general location of the subject property is shown on the following sketch:



A copy of the proposed permit may be inspected at the Islands Trust Office, 700 North Road, Gabriola Island, BC V0R 1X3 between the hours of 8:30 a.m. to 4:30 p.m. Monday to Friday inclusive, excluding statutory holidays, commencing **March 7, 2025** and continuing up to and including **March 20, 2025**.

A copy of the Development Variance Permit may be found online at <https://islandstrust.bc.ca/island-planning/hornby/current-applications/>

Enquiries or comments should be directed to Margot Thomaidis, Planner 2 at (250) 247-2204, for Toll Free Access, request a transfer via Enquiry BC: In Vancouver 660-2421 and elsewhere in BC 1-800-663-7867; or by fax (250) 405-5155; or by email to: northinfo@islandstrust.bc.ca before 4:30 pm, **March 20, 2025**.

The Hornby Island Local Trust Committee may consider issuance of the proposed Permit at its Business Meeting to be held at **11:30 a.m., March 21, 2025 at the Hornby Community Hall, 4305 Central Road, Hornby Island**.

All applications are available for review by the public with prior appointment. Written comments made in response to this notice will also be available for public review.

Nadine Mourao, Deputy Secretary



ATTACHMENT 8 - DRAFT DVP

HORNBY ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT VARIANCE PERMIT
PLDVP20240341

To: HORNBY ISLAND CO-OPERATIVE ASSOCIATION, INC.NO.710

1. This Development Variance Permit applies to the land described below:

LOT 1 SECTIONS 6 AND 10 HORNBY ISLAND NANAIMO DISTRICT PLAN VIP79310
(PID: 026-371-791)

2. Hornby Island Land Use Bylaw No. 150, 2014 is varied as follows:

Section 3.4 Subsection (1) which states that buildings and structures other than agricultural buildings and structures must not exceed a height of 8.0 metres, is varied to permit the construction of a 3663.6 m² grocery store building, 10.25 metres in height.

The development shall be consistent with Schedule 'A' and Schedule 'B' which are attached to and form part of this permit.

3. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of "Hornby Island Land Use Bylaw No. 150, 2014" and to obtain other approvals necessary for completion of the proposed development.

AUTHORIZING RESOLUTION PASSED BY THE HORNBY ISLAND LOCAL TRUST COMMITTEE THIS XX DAY OF XXXX, 2025.

Deputy Secretary, Islands Trust

XXXX, 2025

Date of Issuance

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE XX DAY OF XX, 2027 (2 YEARS FROM DATE OF ISSUANCE) THIS PERMIT AUTOMATICALLY LAPSES.

SCHEDULE 'B'

Building Elevations (East and South)

