



DATE OF MEETING: June 16, 2023

TO: Hornby Island Local Trust Committee

FROM: Sonja Zupanec, Island Planner
Northern Office

SUBJECT: OCP/LUB Review Project – Endorsement of Revised Project Charter

RECOMMENDATION

1. That the Hornby Island Local Trust Committee endorse the revised Project Charter v. 2.1, dated June 16, 2023 to reflect the revised timeline and deliverables of the Official Community Plan and Land Use Bylaw Review project.

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 based on LTC direction given at the May 5, 2023 regular business meeting.

The project charter is ready for endorsement and staff is seeking the following direction from the LTC in order to initiate the bylaw drafting phase of this project:

- Confirm that the project charter accurately reflects the LTC’s intentions for the next phase of this project which includes bylaw drafting, legislative review and public consultation.
- Confirm which stage(s) the APC may be involved in reviewing the draft bylaws.
- Comment and confirm on the format and frequency of community consultation during the draft bylaw review stage, including any additional opportunities it wishes to be reflected in the workplan and budget at this time as it may impact the project completion by end of this fiscal.

BACKGROUND

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

HO-LTC-2023-020 It was MOVED and SECONDED,
*that the Hornby Island Local Trust Committee add Option 1 and 2 from Section 3.3 ‘Options for OCP Amendment’ to the OCP/LUB Project Charter. **CARRIED***

The March 2023 “[Hornby Island Official Community Plan Engagement Summary Report](#)” prepared by Patricia Maloney Consulting recommended Options 1 and 2 in section 3.3 have been included in the project charter (Attachment 1).

HO-LTC-2023-021 It was MOVED and SECONDED,
that the Hornby Island Local Trust Committee request Staff to place Options 3 to 8 under Section 3.3 'Options for OCP Amendments' on the Future Projects List. CARRIED

These options have been included in the Future Projects List under 'First Nations'.

HO-LTC-2023-022 It was MOVED and SECONDED,
that Hornby Island Local Trust Committee include options 2 and 3 from the Consultant's Report Section 4.5.1; and include Advisory Planning Commission recommendations 1, 2 and 3 from their March 29, 2022 Report; and include proof of potable water, to the Project Charter. CARRIED

Option 2 (allowing secondary/accessory dwelling units in all zones with limitations) has been included in the project charter. Option 3 (policy to support cooperative housing and purpose built rental housing) has also been included.

HO-LTC-2023-023 It was MOVED and SECONDED,
that the Hornby Island Local Trust Committee include options 2, 3 and 5 from the Consultant's report Section 5.3.1 to the Project Charter. CARRIED

The project charter has been updated to specifically prohibit future new vacation home rental use in all zones; explore a monitoring program and Temporary Use Permits for all new short term vacation rental uses.

HO-LTC-2023-024 It was MOVED and SECONDED,
that the Hornby Island Local Trust Committee include in the Project Charter that all small lot residential zones be designated IA Heavily developed Aquifer. CARRIED

The following has been included in the project charter:

Project Charter: Attachment 1 includes draft track changes to the version 2.0 of the project charter (endorsed September 2022) requested by the LTC. 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, legislative review and public consultation.

First Nations Engagement: Staff have reached out to K'omoks First Nation to determine their capacity to provide a review of the draft bylaws. No confirmation from the Nation has been received at the time of report writing. 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 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 as it may impact the project completion by end of this fiscal.

Rationale for Recommendation: The project charter is ready for endorsement by the LTC so that staff can initiate the bylaw drafting phase of this project.

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.”*

NEXT STEPS

Submitted By:	Sonja Zupanec, RPP, MCIP, Island Planner	June 1, 2023
Concurred By:	Renée Jamurat, RPP, MCIP, Regional Planning Manager	June 5, 2023

ATTACHMENTS

- 1. Project Charter v.2.1 June 2023

Hornby OCP and LUB Review Project - Charter v 2.1 (DRAFT FOR LTC REVIEW)

Hornby Island Local Trust Committee

Endorsement Date: *PENDING June 16, 2023*

Purpose: To review and update the Hornby Official Community Plan (OCP) policies and Land Use Bylaw (LUB) regulations to increase housing options, restrict short term vacation rentals in residential zones and update First Nations references in the OCP.

Background: The Local Trust Committee (LTC) prioritized a “Comprehensive OCP/LUB Review” project in 2021 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. In May 2023 the LTC confirmed the scope and purpose of the project as updated policies and regulations related to secondary suites/dwellings, prohibiting new short term vacation rentals and updating First Nations references in the OCP.

Objectives	In Scope	Out of Scope	Deliverables
<p>Amend the Hornby Island OCP and LUB by incorporating select recommendations of the Hornby Island Advisory Planning Commission; consultant’s recommendations and public feedback to restrict short term vacation rentals; increase housing options and update First Nations references.</p>	<p>-Draft OCP and LUB Bylaw amendments:</p> <ul style="list-style-type: none"> ○ Supporting cooperative and purpose built rental housing; ○ Supporting rezoning applications for ‘Large Lot Residential’ parcels to multi-family development for residential rental tenure; ○ Permitting secondary suites in all small lot zones within the principle dwelling where septic capacity allows and sufficient groundwater is available; ○ Permitting secondary suites or attached secondary dwelling on lots over 2ha where septic capacity allows sufficient groundwater is available; ○ Permitting secondary detached dwellings where individual well and septic are provided; ○ Prohibiting new short term vacation rentals (STVRs) as an outright permitted use in residential zones ○ Explore use of Temporary Use Permit of new STVRs; and ○ Designating all small lots in the Galleon and Sandpiper area as within the heavily developed aquifer (IA). <p>-Updating OCP language, references to include First Nations. - Add the Islands Trust Reconciliation declaration to the OCP. -Develop a system to monitor the rate and use of STVRs.</p>	<p>Public engagement beyond legislative requirements (one major community information meeting and one minor CIM immediately prior to the public hearing).</p>	<ul style="list-style-type: none"> • One OCP Amendment Bylaw specific to First Nations references; • One OCP amendment specific to housing and short term vacation rentals; • One LUB Amendment Bylaw specific to housing and short term vacation rentals. • Develop a vacation home rental monitoring program to monitor the rate and use of STVRs on the island.

Workplan Overview	
Deliverable/Milestone	Date
Project Charter Endorsed - COMPLETED	<i>June, 2022</i>
Execute Consultant Contract - COMPLETED	<i>August, 2022</i>

First Community Workshop - COMPLETED	October, 2022
Second Community Workshop - COMPLETED	Winter, 2022/23
Consultant Report on Workshops and Recommendations for Bylaws - COMPLETED	Spring, 2023
LTC consideration of updated project charter/endorsement of project scope and objectives	June 2023
Staff to begin engagement with K’omoks; prepare three draft bylaws (2 OCP; 1 LUB)	Summer/Fall 2023
Draft Bylaws presented to LTC for consideration of First Reading or referral to APC for comment	Fall/Winter 2023
1 st Reading of bylaws and referral to First Nations, agencies, APC and community groups	Winter 2023/2024
Community Information Meeting following referral submissions/2 nd Reading of bylaws	Winter 2024
CIM/Public Hearing – END OF FISCAL	March 2024
3 rd Reading and forward to EC and Ministry	Spring 2024
Adoption	Summer/Fall 2024

Project Team	
<i>Island Planner</i>	Project Manager/ bylaw drafting
<i>Legislative Clerk</i>	Legislative Process / Bylaw Review
RPM Approval: Renee Jamurat, RPM June 2023	LTC Endorsement: Resolution #: 10-Jun-22; 9-Sept-22; #xxx-2023 Jun 16

Budget		
Budget Sources: TC Line Item Budget allocation		
2022/23	Consultant Contract	\$13,450 SPENT
2022/23	Minute-Taker	\$600 SPENT
2023/24	K’omoks First Nation Engagement/Capacity Funding	PENDING
2023/24	Community Information Meeting after 1 st reading	\$1,000
2023/24	CIM/Public Hearing after second reading	\$1,800
	Total up to	\$15,000