



DATE OF MEETING: April 17, 2023

TO: Hornby Island Local Trust Committee

FROM: Sonja Zupanec, Island Planner
Northern Office

SUBJECT: OCP/LUB Review Project – LTC review of consultant’s recommendations and direction for next steps

RECOMMENDATION

1. That the Hornby Island Local Trust Committee endorse the revised Project Charter v. 2.1, dated April 17, 2023 to reflect the revised timeline and deliverables of the project.
2. That the Hornby Island Local Trust Committee request staff to prepare a draft bylaw to amend the Hornby Island Official Community Plan (*specify scope of preferred amendments based on consultant’s report and/or community input*).
3. That the Hornby Island Local Trust Committee request staff to prepare a draft bylaw to amend the Hornby Island Land Use Bylaw (*specify scope of preferred amendments based on consultant’s report and/or community input*).
4. That the Hornby Island Local Trust Committee request staff to engage with K’omoks First Nation on the Hornby Island OCP and LUB Review project scope of amendments and determine the level of capacity funding required from the 2023/24 fiscal year budget to support K’omoks input into the draft bylaws .

REPORT SUMMARY

The purpose of this report is to provide the Hornby Island Local Trust Committee (LTC) with an updated draft Project Charter for the Official Community Plan (OCP) and Land Use Bylaw (LUB) review project and request specific direction from the LTC on amendments to the project workplan in order to advance deliverables of the project for this fiscal year 2023/24.

BACKGROUND

The following resolutions were passed by the LTC in January 2023:

HO-LTC-2023-002 It was MOVED and SECONDED,
that the Hornby Island Local Trust Committee request the members of the Advisory Planning Commission to meet with the project consultant by March 15, 2023 to review consultant recommendations on the OCP/LUB Review project and provide input on priority amendments to the OCP and LUB for LTC consideration. CARRIED

The meeting was conducted and recommendations to the LTC have been provided by the consultant in the final report dated March 2023 (see April 17, 2023 agenda package).

HO-LTC-2023-003 It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee request staff to work with the consultant to schedule and advertise a second electronic Community Information Meeting prior to February 28, 2023, but after the Advisory Planning Commission meeting, to solicit public input on options to regulate Short Term Vacation Rentals. CARRIED

The second Community Information Meeting was held in February 2023 and public input received to date has been posted to the [project website](#).

HO-LTC-2023-004 It was MOVED and SECONDED,

that a summary report be prepared by the consultant and submitted to planning staff by March 30, 2023 to clearly identify specific policy and regulatory changes recommended to advance improvements to the Official Community Plan and Land Use Bylaw in the four topic areas included in the review project. CARRIED

A final report has been submitted to the LTC (see April 17, 2023 agenda package) and provides specific recommendations for amendments to the OCP and LUB for all four topic areas.

HO-LTC-2023-005 It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee request staff to prepare an update to the Hornby Island Official Community Plan and Land Use Bylaw Amendment Project Charter v. 2.0, dated September 9, 2022 to reflect the revised timeline and deliverables of the project. CARRIED

A revised draft project charter has been prepared (see Attachment 1) for LTC consideration of next steps.

Project Charter: Attachment 1 includes draft track changes to the version 2.0 of the project charter (endorsed September 2022) recommended by staff. Changes are necessary to better reflect the current timeline and potential deliverables of the project. The LTC is asked to review each section of the project charter to ensure it accurately reflects the LTC's intentions for the next phase of this project which includes bylaw drafting and legislative review.

First Nations Engagement: Once the LTC has confirmed the preferred policy and regulatory options it wishes to proceed with for draft bylaws, staff will engage K'omoks First Nation to determine their capacity to provide a review of the draft bylaws. An updated project budget will be prepared to reflect capacity funding earmarked for the Nation.

Advisory Planning Commission: The LTC should determine at which stage(s) the APC may be involved in reviewing the draft bylaws. Early referral prior to first reading is strongly recommended to ensure the LTC receives the APC's input prior to broader community consultation. The draft project charter workplan reflects an early referral opportunity.

Community Consultation: The LTC should specify the format and frequency of community consultation during the draft bylaw review stage. The draft project charter identifies a formal community information meeting

opportunity after first reading and again prior to a public hearing being held. The LTC should specify any additional opportunities it wishes to be reflected in the workplan and budget at this time.

Rationale for Recommendation:

Based on the extent of community and consultant recommendations received by the LTC to date, staff recommends the LTC provide clear direction to staff on the scope of policy and regulatory changes it wishes to incorporate into draft bylaws in order to advance this project and address the four identified topic areas of the OCP and LUB review.

ALTERNATIVES

1. **Amend the Project Charter:** If the LTC wishes to re-visit the project deliverables and engagement topics or methodology, the project charter will need substantial amendments. A resolution of the LTC would be required to request staff to prepare changes to the project charter for the LTC to consider. Suggested wording for a resolution is: *“That the Hornby Island Local Trust Committee request staff to amend the project charter by (specify new purpose, scope, objectives, in-scope and/or out of scope) for LTC review at the next business meeting.”*
2. **Defer consideration of next steps to the May 5, 2023 regular business meeting.** If the LTC wishes to defer consideration of next steps to the next business meeting to allow for additional time for Trustees to consider the recommended options laid out in the consultant’s report, suggested wording for a resolution is: *“That the Hornby Island Local Trust Committee request staff to bring back the OCP/LUB Review Project final report and draft project charter for consideration at the May 5, 2023 regular business meeting.”*

NEXT STEPS

If the LTC is prepared to endorse the draft project charter (Attachment 1) and specify the preferred policy and regulatory changes it wishes to see in draft bylaws, staff can initiate engagement with K’omoks First Nation and prepare draft bylaws for LTC consideration of next steps.

Submitted By:	Sonja Zupanec, RPP, MCIP, Island Planner	April 11, 2023
Concurred By:	Renée Jamurat, RPP, MCIP, Regional Planning Manager	April 11, 2023

ATTACHMENTS

1. Draft Amendments to Project Charter

Hornby OCP Amendments Review Project - Charter v 2.01 DRAFT FOR LTC REVIEW APRIL 2023

Hornby Island Local Trust Committee

Endorsement Date: **Sept. 9, 2022**

Purpose: To review and update the Hornby Official Community Plan (OCP) and Land Use Bylaw (LUB) regulations with regards to housing, short term vacation rentals, First Nations acknowledgments, and riparian areas.

Background: The LTC identified a "Comprehensive OCP/LUB Review" as a top priority project and requested the Hornby Island Advisory Planning Commission to provide recommendations for OCP and LUB amendments related to four specific topics. The APC spent much of 2021 and early 2022 meeting and providing recommendations regarding amendments. [A consultant was hired in 2022 and prepared a report of final recommendations for LTC consideration of next steps in the 2023/24 fiscal year.](#)

Objectives	In Scope	Out of Scope	Deliverables
<ul style="list-style-type: none"> Amend the Hornby Island OCP and LUB by incorporating recommendations of the Hornby Island Advisory Planning Commission, consultant's recommendations and public feedback on these recommendations 	<ul style="list-style-type: none"> OCP and LUB amendments regarding: <ul style="list-style-type: none"> Housing (specify) STVRs (specify) RAPR (specify) First Nations (specify) Community Engagement + Leg. Process 	<ul style="list-style-type: none"> Topics beyond the four identified as in-scope; Public engagement beyond legislative requirements and community workshops 	<ul style="list-style-type: none"> One OCP Amendment Bylaw One LUB Amendment Bylaw

Workplan Overview	
Deliverable/Milestone	Date
Project Charter Endorsed	June, 2022 COMPLETED
Execute Consultant Contract	August, 2022 COMPLETED
First Community Workshop	October, 2022 COMPLETED
Second Community Workshop	Winter, 2022/23 COMPLETED
Consultant Report on Workshops and Recommendations for Bylaws	Spring, 2023 COMPLETED
LTC consideration of consultant report options and selection of which options to proceed with for draft bylaws	April 2023
Staff to engage with K'omoks and prepare draft bylaws	Summer 2023
Draft Bylaws presented to LTC for consideration of First Reading or referral to APC for comment	September 8, 2023
1 st Reading of bylaws and referral to First Nations, agencies, APC and community groups	Spring, 2023 Winter 2023
Community Information Meeting following referral submissions	Winter 2024
2nd Reading of bylaws and schedule CIM and Public Hearing	Summer, 2023 Winter 2024
CIM/Public Hearing	Fall, 2023 Spring 2024
3 rd Reading and forward to EC and Ministry	Winter, 2023 Spring 2024
Adoption	Spring Summer, 2024

Draft Project Charter [for LTC consideration April 2023](#) – v. 2.10

Project Team	
Island Planner	Project Manager / <u>bylaw drafting</u>
Consultant	Workshop facilitation and drafting of bylaws
Legislative Clerk	Legislative Process / Bylaw Review
Administrative Office Assistant	Website postings; meeting notices
RPM Approval: Heather Kauer, RPM Date: September 9, 2022	LTC Endorsement: Resolution #: 10-Jun-22; 9-Sept-22
<u>Renée Jamurat, RPM</u> <u>Date: April 11, 2023</u>	

Budget		
Budget Sources: TC Line Item Budget allocation		
Fiscal	Item	Cost
2022/23	Consultant Contract	\$13,450 <u>SPENT</u>
2022/23	Workshop Venue Rental / advertising	\$850
2022/23	Minute-Taker	\$600 <u>SPENT</u>
2023/24	Consultant Contract	\$13,200
2023/24	K'omoks First Nation Engagement/Capacity Funding	PENDING
2023/24	Community Information Meeting after 1st reading	\$1,000
2023/24	CIM/Public Hearing after second reading	\$1,800
	Total	\$16,700 <u>PENDING</u>

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