



Islands Trust

HORNBY ISLAND OFFICIAL COMMUNITY PLAN

BYLAW NO. 104, 2002

AS AMENDED BY THE HORNBY ISLAND LOCAL TRUST COMMITTEE
BYLAWS: 108, 110, 116, 126, 128, 139 and 140

NOTE: This Bylaw is consolidated for convenience only and is not to be construed as a legal document.

Certified copies of the Official Community Plan Bylaw are available from the Islands Trust Office, 700 North Road, Gabriola Island, BC V0R 1X3

Consolidated: November, 2011

BYLAW AMENDMENTS

This Copy is consolidated for convenience only and includes the following **Text Amendments** only:

<u>Bylaw Number</u>	<u>Amendment Number</u>	<u>Adoption Date</u>
Bylaw No. 110	Amendment No. 2, 2003	February 20, 2004
Bylaw No. 116	Amendment No. 4, 2003	May 17, 2004
Bylaw No. 108	Amendment No. 1, 2003	September 2, 2004
Bylaw No. 126	Amendment No. 1, 2006	January 21, 2008
Bylaw No. 128	Amendment No. 1, 2007	March 13, 2009
Bylaw No. 139	Amendment No. 1, 2010	August 25, 2010
Bylaw No. 140	Amendment No. 2, 2010	April 13, 2011

HORNBY ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 104

A BYLAW TO ADOPT THE OFFICIAL COMMUNITY PLAN FOR THE HORNBY ISLAND LOCAL TRUST AREA

WHEREAS Section 29 of the *Islands Trust Act* gives the Hornby Island Local Trust Committee the same power and authority as a Regional District under Section 694(1)(i), 723 and Part 26, except sections 932 to 937 and 939 of the *Local Government Act*, and

WHEREAS Sections 876 and 882, respectively, of Division (2) of Part 26 of the *Local Government Act* applies to the Hornby Island Local Trust Committee and authorizes it to adopt an Official Community Plan and outlines procedures for developing and adopting such plans including a public hearing and Ministerial approval; and

WHEREAS Section 27 of the *Islands Trust Act* requires that the Executive Committee of the Islands Trust must approve an Official Community Plan prior to adoption; and

WHEREAS Section 877 of the *Local Government Act* lists the subjects that must be addressed in a Plan; and

WHEREAS Section 884(1) of the *Local Government Act* provides that the adoption of an official community plan does not commit or authorize the Hornby Island Local Trust Committee to proceed with any project that is specified in the Plan; and

WHEREAS Section 884(2) of the *Local Government Act* requires that all bylaws enacted, permits issued, and works undertaken by the Hornby Island Local Trust Committee be consistent with the Official Community Plan;

NOW THEREFORE the Hornby Island Local Trust Committee being the Trust Committee having jurisdiction on and in respect of the Hornby Island Local Trust Area in the Province of British Columbia pursuant to the *Islands Trust Act*, enacts as follows:

TITLE

1. This Bylaw may be cited as the "Hornby Island Official Community Plan Bylaw No. 104, 2002".

APPLICATION

2. This Bylaw applies to:
Hornby Island,
Toby Island,
Flora Islet,
Norris Rocks,

and unnamed islets and the surface of water within 1000 metres of the natural boundary of the sea on Hornby and Toby Islands and Flora Islet, except where the boundary overlaps with that of Denman Island in which case, the jurisdiction of the Hornby Island Local Trust Committee extends to a line mid-channel between the two Islands as shown on Schedule B.

ORGANIZATION

3. Schedule A, and Maps B, C, D1, D2, E and F, attached to and forming part of this Bylaw, are hereby designated as the "Hornby Island Official Community Plan Bylaw No. 104, 2002".

4. The Schedules and Maps comprising this Bylaw are as follows:

- Schedule A: Bylaw Text
- Schedule B: Land Use Designations Map
- Schedule C: Land Status and Road Designations Map
- Schedule D1: Environmentally Sensitive Areas (Sensitive Ecosystem Inventory) Map
- Schedule D2: Environmentally Sensitive Areas Map
- Schedule E: Development Permit Areas Map
- Schedule F: Hazardous Areas Map

BYLAW REPEAL

"Hornby Island Official Community Plan Bylaw No. 45, 1990", as amended, is repealed upon adoption of this Bylaw.

SEVERABILITY

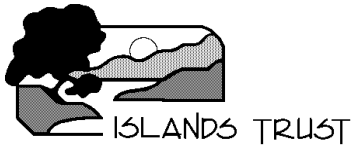
If any section, subsection, sentence, clause, phrase, plan, map, diagram, table, schedule, or other graphic material or any part thereof of this bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder.

READINGS

READ A FIRST TIME THIS	5th	DAY OF	November	, 2002
PUBLIC HEARING HELD THIS	29th	DAY OF	November	, 2002
READ A SECOND TIME THIS	29th	DAY OF	November	, 2002
READ A THIRD TIME THIS	29th	DAY OF	November	, 2002
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	17th	DAY OF	December	, 2002
APPROVED BY THE MINISTRY OF COMMUNITY, ABORIGINAL AND WOMEN'S SERVICES THIS	26th	DAY OF	May	, 2003
ADOPTED THIS	18th	DAY OF	June	, 2003

Linda Prowse
SECRETARY

David Essig
CHAIRPERSON



HORNBY ISLAND OFFICIAL COMMUNITY PLAN

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SCHEDULE A HORNBY ISLAND OFFICIAL COMMUNITY PLAN

SECTION I—BACKGROUND

1.1 Historical Perspectives

Someone has said "a people without a history can have no vision". The people of Hornby Island are standing on history. It is to be found in the remnants of snake fences, and in the derelict orchards, in the blackened shell-flecked soil around the shores, and in the indigenous trees and shrubs from which the first people took their sustenance. It is to be found in the soil and in the sandstone and conglomerate sedimentary rocks, in the pebbles on the beaches, and in the basement rock on which the Island rests.

The rocks of Hornby Island are part of the island arc Wrangellia, which started its life as molten lava, three hundred and fifty million years ago, south of the equator. The arc, the result of one ocean plate meeting another and subducting, journeyed north on the back of the Pacific Plate, eroding gathering limestone. On reaching the latitude of present-day Mexico, about one hundred and seventy million years ago, another set of volcanic eruptions added more volcanic rock to the terrain.

From these two major geological events came the Island's basement rock, and later, 65 to 70 million years ago, most of the ingredients for the Island's sedimentary rock, the pebbles in the conglomerate and the eroded rock from the tumbling hillsides, came from the recycled substance of Wrangellia's earlier geological history. Also in the sediment are found fossils of sea creatures, and pieces of petrified wood dating from trees that grew at that time.

Continuing tectonic plate pressure first folded and then faulted the layers of sedimentary rock. The movement of glaciers and the rising and falling of seas in the interglacial periods, scoured the rock and then padded the dips and valleys with clay, sand, and glacial till. Some of the boulders and cobbles were brought from as far away as the Coast Range Mountains.

Ten thousand years ago, three thousand years after the last glacier retreated, the receding seas started slowly to reveal Hornby Island with much the same shape that it is today. Vegetation started to grow and by five thousand years ago people from Deep Bay were visiting the Island gathering the Island's bounty and fishing from its shores.

Hornby Island and its surrounds, immediately prior to the advent of western civilization, was the territory of the Pentlatch, a people belonging to the Coast Salish group of West Coast people. They and their ancestors, being semi-nomadic, used the Island seasonally and cyclically nine months of the year and became part of the Island's ecosystem. The island could provide for nearly all their needs.

In 1791 A.D., the Spaniards named the Island, Isla de Lerena but in 1850 the British renamed it Hornby Island, after Rear Admiral Phipps Hornby, at that time Commander of the Pacific Station. Ten years later Mt. Geoffrey and Phipps Point were named after the Admiral and his son, Captain Geoffrey Hornby of HMS Tribune while the officers of his ship had their names immortalized in other Island promontories.

By 1850 there were practically no Pentlatch left. Sickness, slave raids, the movement of people into their territory from the land further north, and the collapse of their world from the compounding of these misfortunes, finally wiped out the people to whom the natural life of Hornby Island was a part.

During the 1860's Hornby Island was virtually empty of people. It was the sight of the Island on fire at the end of the decade that decided George Ford, one of the earliest recorded settlers, to move from his settlement in Comox to Hornby Island. Fires made clearing land easier. Other settlers followed. In 1870 a whaling company moved its base of operations to Hornby Island, but in less than two years it went into liquidation and one hundred acres at Whaling Station Bay with wharf, sheds and other buildings were auctioned off.

The early settlers were able to choose land which was sheltered, amply provided with water, and having deep fertile soil. By the turn of the century Hornby had become a fairly prosperous farming community. Although many who came to farm found the sale of logs from the clearing of land more profitable than the farming itself.

Hornby Island, like all islands, promised a dream. The Island challenged, dared, and offered an escape. Not everyone who came succeeded and even those who did succeed, often found their children seeking dreams elsewhere. By 1960 most land had changed hands several times. Families had come and gone. Some orchards were derelict and many fields were overgrown. The 150 people on the Island, were made up of fishermen, subsistence farmers, resort owners, their children and one or two retired intellectuals. Towards the end of the sixties developers discovered the Island and three farms were turned into small lot residential subdivisions.

To avoid more indiscriminate carving up of the Island, a policy restricting subdivision to a ten-acre minimum lot size was introduced. This coincided with the arrival of the counter culture people, and the Island flowered with artists, craftsmen and academics seeking a more meaningful life. In 1974 the Islands Trust was formed to preserve and protect the Gulf Islands, which include Hornby Island, against inappropriate use and development.

Legislation does not ensure the spirit of a place. Hornby Island itself with its beauty, with its history deep into the past, its tranquility, its changing light and seasons, must be allowed to capture the hearts of those who dwell here. Hornby will endure although it has not always been an island and one day may not be again. It has traveled a long way and gone through many changes. It will be here long after the human population has gone. Every person who owns land, holds it as a temporary tenant, in trust for future generations.

1.2 The Natural Setting

Terrestrial Ecosystems

Hornby Island is within an ecological region unique in Canada. The Coastal Douglas Fir (CDF) zone is one of the smallest biogeoclimatic zones in British Columbia, occurring only on the Gulf Islands, southeastern Vancouver Island and small portions of the Sunshine Coast and Fraser Delta. It is a region of exceptionally high biodiversity but also one that has been profoundly and adversely affected because of its accessibility for logging and suitability for settlement. Less than 1% of this ecosystem remains relatively undisturbed; 12% of provincial ecosystems is generally considered a minimal protection target to achieve ecological representation. Even if all the remaining remnants of old-growth forest can be preserved, areas of older second-growth forest must also be protected and allowed to recover to an old-growth state to ensure adequate

representation of this forest type in the future.

The original Coastal Douglas-Fir forests had a relatively open canopy dominated by gigantic Douglas-Firs, which can live more than 750 years. About 100 species of other trees, shrubs, vines, herbs and mosses are indigenous to these forests.

On Hornby only about 104 hectares (260 acres) of relatively undisturbed stands of older forest have been identified. This is about 3.5% of the island's area. However, there are also at least 572 hectares (1330 acres) of older second-growth forest (19% of the Island). As these recovering forests reach about 80 years old, they start to develop a structure and composition that allows much of the natural biodiversity to become re-established. These areas can provide important connectivity, allowing the movement and dispersal of forest plant and animal species. Within the Coastal Douglas Fir zone, Garry Oak Woodlands cover about 0.6% of the landscape. They often occur on south-facing slopes where summer moisture is low and shallow soils are common.

These open woodland ecosystems support a very high biodiversity of plants. Less than 5% of the historic Garry oak woodlands remain and many of these are seriously degraded. The woodlands provide habitat for a variety of birds, rare moths and butterflies and the Northern Alligator Lizards. This ecosystem includes 93 species at risk.

On Hornby, the Garry oak ecosystem is near the northern extremity of its range. There are about 16 hectares (40 acres) of woodlands, the principal sites being west of Helliwell Park and above the Ford Cove Hill. There are many other smaller stands of Garry oaks.

Terrestrial herbaceous ecosystems (natural grasslands rich in wildflowers) are found in rocky, exposed areas near the shoreline and above coastal bluffs. Hornby has about 24 hectares (60 acres) of these sensitive ecosystems. They contain many rare and uncommon plants—and also support other species, such as the endangered Taylor's Checkerspot Butterfly. However, they are very susceptible to disturbance and degradation because they occur in areas that attract residential development and recreation.

Indigenous human communities have been part of this area's ecosystems as they evolved through shifting climatic conditions since the last ice age. Settlement communities have brought change, not only through logging, development and recreational use but also by interrupting preexisting processes (such as periodic fire) and by introducing invasive non-native species that displace native vegetation. In the 1980s the non-indigenous Virginia opossum was introduced to Hornby and is likely having a significant impact upon the preexisting ecology of the Island.

Fresh Water

Because Hornby Island has a self-contained hydrological system, fresh water is a critical element of its natural setting. Wetlands are extremely productive ecosystems, supporting a large number of species. They are also holding areas for fresh water which can incrementally recharge surface and groundwater systems during the dry season. Hornby, in common with most of the Gulf Islands, has few wetlands. Many of these have already been drained or damaged as a result of logging, agriculture, road-building and landscaping.

Three of the largest wetlands are on the "bench" above Lambert Channel, near Ford Cove and north of Helliwell Park. There are also significant wetlands in the upland Crown land. The only sizable lake on Hornby is in Strachen Valley; it was established in the 1990's by beaver activity resulting in a significant increase in biodiversity in the area and a more consistent year-round flow in Ford Creek. Surface drainage is generally through many small seasonal creeks. Only Beulah

Creek and Ford Creek (both draining the eastern escarpment of Mount Geoffrey) are fish-bearing. Riparian areas, along the margins of streams, lakes and marshes, are very important in providing habitat for a variety of species and maintaining the productivity of fish-bearing streams. Many of these areas have been affected by logging, road-building and settlement.

Groundwater on Hornby is found in open fractures or breaks within the sedimentary rocks underlying the entire island. These openings occupy less than 1% of the rock volume and allow the water to move from one part of the island to another. About 20% of Hornby's annual precipitation of approximately 34", which occurs principally in the fall and winter, infiltrates the subsurface to replenish the groundwater supply.

This is the only source of groundwater recharge. This recharge generally takes place on the higher areas of the island and in stream beds. Outflow is to wetlands, creeks and the ocean. Groundwater is the major source of potable water on the island. In 1989 it was reported that in the main residential areas the demand has reached more than 80% of the available water. Since then, the summer population of the island has expanded to several thousand people. Excessive draw down of aquifers in coastal areas can lead to saltwater intrusion or replacement by contaminated run-off. Over-development, inappropriate land use practices, inadequate waste treatment and improperly constructed or abandoned wells can all have an impact on the quantity and/or quality of groundwater. Most water, used or unused, eventually reaches the ocean and any contamination can negatively affect marine life.

The Marine Environment

The waters around Hornby support a high diversity of marine life including a variety of sponges, anemones, sea stars, nudibranchs crabs and fish. A unique feature of the marine ecology is the presence of six-gilled sharks, normally a deep-water dweller, at relatively shallow depths near Flora Islet.

The Hornby-Denman area is the site of the largest and most consistent herring spawn in British Columbia. This spawning is important to a variety of species, including Stellar and California sea lions (that spend the winter in these waters using rocks and islets to the south-east of Hornby as haul-outs), the estimated 10,000 bald eagles that congregate here each spring and the West Coast's largest concentration of Harlequin ducks.

Several species of groundfish are present, including quillback, copper, black, Puget Sound and yelloweye rockfish, lingcod, kelp greenling and cabezon. Rockfish and lingcod are now in serious decline throughout the Strait. There are areas of kelp-covered terrain and eel grass around Hornby that provide excellent habitat for juvenile rockfish. Salmon populations have declined significantly and whales, once fairly common, are now rarely seen.

Hornby has large inter-tidal areas which have a particularly rich ecology. The health of these areas is likely supported by the waters around Hornby being relatively pristine compared to other areas of the Strait, but the accessibility and development of Hornby's shoreline also make it vulnerable to disturbance.

Coastal areas of the island are important for the well-being of many species that are part of the marine ecosystem. Pelagic cormorants roost on rocky bluffs; bald eagles depend on large trees around the island for perching or nesting; herons require a suitable stand in which to establish a heronry; salmon spawn in Beulah Creek; river otters use much of the coastline; Harlequin ducks and other sea birds are susceptible to disturbance from on-shore activity. Pollution originating on land (including from septic seepage) can contaminate bivalve shellfish. Thus there is a strong

connectivity between the terrestrial environment and the marine environment of Hornby.

The natural setting of Hornby Island is rich, varied and of provincial importance. Despite heavy impacts from human use over the past century or so, a significant representation of natural ecosystems remains intact, though at risk from development and recreation pressures. The island's year-round population seems to have stabilized but, if Hornby continues to be a popular location for tourists and seasonal residents, protecting these remaining ecosystems—and restoring those already degraded—will be a crucial challenge.

1.3 Principles

The principles behind the development of this Plan are based on the mandate of the *Islands Trust Act*, "to preserve and protect, in cooperation with municipalities and the government of the Province, the trust area and its unique amenities and environment for the benefit of the residents of the trust area and of the Province generally." Based on that mandate, the objectives of the Hornby Island Community Plan are somewhat complex and focus on two main priorities. A first priority is to provide a balance between preservation of the natural environment and development associated with human settlement and economic activity. A second priority is to preserve the unique personality of the community while providing for its needs and those of its visitors in a manner and at scale that does not overburden the limited resources of the Island or its residents.

This Plan helps ensure that decisions related to the use of land on Hornby Island will not be made on the basis of expediency but rather will be based on the features of the natural environment and their inherent capacity to support a particular use or development. In addition, this Plan helps ensure that any proposed change in land use will be evaluated in terms of its impact on the social environment of the whole Island and on the associated needs of future generations.

Hornby Island offers unusual scenic beauty, sandy beaches, interesting geologic formations, clean air, a gentle climate and a community that has a rural lifestyle. The relative isolation of the Island has contributed to the self-sufficient character of the community. However, the increasing urban density of the lower mainland and eastern Vancouver Island makes the Island attractive to thousands of visitors whose demand for use of the Island threatens the very qualities that make the Island special.

It is recognized that human settlement on Hornby Island is constrained by the Island's size and its limited supply of fresh water. The fragility of its natural environment constitutes another less obvious and less widely understood constraint to development and use by visitors. Hornby Island offers many outstanding natural and historic features valued today by residents and visitors alike. If these features are to be enjoyed tomorrow, they must be protected today. It is only through community concern and understanding along with a sense of stewardship and responsibility that the Island will be effectively protected and preserved. This Plan presents a well-defined community consensus about what is valued and should be protected and it is hoped that the Plan will influence governing agencies to respect the policies of the Plan.

These general objectives express the basic values held by the people of Hornby island:

1. To ensure that all human activities on the island respect the natural environment and preserve the fragile ecosystems.
2. To ensure the quality and quantity of the groundwater is not compromised through human activities.
3. To maintain a rural community that is safe, creative, self reliant and diverse.

4. To develop and support the Official Community Plan to guide the actions and decisions of residents, visitors and all levels of government with respect to Hornby Island.

From these general values, the Official Community Plan gives detailed objectives and policies to ensure that changes are suitable in the long term and have broad community support.

SECTION II—PRIMARY OBJECTIVES AND POLICIES

2.1 Broad Community Objectives

The following statements of general objectives express the values that are significant to the people of Hornby Island and together with the specific objectives listed in each topic area sets the direction to be followed when interpreting and implementing the policy statements.

- (1) To promote the conservation, preservation or restoration of:
 - a) areas of natural, scenic, historical, archaeological or scientific value,
 - b) watershed and groundwater recharge areas,
 - c) public land and parks,
 - d) areas of significant vegetation, the forests, the wildlife and their habitat,
 - e) land with agricultural potential,
 - f) shoreline, foreshore and the Island's surrounding marine ecosystem, and
 - g) water courses and riparian areas.
- (2) To ensure all human activities are carried out in a manner that is sensitive to the protection of fresh water resources and to the fragility and interaction of natural ecosystems, are compatible with activities of surrounding neighbours, and are in keeping with the rural scale of land use on the Island.
- (3) To minimize pollution of air and water.
- (4) To limit or reduce present and future stresses upon natural and community resources, particularly those generated by increasing seasonal uses.
- (5) To encourage a self-reliant rural community based on agriculture, low impact businesses and home occupations that are sustainable and non-polluting.
- (6) To ensure changes, growth and development are gradual and support the sustainability of the community.
- (7) To maintain the community's sense of unity and to promote a residential development pattern consistent with the rural character of the Island.
- (8) To encourage residents and visitors to take an active role in the preservation of natural and social values on the Island.
- (9) To encourage consultation with and participation of the public in local government decisions and in the management of Provincial resources by appropriate agencies.
- (10) To protect through sound long-range planning policies and strategies, the agricultural potential of lands, foreshore and intertidal areas, forested areas and groundwater recharge areas.
- (11) To support community awareness and participation in achieving lifestyles and buildings which ensure energy efficiency.
- (12) To preserve the rural character of the Island.

2.2 Objectives and Policies for All Land Use

Background:

The importance of preserving the ecosystems of the Island and the need to protect the groundwater resource were recurrent themes during the public review of the Community Plan.

Ecosystems

The Sensitive Ecosystem Inventory of Vancouver Island and Gulf Islands 1993-1997 has documented the rare and fragile ecosystems of this area and notes that "loss of natural ecosystems in the Georgia Basin is of national concern". The inventory records examples of the following sensitive ecosystems on Hornby Island: older forest, woodland (Garry oak), terrestrial herbaceous, wetland, coastal bluff and sparsely vegetated; there are also areas of older second growth forest. (The ecosystem types are briefly described in Section 1.2 The Natural Setting.)

Protected Areas on Vancouver Island: An Analysis of Gaps in Representation for Conservation Purposes, Eng—BC Ministry of Forests, 1992 reports that the Coastal Douglas Fir zone—within which Hornby Island is located—has received the greatest amount of impact per unit area than any other biogeoclimatic subzone in the Province.

Coastal Douglas Fir Ecosystems, Flynn—BC Ministry of Environment, Lands and Parks, 1999 notes that only one half of one percent of the original Coastal Douglas Fir forest remains in a relatively undisturbed state. It suggests that "even if efforts to protect all remaining old growth stands are successful, additional areas of older second-growth forest will have to be protected and allowed to recover to an old-growth state in order to ensure adequate representation of these forest types in future."

Garry Oak Ecosystems, Erickson—BC Ministry of Environment, Lands and Parks, 1993 states that Garry oak ecosystems "have been identified as a hot spot of biological diversity" and reports that Garry oak vegetation types are being rated provincially as "endangered" or "threatened".

About 85% of Hornby Island is privately owned. Achieving sustainable biodiversity throughout the island will require stewardship on the part of landowners based upon having knowledge of the ecosystems and understanding of their importance. Land Use regulations and the establishment of Development Permit Areas can play a role in protecting key features.

Groundwater

A Preliminary Review of Groundwater Conditions on Hornby Island, B.C. (Chwojka), 1984 stressed the importance of preventing contaminants from entering the groundwater by exercising care in placing septic fields and regulating land use in upland recharge areas and recommended that "serious consideration be given to limiting any future groundwater development" in areas with poor water quality and high density of wells.

Groundwater Conditions on Hornby Island, B.C. (Chwojka), 1989 reported that groundwater demands in three areas of the Island were approaching 71 to 83 per cent of the annual replenishment.

The Hornby Island Groundwater Pilot Project—Final Report, 1994 noted that heavily developed neighbourhoods on the Island "experience limited availability of groundwater" and that there are "significant water quality concerns". It recommended that management of groundwater must "ensure that the rate and use of the groundwater resource does not exceed the rate of replenishment" and "ensure that human activity does not degrade the quality of the groundwater resource".

A Preliminary Groundwater Assessment of a Crown Parcel on Hornby Island—BC Environment, 1994 concluded that "the upland recharge area including the subject Crown land is likely vulnerable to groundwater contamination" and provided examples of land use activities that should be restricted to sustain groundwater quantity and quality".

An Ecosystem Approach to Groundwater Management in the Gulf Island—Henderson, 1997 stated that "there is a need for management of the groundwater resources to ensure a sustainable supply for the present and future on the islands."

Hornby Island Water Stewardship Project Report, 1996-1999 reported that 20% of sampled wells tested positive for fecal coliform at a level that does not meet the standard for safe drinking water.

Water Stewardship and Wastewater Management on Hornby Island—Third Eye Consultants, RRU, 2000 recommended "protection of the groundwater recharge area and wells".

Results of the *Groundwater Geochemistry Study on Hornby Island, B.C.—Allen and Matsuo, SFU, 2001* recommended that "water conservation, proper waste disposal and placement of human development should be a priority in land use planning. This should be done so as to protect sensitive groundwater recharge areas in upland locations." This study delineated two recharge areas on the island— one large one in the main part of the island and a smaller one in the Whaling Station Bay peninsula east of Tribune Bay. The recharge areas are generally above the 20 metre contour (the 40 metre contour in the western part of the Island).

Bedrock Aquifers on Hornby Island—Ministry of Water, Land and Air Protection, 2001 provides a classification of the aquifers on Hornby Island using a provincial classification system. The four aquifers on Hornby Island are all classified as having "high vulnerability" (the highest of three categories). The aquifer in the Whaling Station Bay peninsula east of Tribune Bay is classified as "highly developed" (the highest of three categories) while aquifers in the central and western part of the island are classified as "moderately developed". The aquifer in the southern part of the island (south of the Mount Geoffrey escarpment) is classified as "lightly developed" (the lowest category).

Through *the Pilot Voluntary Groundwater Protection Project on Hornby Island* (initiated by the Islands Trust and the Ministry of Water, Land and Air Protection), a community-based "Groundwater Protection Strategy" is being developed.

Over-riding Land Use Objectives:

The objectives that apply to all sections of this Plan are:

- (1) to preserve the natural ecosystems and biodiversity of the Island, and
- (2) to protect the groundwater resource.

Over-riding Land Use Policies:

These policies apply to all sections of this Plan.

2.2.1 In order to preserve the natural ecosystems and biodiversity of the Island the following must be addressed: a) wherever possible through zoning and land use regulations and where appropriate through Development Permit Areas ; b) when considering applications for permits, rezoning and subdivision; and c) through information and advocacy directed to residents, property owners and agencies with jurisdiction on Hornby Island:

- i) protecting identified sensitive ecosystems and important habitat from the adverse effects of development;
- ii) conserving relatively undisturbed natural areas;

- iii) retaining areas of native vegetation on each property wherever possible, especially along lot lines;
- iv) managing undeveloped public land so as to maintain or restore natural biodiversity and ecological integrity;
- v) securing connectivity between natural areas whenever the opportunity arises,.
- vi) sustaining the forested areas of the island through timber harvesting practices that retain tree cover and forest ecosystems, and
- vii) preventing the spread of invasive species.

2.2.2 In order to protect the groundwater resource of the island, the following must be addressed: a) wherever possible through zoning and land use regulations and where appropriate through Development Permit Areas; b) when considering applications for permits, re-zoning and sub-division; and c) through information and advocacy directed to residents, property owners and agencies with jurisdiction on Hornby Island:

- i) maintaining the recharge of the groundwater resource in identified recharge areas by restricting extensive logging, modification of natural drainage features, residential, commercial and industrial developments, extensive road development, excavation, quarrying and soil removal, ditching and drainage works;
- ii) maintaining the quality of the groundwater resource by preventing contamination from: sewage and used water, concentrated animal feeding operations, intensive fertilizer or pesticide application, improper use or storage of toxic chemicals, improper waste disposal, such as burning and open dumps, inadequate protection of wells, inadequate sealing of abandoned wells, over-pumping of groundwater in areas where salt-water intrusion is likely to occur;
- iii) maintaining the quantity of the groundwater resource by: limiting new development and land uses that will put an additional demand upon the groundwater resource in areas where availability is already a problem, using rainwater catchment and storage systems wherever possible in new and existing developments, establishing water conservation measures and practices; and
- iv) supporting the implementation of a groundwater protection plan, including innovative and remedial programs.

SECTION III—OBJECTIVES AND POLICIES FOR PROTECTION OF THE ENVIRONMENT

3.1 Environmental Stewardship

Background:

The Hornby Island Trust Committee recognizes the need to protect the environment and finite resources of an isolated and fragile ecosystem from polluting activities in surrounding areas as well as those taking place on the island. Additional pressures are placed on the local natural systems by the influx of visitors in the summer months when the environment is most severely affected.

Hornby Island residents are generally aware of the need for personal diligence in minimizing the impact of human activities on environmental systems. The community is always seeking ways to encourage visitors to the Island and senior levels government with jurisdiction over resources on the Island to adopt the same commitment. There are currently no active mineral claims on the Island and any future development of metal or coal mines on the Island is inappropriate. The community encourages water conservation through water storage, catchment and water recycling.

Objectives:

The objectives of this subsection are:

- (1) to encourage senior governments to preserve and protect the environment,
- (2) to inform residents and visitors of actions necessary to protect the island's ecosystems, freshwater resources, and preserve native biological diversity,
- (3) to ensure that permitted land uses do not threaten the sensitive environment of the Island and its native biological diversity.

Policies:

Policies 2.2.1 and 2.2.2 apply to all sections of this plan.

- 3.1.1 A moratorium on oil and gas exploration in the Trust area is supported.
- 3.1.2 The Ministry of Energy, Mines and Petroleum Resources shall be requested to establish a reserve on the entire Island against exploration for mineral or petroleum resources.
- 3.1.3 The Local Trust Committee shall encourage measures to reduce the risk of pollution from transporting dangerous materials by air, sea or land on or near the Island.
- 3.1.4 The Ministry of Transportation and utility corporations will be requested to replace the application of pesticides and herbicides on road allowances or other transmission routes with non-polluting practices such as manual trimming.
- 3.1.5 The hydro-electric utility company shall be requested to consult with the Local Trust Committee on any field operations involving the application of chemicals (such as remedial woodpole treatment programs).
- 3.1.6 The Regional District of Comox-Strathcona shall be requested to consider affordable and effective measures that will address the problem of uncontrolled dogs on Hornby Island.
- 3.1.7 The Regional District of Comox-Strathcona shall be requested to continue to maintain and enforce the following;
 - a) an effective noise bylaw to address noise disturbance originating from sound systems, musical instruments, barking dogs and other sources;

- b) an effective unsightly premise bylaw; and
 - c) the “dark skies” in rural areas lighting standards.
- 3.1.8 All government and non-government agencies and private businesses involved in providing services for the resident and visiting public shall be requested to provide adequate toilet facilities and waste recycling containers for their clients and to make information available on water conservation.
- 3.1.9 Tourism-related businesses, real estate agents and other organizations that provide information to visitors or potential owners of island property will be requested to include information on the legislated "preserve and protect" mandate of the Islands Trust and the objectives and policies of the Official Community Plan to protect the island's ecosystems and freshwater supply and to preserve native biological diversity.
- 3.1.10 All owners and land users shall be encouraged to comply with the “Best Management Practices and Requirements for Land Development” of the Ministry of Water, Land and Air Protection and with the regulations of the Vancouver Island Health Authority, and the Fire Marshall.
- 3.1.11 Efforts to control the spread of invasive exotic plant species (such as Scotch broom, holly, ivy, daphne and Himalayan blackberry) and to eradicate them from environmentally sensitive areas to enable their replacement with native species shall be encouraged.
- 3.1.12 Programs to control the population of opossums shall be supported.
- 3.1.13 The use of toxic herbicides and pesticides and heavy applications of fertilizers on lawns and gardens shall be strongly discouraged.
- 3.1.14 The dissemination of information about the risks of introducing invasive non-native species and pathogenic organisms harmful to indigenous species resulting from bringing biological material (including soil, bark mulch and firewood) onto the Island will be supported and efforts to increase sustainable island self-sufficiency with respect to the provision of firewood and other biological material will be encouraged."

3.2 Environmentally Sensitive Areas

Background:

Hornby Island has a diverse and fragile ecology with many significant natural features. The climate and soil conditions combine to allow diverse wildflower colonies, bird habitats, and Garry oak groves. The naturally eroded sandstone and conglomerate bluffs along much of the shoreline provide habitat for birds, wildflowers and rare plant species.

The "Sensitive Ecosystem Inventory (SEI) of East Vancouver Island and Gulf Islands", a joint project of Federal and Provincial agencies, was initiated in 1993 in response to an urgent need for inventory information on rare and fragile ecosystems. The basic mapping of the remaining fragments of a rare and fragile ecosystems was completed in 1997 and a Conservation Manual was published in 2000. The inventory is updated as field information becomes available. Ground truthing shall be undertaken where ever possible and additional sites (wetlands particularly) that meet criteria should be identified and added to the inventory. Only 7.9% of the Islands Trust Area has been identified as sensitive ecosystems. Less than 6% of Hornby falls within this inventory.

The Sensitive Ecosystems identified in the SEI inventory for Hornby Island (shown in Schedule D1) as follows:

- a) Coastal Bluff:
 - i) bluffs north east of Tribune Bay, and
 - ii) Toby Islet;
- b) Terrestrial Herbaceous:
 - i) meadow areas in Helliwell Park and extending west of Helliwell Park,
 - ii) meadows north east of Helliwell Park,
 - iii) Flora Islet,
 - iv) Downes Point,
 - v) Grassy Point,
 - vi) "The Bench", near the top of Mount Road,
 - vii) "The Bench", above Ford Cove, and
 - viii) small meadow north of the Recycling Depot;
- c) Woodland (Garry Oak/arbutus/Douglas-Fir):
 - i) "Thousand Oaks" west of Helliwell Park,
 - ii) within Helliwell Park,
 - iii) along bluffs north of Tribune Bay,
 - iv) west of Norman Point,
 - v) slopes of Ford Cove Hill,
 - vi) near Phipps Point, and
 - vii) south of Collishaw Point;
- d) Sparsely Vegetated:
 - i) Shingle Spit,
 - ii) cliff tops along "The Bench", and
 - iii) cliff tops along Mount Geoffrey escarpment;
- e) Older Forest (average age 100 years+):
 - i) in Helliwell Park,
 - ii) north of Helliwell Park,
 - iii) north of Sandpiper subdivision,
 - iv) north of Norman Point,
 - v) below and west of the Mount Geoffrey escarpment ("rainforest" area, including spruce trees),
 - (vi) Crown land north of the gravel pit in Strachan Valley,
 - (vii) Crown land south west of the gravel pit in Strachan Valley,
 - (viii) Crown and private land south west of the upper portion of Slade Road,
 - (ix) Crown land and private land north west of the end of Slade Road, and
 - (x) Crown and private land to the south east of the end of Lea Smith Road;
- f) Wetlands:
 - i) in Helliwell Park,
 - ii) north of Helliwell Park,
 - iii) on "The Bench",
 - iv) in Strachan Valley, and
 - v) near Ford Cove.

Other ecosystems with high biodiversity and habitat values are as follows:

- g) Older Second Growth Forest (average age 60-100 years):
 - i) Crown land, north east of the gravel pit in Strachan Valley,
 - ii) large area including part of Helliwell Park and most of private land between Helliwell and Tribune Bay Parks,
 - iii) large area including much of Tribune Bay Park and private land north of the park, private land north of park, private land between Saint John's Point Road and Sollans Road,
 - iv) private land south of Brigantine Road East,
 - v) Crown and private land between the Galleon Beach subdivision and Central Road, and
 - vi) Crown land south of Central Road and private land east of this land.
- h) The area above, below and including "The Bench" on the south side of Mount Geoffrey is an extensive "coastal bluff ecosystem" incorporating a complex of fragile ecosystems and valuable habitat (J. Balke, 2001).

A Nature Conservancy Study of the Islands Trust area classified about three quarters of the shoreline and associated beaches as containing moderate to high natural feature value for wildlife, marine and aesthetic features.

Other inventories, fieldwork carried out by biologists and local knowledge have identified the following habitat areas and features (shown in Schedule D2):

- aa) Important Terrestrial Habitat:
 - i) cormorant nesting area on the bluffs of Helliwell Park,
 - ii) heron rookery at Tralee Point and other current or potential heron nesting areas,
 - iii) eagle, osprey and peregrine falcon nesting locations,
 - iv) large older firs providing eagle habitat, particularly along the coastline and the inland bluffs,
 - v) old growth trees and large snags (providing habitat for a variety of species) throughout the island,
 - vi) beaver dam and lodge in Strachan Valley,
 - vii) shallow lake in Strachan Valley providing important habitat for many species,
 - viii) other ponds and wetlands throughout the island,
 - ix) Beluah Creek (salmon habitat), its riparian corridor and feeder creeks,
 - x) Ford Cove Creek (fish bearing), its riparian corridor and feeder creeks,
 - xi) meadows in the south western part of Helliwell Park providing habitat for the only extant colony of Taylor's Checkerspot butterfly, and
 - xii) buildings providing established habitat for Townsends big-eared bat;
- bb) Important Marine Habitat:
 - i) shoreline near Saint John's Point/Whaling Station Bay and other areas where Harlequin ducks gather during their flightless phase,
 - ii) saltwater marsh north of Texada Road providing valuable waterfowl habitat,
 - iii) Norris Rocks and rocks near Flora Islet where sea lions haul out,
 - iv) islets and rocks around the Island where sea birds nest or gather,
 - v) Whaling Station Bay and other bays around the Island providing waterfowl habitat,

- vi) the area of the underwater wall by Flora islet providing habitat for many marine species and frequented by six-gilled sharks,
- vii) the area surrounding Norris Rocks and Heron Rocks providing habitat for juvenile rock fish and other species, and
- viii) areas of marine vegetation important for herring spawning.

Objectives:

The objectives of this subsection are:

- (1) to ensure maximum protection of areas with ecological, natural, aesthetic or heritage value,
- (2) to ensure protection of sources of fresh water and groundwater recharge areas,
- (3) to allow for public access to such areas only when there is no danger of damage to sensitive features or ecosystems, and
- (4) to maintain native biodiversity and connectivity of the natural habitat areas.

Policies:

Policies 2.2.1 and 2.2.2 apply to all sections of this plan.

- 3.2.1 Notwithstanding policies contained elsewhere in this Plan where they apply to land identified here, this section takes precedence.
- 3.2.2 Where areas are designated as environmentally sensitive on Schedules D1 and D2, the sensitive area may be protected by covenants at time of rezoning, subdivision or other change in land status in favour of an appropriate third party such as the Islands Trust Fund, or other organizations with the capacity to hold and monitor effective conservation covenants.
- 3.2.3 In areas of known water collection and aquifer recharge, natural drainage patterns shall be retained, and any removal of forest cover or other physical changes must be conducted so as to preserve the ability of the ground to retain water to recharge the aquifers, and may be regulated by Development Permit.
- 3.2.4 Development shall be prohibited or restricted in areas identified by a hydrogeological study as being vulnerable with respect to water catchment, recharge or storage functions.
- 3.2.5 Any development in areas with sensitive ecosystems or important habitat may be regulated by Development Permit to protect the identified features, including establishing buffer areas in accordance with Sensitive Ecosystem Inventory recommendations or Best Management Practices.
- 3.2.6 Development along coastal areas adjacent to foreshore with significant marine values (such as shellfish resources or migratory bird habitat) may be regulated by Development Permit.
- 3.2.7 Fish-bearing streams, their riparian areas, tributary creeks and wetlands feeding them shall be protected and enhanced in accordance with the Provincial *Fish Protection Act* through regulations and through supporting enhancement programs.

- 3.2.8 Where significant ecological, natural or historical areas or significant habitat areas are located on Crown land, the Ministry of Sustainable Resource Management and the Ministry of Water, Land and Air Protection will be requested to secure these areas in protective reserves, Parks or through transfer to the Islands Trust Fund, and to keep them in the public domain with access appropriate to the level of sensitivity.
- 3.2.9 Connectivity of relatively undisturbed natural areas shall be maintained wherever possible including between the shore and the interior forested uplands
- 3.2.10 The Regional District of Comox-Strathcona shall be strongly encouraged to work with the Islands Trust to provide for Natural Area Protection Tax Exemptions in accordance with Part 7.1 of the *Islands Trust Act* to encourage and support the voluntary conservation of natural areas.
- 3.2.11 Voluntary covenants or easements to protect natural features and the donation or sale of sensitive areas to a conservation land trust such as the Islands Trust Fund will be encouraged.
- 3.2.12 Voluntary stewardship programs that provide information, support and recognition to landowners with respect to protecting natural areas on private land shall be encouraged.
- 3.2.13 Educational efforts to protect coastal rock formations and other natural features from disturbance shall be supported.

Policies relating to protection of the marine environment are included in subsection 3.6 Marine Conservation.

3.3 Parks and Protected Areas

Background:

The natural features of the island provide many opportunities for recreational use by members of the local community and visitors. A large area of Crown land and a system of traditional trails through private land have provided access to forest areas and scenic viewpoints. In addition, the public has access to two Provincial Parks and a Regional Nature Park. These parks enable residents and visitors to view and enjoy the many natural values of the island. All parks are oriented towards the preservation of existing ecological values. Heavy public use presents challenges in achieving this goal. There are also four small Regional Parks and a number of water accesses and unused road dedications under the jurisdiction of the Ministry of Transportation that provide public open space and/or contribute to the trail system.

Hornby Island has two Provincial Parks and one Regional Nature Park that provide recreational opportunities in the context of preserving ecological values. These parks are all located where there are high natural values and together contain a representative cross-section of the Island's ecological systems thereby offering valuable educational potential. Apart from Tribune Bay Outdoor Education Centre, none of the parks are developed for artificial use, reflecting a long-standing community interest in seeing minimal disturbance in these areas.

Hornby Island's two Provincial Parks are Helliwell, established in 1966 and Tribune Bay, established in 1978; both areas were previously privately owned. There is evidence of traditional use of the Helliwell Park area by First Nations. Both Helliwell and Tribune Bay are designated "Class A' Parks under the *Parks Act*. A Parks Advisory Committee, appointed by the Local Trust Committee, has been in place for eight years and provides liaison between the community and

BC Parks on management issues. Helliwell Park contains a 69-hectare (173-acre) terrestrial component on the peninsula culminating in St. John's Point and a 2803-hectare (7008-acre) marine component. Most of the terrestrial area is heavily forested; grasslands extend inland from the shore-line, which mostly consists of rocky bluffs.

The "Sensitive Ecosystem Inventory: East Vancouver Island and Gulf Islands, 1993 - 1997" records the following sensitive ecosystems within Helliwell Park: Terrestrial herbaceous, Woodland, Wetland, Older Forest, as well as areas of Second Growth Forest with general biodiversity values. Flora Islet is almost entirely covered with a sensitive terrestrial herbaceous ecosystem. Threatened vascular plants (red and blue listed by the BC Conservation Data Centre) have been recorded within the Park as well as the only viable extant population of Taylor's Checkerspot Butterfly. The cliffs provide important nesting habitat for cormorants. Norris Rocks and the rocks adjacent to Flora Islet are important haul-outs for large numbers of Stellar and California sea lions resident during the winter. A significant population of Harlequin ducks is present in the inshore areas.

The underwater component of Helliwell Park provides habitat for a rich variety of marine species. The main feature is the rock wall adjacent to Flora Islet near where six gilled sharks are regularly observed at unusually shallow depths. The primary attractions of the terrestrial component of Helliwell Park are the spectacular bluffs topped by open meadow areas, the older forest (including particularly large examples of Douglas-Fir and arbutus) and the opportunities to observe wildlife and flowers in bloom. The primary attractions of the marine component are recreational diving to view the rich underwater ecosystem, kayaking and traditional sports fishing areas. There are commercial fisheries in and/or immediately adjacent to the Park area.

The fragility of the Park's ecosystems together with its popularity for recreation poses challenging conservation and management problems. In 1999 a Conservation Stewardship Agreement was established between BC Parks and Conservancy Hornby Island to enable local involvement in practical and educational conservation measures. In 2000, BC Parks initiated the Helliwell Ecosystem-based Planning Project.

Tribune Bay Park covers 96 hectares (240 acres), of which 23 hectares (58 acres) are foreshore of Big Tribune Bay. The Park's vegetation consists of about 70% second-growth forest and about 30% grassland resulting from former cultivation. The broad white sand beach, backed by the open meadow area, is the primary attraction of the Park. The Tribune Bay Outdoor Education Centre operates under a Park Use Permit in the north-east corner of the Park and provides educational programs to youth, mostly school groups. Infrastructure includes the old lodge, other buildings, a climbing wall and a high ropes course. A tennis court is also located in this area. A pilot constructed wetland providing alternative waste treatment has been established at the Centre.

The Mount Geoffrey Regional Nature Park was established by Comox-Strathcona Regional District on 303 hectares (758 acres) of what was formerly vacant Crown land. It includes the upper and western part of the Mount Geoffrey escarpment as well as lower land below and to the west of the escarpment. Within the Park are sensitive ecosystems - Older Forest (below the escarpment) and Sparsely Vegetated long the edge of the escarpment) - which have been identified in the "Sensitive Ecosystem Inventory: East Vancouver Island and Gulf Islands, 1993 - 1997". Most of the park's vegetation is second growth forest. The escarpment of Mount Geoffrey is an important part of the Island's groundwater recharge area.

The main attractions of the Park are the spectacular viewing opportunities from the edge of the Mount Geoffrey escarpment, the well-developed trail systems for hiking and mountain-biking and

the older (and moister) forest ecosystem below the escarpment. Comox-Strathcona Regional District has adopted a Management Plan, developed with much community involvement; management is carried out through a contract with the Hornby Island Residents' and Ratepayers' Association.

Small Regional Parks exist near Tralee Point, near the top of Mount Road, at the end of Arthurs Road and adjacent to Helliwell Park. There are about 30 water access parcels under the Ministry of Transportation's jurisdiction and six or more other unused road dedications that are or could be utilized as trails or retained as undeveloped green space.

Objectives:

The objectives of this subsection are:

- (1) to ensure that parks remain in an essentially natural state and that the bio-diversity, sensitive ecosystems and wild life habitat are preserved;
- (2) to allow for recreational and educational opportunities for visitors and residents that are managed and monitored to ensure minimal environmental degradation and to fully protect fragile areas;
- (3) to encourage a system of walking, bicycling and horseback trails, with minimal development, through forested areas, to and from parks and across and around the island;
- (4) to encourage community and neighbourhood involvement in the planning and stewardship of parks.

Policies:

Policies 2.2.1 and 2.2.2 apply to all sections of this plan.

- 3.3.1 At the time of subdivision and if park dedication is required under the *Local Government Act*, the Local Trust Committee shall require park dedication, not cash-in-lieu. This could take the form of trails, easements or parks.
- 3.3.2 The following areas are suitable for acquisition, dedication, and preservation and are identified as candidates for parks or protected areas:
 - a) land that is shown on Schedule B as park, groundwater or ecological reserve for existing areas,
 - b) land that contributes to a community trail network that connects residential areas, commercial areas, the community hall and school area, parks, beaches and ferry terminals,
 - c) land that is designated as Environmentally Sensitive Areas, as shown on Schedule D1 and D2,
 - d) land that provides access to the ocean,
 - e) land that provides low impact recreational opportunities for the community and visitors,
 - f) areas of undeveloped lands,
 - g) land contiguous with existing parks and protected or undeveloped areas, particularly where it may provide a buffer for an ecologically sensitive site,
 - h) designated water accesses as parkland, and
 - i) land that provides habitat connectivity.

- 3.3.3 A Parks and Trails Plan shall be developed for the Island. The plan shall show all parks as well as areas with values that would make them appropriate for additional parks should the opportunity become available. It will also show present and potential public trails. Designation of all public trails shall be determined through a consultation process involving the community in general and affected neighbourhoods and land owners in particular and will take into account potential adverse impacts as well as benefits.
- 3.3.4 Owners of properties on which there are established public trails and appropriate organizations are encouraged to work together to achieve the long term protection of the trails through covenants or other means.
- 3.3.5 The Local Trust Committee, when considering applications for zoning amendment or subdivision, shall pursue any opportunities to secure protected areas, parkland or trails through dedication, easement, covenant or donation.
- 3.3.6 The giving or selling of a parcel of land (or interest in land) for park, trail or conservation purposes may be considered a community amenity. Amenity Zoning and Density Transfer provisions will be established by the Local Trust Committee on a site specific basis and upon application.
- 3.3.7 Park and preservation uses are to be permitted in all land use designations and may be zoned to specify the type of park or protected area.
- 3.3.8 Setbacks on properties adjacent to parks shall be established by regulation to protect the visual amenity of parks.
- 3.3.9 Park land dedication, public accesses to and along foreshore and rights of ways shall be maintained for public use, and remain free of encroachments.
- 3.3.10 The Ministry of Water, Land and Air Protection shall be requested to:
 - a) maintain the natural values and not permit development, other than those required for public health and education in Helliwell and Tribune Bay Provincial Parks;
 - b) continue to regularly consult with the Local Trust Committee on matters relating to the management and infrastructure of the provincial parks on Hornby in particular to address community, conservation, aesthetics and safety concerns;
 - c) continue the present Helliwell Conservation Stewardship Agreement which provides for local involvement in conservation and educational projects and to support a similar arrangement for Tribune Bay;
 - d) prohibit camping uses in the Parks except those associated with the Outdoor Education Centre at Tribune Bay Park, and
 - e) implement ecosystem-based management plans for Helliwell and Tribune Bay Provincial Parks.
- 3.3.11 The Regional District of Comox-Strathcona will be requested to:
 - a) continue to manage Mount Geoffrey Regional Nature Park as an undeveloped Park, for low-impact, nature-oriented uses, with only those minimal facilities necessary for public health and safety. The Master Plan for this Nature Park should continue to emphasize protection of ecosystems, retention of vegetation, and protection of fragile areas and existing water sources,

- b) continue active community involvement in the planning, stewardship and management of parks and other undeveloped parcels under its jurisdiction on Hornby,
 - c) investigate and report on options for acquiring tenure of the adjoining vacant Crown land including management of this parcel as a Community Forest Park or other designations, and
 - d) apply for the tenures of Grassy Point, Sandpiper Beach, Goldfinch Road, Clamshell Place, and other appropriate water accesses for management as undeveloped parks.
- 3.3.12 The Ministry of Transportation shall be requested to:
- a) work with the Local Trust Committee to develop a plan for all water accesses, unopened road allowances and other such properties under the Ministry's jurisdiction on Hornby,
 - b) support a tenure by Comox-Strathcona Regional District of those parcels that the community and the Comox-Strathcona Regional District consider appropriate for management as parks,
 - c) establish a stewardship arrangement with an appropriate community organization, or organizations, to act as stewards for the remaining properties once a plan has been developed for them,
 - d) maintain the unopened road allowances in their natural state, prevent unpermitted alienation by adjacent land owners and discourage overnight camping by means of signage.
- 3.3.13. Motorized vehicles shall not be allowed outside designated parking areas in any park, or on unopened road allowances, except for park service vehicles and emergency vehicles.
- 3.3.14. The Ministry of Water, Land and Air Protection shall be requested to work with the Canadian Coastguard to develop measures to ensure that motorized vessels are excluded from that part of Tribune Bay that is within the Provincial Park.
- 3.3.15 The Ministry of Water, Land and Air Protection and the Department of Fisheries and Oceans Canada shall be requested to introduce regulations and other measures to fully protect marine species and habitat in the marine component of Helliwell Park.
- 3.3.16 Agencies with jurisdiction over parks shall be supported in restricting or controlling access to areas in parks where this is required for the protection or restoration of sensitive ecosystems and habitats.
- 3.3.17 The Regional District of Comox-Strathcona shall be strongly encouraged to work with the Islands Trust to provide for Natural Area Protection Tax Exemptions in accordance with Part 7.1 of the *Islands Trust Act* to encourage and support the voluntary granting of public access through natural areas on private land.
- 3.3.18. Community organizations and land owners shall be encouraged to work together using available tools such as covenants and easements to secure and extend the existing network of trails according to the Parks and Trails plan.
- 3.3.19. Owners of land located adjacent to established parks will be encouraged to dedicate land or to provide trail easements to add to the park amenity.

- 3.3.20 Where a park contains a public well, parks authorities shall be requested to maintain the well and to post water quality analysis information.
- 3.3.21 Should an agreement be reached between the Province of British Columbia and the owner of Lot B Plan 24132 (designated Rural Residential and adjacent to Helliwell Park) for a portion of that lot to be acquired as an addition to Helliwell Park, the subdivision of the lot shall be supported and the remaining portion of the lot shall be redesignated as Small Lot Residential/Water Supply Protection Area

3.4 Groundwater Protection-Sustainable Ecosystem Management Area (Mount Geoffrey Area)

Background:

This forested upland area at the centre of the Island has been identified by BC Environment as an important natural groundwater storage and catchment area providing groundwater recharge to wells in highly settled lowland areas. "A Preliminary Groundwater Assessment of a Crown Land Parcel on Hornby Island" (1993) carried out by BC Environment recommends that this land should be protected as a community watershed area to ensure preservation of the quantity and quality of groundwater on Hornby Island. In 1994, the Water Management Division established a Notation of Interest over this parcel to record its interest in the area due to its importance for protection of the groundwater resource.

The Final Report of the Hornby Island Groundwater Pilot Project (1994) recorded inter-agency agreement that "the Crown land parcel be considered a watershed reserve" and stated that "once more detail and definition of the groundwater catchment area becomes available, and a suitable legislative vehicle is found which can provide for protection of the land to ensure unchanged water quality and quantity, then another tenure can be considered by the community and agencies involved."

As immediate protection, The Water Management Division established a Notation of Interest (1994) over this parcel. A recommendation of "Water Stewardship and Wastewater Management on Hornby Island (2000)", a report prepared by Royal Roads University, includes the recommendation to "pursue legal protection of the crown lands as a groundwater recharge area".

The forest cover has been subject to severe unnatural disturbance through logging and fire from the latter part of the 19th century until the mid 20th century. The forest (classified as Coastal Douglas -Fir Moist Maritime) is now in various stages of recovery but contains scattered veteran Douglas-Firs and cedars. The "Sensitive Ecosystem Inventory: East Vancouver Island and Gulf Islands (1993 - 1997)" records areas of "older forest" - forest ecosystems with an average age of 100 years or greater - within this parcel. (Older Coastal Douglas-fir forests in the region now account for only 4% of the area they occupied 150 years ago).

A report by Triton Environmental Consultants entitled "*Ecological Inventory of Proposed Woodlot #0032*" (1998) commissioned by the Ministry of Water, Land and Air Protection states that "old growth attributes (stand, structure, species composition, soil characteristics) should be enhanced or maintained as they have the potential to sustain representative features as stands develop". The report contains recommendations to protect or enhance wildlife and bio-diversity and to manage recreational impacts values. This preliminary survey indicates the need for a more thorough ecological inventory. Detailed accurate mapping by the Hornby Island Residents and Ratepayers Association and a preliminary ecological survey by Cascadia Resource Consultants

(2000) constitutes a beginning of this work.

In coordination with Comox-Strathcona Regional District and the Ministry of Forests, the local community has instituted forest fighting and prevention programs. The large number of small, dead trees in some areas (fuel over-loading) has been identified as a significant fire risk.

The island's two main water courses - Beulah Creek and Ford Creek, both fish-bearing streams - pass through this area. A beaver dam on the parcel has re-established the only significant lake on Hornby (in Strachan Valley) which provides valuable wildlife habitat. The parcel also contains a number of small wetlands and seasonal and ephemeral streams.

The area has long been valued for its recreational attributes and was previously designated by map reserve for the Use, Recreation and Enjoyment of the Public. Former logging roads have been maintained as trails by residents and are well used by walkers, cyclists and equestrians - including for cross-island travel and access to the adjacent Mount Geoffrey Regional Nature Park.

A report prepared by an ad-hoc Committee of the Hornby Island Residents and Ratepayers Association "*The Heart of Hornby Island—A Forest, a Watershed (2000)*" reports on the mapping project and explores in detail the tenure options available to the community. A report prepared by the Advisory Crown Lands Committee for the Local Trust Committee "The Heart of the Island" submitted in July 2000 outlined historical, community and ecological issues and provided recommendations. A central theme of all of this work is the protection of the land under local control.

Objectives:

The objectives of this subsection are:

- (1) to protect and enhance the groundwater recharge function of the area, (primary objective),
- (2) to enable the continuing recovery, restoration and protection of the forest so that the natural structure, composition and bio-diversity characteristic of a Coastal Douglas-Fir forest ecosystem are re-established, (primary objective)
- (3) to protect the forest from major disturbance by fire, (primary objective)
- (4) to maintain the aesthetics/visual qualities of the forest,
- (5) to encourage tenure arrangements that enable community control and stewardship of this area,
- (6) to provide for low-impact recreation activities that are compatible with the first three (primary) objectives, and
- (7) to ensure that any silvicultural activities or extraction of forest products are compatible with and subordinate to the first four objectives.

Policies:

Policies 2.2.1 and 2.2.2 apply to all sections of this plan.

3.4.1 This area shall be conserved as a forested area and all planning should be undertaken with the perspective of a forest-based rather than a human-based time scale.

3.4.2 This area shall not be subdivided except to create nature reserves or other land-holding arrangements for the protection of the natural environment.

3.4.3 No permanent buildings shall be permitted on the land; other structures shall be limited by regulation to those required in pursuit of the objectives of this sub-section.

3.4.4 The use of fertilizers and pesticides and the storage and disposal of waste material, hazardous chemicals and other potential pollutants shall be prohibited to protect the

groundwater resource and natural ecology.

- 3.4.5 Excavation, quarrying, soil removal, road development, ditching and drainage works shall be regulated to protect against alteration of natural surface drainage or groundwater catchment and storage functions and against impacts upon identified ecological values.
- 3.4.6 Studies that provide additional data on the groundwater catchment and flow system shall be supported.
- 3.4.7 A full ecological inventory shall be carried out and an ecological protection plan prepared.
- 3.4.8 A Management Plan shall be professionally prepared in consultation with the Local Trust Committee and community organizations and shall have the following primary objectives: to protect and enhance the groundwater recharge function of the area; to enable the continuing recovery, restoration and protection of the forest so that the natural structure, composition and bio-diversity characteristic of a Coastal Douglas-Fir forest ecosystem are re-established; and to protect the forest from major disturbance by fire. The Management Plan should be based upon available information on the groundwater resource and its protection, an ecological protection plan and the policies of this subsection. All developments and uses on the property shall be in accordance with this Plan.
- 3.4.9 The Management Plan shall designate significant ecosystem reserves where no extraction or other modification of the land or vegetation will take place in order to protect natural bio-diversity, to preserve important habitat areas and sites of ecological significance (including "older forest" areas identified in the Sensitive Ecosystem Inventory) and to establish control zones.
- 3.4.10 The Management Plan shall designate additional sites most suitable for the re-establishment of old growth values and prescribe a program for the achievement of this goal.
- 3.4.11 The Management Plan shall specify other measures to protect representative rare, threatened and endangered species and their habitat (including restoration of habitat where required).
- 3.4.12 The Management Plan shall identify key structural or compositional elements characteristic of a natural Coastal Douglas-Fir ecosystem that are under-represented and a management plan should prescribe a program to address these deficits.
- 3.4.13 The Management Plan shall establish significant riparian zones within which no extraction or other modification of the land or vegetation (except for control of exotic invasive species) will take place to provide an adequate buffer to protect all wetlands and water courses.
- 3.4.14 The Management Plan shall identify those areas where roads, trails and other alterations to the ground have modified the natural drainage and a Management Plan should prescribe a program to remedy these situations where possible, including de-activating roads and trails where erosion is severe and re-routing captured streams to their original beds.

- 3.4.15 The Management Plan shall identify those areas where conditions create a forest fire hazard and a Management Plan should prescribe measures to reduce this hazard.
- 3.4.16 The fire protection component of the Management Plan shall include recommendations for locating water sources, designating and creating adequate fire breaks and maintaining trails required for emergency access and hose-lay.
- 3.4.17 The area around the beaver habitat in Strachan Valley and the adjacent lake and wetland (excluding land within the Agricultural Land Reserve) shall be fully protected from disturbance. Transfer of this area to the Islands Trust Fund or other conservation land trust shall be supported in order to protect the wetlands.
- 3.4.18 The essential forest cover shall be maintained and openings should only be created where these are specifically prescribed in programs to meet primary objectives.
- 3.4.19 The area shall be gated to prevent access by vehicles other than emergency vehicles and those involved in carrying out work authorized through the Management Plan.
- 3.4.20 A recreation component of the Management Plan shall:
- a) ensure that recreational activities are compatible with the primary goals,
 - b) designate trails/areas for particular activities as required to minimize erosion and conflicts between different uses,
 - c) provide for monitoring the impact of recreational activities, and
 - d) provide for development and maintenance of the trail system, with special emphasis on completing a basic network linking main destinations.
- 3.4.21 The Management Plan shall prohibit the introduction of non-native species to this area and should provide for programs to eradicate invasive non-native species (excluding land within the Agricultural Land Reserve).
- 3.4.22 The Management Plan may permit local, small-scale, sustainable extraction of wood and other forest products provided that:
- a) the extraction is compatible with the primary objectives, or is a by-product of or subsidiary to programs in the Management Plan to achieve the primary objectives,
 - b) the extraction does not conflict with other policies in this sub-section,
 - c) any extraction is in accordance with a professionally developed program,
 - d) the program is carefully monitored with community involvement, and
 - e) the extraction does not unduly compromise existing aesthetic/visual and recreational values or activities.
- 3.4.23 As a preferred tenure option, the Minister of Environment Lands and Parks shall be requested to propose legislation that would enable the designation of this area as a community groundwater recharge area for the protection of the community's groundwater resource, to be managed through community stewardship with objectives and policies compatible with this Official Community Plan.
- 3.4.24 As an alternate tenure option, the Regional District of Comox-Strathcona shall be requested to investigate in consultation with the Local Trust Committee, the community and relevant First Nations, the appropriate options for obtaining tenure that would be compatible with the objectives and policies of this Official Community Plan.

- 3.4.25 As an alternate tenure option, a Community Forest agreement or other community-based tenures that enable the objectives and policies of this community plan to be implemented shall be supported if other appropriate tenures are not available.
- 3.4.26 Transfer of all or part of this area to the Islands Trust Fund Board in order to meet conservation goals shall be supported.
- 3.4.27 Only tenures that are held by a publicly-accountable community-based organization or by a local or regional government agency shall be supported .
- 3.4.28 The Ministry of Water, Land and Air Protection shall be requested to maintain the present Notation of Interest with respect to the protection of the groundwater resource.
- 3.4.29 Land and Water BC Inc. (LWBC) shall be requested to only consider dispositions of this land or interests in this land that are compatible with the objectives and policies of this Official Community Plan.
- 3.4.30 The Ministry of Forests shall be requested to only establish tenures that enable the implementation of the objectives and policies of this community plan.
- 3.4.31 The Ministry of Transportation and Land and Water BC Inc. shall be requested to transfer any unused portion of the gravel pit parcel in Strachan Valley (and the whole of that parcel when it is no longer required for gravel extraction) for inclusion in the Groundwater Protection/Environmental Protection Area designation.
- 3.4.32 As an interim measure, prior to any appropriate long-term tenure being established and a Management Plan being prepared, any arrangements and measure based upon professional recommendations that allow the implementation of the objectives and policies of this community plan shall be supported.
- 3.4.33 As an interim measure, prior to long-term tenure being established, support shall be given to an application for a License of Occupation for all or part of the area by a publicly accountable local or regional organization in order to achieve the objectives of this community plan.
- 3.4.34 As an interim measure, prior to long-term tenure being established, the Ministry of Forests shall be requested to work with the community to make recommendations for and to oversee a local program to reduce the deadwood fuel load alongside main trails in order to increase their viability as firebreaks.

3.5 Groundwater Protection—Gravel Pit Area

Background:

This area is under the jurisdiction of the Ministry of Transportation as a gravel resource area.

Objective:

The objective of this subsection is to ensure that this area becomes included in the Groundwater Protection-Environmental Protection Area when no longer required by the Ministry for gravel.

Policies:

Policies 2.2.1 and 2.2.2 apply to all sections of this plan.

- 3.5.1 The Ministry of Transportation shall be requested to only use this land for gravel extraction as required for the development and maintenance of roads on Hornby and to not allow its use for the storage of flammable material or potential pollutants.
- 3.5.2 The Ministry of Transportation and Land and Water BC Inc. shall be requested to support the transfer of any unused portion of the gravel pit parcel in Strachan Valley (and the whole of that parcel when it is no longer required for gravel extraction) for inclusion in the Groundwater Recharge- Environmental Protection Area designation.

3.6 Marine Conservation

Background:

The coastal waters within the Hornby Local Trust Area only extend up to 1000 metres from the shoreline of Hornby, but actions taken further off-Island can affect the coastal environment. Sewage pollution, whether it originates from boats or from land can have negative impacts on water quality, even when releases are limited and seasonal. Dumping of materials or discharge of petroleum products and other chemicals can also contaminate the marine environment. The coastline and offshore waters of Hornby Island are rich and varied. There are large expanses of sand beaches, gravel flats, underwater and exposed reefs, sandstone shelves and deep-water habitat, all of which are important for a variety of sea life.

The area off the eastern and southern shoreline of Hornby Island provides significant habitat for a rich variety of species. Over 175 species of marine fauna have been recorded, including rare species. Of particular significance are the unusual presence of six-gilled sharks at relatively shallow depths and the annual herring spawn, one of the largest on the B.C. Coast. Most of this area is contained within the marine component of Helliwell Park. It has also been proposed as a Marine Protected Area under the *Oceans Act*.

Objective:

The objective of this subsection is to ensure the continued viability of marine ecosystems and species.

Policies:

Policies 2.2.1 and 2.2.2 apply to all sections of this plan.

- 3.6.1 Areas along the coastline that provide nesting, feeding and resting for birds should be protected. This may be accomplished by sign-posting, significant building setbacks and required retention of vegetation.
- 3.6.2 The Provincial and Federal governments shall be requested to develop existing and new programs, such as harvest refugia, which protect and enhance the populations of native marine species and ecosystems.
- 3.6.3 Land and Water BC Inc. and the Federal Department of Fisheries and Oceans shall be requested to ensure that foreshore uses or developments that might deplete or disturb migratory wildfowl feeding areas, shellfish communities, fish nursery areas and herring spawning areas not be permitted.

- 3.6.4 The Federal Department of Fisheries and Oceans and the Ministry of Water, Land and Air Protection shall be requested to fully protect through conservation measures, including fisheries closures, any vulnerable species of marine fauna and flora and those important habitats identified on Schedules D1 or D2, such as the area where six-gilled sharks come near the surface near Flora Islet and areas supporting juvenile rockfish or herring spawning.
- 3.6.5 The Federal Department of Fisheries and Oceans shall be requested to fully protect the marine component of Helliwell Provincial Park through conservation measures such as prohibiting the taking of marine life by diving, closures of fisheries as required and the establishment of a Marine Protected Area.
- 3.6.6 The Federal Department of Fisheries and Oceans shall be requested to regulate, police and monitor any harvesting of shellfish to ensure that wild stocks are sustainable.
- 3.6.7 The Federal Department of Fisheries and Oceans shall be requested to ensure that no activities shall be permitted in the Hornby Island Local Trust Area that will degrade the sea bed.
- 3.6.8 The Marine Stewardship Initiative of the Islands Trust and San Juan County, including the establishment of a Marine Stewardship Site in the Hornby Island Local Trust Area, shall be actively supported.
- 3.6.9 The Vancouver Island Health Authority shall be requested to prohibit outfalls for sewage and used water on Hornby Island.
- 3.6.10 Transport Canada shall be encouraged to require holding tanks for sewage and used water in all commercial and recreational vessels.
- 3.6.11 The designation and enforcement of Tribune Bay as a no sewage discharge area under Federal Sewage Pollution Prevention Regulations shall be supported. The designation of additional areas where sewage discharge problems have been identified shall also be supported.
- 3.6.12 The Federal Ministry of Environment, Transport Canada, Fisheries and Oceans Canada, the Ministry of Defense and other relevant agencies shall be requested to prohibit the disposal of domestic, industrial or military waste or the discharge of waste from vessels (including cruise ships) into waters within or adjacent to the Hornby Island Local Trust Area.
- 3.6.13 Programs to reduce land-sourced pollution shall be supported.

3.7 Heritage Features

Background:

The community supports the concept of preservation of areas of unique or representative natural systems and of preserving heritage resources. Numerous petroglyphs have been found and documented on the sandstone benches along the shoreline of the Island. The origin and age of these picture symbols remains uncertain.

The Island was once used by native Indian bands, predominately from the east coast of Vancouver Island, as a summer camping area to collect and dry venison, berries, fish and shellfish for use in their villages throughout the winter. The Island may also have provided a source of cedar for building canoes. Fossils and middens are found in many locations. Archives have been established in the community and there has been interest in establishing a museum to include artifacts and fossils.

Objective:

The objective of this subsection is to protect the Island's heritage sites and resources and to promote the preservation and public availability of artifacts and historical records.

Policies:

Policies 2.2.1 and 2.2.2 apply to all sections of this plan.

- 3.7.1 A program to identify buildings and sites of historical significance and outstanding or typical examples of local architecture will be supported and where appropriate, the Regional District of Comox-Strathcona or the Province will be requested to designate or otherwise protect and preserve these resources.
- 3.7.2 All cemeteries shall be considered community heritage sites and some mechanism of protecting them in perpetuity shall be sought.
- 3.7.3 Development shall be located away from areas of known archaeological sites wherever possible until an archaeological assessment has been done and suitable management options are developed.
- 3.7.4 Development Permits shall be required and guidelines developed once heritage areas are accurately identified and designated or otherwise protected.
- 3.7.5 The Ministry of Sustainable Resources shall be encouraged to assist in further identifying all archaeological sites on the island and to ensure those sites are protected from disturbance under the provisions of Section 13 of the *Heritage Conservation Act*.
- 3.7.6 The establishment of a local museum involving appropriate societies shall be supported.
- 3.7.7 The Ministry of Transportation and hydro-electric and telephone utility companies will be requested to consult with the Islands Trust before undertaking any widening, clearing or installation of poles and lines along Central Road particularly that portion designated a heritage road.
- 3.7.8 The Ministry of Transportation shall be requested to designate Savoie Road and Little Tribute Bay Road as heritage roads in accordance with the Island Trust and the Ministry of Transportation Agreement.
- 3.7.9 The establishment of covenants held by the Islands Trust Fund to protect heritage sites shall be supported.

3.8 Hazard Areas

Background:

The *Local Government Act* enables local governments to regulate setbacks of structures and septic systems in those areas through Development Permit. A study of soil stability may be required before new construction commences. The safe location of a residence is the owner's

responsibility and not that of the local government. Based on greater than 30 % slope, possible hazards are shown on Schedule F. The sandy areas of Tribune Bay and Whaling Station Bay are active erosion areas due to severe storms and high water. The bluffs of Mt. Geoffrey and along certain shoreline areas may be subject to sloughing.

Objective:

The objective of this subsection is to control development in hazardous areas.

Policies:

Policies 2.2.1 and 2.2.2 apply to all sections of this plan.

- 3.8.1 Areas identified as hazardous to development including the slump area on the south-west side of Mount Geoffrey and other areas that may be particularly vulnerable to earthquake activity may be designated Development Permit Areas and added to Schedule E of this Plan.
- 3.8.2 The development and use of the upland and foreshore in Whaling Station Bay shall be regulated to protect against loss of the sand in the area.
- 3.8.3 Subdivision and development under the face of Mt. Geoffrey bluff that may contribute to erosion because of removal of vegetation or changes in natural drainage patterns shall be extremely limited and controlled by regulation.
- 3.8.4 The Local Trust Committee shall consider ways to further refine the identification of hazard areas identified on Schedule F in cooperation with other relevant agencies.
- 3.8.5 The Ministry of Transportation shall be encouraged to ensure there is no road construction along edges of the shoreline, the bench, or the Mt. Geoffrey escarpment.

SECTION IV—OBJECTIVES AND POLICIES FOR THE STEWARDSHIP OF RESOURCES

4.1 Farming

Background:

The early development of Hornby Island included agriculture as a primary occupation, supplying agricultural produce to Vancouver Island. At present, small scale farming operations serve primarily local needs with some specialty production. Seasonal water supply can be a challenge and the need to protect water resources is a concern.

Objective:

The objective of this subsection is to encourage farming and local food production in ways that are compatible with the Island's environment.

Policies:

Policies 2.2.1 and 2.2.2 apply to all sections of this plan.

- 4.1.1 Co-operative farming and community gardens shall be encouraged.
- 4.1.2 Sustainable and organic farming shall be supported, including efforts to ensure that water supplies used by farmers remain uncontaminated.
- 4.1.3 The Ministry of Agriculture, Foods and Fisheries shall be encouraged to maintain and promote sustainable agricultural and organic farming techniques and to discourage the use of toxic pesticides or other toxic chemicals and the inappropriate application of fertilizers.
- 4.1.4 The use of genetically engineered seeds or plants is strongly discouraged in order to protect the genetic integrity of food and crops and other plants growing on the Island.
- 4.1.5 The use of chemicals or farming methods that can result in the contamination of the soil, other organisms, groundwater or surface water shall be strongly discouraged.
- 4.1.6 Agriculture that utilizes rainwater for irrigation, practices water conservation and protects water quality shall be encouraged.

4.2 Forestry

Background:

Hornby Island has been logged extensively up until the middle of the last century and most forested areas now consist of recovering second and third growth with some stands of old growth and scattered veteran trees. Most privately-owned forest is in relatively small holdings. The cost of transporting logs over two ferries to an off-island market (and conversely bringing wood products to the Island) can make the provision of wood products for on-island use a natural focus for forestry activity. Sustainable forest management has been described as "forest management regimes that maintain the productive and renewal capacities, as well as the genetic, species and ecological diversity of forest ecosystems."

Objective:

The objective of this subsection is to ensure all forestry is carried out in a way that protects

ecological values and sustains the resource.

Policies:

Policies 2.2.1 and 2.2.2 apply to all sections of this plan.

- 4.2.1 The need for local firewood supplies is acknowledged and the careful management of firewood harvesting in order to improve the forest resource shall be encouraged.
- 4.2.2 Logging on steep slopes (see Schedule F - Hazards Map) on private lands (not subject to the Forest Land Reserve Act) shall be strongly discouraged and regulated.
- 4.2.3 Cutting of forest land that leaves large openings is considered inappropriate except when agricultural land is being cleared in accordance with a plan for farming the land.
- 4.2.4 Industrial scale logging is considered inappropriate for Hornby Island.
- 4.2.5 Low-impact sustainable forestry that maintains the essential forest cover and bio-diversity values shall be supported.
- 4.2.6 Buffers shall be required by regulation on all forested lots (not subject to the Forest Land Reserve Act) to minimize the impacts of blow down, drainage alteration and other negative impacts on adjacent lots and to maintain connectivity of forest ecosystems.
- 4.2.7 Owners of forested land that is not subject to the Forest Land Reserve shall be encouraged to ensure that forestry activities do not significantly alter natural drainage patterns.
- 4.2.8 The Ministry of Forests shall be encouraged to consider the objectives and policies of this Official Community Plan and the policies of the Islands Trust Policy Statement in recognition of Hornby Island's location within the Island Trust Area and shall be requested to:
 - a) promote management practices that ensure the protection of native biodiversity, valued environmental features and groundwater recharge areas; and
 - b) to encourage management plans that involve the maintenance of continuous tree cover and that use native species in planting programs.
- 4.2.9 The extensive planting of non-native species for silviculture is strongly discouraged.
- 4.2.10 The Local Trust Committee shall assist landowners in achieving the objectives of this section by making information available on forest stewardship and sustainable management.

4.3 Mariculture

Background:

The relatively unpolluted water surrounding Hornby make it an attractive area for aquaculture. The alienation of areas for commercial operations can conflict with the interests of residents, the visiting public and boaters requiring anchorage. There is also concern about impacts upon the natural ecology of large-scale or intensive operations or of a large proportion of the foreshore used for mariculture. In 1997 the assessment rolls listed ten oyster culture operations on the Island.

Objectives:

The objectives of this subsection are:

- (1) to ensure the negative impact of commercial uses on the upland owners is minimized,
- (2) to ensure maximum protection of the foreshore and of the native life forms inhabiting it,
- (3) to support low impact mariculture operations, and
- (4) to ensure commercial use of marine resources does not pollute the foreshore and surrounding waters, nor preclude the use or enjoyment of the shoreline by the public or upland property owners.

Policies:

Policies 2.2.1 and 2.2.2 apply to all sections of this plan.

- 4.3.1 Fish farms shall not be permitted.
- 4.3.2 Intensive mariculture, nori farms and long-line oyster culture requiring floats, buildings and structures shall not be permitted in front of residential neighbourhoods of Sandpiper, Whaling Station Bay and Galleon Beach.
- 4.3.3 All new mariculture sites, including bottom culture, shall be subject to redesignation, rezoning and subsequent regulations.
- 4.3.4 An area of foreshore near Phipps Point (as designated on Schedule B), the site of lapsed license #1404374, shall be rezoned for mariculture to allow the use to be resumed and shall be regulated to ensure that the operation is low impact, such as using low rock walls, and does not involve structures of introduced materials such as rebar and chain-linked fences.
- 4.3.5 A small area of foreshore (1 ha or 2.5 acre) near Collishaw Point (as designated on Schedule B), adjacent to the existing small license 108810 (1ha or 2.5 acres), may be redesignated and rezoned for mariculture. If the area is rezoned, then it shall be regulated to ensure that the operation is low impact, such as using low rock walls, and does not involve structures of introduced materials such as rebar and chain-linked fences.
- 4.3.6 Land and Water BC Inc. (LWBC) shall be requested to prohibit:
 - a) mariculture in areas fronting provincial parks, regional parks or nature reserves, and
 - b) tenure in areas which have been used traditionally as moorage for local vessels or for landing of sea planes.
- 4.3.7 Land and Water BC Inc. (LWBC) shall be requested to:
 - a) ensure that mariculture operations are restricted to below the 2 metre (7 ft.) tideline and that adequate space is retained between lease areas to ensure public access to the shoreline;
 - b) consider the policies contained in this subsection relating to the location of new lease areas whenever it is considering the renewal of existing lease areas, and
 - c) monitor the impact of mariculture on other marine resources.
- 4.3.8 Land and Water BC Inc. (LWBC), the Ministry of Agriculture, Foods and Fisheries and the federal Department of Fisheries and Oceans shall be requested to ensure that areas of natural occurrence of oysters and clams are available for public use and shall remain free of private or commercial leases.

- 4.3.9 Land and Water BC Inc. (LWBC) shall be requested to provide an assessment of potential environmental impacts, such as processes required under the *Canadian Environmental Assessment Act* (CEEA), prior to any proposal for additional mariculture tenures being considered by the Local Trust Committee.
- 4.3.10 The Ministry of Agriculture, Foods and Fisheries shall be requested to encourage development of new technology in shellfish production techniques that minimize use of structures.
- 4.3.11 Rezoning for mariculture shall only be considered after there has been a review of the coastal area to identify significant and representative ecosystems, species, habitat and features, and the measures required to protect them such as processes required under the *Canadian Environmental Assessment Act* (CEEA).
- 4.3.12 The area from Collishaw Point to Ford Cove has suitable biophysical conditions and proposals for mariculture use may be considered by the Local Trust Committee upon application for redesignation and rezoning.
- 4.3.13 Mariculture operations shall be regulated to ensure that a 2 metre (7 ft.) leave space is retained for public enjoyment of the beaches.

4.4 Energy

Background:

The cost and environmental impact of using non-renewable energy resources has made increasing self-reliance in the supply and conservation of energy of particular interest to the Island community. Many homes rely on wood as a major source of energy.

Residents of Hornby Island have long supported the phasing out of radioactive weapons and materials in the entire world and so declared the Island a nuclear free zone in 1985.

Objectives:

The objectives of this subsection are:

- (1) to encourage the conservation of energy;
- (2) to encourage the use of renewable energy sources with low environmental impact, and
- (3) to prohibit the storage or generation of nuclear materials, weapons or energy on the Island, and
- (4) to ensure there is no use, storage or shipment of radioactive material around, over or near the Island.

Policies:

Policies 2.2.1 and 2.2.2 apply to all sections of this plan.

- 4.4.1 The use of all forms of renewable energy sources such as small scale windmills and solar panels appropriate to the rural environment, with limited noise and visual impacts shall be encouraged.
- 4.4.2 The use of low emission wood stoves shall be encouraged.

- 4.4.3 Community initiatives to establish educational and informational programs on energy conservation on the Island including demonstration and experimental projects shall be supported.
- 4.4.4 The conservation of energy in buildings through adequate insulation and thermal glazing shall be supported.
- 4.4.5 Community transport, carpooling, ride sharing and the use of alternative fuel and non-motorized vehicles shall be encouraged.
- 4.4.6 Land use regulations shall be designed to protect the designation of Hornby Island as a nuclear weapons free zone.
- 4.4.7 All agencies involved in the regulation of transshipment of radioactive material shall be requested to ensure there is no transshipment around or near the Island.

4.5 Water

Background:

Surface water sources are managed by Land and Water BC Inc. (LWBC) Water Rights Branch through the allocation of surface water rights under the *Water Act*. Hornby Island has 43 surface water licenses issued for domestic, irrigation and storage uses. Groundwater is currently the primary source of water supply. Its availability and quality vary considerably around the Island and seasonal shortages are common. In some areas of the Island there is a high level of development in relation to aquifer productivity. There are reports of salt water intrusion in some locations. Hornby Island's fractured bedrock aquifers exist under unconfined conditions which makes them highly vulnerable to contamination introduced at the land surface. Of particular concern is contamination from inadequate treatment of sewage and used water and improper utilization, storage and disposal of chemicals used domestically or in trades, crafts, agriculture, industry and transportation. Where water supply is a problem, bottled water is purchased, water is obtained from other public or private wells or water is trucked for a fee from productive wells elsewhere on the Island. Household treatment of water also takes place. Irrigation can be a significant use of water in the summer with potential impacts upon availability during the low flow period.

Groundwater is a communal resource but it is not yet subject to management or regulation. In 1996, the Water Stewardship Project, sponsored by the Heron Rocks Friendship Centre Society, began to monitor creeks, ditches and beaches for faecal contamination levels, lobby for necessary changes and educate the public. In 1998, the Ministry of Water, Land and Air Protection and the Islands Trust established a Pilot Voluntary Groundwater Protection Pilot Project for Hornby Island which has been coordinated locally by an Advisory Committee. This project has compiled and reviewed existing and new information (including a Geochemistry Study and an Aquifer Classification) which is being used as a basis for developing a Groundwater Protection Strategy for the Island in consultation with other organizations and agencies, local experts and the community at large.

Groundwater is a limited and vulnerable resource that requires restrictions on land use and development. However, the water supply situation can be improved significantly by three measures that are being increasingly utilized: water conservation, water re-use and the direct catchment and storage of rainwater. Because groundwater concerns need to be taken into account in all land uses and development, policy 2.2.2 applies to every section of the plan. This

section includes additional or more specific policies to protect the resource.

Objectives:

The objectives of this subsection are:

- (1) to encourage water conservation to ensure that existing users of the water supply do not deplete the supply,
- (2) to ensure that new demand for water does not stress the groundwater resource,
- (3) to ensure that activity pertaining to use of land does not lead to degradation of the current supply of fresh water,
- (4) to enable more local involvement in the protection and management of groundwater;
- (5) to encourage the use of effective alternative systems and technologies,
- (6) to encourage the use of shared systems that provide water, store water and treat used water, and
- (7) to encourage protection of water in wells.

Policies:

Policies 2.2.1 and 2.2.2 apply to all sections of this plan.

- 4.5.1 The establishment of a community-based water resource protection/management committee shall be supported to provide a coordinated and proactive approach to the protection and careful use of the Island's water resources and to develop and implement a Groundwater Protection Strategy.
- 4.5.2 A Groundwater Protection Strategy, based upon available technical information and developed through community and agency consultation, shall be incorporated into this plan.
- 4.5.3 Development will be restricted in areas where groundwater limitations have been identified by a groundwater geochemistry study, aquifer classification, hydrological report or other technical information.
- 4.5.4 Watersheds, wetlands, lakes, water courses and riparian areas identified on Schedule D2 shall be protected through development permit or regulation, including requirements for protective setbacks.
- 4.5.5 Sources of potable water shall be protected through "water supply protection area" designation and covenants and/or regulations that restrict land uses to those that are compatible with protecting the water source.
- 4.5.6 Activities that would pollute fresh water or salt water shall be prohibited and land uses that may involve a potential for pollution shall be regulated.
- 4.5.7 Alternative water source methods such as rain water catchment, lined dugouts and well reservoirs shall be used for large scale uses such as for filling swimming pools.
- 4.5.8 The Vancouver Island Health Authority shall be requested to ensure that surface or groundwater is not contaminated by deleterious liquid discharges.
- 4.5.9 The Ministry of Water, Land and Air Protection shall be requested to:
 - a) monitor water quality and quantity in the Island's aquifers,
 - b) ensure that wells with high salt content are capped or grouted to protect against the intrusion of salt into the fresh water table,

- c) ensure that the sealing and capping of abandoned, intermittently dry wells and known contaminated wells, is addressed,
 - d) introduce Groundwater Protection regulations which will enable water licensing, the regulation of well-drilling, and the establishment of Groundwater Management Areas,
 - e) consider designating Hornby Island as a Groundwater Management Area with provision for local participation in groundwater management,
 - f) take a strong initiative to provide educational material on the groundwater resource and the protection of wells to the Hornby Island community and to visitors and to support local educational efforts, and
 - g) require the capping of artesian wells.
- 4.5.10 The Ministry of Forests and Land and Water BC Inc. shall be requested to require that any tree cutting be carried out according to a management plan designed to fully protect the groundwater recharge function of the area based upon hydrological information and that draft management plans be referred to the Local Trust Committee for community review.
- 4.5.11 The Ministry of Transportation shall be requested to review ditching practices with respect to maximizing groundwater recharge and retention and to work with the Local Trust Committee and the community to identify and carry out pilot projects involving alternative management of run-off in appropriate locations.
- 4.5.12 The Land Titles Office and the Real Estate Board shall be requested to require from land owners disclosure of septic and well conditions and locations at the time of property transfer so that prospective buyers are informed of the water/septic situation.
- 4.5.13 Sellers of properties and their real estate agents shall be requested to disclose water and septic information to prospective buyers of property on the Island.
- 4.5.14 Enclosed cisterns and ponds for storage of rainwater to supplement water supply for individual or group household use and fire protection and irrigation shall be encouraged.
- 4.5.15 Any education program directed toward the conservation of Island water supplies, the re-use of water and the utilization of rainwater catchment and storage systems shall be supported.
- 4.5.16 The use of chemical fertilizers, pesticides, and herbicides by any agency or individual shall be strongly discouraged.

SECTION V—OBJECTIVES AND POLICIES FOR A SUSTAINABLE INFRASTRUCTURE

This section reflects the concern that environmental considerations be applied to all settlement activities on the Island. The concept of sustainability is fundamental to decisions on the level and characteristics of services. The responsibility for regulating and monitoring the effect of providing services is commonly shared between government agencies and the Local Trust Committee. Issues addressed include transportation, water supply, waste disposal and energy.

5.1 Water Supply Systems

Background:

There is one Water Improvement District in the Whaling Station Bay area. There are informal or limited sharing of wells on a privately negotiated basis. It is recognized that the availability of ground water varies considerably over the Island and residents of distressed areas may wish to consider forming local water districts. In addition, there are natural water flows that could be captured from artesian springs. Reports by F. Chwojka (1984) and W. S. Hodge (1993) suggested establishing community wells in inland areas.

Objectives:

The objectives of this subsection are:

- (1) to ensure the self-sufficiency of the Island with regard to a supply of freshwater,
- (2) to ensure the maintenance of safe potable water sources for residents on the Island,
- (3) to encourage the capture of rainwater for domestic use, and
- (4) to encourage conservation and used water treatment to allow for re-use and recycling of water.

Policies:

Policies 2.2.1 and 2.2.2 apply to all sections of this plan.

- 5.1.1 Piping of water from a source off-island shall be prohibited
- 5.1.2 Large-scale desalination plants shall be prohibited. Small-scale desalination plants using technologies that do not involve the returning of concentrated brine to the environment and other negative impacts to the environment may be permitted and regulated.
- 5.1.3 The Local Trust Committee will encourage and support efforts to establish community-managed water sources which can be made available to water delivery operators under appropriate arrangements and which shall be monitored by a publicly-accountable organization. Once such water sources are established, the sale and delivery of water from wells on residential lots shall be discouraged. In the meantime, purveyors of water from wells on private lots shall be strongly encouraged to adhere to a monitoring regime set up by a qualified hydrologist to ensure that the drawing of water does not threaten the common groundwater resource or interfere with its quality or availability to other users.
- 5.1.4 The Vancouver Island Health Authority shall be requested to monitor water quality of community water systems and wells and to post the results on a regular basis for user's protection.
- 5.1.5 The Ministry of Land, Water and Air Protection shall be requested to:
 - a) regulate the use of groundwater for community systems, and

- b) identify and assess and then maintain and monitor on a regular basis community wells established at the time of subdivision.
- 5.1.6 Land and Water BC Inc. (LWBC) and the Ministry of Land, Water and Air Protection shall be requested to give consideration to :
 - a) identifying and reserving areas on Crown land that may be used as remedial sources of freshwater to supply existing residential uses only, and
 - b) establishing community wells in inland areas.
- 5.1.7 Small scale privately installed water systems and shared wells shall be encouraged, particularly for areas designated small lot residential.
- 5.1.8 Rainwater collection and storage shall be encouraged to provide domestic or commercial water supply for any new construction (and for incorporation into existing developments).
- 5.1.9 The provision of clean, safe public water supplies for the use of visitors shall be supported.
- 5.1.10 Dissemination of information on options for water conservation and recycling shall be supported.
- 5.1.11 The Regional District of Comox Strathcona and other authorities shall be requested to work with the Local Trust Committee and the community to develop a strategic plan for providing a continuous safe supply of potable water for all residents of Hornby Island.

5.2 Water Supply Protection Area—Neighbourhood Water System

Background

The Whaling Station Bay Improvement District owns and operates a water collection system that provides water to about 35 property owners in the Whaling Station Bay area.

Objective:

The objective of this subsection is to protect the water collection system.

Policies:

Policies 2.2.1 and 2.2.2 apply to all sections of this plan.

- 5.2.1 Lot A Plan 19879 Section 9, owned by Whaling Station Bay Improvement District shall be designated as a Water Supply Protection Area to ensure its protection as a site specific water supply zone and land uses on this lot shall be restricted by regulation.
- 5.2.2 Land uses on properties within the catchment area of this water supply system may be restricted by regulation or covenant to protect the water resource on the basis of a professional hydrological study.

5.3 Water Supply Protection Areas—Public Wells

Background

There are public wells (some of them now disused) located on public land at Grassy Point, Sollans Road, Anderson Drive (two) and Jerow Road. There is also a public well within Tribune Bay Provincial Park that is frequently used.

Objective:

The objective of this subsection is to designate and protect all existing public wells as present or future sources of community water supply.

Policies:

Policies 2.2.1 and 2.2.2 apply to all sections of this plan.

- 5.3.1 All parcels containing public wells that are used, or have the potential for being used, as community water sources shall be designated as Water Supply Protection Area - Public Well.
- 5.3.2 Land uses on parcels containing public wells shall be regulated to ensure protection of the water source.
- 5.3.3 Each well shall have a designated agency or purveyor identified that will take the responsibility for treatment, operation and maintenance of these systems.” Agencies with jurisdiction over public wells shall be requested to protect the well head, to ensure regular maintenance and testing of the well and to post the test results and to monitor draw down and water availability, or to enter into an agreement with a community organization to carry out this work.
- 5.3.4 Where indicated by a professional hydrological study, land uses on adjacent properties may be restricted by regulations or covenant to protect the water source.
- 5.3.5 The establishment of additional public wells in appropriate inland locations should be considered; parcels containing new public wells should be added to this designation.

5.4 Disposal of Fecal Matter and Used Water

Background:

The terms "liquid waste or sewage" is usually used to refer to waste that comes from toilets (black water) and from sinks, baths, washing machines, dishwashers, etc. (grey water). In conventional septic systems these wastes are treated and disposed of together. Other systems, such as composting toilets, are designed to treat only human waste (fecal matter) and this requires separate treatment for grey water. Water is a precious resource and can often be recovered and recycled with appropriate treatment. To reflect this, the terms "fecal matter" and "used water" are used in this plan rather than "liquid waste".

The disposal of fecal matter used water is governed by the Ministry of Health through the Health Act Regulations and administered by the Vancouver Island Health Authority. The Ministry of Water, Land and Air Protection and the Ministry of Agriculture, Food and Fisheries also have relevant regulatory authority.

Hornby Island has high density subdivisions (Whaling Station Bay, Sandpiper Beach, Galleon Beach and Shingle Spit areas) which are not serviced by sewerage systems. Fecal matter and used water must therefore be dealt with on each lot. A program of testing for fecal coliform in wells, ditches, creeks and beaches (carried out by the Water Stewardship Project in 1996 to 1999) indicates that there is a widespread lack of adequate treatment which is already causing contamination and could lead to serious health problems. There has never been an assessment made by the Vancouver Island Health Authority of the impact of all the septic systems on the area as a whole.

Small lots, lack of adequate percable soil, heavy winter rains, water shortages in summer and many property owners being non-resident present challenges to the effectiveness of conventional septic systems. Other treatment systems for fecal matter such as composting toilets, may provide appropriate alternative solutions, but these require proper installation and operation and separate treatment for greywater. (Composting toilets are addressed through the Waste Management Act and not under the sewage disposal regulations.)

A number of pilot projects are being conducted on Hornby island under the Innovative Designs Policy of the Vancouver Island Health Authority are being planned.

Objective:

The objective of this subsection is to ensure that the disposal of sewage and used water does not lead to a health hazard through pollution of the groundwater or the waters surrounding the Island.

Policies:

Policies 2.2.1 and 2.2.2 apply to all sections of this plan.

- 5.4.1 Effective treatment systems for fecal matter and used water shall be required by the Ministry of Health Planning for any occupied lot. Shared systems shall be permitted subject to approval by appropriate agencies and subject to easements and other requirements being met.
- 5.4.2 All proposed forms of fecal matter and used water disposal associated with new developments require Vancouver Island Health Authority waste disposal permits before construction is commenced and all builders shall be alerted when applying for a Siting and Use Permit to the need for considering the location of disposal fields before wells are drilled and buildings are constructed.
- 5.4.3 The Vancouver Island Health Authority shall be encouraged to apply strict standards when issuing permits for waste treatment systems.
- 5.4.4 The Vancouver Island Health Authority shall be requested to consider the use of local fill for the construction of raised mound septic fields provided the fill meets the required Vancouver Island Health Authority standards and can be obtained without negative impacts on the land and drainage in the area from which it is removed.
- 5.4.5 The Vancouver Island Health Authority shall be requested not to permit any outfalls for sewage and used water.
- 5.4.6 The Vancouver Island Health Authority and the Ministry of Water, Land and Air Protection shall be requested to enable the use of proven Innovative Technologies for sewage and used water treatment methods where conventional systems are not

appropriate.

- 5.4.7 The Ministry of Health and the Vancouver Island Health Authority shall be requested to
 - a) encourage the use of technologies that improve treatment and/or enable it to take place with a smaller foot print on the land (eg. The use of effluent filters, tank access risers, package treatment plants and sand filters),
 - b) encourage the use of approval alternate systems where these are appropriate to particular situations, and
 - c) ensure regulations are enforced to prevent inadequate treatment of waste from threatening the quality of groundwater.
- 5.4.8 The Federal Government departments with authority shall be requested to require the use of holding tanks for sewage on vessels docked or moored in the waters surrounding the Island.
- 5.4.9 Provincial Ministries shall be requested to support research, development and application of alternative waste treatment systems through community-based pilot projects.
- 5.4.10 Public sewerage and sewage treatment systems shall be considered only in existing high-density residential areas as a remedial measure.
- 5.4.11 Consideration will be given to securing appropriate land (vacant Crown land or vacant private lots) that may be used in future for neighbourhood full treatment systems in the small lot subdivisions.
- 5.4.12 The feasibility of facilities to fully treat septage or to complete the treatment of material from composting toilets may be investigated through a comprehensive planning process, such as a Liquid Waste Management Plan process. Potential sites shall only be considered in appropriate locations away from residential areas and proposed operations must be in compliance with all applicable regulations.
- 5.4.13 Methods to monitor and regulate the treatment of sewage, such as a Liquid Waste Management Plan, shall be explored by the Local Trust Committee with the Regional District of Comox Strathcona and other agencies.
- 5.4.14 The Land Titles Office, the Real Estate Board and local realtors shall be requested to require from land owners disclosure of septic and well conditions and locations before property transfer so that prospective buyers are informed of the water/septic situation.
- 5.4.15 Programs designed to educate the public on appropriate approvable methods and management of sewage and used water disposal systems will be encouraged.
- 5.4.16 Efforts to provide information to visitors that there are no pump-out facilities for recreational vehicles or boats on the Island shall be supported.

5.5 Recycling and Disposal of Solid Waste

Background:

Hornby Island has no outside garbage pick up but there are recycling and garbage disposal services at the Recycling Depot funded by the Regional District of Comox Strathcona through local property taxes. The Recycling Depot is situated within a groundwater recharge area upslope

from one of the Island's major residential areas.

Hornby Island has been diverting recyclable and reusable material from landfill since 1978 and is presently diverting up to 70% of the solid waste generated on the Island. Diversion is attained through reuse of all possible materials through the Free Store, situated at the Recycling Depot, and through the collection of recyclable materials which are transported to markets on Vancouver Island and, in some cases, the Lower Mainland. The non-recyclable materials are transported to the regional landfill at Pigeon Lake near Cumberland on Vancouver Island; the Recycling Depot functions also as a rural garbage transfer station. The Depot is located on Crown land under a License of Occupation maintained by the Regional District of Comox-Strathcona. The Solid Waste Management Program is designated as a Public Service and Utility on Schedule B of the land use map.

Objectives:

The objectives of this subsection are:

- (1) to encourage maximum diversion from land fill through reuse, recycling, and composting solid waste,
- (2) to ensure that the collection, handling and storage of materials does not contaminate the environment, and
- (3) to continue public education on waste diversion methods.

Policies:

Policies 2.2.1 and 2.2.2 apply to all sections of this plan.

- 5.5.1 Continued recycling of solid wastes on the Island, including waste generated by the commercial sector, is supported.
- 5.5.2 The recycling depot and any site for storage or dumping of solid waste shall continue to be managed so as to protect the environment in compliance with the Regional District of Comox-Strathcona Waste Management Plan through consultation with the Ministry of Water, Land and Air Protection.
- 5.5.3 Any necessary burning of waste shall comply with the strictest interpretation of the standards of the Ministry of Water, Land and Air Protection designed to minimize air pollution.
- 5.5.4 Household hazardous wastes not suitable for reuse will be disposed of in accordance with policy established by the Regional District of Comox-Strathcona Waste Management Plan.
- 5.5.5 The Regional District of Comox Strathcona and the Ministry of Water, Land and Air Protection shall be requested to regularly review the operations and location of the Recycling Depot to ensure that there are no adverse impacts upon the environment and, in particular, upon surface water and groundwater.
- 5.5.6 Waste materials generated off-Island shall not be accepted at the present Recycling Depot on Hornby Island nor in any future alternate disposal facility on the Island.
- 5.5.7 Standards for handling recycled, toxic or waste materials shall continue to conform to those established in the Regional District of Comox-Strathcona Waste Management Plan.

- 5.5.8 The use of the waters around Hornby Island for the dumping of any waste, especially toxic waste, shall be prohibited.
- 5.5.9 The Regional District of Comox-Strathcona shall be requested to:
- a) continue to monitor down hill wells for landfill leachate in accordance with the Ministry of Water, Land and Air Protection directives on the management of closed, capped landfilled sites,
 - b) to regularly review the operation of the Recycling Depot to identify and address any adverse impacts upon the environment (including upon surface water and groundwater) and to ensure that it complies with Provincial and the Regional District of Comox-Strathcona standards, and
 - c) continue to support the development of local markets for recycled materials.
- 5.5.10 Steps shall be taken to ensure that petroleum products and other hazardous materials such as contained in machinery (including derelict vehicles) do not enter and contaminate the ground and groundwater.

5.6 Public Utilities and Services

Background:

In 1997 the Assessment Authority listed one work yard owned by the BC Buildings Corporation on behalf of the highways maintenance function. Hydro and telephone services are available on the Island. The Recycling Depot is a community-based service operated by the Hornby Island Residents' and Ratepayers' Association under contract with the Regional District of Comox-Strathcona.

The Highways maintenance yard and Recycling Depot are situated within a groundwater recharge area inland from one of the Island's major residential areas.

Objective:

The objective of this subsection is to provide for adequate utilities and services with regard for the Island's character and environment.

Policies:

Policies 2.2.1 and 2.2.2 apply to all sections of this plan.

- 5.6.1 Should an alternative site need to be found for the recycling depot in the future, any location shall be considered and assessed in terms of environmental impact and site suitability for appropriate zoning in conjunction with the Regional District of Comox-Strathcona.
- 5.6.2 Locations for service depots such as for telephone or hydro shall be considered upon application.
- 5.6.3 All public service and utility installations on the Island shall be for servicing Hornby Island only.
- 5.6.4 Commercial microwave towers and satellite antennae shall be prohibited.
- 5.6.5 Transmission towers for community radio and/or to enable high-speed internet access for the community are permitted in the public use area and on larger lots provided the towers

are below the height for which Transport Canada requires navigation lights and they shall be regulated to protect the visual amenity of the residential neighbourhood.

- 5.6.6 The BC Buildings Corporation shall be requested to ensure that measures are in place to ensure that the storage of materials and the maintenance of vehicles do not result in chemicals entering the ground that might contaminate the groundwater resource.
- 5.6.7 The hydro-electric utility company shall be requested to consult with the Local Trust Committee with respect to the installation of any new hydro services to minimize impacts in environmentally sensitive areas and scenic areas and shall be encouraged to consider installing lines underground where appropriate to preserve viewscales.
- 5.6.8 The provision of high-speed internet access to facilitate educational and commercial opportunities for residents in a remote community shall be supported.

5.7 Air Transport

Background:

The map Schedule "B" does not show air travel facilities, as only occasional use is anticipated in areas not dedicated solely to air travel, but does show roads and wharfage.

Air travel to and from Hornby Island is limited to float planes which usually land near the only existing docks at Ford Cove and Shingle Spit. There are no established commercial air strips or airports. The Island is close to flight paths for air traffic landing and taking off at the Comox airbase and Courtenay air park which sometimes creates a noise nuisance from low-level over-flights.

Objectives:

The objectives of this subsection are:

- (1) to minimize the disturbance of quiet enjoyment of property, and
- (2) to ensure that potentially productive use of land is not alienated by air strips.

Policies:

Policies 2.2.1 and 2.2.2 apply to all sections of this plan.

- 5.7.1 Land-based airports, private or commercial airstrips, or heliports are not considered suitable or compatible with the rural lifestyle and agricultural potential of the Island and shall not be permitted.
- 5.7.2 Emergency helicopter landing areas may be permitted at appropriate locations.
- 5.7.3 The landing and taking off of helicopters, ultralight aircraft, and other manned aircraft on the Island is strongly discouraged.
- 5.7.4 Transport Canada shall be requested to designate Hornby Island as a "noise sensitive area" and to issue an annual advisory to this effect to pilots and operators.
- 5.7.5 Transport Canada and the Federal Department of National Defense will be requested to ensure flight paths and areas for military and civilian air traffic are directed away from the Island.
- 5.7.6 Operators of float planes are encouraged to land and take off adjacent to marine service areas and to avoid other areas around the Island where there may be a potential impact

upon wildlife or upon public safety and recreational activities.

5.8 Water Transport

Background:

Access to the Island is focused through two protected wharfage areas, the ferry dock and the Ford Cove government wharf. The Island has few safe anchorages and sheltered bays. The resort near the ferry terminal offers seasonal summer day-use wharfage, while the wharf at Ford Cove is under Federal lease to the Ford Cove Harbour Authority offers the only year-round protected wharfage. Limited summer anchorage is possible in several bays.

The regulation of sea transport falls generally under the authority of the Federal Government and the principal access is via BC Ferries, a Provincial Government corporation. Construction of private or commercial docks require approval of a lease from Land and Water BC Inc. (LWBC). This Plan can therefore define only broad objectives for the management of all water access to the Island except that upland and water zoning regulations must also be satisfied before a private individual can proceed to install any structures for a private wharf or moorage.

Objectives:

The objectives of this subsection are:

- (1) to protect the limited sheltered bays for temporary anchorage,
- (2) to provide boat access to the sea,
- (3) to maintain a ferry service directed toward the needs of the local community,
- (4) to promote adequate sewage, used water and solid waste disposal for users of all marine facilities according to Provincial Health standards,
- (5) to encourage measures to reduce the number of vehicles that travel on the ferry, and
- (6) to support the continuing provision of wharfage at Ford Cove or at Shingle Spit.

Policies

Policies 2.2.1 and 2.2.2 apply to all sections of this plan.

- 5.8.1 The Ford Cove Harbour Authority and the Department of Transportation shall be requested to continue to maintain and improve the wharfage at Ford Cove including provision for parking, toilet facilities and the collection of recycling and garbage.
- 5.8.2 Safe methods of transporting dangerous materials around, to or on the Island shall be required.
- 5.8.3 Private wharfs and/or breakwaters shall be prohibited by regulation.
- 5.8.4 Expansion of wharfage at Ford Cove by the Ford Cove Harbour Authority shall be supported provided negative environmental and visual impacts can be demonstrated to be minimal.
- 5.8.5 Expansion of moorage at Shingle Spit shall be considered provided negative environmental and visual impacts can be demonstrated to be minimal.
- 5.8.6 Mariculture shall not be permitted in Ford Cove or at Shingle Spit.

- 5.8.7 The existing water transport points as shown on the land use map Schedule B should be maintained for current identified uses.
- 5.8.8 Public launching slips for canoes, kayaks, row boats and dinghies may be considered upon application to allow for safe and easy water access.
- 5.8.9 The Ministry of Water, Land and Air Protection and Department of Transportation shall be requested to establish boating speed restrictions within the Hornby Island Trust Area to ensure that public safety and environmental concerns are addressed.
- 5.8.10 The BC Ferry Corporation shall be encouraged to:
- a) achieve a level of service that follows rather than precedes community needs and that is established in consultation with community representatives,
 - b) encourage car pooling and non-automotive land transportation ,
 - c) ensure that all vessels and associated upland facilities meet all the standards of the Vancouver Island Health Authority and the Ministry of Water, Land and Air Protection,
 - d) consult on a regular basis with a local advisory committee (or in the absence of such a committee, the Hornby Island Local Trust Committee) with respect to future planning for and any changes to ferry service between Hornby Island and Vancouver Island, and
 - e) consider the impact of the level and structure of tariffs upon the social and economic viability of the community.
- 5.8.11 All marine fuel services shall meet all federal and provincial requirements.

5.9 Roads

Background:

Hornby's roads fall into three categories: main rural, minor rural and residential rural. The Island's principal artery (Shingle Spit Road-Central Road) is a "Main Rural" road from the Ferry Terminal to just beyond Strachn Road. The remaining section of Central Road to Ford Cove is "Minor Rural" and is designated as a Heritage Road requiring protection of its character, the views and the fine maples, Garry oaks and Douglas Firs along its length.

A second "Main Rural" road is St Johns Point Road from the Co-op crossroads to Whaling Station Bay. "Minor Rural Roads" connect through the residential areas: Sandpiper-Arthurs-Porpoise-Seawright, Sollans-Harwood-Gunpowder-Cowie-Carmichael and Anderson-Gurney. The remaining roads are "Residential Rural". Most roads are paved, the main exceptions being Sea Dollar, Strachan, Euston, Marleybone, Slade, Lea Smith, Little Tribune and Savoie. Savoie Road and Little Tribune Road are proposed Heritage Road designations.

There are no proposals for extending the road system. The former extension of Shingle Spit Road to Ford Cove was closed after a major slump and there is no longer a right of way along its route. The trail along "the Bench" is not considered a potential through route for a road because of the area's high environmental and scenic values.

An agreement between the Islands Trust and the Ministry of Transportation has established an ongoing consultation process to deal with issues of construction and maintenance. This process also provides for negotiated agreements on the designation of Scenic/Heritage Roads and a Cycle Route Plan. A Cycle Route Plan allows for the adjustment of shoulder width standards

when roads are upgraded.

Although most residents rely upon private motor vehicles to travel around the Island, there are a significant number of cyclists, pedestrians and equestrians, particularly in the summer when motor traffic is heavy. This poses safety concerns, as most sections of road do not have shoulders to accommodate these travelers. Paved cycle lanes have been added to Central Road between the Co-op crossroads and Seawright Road, a section which had been a priority safety concern. Through volunteer effort (and with support from the Ministry of Transportation) paths for non-motorized traffic are being built parallel to roads on the right-of-way or on adjacent private land and along some unopened road allowances (see subsection 3.3: Parks and Protected Areas where policies address the acquisition and establishment of trails).

Objectives:

The objectives of this subsection are:

- (1) to maintain the rural character of roads on the Island,
- (2) to ensure safe, convenient transportation routes that do not encourage excessive speed,
- (3) to encourage safe bicycle and pedestrian travel as an alternative to vehicle use, and
- (4) to establish scenic/heritage road designations for unique and valued roadways and the appropriate consultative process when improvements are to be undertaken.

Policies:

Policies 2.2.1 and 2.2.2 apply to all sections of this plan.

5.9.1 The following road standards are endorsed:

Class	Design Speed	Paved Width	Shoulder Width
Main Rural	60 km/hr	6.7 m (7.3 m on curve)	0.6 m paved (bicycle lane may increase to 1.2 m)
Minor Rural	50 km/hr	6.1 m	no paved shoulder unless Cycle Route
Residential Rural	30- 50 km/hr	5.5 m	no paved shoulder

5.9.2 Central Road is designated as the major road for Hornby Island and is classified as Main Rural.

5.9.3 Heritage Roads are designated on Schedule C. Savoie and Little Tribune Roads shall also be designated on Schedule C as Heritage Roads and the existing 33 ft. road allowance shall be maintained.

5.9.4 The following shall be designated as Cycle Routes: a) from the ferry terminal to the Outdoor Education Centre (Shingle Spit-Central-St. Johns Point), and b) from the Co-op crossroads to Strachan Road (Central Road).

5.9.5 The Ministry of Transportation and B.C. Hydro shall be requested to:

- a) ensure the road system follows natural contours of the land wherever possible,
- b) continue the major road pattern as shown on the land use map, which does not connect across the bench under Mt. Geoffrey,

- c) retain unused road dedications as greenways and, where appropriate, as pedestrian and bicycle trails for access to beaches, Crown land, parks and other trails and roads,
- d) reduce minor rural road speed standards to be 30 – 50 km/hr and to reduce speed limits, especially in areas such as Whaling Station Bay where safety is a major concern,
- e) retain as much natural vegetation along the roadside as possible and especially to protect wildflowers, rare plants, dogwood, arbutus and Garry oak trees,
- f) provide for safe travel of non-motorized traffic along Central Road and other busy sections of road (this should preferably take the form of paths adjacent to but separated from the existing roadway),
- g) ensure signage along the roads is minimal and in keeping with a rural atmosphere,
- h) consult with the Local Trust Committee on setting priorities for annual road work and ditching programs,
- i) work with the Local Trust Committee to address public parking provisions in public use areas,
- j) consult with the Islands Trust before undertaking any widening, clearing or installation of poles and lines along Central Road particularly that portion designated a Heritage Road on Schedule C,
- k) ensure that ditching of roads is carried out so as to reduce impact upon natural groundwater and surface water flow patterns,
- l) work with the Local Trust Committee and community organizations to develop a trails and greenways plan and establish local stewardship arrangements for water accesses and unopened road allowances,
- m) provide written referrals to the Local Trust Committee with respect to any proposed works on roads, right-of-ways, water accesses and unopened road allowances,
- n) refer any disposition of road allowances to the Local Trust Committee,
- o) provide adequate dust control on gravel roads and consider in consultation with the community paving heavily traveled sections such as the lower portion of Strachan Road, and
- p) consider, in consultation with the community, traffic calming measures where these can address neighbourhood safety concerns.

5.9.6 The Ministry of Transportation shall be requested to work with the community to address ways to improve safety in the area of high activity at the intersection of Sollans Road and Central Road.

5.9.7 Shared accesses onto roads from private driveways will be encouraged and subdivision layouts shall be designed to consolidate access points.

5.9.8 The Ministry of Transportation shall be requested to ensure that road development does not compromise agricultural land or significant forest areas.

5.9.9 The Ministry of Transportation shall be requested to ensure that waste material (particularly flammable material) is not allowed to accumulate in gravel pits and other land under its jurisdiction.

5.9.10 The Ministry of Transportation shall be requested to make old gravel pits available for community uses when the gravel resource has been exhausted.

- 5.9.11 A linked network of trails for non-motorized vehicle travel, including cycle paths, shall be established through Crown lands, Parks, highways dedications, and private-land by easements or agreements.
- 5.9.12 Programs to educate cyclists, motorists and pedestrians on road safety issues shall be supported.
- 5.9.13 The RCMP shall be encouraged to enforce highway regulations in order to help maintain the safety of the roads.
- 5.9.14 The Regional District of Comox-Strathcona shall be requested to maintain regular transit service to Buckley Bay from the Comox Valley and to expand the transit service across Denman to Hornby Island.

SECTION VI—OBJECTIVES AND POLICIES FOR SUSTAINABLE DEVELOPMENT

6.1 Objectives and Policies for Development

Background:

One of the main functions of the Community Plan is to designate the patterns of future land uses. The designations are based on historic development patterns, physical features or constraints, other government agency comments and specific objectives defined by the community. Land is divided into various land use categories and shown on Schedule B, the land use map. Policies for each use are contained in this Section.

There are currently 1126 parcels in the Hornby Local Trust Area, including Park and Crown land. There are 30 additional parcels that could potentially be created, from 11 parcels. The addition of the 30 new parcels would result in a total of 1155 parcels on the Island and excludes the subdivision potential of Crown land, industrial and institutional parcels, and park land. Of these 1126 total parcels, 93.5% of the land use is residential, 2.4% farm, 1% commercial 0.5% for transportation, communications, and utilities and 2.6% for civic institutional uses and for recreational purposes (BCAA 1997 data in Community Profile work 1998).

Objectives:

The objectives of this section are:

- (1) to protect the physical environment and natural features,
- (2) to ensure that all land uses are regulated equitably, and
- (3) to ensure all development of the land base is self-sufficient for services and does not impose or create load on surrounding land uses,.

Policies:

Policies 2.2.1 and 2.2.2 apply to all sections of this plan.

- 6.1.1 The designation of areas for all land uses is shown on Schedule B, the land use map.
- 6.1.2 Siting and Use Permits shall be required for all new construction or use except where a Development Permit is required, in which case the Development Permit will deal with all matters normally dealt with in a Siting and Use Permit.
- 6.1.3 All applications for Temporary Use Permits, Development Permits, and subdivision considered by the Local Trust Committee must be able to demonstrate Vancouver Island Health Authority approval that there is sufficient water supply and waste disposal capability for serving the property both at the time of application and at ultimate projected growth levels.
- 6.1.4 Increasing net residential density through rezoning shall not be permitted in the Small Lot Residential designations of Sandpiper, Galleon Beach and Whaling Station Bay areas and as shown on Schedule B, the land use map.
- 6.1.5 Applications for amenity rezoning or density transfer may be considered by the Local Trust Committee for purposes of environmental and groundwater protection, community housing, removing growth pressures and consolidating lots. Eligible situations include dedication of land for park purposes and donation of land for conservation or community land trust. It must be demonstrated that the property proposed for receiving the density

can do so without significant impact upon the land base including water resources, environmental values and neighbourhood character.

- 6.1.6 The Local Trust Committee shall consider the need of a covenant for purposes of protecting the environment and specifically the groundwater resources, upon receipt of a rezoning, subdivision, development permit or a temporary use permit application from the land owner. The covenant may contain restrictions on the use of the land in order to protect and enhance the groundwater recharge capabilities, to ensure that groundwater contamination is avoided, to address groundwater shortages, or to prevent further subdivision of the parcel. To ensure that a covenant is enforced, the covenant shall be held by the Local Trust Committee (or the Trust Fund Board where appropriate) and shall be monitored regularly.
- 6.1.7 Subject to Ministry of Water, Land and Air Protection and the Ministry of Agriculture, Food and Fisheries "Environmental Guidelines", specified agricultural and horticultural activities shall be permitted and shall be regulated by bylaw to ensure that water resources are protected and that agricultural activities on non-agricultural land do not disturb the quiet of residential neighbourhoods. The provincial guidelines address the following: storage and use of agricultural waste, application and composting of agricultural waste, agricultural emissions, agricultural machinery noise, storage and use of wood waste, on-farm disposal of mortalities, feeding areas, access to water and use and storage of agricultural products.
- 6.1.8 The Local Trust Committee shall request that all land owners identify areas (including significant features) on each property to be left undisturbed before proceeding with any site development. The identification of areas on each lot where vegetation will be retained or restored shall be required upon any application for Siting and Use Permit or a Development Permit.
- 6.1.9 The Local Trust Committee shall encourage all land owners to discuss proposed developments and other land use activities with neighbours at an early stage of planning.
- 6.1.10 Lot coverage (including paving) shall not exceed 15 % of lots less than one hectare (2.5 acres) and 10% of lots greater than one hectare (2.5 acres). Lot coverage for lots within the Agricultural Land Reserve shall not exceed 20% with the additional 10% to be used only for structures required for agricultural production such as barns and greenhouses.
- 6.1.11 All development of property shall include provision for appropriate off-road parking as specified in regulation.
- 6.1.12 A recreational vehicle, manufactured or mobile home, caravan, studio, boat or a travel trailer, if used as a residence, shall be defined as a dwelling unit and shall be subject to density regulations.
- 6.1.13 In order to protect the natural environment and maintain neighbourhood views, screening and natural landscaping shall be maintained on all parcels and along all lot lines in accordance with land use bylaw regulations.
- 6.1.14 Materials that could contaminate water resources shall not be stored unless with proper provision for preventing contact of potential contaminants with the ground.

- 6.1.15 The storage of hazardous wastes or dangerous goods shall not be permitted except when stored in accordance with the Ministry of Water, Land and Air Protection regulations. Safe storage of material used in conjunction with normal agricultural practices shall be permitted on land within the Agricultural Land Reserve.
- 6.1.16 The regulation of land use shall take into consideration protection of the Island from fire hazard.
- 6.1.17 The Local Trust Committee shall encourage land owners to work with the Islands Trust Fund to fully protect special features and both natural and cultural values as identified in the Islands Trust Fund Plan,. (The Islands Trust Fund, a conservation land trust established by the *Islands Trust Act*, can acquire land for nature reserves and hold conservation covenants on private land.)
- 6.1.18 Regulations shall include recommendations from the Ministry of Water, Land and Air Protection Stormwater Management Guidebook to ensure the maintenance of pre-development infiltration and drainage regimes.
- 6.1.19 The Local Trust Committee shall encourage all land owners to address potential impacts upon groundwater and surface water before proceeding with any site development.

6.2 Public Use (Public Institutions and Community Trades and Services)

Background:

An island community isolated by two ferries from any major centre requires a degree of self-sufficiency in the provision of public services.

The community is fortunate to have a large area of Crown land in the central part of the island and most public services are located in this vicinity. School District #71 owns the land on which the Community School, "Room to Grow" and the Preschool are located; Hornby Island Residents' and Ratepayers' Association owns the land on which the Community Hall, Clinic and RCMP office are located; the Fire Hall is on land owned by the Regional District of Comox-Strathcona; New Horizons Centre (including the Public Library), The Community Health Care Centre and the Athletic Association facilities are all on leased Crown land. The previously designated "light industrial" land is now added to the "public use" designation which could provide for future public services and institutions. The community will continue to work with the Land and Water BC Inc. to identify the best uses of this area.

The land in this designation is in a groundwater recharge area upslope from a residential area and, therefore, requires careful development and use.

Objectives:

The objectives of this subsection are:

- (1) to ensure that the central public lands are managed as an integrated unit for the benefit of the community as a whole,
- (2) to protect the groundwater resource from degradation for purpose of water supply,
- (3) to design development to accommodate anticipated traffic and parking needs,
- (4) to encourage the clustering of public buildings in this area,
- (5) to encourage the sharing of utilities such as parking, sewage and used water systems, vehicle access, and water supply,

- (6) to encourage the continued use of building styles, materials, landscaping and the retention of treed areas which are in keeping with the rural landscape,
- (7) to ensure that there is ample sewage treatment and water supply for the anticipated uses,
- (8) to use community resources efficiently and to allow for development of community facilities as needed,
- (9) to ensure that the existing community use and service areas are maintained,
- (10) to recognize the importance of keeping long-term residents of the Island within the community by enabling community housing, and
- (11) to support community acquisition or lease of parcels of Crown lands in this area that may be required to provide public services.

Policies:

Policies 2.2.1 and 2.2.2 apply to all sections of this plan.

Policies in subsection 6.1 apply to this subsection.

- 6.2.1 All centrally located Crown lands north of Central Road and adjacent to Sollans Road shall be designated "Public Use" and the Crown land south of Central Road previously designated and zoned "Light Industrial", shall be designated "Public Use" and rezoned to "Community Trades and Service Area".
- 6.2.2 The Community Trades and Services Area, developed and operated under the jurisdiction of an organization (such as a cooperative or land trust) with accountability to the community, shall be permitted on land designated "public use" and shall be regulated by development permit and land use bylaw regulations.
- 6.2.3 All land within the public use designation and public utilities and services designation directly north of the GW/EPA designation on Schedule B shall be included in a Development Permit Area for the purpose of protecting the groundwater resource. A development permit will be required for any new development that involves: significant water use, sewage and used water treatment, alteration of the land or vegetation, or use of potential contaminants, including residential, commercial, industrial or trades and service developments, new recreational or service facilities such as a swimming pool or fire hall and road building.
- 6.2.4 Community facilities, such as schools and recreational facilities, shall continue to be clustered in the central area near the Community Hall.
- 6.2.5 Fire protection, clinic, ambulance and other public services shall continue to be located centrally.
- 6.2.6 The Royal Canadian Mounted Police should continue to be located in a central location, and should be requested to provide a structure in character with other public buildings on the Island.
- 6.2.7 The development of seniors, affordable, or special needs housing for Island residents, including summer temporary facilities for displaced year-round residents, operated by a community non-profit society, shall be permitted on land designated public use and shall be regulated by development permit and land use bylaw regulations. Other residences shall only be permitted for the purpose of accommodating a caretaker or operator.

- 6.2.8 Limited local mercantile events (such as a farmers' market for locally-produced foods and goods), operated under the jurisdiction of a community non-profit society, shall be permitted on public use lands subject to adequate off-street parking being provided and shall be addressed through land use bylaw regulations.
- 6.2.9 Member use services provided by non-profit organizations, such as community kitchens, gardens, public showers and laundry facilities shall be permitted.
- 6.2.10 Screening of operations shall be required by regulation to ensure that wide buffers of native vegetation are left along roads and property lines.
- 6.2.11 Signage and lighting shall be regulated by bylaw to ensure maintenance of the rural landscape.
- 6.2.12 All buildings shall be finished in natural products such as wood, stucco, stone or brick or other materials that would fit in with the ambience of the community and neighbourhood; roofing materials that are appropriate for water catchment may be utilized.
- 6.2.13 Off-road signage and lighting shall be regulated to provide a safe environment in keeping with the rural landscape.
- 6.2.14 Organizations involved in administering and using property in the area designated for "public use" shall be strongly encouraged to work together to develop a master plan for future facilities and uses in this area.
- 6.2.15 Land and Water BC Inc. shall be requested to:
- a) only consider dispositions of land designated for public use that are compatible with the objectives and policies of this Official Community Plan,
 - b) consult with the Local Trust Committee to ensure that any dispositions are in accordance with a master plan for the area,
 - c) retain this land in public community management, and
 - d) ensure public access to the Crown land is maintained.
- 6.2.16 The Ministry of Transportation and Land and Water BC Inc. shall be requested to make available for public use any unused portion of the gravel pit parcel on Central Road (and the whole of the remaining parcel when this is no longer required for gravel extraction).
- 6.2.17 The Crown land parcel containing the gravel pit on Central Road shall be considered for a mix of public uses should this land no longer be required for use by the Ministry of Transportation.
- 6.2.18 As much as possible, natural forest vegetation shall be retained or re-established throughout this area.
- 6.2.19 The provision of facilities for junior and senior high school students shall be supported.
- 6.2.20 School District #71 shall be encouraged to make all educational facilities available for use by the whole community.
- 6.2.21 Availability of facilities such as the school and hall for a variety of functions shall be encouraged.

6.2.22 The acquisition of land in this area by a community land trust, in the context of an overall master plan, will be supported.

6.2.23 Studies that provide additional data on the groundwater and catchment flow system in this area will be supported.

6.3 Residential

6.3.1 Residential—General

Background:

The residential component of land use is of major significance. Most of the residential land use is located around the shoreline of the Island with the bulk of the interior, including most of the high ground, being held by the Crown. Park land and a few large holdings occupy the remainder. There is extremely limited potential for expansion of residential development.

In 1997, of the 1126 titles listed with the Assessment Authority, 1053 or 93.5% were classified residential for tax purposes. Historically, the Island has had a rural character with predominately large acreage. The small lot subdivisions were created prior to the Islands Trust assuming planning authority for the Island and all potential areas for subdivision into that lot size are already subdivided. By 1990, approximately 60% of all residential parcels on the Island were 0.2 hectares (about 0.5 acre) or less.

Residential land uses are designated as Small Lot Residential, Large Lot Residential, Rural Residential, Forest, Social Housing and Land Co-operatives. Under existing bylaws these areas have some potential for future subdivision. However, the subdivision of additional small lots is not endorsed in the Plan. The carrying capacity of the land base is not documented but clearly there are problems already of inadequate soil percolation for septic absorption and limited groundwater supply of potable water.

In 1997, of the total 1053 residential parcels, 79% were developed. Without further subdivision beyond that permitted in this plan, or changes in density, the residential population of Hornby Island could reach more than 2452 people assuming 2.27 people per household. The figure 2.27 comes from the regional index as determined by Statistics Canada for the region. That figure was multiplied by the total residential parcels (1053 parcels) and agriculture parcels (27 parcels). However, the reality for Hornby is that many households are not occupied year-round, while the occupancy level can be very high during July and August.

There are three major housing challenges facing the community:

- a) a substantial proportion of the long-term resident population is now in the older age brackets; some may appreciate the availability of special housing in their senior years while others may wish to be supported in remaining in their own homes,
- b) property prices are out of scale with the incomes that can be derived on the Island, making it difficult for younger people to become established here, and
- c) the majority of properties are owned by non-residents and most of these are occupied and/or rented seasonally thereby limiting the availability of year-round rental accommodation.

Objectives:

The objectives of this subsection are:

- (1) to ensure that a variety of housing options are available,

- (2) to ensure that the scale of residences and other buildings are appropriate,
- (3) to address the use of residential dwelling units for tourist accommodation,
- (4) to recognize the importance of keeping long-term residents in the community, and
- (5) to encourage community housing, such as Elder Housing and community land trusts.

Policies:

Policies 2.2.1 and 2.2.2 apply to all sections of this plan.

Policies in subsection 6.1 apply to this subsection.

6.3.1.1 The maximum size of buildings on all lots shall be limited through regulations and the maximum size of accessory buildings on all lots shall be regulated.

6.3.1.2 Setbacks of buildings, structures and uses shall be regulated to ensure that the natural aesthetics and the environmental integrity of adjacent foreshore, creeks and ecologically sensitive sites are not adversely affected. (This Plan acknowledges that geographical constraints prevent significant setbacks from the foreshore between Shingle Spit and Phipps Point.)

6.3.1.3 Setbacks and heights of buildings shall be regulated to ensure that the environmental integrity and amenity of adjacent lots, public roads and public land are not adversely affected.

6.3.1.4 Screening around derelict vehicles and other stored materials shall be required by regulation.

6.3.1.5 Housing for elders or to meet other community needs shall be considered upon application to the Local Trust Committee through the social housing designation and zoning.

6.3.1.6 The Local Trust Committee shall establish a special projects advisory planning committee on housing to work with the Local Trust Committee and the community to identify local housing needs, develop and evaluate options for addressing them and prepare recommendations for subsequent amendments to the Official Community Plan that are consistent with the objectives of the Plan.

6.3.1.7 Agreements under the *Landlord and Tenants Act* are strongly encouraged for the rental of dwelling units for periods of more than thirty days

6.3.1.8 Security lights on private yards shall be regulated so as not to intrude on surrounding properties.

6.3.2 Small Lot Residential

Background:

Lots in this category are smaller than 0.8 hectares (two acres) and generally range around 0.24 hectares (about 0.5 acre) in size. As more and more of the lots in these areas are built upon, the already evident problems of sewage and used water disposal and water supply become more acute.

There are two parcels within the small lot residential zone that have subdivision potential. One parcel is located in Galleon Beach and the other in Sandpiper Beach; both parcels have the

potential to create one additional parcel.

Objectives:

The objectives of this subsection are:

- (1) to ensure that any construction on existing vacant lots can be supported by the land base and does not lead to health hazards or degradation of the environment, and
- (2) to minimize the negative impacts associated with small lot development.

Policies:

Policies 2.2.1 and 2.2.2 apply to all sections of this plan.

Policies in subsections 6.1 and 6.3.1 apply to this subsection.

6.3.2.1 The principal use shall be residential with any accessory uses consistent with the residential character.

6.3.2.2 The minimum parcel size shall be one hectare (2.5 acres).

6.3.2.3 For one specific parcel only, a small portion of the Shingle Spit, the designation is small lot residential and the zoning continues to be compact residential, with no potential for subdivision.

6.3.2.4 Existing Small Lot Residential designations of Sandpiper and Galleon Beach, as shown on Schedule B, shall not be expanded and no new small lots shall be created except for purposes of park dedication, neighborhood waste water treatment or to create ecological reserves.

6.3.2.5 Consolidation of small lots shall be encouraged.

6.3.2.6 One dwelling unit shall be permitted on each lot.

6.3.2.7 The keeping of animals shall be limited and regulated to protect the quiet of the neighbourhood, the quality of the groundwater resources.

6.3.2.8 Home occupations consistent with land use bylaw regulations shall be permitted but limited by regulation to those having little impact on the neighbourhood character and environmental qualities.

6.3.2.9 Additional development of the groundwater resource is discouraged and the use of water catchment and storage systems for household and garden use shall be supported.

6.3.2.10 The Local Trust Committee shall support the regular monitoring of the groundwater resource in these areas and shall consider further restrictions upon land use if there is a documented threat of contamination or if aquifers become classified as "highly developed".

6.3.2.11 To recognize the reduction in density and other impacts resulting from the consolidation of lots, the following shall apply for any lot over 1 hectare that is the product of the consolidation of smaller lots: the maximum floor area of a residential dwelling or an accessory building shall be one and a half times the size permitted on standard lots in the

small lot residential designation.

6.3.3 Small Lot Residential / Water Resource Protection Area (Whaling Station Bay / Anderson Drive Area)

Background:

Lots in this designation are smaller than one hectare (2.5 acres) and many are around 0.1 hectares (0.25 acres) in size. They are situated on a peninsula of the Island with its own aquifer. The aquifer has been classified as 1A—heavily developed with high vulnerability, the highest classification in the Provincial aquifer classification system. This is reflected in the area's water quality and quantity problems, including salt water intrusion, sulphurous water and poor-yielding wells.

One lot within this designation of Small Lot Residential/Water Resource Protection Area, Lot A Plan 19879, contains a water collection system that provides water to about thirty-five property owners in the Whaling Station Bay area. In 2002, the Hornby Local Trust Committee commissioned Piteau Associates Engineering Ltd. to prepare a hydrogeologic assessment of this water supply well and the requirements that will ensure preservation of the quality and quantity of water it provides.

Objectives:

The objectives of this subsection are:

- (1) to ensure that any construction on existing vacant lots can be supported by the land base and does not lead to health hazards or degradation of the environment,
- (2) to minimize the negative impacts associated with small lot development,
- (3) to protect the water resource in a heavily developed, highly vulnerable aquifer, and
- (4) to ensure that the land uses do not have an adverse effect upon the quality and quantity of water draw down from the Whaling Station Bay Improvement District water collection system nor upon other wells on adjacent properties.

Policies:

Policies 2.2.1 and 2.2.2 apply to all sections of this plan.

Policies in subsections 6.1 and 6.3.1 apply to this subsection.

6.3.3.1 The principal use shall be residential with any accessory uses consistent with the residential character.

6.3.3.2 The minimum parcel size shall be one hectare (2.5 acres).

6.3.3.3 The existing Small Lot Residential - Water Supply Protection Area designations of the Whaling Station Bay/Anderson Drive Area as shown on Schedule B shall not be expanded and no new small lots shall be created except for purposes of park dedication, neighborhood waste water treatment or to create ecological reserves.

6.3.3.4 Consolidation of small lots shall be encouraged.

6.3.3.5 One dwelling unit shall be permitted on each lot.

6.3.3.6 The keeping of animals shall be limited and regulated to protect the quiet of the neighbourhood, the quality of the groundwater resources and the well-being of wildlife populations.

- 6.3.3.7 Home occupations consistent with land use bylaw regulations shall be permitted but limited by regulation to those having no increase in sewage requirements and little impact on the neighbourhood character and environmental qualities.
- 6.3.3.8 Bed and Breakfasts and short-term rentals are permitted as a home occupation (subject to 6.3.1.7) providing the number of guests does not exceed the design capacity of the approved sewage treatment system.
- 6.3.3.9 The provision for shared water supply systems and/or sewage and used water treatment involving two or more lots shall be supported where appropriate to local situations and in accordance with the Vancouver Island Health Authority standards..
- 6.3.3.10 Additional development of the groundwater resource shall be strongly discouraged. The use of water catchment and storage systems for household and garden use, and in particular for Bed and Breakfasts and short term rental home occupations, shall be strongly encouraged.
- 6.3.3.11 The Local Trust Committee shall request landowners and appropriate agencies to work with the Committee to examine the potential impacts of the significant land use developments in the Whaling Station Bay area upon health, environment and safety and shall propose measures to address the identified problems.
- 6.3.3.12 One lot, Lot 11 Plan 25736, is adjacent to a water collection system that provides water to property owners in the Whaling Station Bay area. The following policies apply to Lot 11:
- a) residential development shall be restricted to the north-western half of the property;
 - b) the south-eastern part of the property (as identified in hydrological report by Piteau Associates Engineering Ltd. (2002)”) shall remain in an undisturbed state (except for measures such as ditching that are required to protect the water resource) and shall be protected by a covenant or through transference to local government for protection purposes;
 - c) before any development is permitted, a site drainage plan must be prepared and implemented in accordance with recommendations from the Piteau Associates Engineering Ltd. (2002) report; and
 - d) this lot shall be included as a Development Permit Area designation on Schedule E for the Protection of the Natural Environment (groundwater resource) to enable the implementation of policies 6.3.3.13 a), b) and c) above.

6.3.4 Large Lot Residential

Background:

In the past, a number of residents were able to establish themselves on the Island by becoming land partners through the purchase of rural residential land and building two separate legal dwellings. These situations are in some cases becoming problematic as the landowners' circumstances change. The community generally supports the subdivision of properties in these historical situations, provided there is no increase in density or additional impacts upon the Island.

The Large Lot Residential designation has been created to achieve this. The parcel must have had two long-standing homes built and the owners must have been owners in common prior to 1991. The designation is intended to promote the retention of large parcels of land and to maintain the rural aesthetic appeal, while permitting home occupations with minimum impact

upon surrounding parcels. All subdivision will be subject to provincial subdivision approval processes.

Objectives:

The objectives of this subsection are:

- (1) to enable residents to resolve a problematic land-holding situation,
- (2) to ensure that subdivision does not lead to land alteration or to new road development in order to provide additional access,
- (3) to maintain existing densities, and
- (4) to prevent any subsequent subdivision.

Policies:

Policies 2.2.1 and 2.2.2 apply to all sections of this plan.

Policies in subsections 6.1 and 6.3.1 apply to this subsection.

BL 126

6.3.4.1 Upon written request of both landowners during the review process for this plan, lots within the existing Rural Residential designation will be redesignated Large Lot Residential provided that the lots:

- a) are between 3.5 and 4.5 hectares (8.75 and 11.25 acres) in size,
- b) have been owned by tenants-in-common each occupying a separate dwelling on the property since 1991, and
- c) have had two homes built on the parcel prior to 1991.

BL 126

6.3.4.2 Upon application, lots within the Large Lot Residential designation shall be considered for subdivision under the following conditions:

- a) the lot is owned by tenants-in-common with two dwellings on the property,
- b) no lot smaller than 1.0 hectares (2.5 acres) shall be created by subdivision, and
- c) where access is required to a lot created by subdivision that does not have frontage on an existing maintained road, access shall be achieved by a panhandle or by an easement across the other lot to the existing road.

6.3.4.3 Large Lot Residential properties shall not be redesignated, rezoned or subdivided to Small Lot Residential.

6.3.4.4 The principal use in this category shall be residential with any accessory uses consistent with the residential character.

6.3.4.5 One dwelling per 1.6 hectares (four acres) shall be permitted on land designated large lot residential.

6.3.4.6 Home occupation uses may be permitted but shall be limited to those having little impact on the residential and rural character or the environment.

6.3.4.7 New road development in association with subdivision in this designation is discouraged and the use of allowances developed as public trails to provide vehicle access to lots created by subdivision in this designation shall not be supported.

6.3.5 Large Lot Residential / Water Resource Protection Area (Lot 10, Plan 48077)

BL 110

Background:

The land in this designation has subdivision potential to create one additional lot. There is only one parcel (6.5 acres) within this designation which has been created to recognize a historical situation to address water supply. In 2002, the Hornby Island Local Trust Committee commissioned Piteau Associates Engineering Ltd. to prepare a Hydrogeologic Assessment of the community well and the study concluded that appropriate development of this property will not affect the well. Land in this designation is on an aquifer classified as 1A, heavily developed with high vulnerability.

Objective:

The objective of this subsection is to ensure that development and land uses allow for the protection of the water resource in a heavily developed, highly vulnerable aquifer.

Policies:

Policies 2.2.1 and 2.2.2 apply to all sections of this plan.

Policies in subsections 6.1 and 6.3.1 apply to this subsection.

BL 110

6.3.5.1 The minimum parcel size shall be .4047 hectare (1 acre) and the average parcel size shall be one hectare (2.47 acres) subject to any requirements of the Vancouver Island Health Authority.

6.3.5.2 The principal use shall be residential with any accessory uses consistent with the residential character.

6.3.5.3 One dwelling shall be permitted on each lot.

6.3.5.4 Land in this designation will be in a Development Permit Area for Protection of the Natural Environment and guidelines will require that before any residential development is permitted on a new lot created by subdivision there must be approval of a permitted sewage and used water system and provision for water catchment and storage in development plans.

6.3.5.5 Home occupations consistent with land use bylaw regulations shall be permitted but limited by bylaw to those having little impact on the neighbourhood character and environmental qualities.

6.3.5.6 The use of water catchment and storage systems for household and garden use for new and existing development shall be encouraged.

6.3.6 Rural Residential

Background:

In 1997 there were 214 residential parcels greater than two acres in size. Of these residential parcels lots, 27%, or 78 lots, are listed in the assessment rolls as vacant. The Rural Residential designations are intended to promote the retention of large parcels of land, while still providing an opportunity for cooperative land sharing. These rural residential areas are intended to maintain rural aesthetic appeal while permitting home occupation and minimizing the impacts on surrounding land parcels. There are 16 new Rural Residential parcels that can be created, from

two original parcels.

Objectives:

The objectives of this subsection are:

- (1) to promote retention of large parcels of land,
- (2) to provide some limited opportunity for land sharing without encouraging subdivision,
- (3) to maintain the visual quality of the residential neighbourhoods, and
- (4) to allow for a wide diversity of home occupations subject to regulations which ensure maintenance of the rural residential character of the areas designated rural residential and to ensure minimal negative impact on neighbouring properties.

Policies:

Policies 2.2.1 and 2.2.2 apply to all sections of this plan.

Policies in subsections 6.1 and 6.3.1 apply to this subsection.

- 6.3.6.1 For any subdivision of properties in the Rural Residential designation an average lot size of four hectares (10 acres) shall be maintained, with a minimum lot size of one hectare (2.5 acres) when subdivision averaging takes place unless the subdivision is for the purpose of creating a park, ecological reserve, community land trust or other public use.
- 6.3.6.2 At least half of the number of lots created through subdivision, including bare land strata, which are smaller than permitted average lot size shall be larger than permitted minimum lot size.
- 6.3.6.3 In order for the Local Trust Committee to consider an application for subdivision in the Rural Residential designation, it must be accompanied by a development plan that addresses the following: securing neighbourhood water supply, preserving environmentally sensitive areas, maintaining tree cover, protecting the groundwater recharge function and dedicating land for trails or park. A covenant may be required to protect important values. A hydrological study may be required for considering the subdivision of properties in areas with aquifers classified as "heavily developed".
- 6.3.6.4 The principal use in this category shall be residential.
- 6.3.6.5 Only one dwelling unit shall be permitted on parcels smaller than 3.5 hectares (8.75 acres) and a maximum of two dwellings shall be permitted on lots 3.5 hectares (8.75 acres) or greater.
- 6.3.6.6 Home occupations may be permitted but shall be limited to those having little impact on the rural residential character of the area and its environmental qualities.
- 6.3.6.7 Public access to the existing trail system shall be secured wherever possible through dedication, covenant or easement.
- 6.3.6.8 Should an agreement be reached between the Province of British Columbia and the owner of Lot B Plan 24132 (designated Rural Residential and adjacent to Helliwell Park) for a portion of that lot to be acquired as an addition to Helliwell Park, the subdivision of the lot shall be supported and the remaining portion of the lot shall be redesignated as Small Lot Residential/Water Supply Protection Area

6.3.7 Forest

Background:

Land in this category has high scenic, aesthetic and ecological value and includes much of Hornby's highly visible elevated land. It is made up of important forested water catchment areas and areas of very steep slope (which are identified on schedule B).

There are many long established and well-used trails enabling public enjoyment of the forest landscape and the scenic viewpoints on the escarpments. Potential for land slippage exists in the steeply sloping areas, evidenced by the closure of the shoreline road from Ford Cove to Shingle Spit due to persistent slides. Public access for recreation is of prime importance to the community. The uniqueness of these areas is intended to be preserved while allowing residential use. Because these areas are vital for water catchment, ground disturbance should be minimized and forest cover retained in order to protect the groundwater recharge function. The whole of the west side of Mt. Geoffrey, known as The Bench, is a slump area particularly vulnerable to earthquake activity.

Within this designation there are three parcels that have subdivision potential to create seven new parcels. There are two parcels that can each create one additional parcel and another parcel that can create five new parcels.

Objectives:

The objectives of this subsection are to:

- (1) preserve scenic, aesthetic and ecological values,
- (2) minimize ground disturbance and retain forest cover in order to protect water catchment areas.
- (3) preserve traditional public trail access through forested areas especially to escarpment view points.
- (4) promote retention of large parcels of land,
- (5) provide some limited opportunity for land sharing without encouraging subdivision,
- (6) maintain the visual quality of the residential neighbourhoods, and
- (7) allow for a wide diversity of home occupations subject to regulations which ensure maintenance of the rural residential character of the areas designated Rural Residential and to ensure minimal negative impact on neighbouring properties.

Policies:

Policies 2.2.1 and 2.2.2 apply to all sections of this plan.

Policies in subsections 6.1 and 6.3.1 apply to this subsection.

6.3.7.1 For any subdivision of properties in the Forest designation, an average lot size of 16 hectares (40 acres) shall be maintained, with a minimum lot size of four hectares (10 acres) when subdivision averaging takes place unless the subdivision is for the purpose of creating a park, ecological reserve, other public use or a community land trust.

6.3.7.2 In order for the Local Trust Committee to consider an application for subdivision in the Forest designation, it must be accompanied by a development plan that addresses the following: securing adequate neighbourhood water supply, preserving environmentally sensitive areas, maintaining tree cover, protecting the groundwater recharge function (including from the impact of road building) and dedicating land for trails or park; a

covenant may be required to protect important values.

- 6.3.7.3 Clustering of development to avoid environmentally sensitive areas defined on Schedules D1 and D2 and to minimize the impacts of road building shall be encouraged. The Ford Cove area is one location that may be considered for clustering. The west side of Mt. Geoffrey known as the bench and the cliffs above and below it shall be protected from development and from any disturbance of the land through road building, blasting, well drilling, logging or pond digging.
- 6.3.7.4 Residential use of land shall be permitted in the Forest designation.
- 6.3.7.5 Only one dwelling unit shall be permitted per parcel and two dwellings if the parcel is over four hectares (10 acres).
- 6.3.7.6 Setbacks of buildings and uses from cliff edges and retention of vegetation shall be required to protect the slopes from erosion.
- 6.3.7.7 Home occupations may be permitted subject to land use bylaw regulations and shall be limited to those types having a low impact on the natural forested character of the area or other environmental qualities.
- 6.3.7.8 Development Permits shall be required for all new construction, road development or other modifications to the ground, or alterations of the forest cover, and for developments or uses that may have an impact upon natural biodiversity or ecologically sensitive areas.
- 6.3.7.9 Public access to the existing trail system shall be secured wherever possible through dedication, covenant or easement.

6.3.8 Forest / Rural Residential

Background

Land in this category is uniquely situated in that it is surrounded on three sides by public land - the Mount Geoffrey Regional Nature Park and vacant Crown land designated as Groundwater Protection/Environmental Protection Area. In general, the land has similar characteristics to the adjacent public land including steep areas, continuous forest cover and groundwater recharge properties. Some steeper areas are not appropriate for development. The lower portion is adjacent to land designated Rural Residential.

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There is only one parcel within the Forest/Rural Residential designation. It was previously designated as Upland, which did not provide for any subdivision of this parcel. Two rural residential lots may now be created from this parcel.

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Objectives

The objectives of this subsection are to:

- 1) preserve scenic, aesthetic and ecological values,
- 2) allow modest development appropriate to the location and characteristics of the land, and
- 3) allow some additional development.

Policies

Policies 2.2.1 and 2.2.2 apply to all sections of this plan.

Policies in subsection 6.1 and 6.3.1 apply to this subsection.

6.3.8.1 One property, Lot A Plan 58906, of approximately 16.93 hectares (42 acres) at the end of Lea Smith Road, formerly designated Upland, is designated to Forest/Rural Residential.

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6.3.8.2 The donation as park of 6 hectares (15 acres) or more of land adjacent to the Mount Geoffrey Regional Nature Park/Crown land shall be permitted and the subdivision of the land in this designation into two residential lots, each with a minimum lot size of 4 hectares shall also be permitted. Any lots thus created shall be re-designated as Rural Residential with the following conditions:

- a) relief of road frontage requirements should be considered to allow road access for the two Rural Residential lots from the end of Lea Smith Road;
- b) no public access trail shall be required to pass through the two Rural Residential lots;
- c) location of the park donation if granted and the two rural residential lots shall be provided by the land owner through a development plan;
- d) a covenant ensuring protection of the environmentally sensitive areas within the Rural Residential lots shall be provided by the land owner through a development plan; and
- e) the land donation if granted shall provide trail access from Lea Smith Road to the existing trail system of Mount Geoffrey Regional Nature Park and the adjacent Crown land.

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6.3.8.3 Residential use of land shall be permitted in the Forest/Rural Residential designation.

6.3.8.4 Two dwelling units shall be permitted per lot over 4 hectares (10 acres).

6.3.8.5 Setbacks of buildings from steep areas and retention of vegetation shall be required to protect slopes from erosion.

6.3.8.6 Home occupations may be permitted subject to land use bylaw regulations and shall be limited to those types having a low impact upon the natural forested character of the area or upon other environmental qualities.

6.3.8.7 If the process described in 6.3.8.3 does not occur, then public access to the existing trail system of Mount Geoffrey Regional Nature Park and the adjacent Crown land shall be secured wherever possible through dedication, covenant or easement.

6.3.9 Social Housing

Background:

At the time of the writing of this Plan, the only parcel in this designation and relevant zoning is the Elder Housing property on Central Road known as the "Village". Land in this designation must be held by non-profit societies or community land trusts.

Objectives:

The objectives of this subsection are:

- (1) to provide opportunity for non-profit special housing situations to meet the special needs associated with age, disability, and/or low income, and
- (2) to ensure that the location and development of social housing is consistent with the general character of the Island and the neighbourhood.

Policies:

Policies 2.2.1 and 2.2.2 apply to all sections of this plan.

Policies in subsections 6.1 and 6.3.1 apply to this subsection.

6.3.9.1 Residential and Public Use designated parcels that have demonstrated ability to meet Provincial Ministry standards of water, used water (sewage and waste water) treatment and other health and environmental requirements, may be considered upon application for social housing designation and subsequent site specific rezoning and regulations. A development plan shall be required upon application for redesignation or rezoning that includes information and future development phases including projected densities, impacts on the land and neighbourhood including the provision of waste supply, waste disposal and retention of natural vegetation.

6.3.9.2 A housing agreement may be required upon application for redesignation and rezoning to Social Housing.

6.3.9.3 Social housing developments shall only be located where there is compatibility with existing and potential land use on neighbouring parcels.

6.3.9.4 Social housing developments shall be of a scale and character that is compatible with the neighbourhood ambience and the natural environment.

6.3.9.5 The principal use in this category shall be residential.

6.3.9.6 Condominiums or multi-unit townhouse type development shall not be encouraged.

6.3.9.7 Public access to the existing trail system shall be secured wherever possible through dedication, covenant or easement.

6.3.10 Land Co-operatives

Background:

Historically, there has been co-operative ownership of some large parcels which has been viewed as consistent with the character of the community. It was felt the co-operative lifestyle on rural large parcels of land required fewer roads, allowed sharing of resources, and made the acquisition of property more affordable for more people

The Land Cooperatives designation is intended to promote the retention of large parcels of land, while still providing an opportunity for cooperative land sharing. These rural residential areas are intended to maintain rural aesthetic appeal while permitting home occupation and minimizing the impacts on surrounding land parcels. The designation is also intended to establish site specific co-operative zones that recognize co-operative land tenure for the benefits it provides in terms of affordable housing. Land in this designation may be held by organizations such as community

land trusts and societies established under the "*Cooperatives Act*".

Objective:

The objective of this designation is to support Land Cooperatives with the intention of providing opportunity for common ownership and recognition of co-operative land tenure including Lands Trusts.

Policies:

Policies 2.2.1 and 2.2.2 apply to all sections of this plan.

Policies in subsections 6.1 and 6.3.1 apply to this subsection.

6.3.10.1 Upon application to the Local Trust Committee for a re-designation and rezoning, parcels 10 acres or greater may be considered for Land Cooperative designation and then the subsequent site specific rezoning and consistent land use bylaw regulations subject to Vancouver Island Health Authority standards. A development plan shall be required upon application for redesignation or rezoning that includes information and future development phases including projected densities, parking requirements, impacts on the land and neighbourhood including the provision of water supply, waste disposal and retention of natural vegetation.

6.3.10.2 Two existing properties that have been designated as Land Co-operatives as a result of this Plan. Subsequent land use bylaw regulations shall be created to remedy historical situations where parcels are in co-operative ownership with each member owning a share believing the share granted him/her the right to build a house. Two parcels are identified in this category: Section 15, South 1/2 of Southeast 1/4 (Syzygy Co-operative Community) and Plan 26456A, Section 4A, and portion West 1/2 Section 4 (Shire Co-operative Community).

6.3.10.3 The principal use in this category shall be residential, and agricultural use is permitted.

6.3.10.4 The existing number of dwellings as on November 29, 2002 shall be permitted on the land designated Land Co-operative (the existing land cooperatives known as Shire and Syzygy). Additional dwellings may be considered through a zoning amendment application that must be accompanied by a development plan for the whole property that demonstrates minimal incremental impact. The development plan should address the overall impacts of land uses including: provision of water supply, waste disposal, parking requirements, retention of natural areas, retention of agricultural lands and impacts on neighbouring properties.

6.3.10.5 Home occupations subject to land use bylaw regulations may be permitted but shall be limited to those having little impact on the area's character and environment.

6.4 Agricultural

6.4.1 Agricultural

Background:

The early development of Hornby Island included agriculture as a primary occupation. However by 1997 the Assessment Authority listed only 27 parcels with a farm unit number. Many of the

largest holdings with good soil have now been subdivided or are vacant. Residential uses of agricultural land has increased pressure for subdivision. Small-scale farming operations serving primarily local needs are prevalent.

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Policies in this section refer to the use of any land for agriculture and do not necessarily deal with issues of preserving land in the Agricultural Land Reserve. Section 6.4.2 of this Plan contains policies on the preservation of the Agricultural Land Reserve which is considered a natural resource of the Island. Agricultural areas have a minimum subdivision potential of 16 hectares (39.5 acres) or greater unless otherwise noted.

Agriculture on Hornby has been declining and many prime agricultural regions have previously been subdivided or are not being actively farmed.

Objectives:

The objectives of this subsection are:

- (1) to support continuing agricultural use of land and associated activities,
- (2) to ensure that the use of land in the Agricultural designation does not compromise the capability of the land for future food production,
- (3) to encourage retention of large parcels of land for agriculture, and
- (4) to ensure agricultural practices do not cause contamination of the groundwater resource.

Policies:

Policies 2.2.1 and 2.2.2 apply to all sections of this plan.

Policies in subsection 6.1 apply to this subsection.

6.4.1.1 For any subdivision of properties designated agriculture a minimum parcel size of 16 hectares (40 acres) shall be maintained.

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6.4.1.2 Despite section 6.4.1.1 a minimum parcel size of 4 hectares (9.88 acres) shall be permitted on the portion of Parcel C (DD 1997351) of the South East $\frac{1}{4}$ and the East $\frac{1}{2}$ of the South West $\frac{1}{4}$ of Section 10, Hornby Island, Nanaimo District, designated Agriculture.

6.4.1.3 The principal use in this category shall be agriculture, with residential use a permitted secondary use.

6.4.1.4 One dwelling only shall be permitted on lots smaller than four hectares (10 acres) and two dwellings shall be permitted on parcels four hectares (10 acres) or greater.

6.4.1.5 Home occupations which do not impinge upon the principal farm use and which will not cause any degradation of the land nor reduce its capability for agricultural production shall be permitted, subject to bylaw regulations.

6.4.1.6 All agricultural activities shall be conducted in accordance with the Code of Agricultural Practice for Waste Management, Agriculture Waste Control Regulation, *Waste Management Act*, the *Farm Practices Protection Act* and the *Health Act* administered by Ministry of Water, Land, and Air Protection.

6.4.1.7 The spreading of agricultural waste shall be regulated such that water courses or groundwater resources are not contaminated.

6.4.1.8 Commercial land-based aquaculture operations shall be regulated by zoning. Before any application for a rezoning to allow upland aquaculture (using freshwater or saltwater ponds or tanks) shall be considered, a site specific analysis of the potential impacts of water consumption, waste disposal, drainage or potential spills on the surrounding land and upon surface water and groundwater will be required

6.4.2 Additional Policies for Land in the Agricultural Land Reserve

Background:

Agriculture is the traditional land-based economic activity of Hornby Island. There are about 824 hectares (2060 acres), 27% of the land base, in the Agricultural Land Reserve, and subject to the *Agricultural Land Commission Act*, which was intended to preserve land with agricultural potential to provide a secure source of food for the future residents of the Province. Farming is encouraged in parcels within the Reserve and non-farming use is regulated by the Commission.

There are 102 parcels on Hornby located within the Land Reserve. The average area of these parcels is 7.2 hectares (18 acres). This land is of high to medium capability for agriculture and is reserved for present or future production. Schedule C, the land status map, identifies land in the Agricultural Land Reserve and Schedule B, the land use map, shows land used primarily for agriculture, most Agricultural Land Reserve land falls in that category.

Objectives:

The objectives of this subsection are:

- (1) to retain land with potential for agriculture;
- (2) to ensure that agricultural land in the land reserve is not degraded, and
- (3) to enable accessory uses that are compatible with farming and the preservation of agricultural land.

Policies:

Policies 2.2.1 and 2.2.2 apply to all sections of this plan.

Policies in subsection 6.1 apply to this subsection.

6.4.2.1 The retention of the Agricultural Land Reserve and the Agricultural Land Commission to protect against the loss of the potential for self-sufficiency in agricultural production in the Province of British Columbia shall be supported.

6.4.2.2 Land designated agricultural that is proposed for non-agricultural uses deemed to be in the public interest by both the Agricultural Land Commission and the Local Trust Committee may be considered for rezoning and for removal from the Reserve, the latter being subject to other land of comparable or better agricultural potential being added to the Reserve.

6.4.2.3 The minimum parcel size of parcels within the Agricultural Land Reserve designation is sixteen hectares (40 acres).

6.4.2.4 Despite section 6.4.2.3 a minimum parcel size of 4 hectares (9.88 acres) shall be permitted on the portion of Parcel C (DD 1997351) of the South East ¼ and the East ½ of the South West ¼ of Section 10, Hornby Island, Nanaimo District, designated Agriculture.

6.4.2.5 To support existing agricultural operations, accessory uses will be permitted where such uses do not impinge on the principal farm use and will not degrade the land nor reduce its

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capability for agricultural production.

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

6.4.2.7 Uses shall be regulated in buffer areas on properties adjacent to land in the Agricultural Land Reserve to minimize any adverse impacts.

6.4.2.8 The Ministry of Energy, Mines and Petroleum Resources shall be requested to ensure there is no extraction of gravel in areas designated agricultural.

6.4.2.9 Soil removal except for purposes of improving the agricultural soil resource on Agricultural Land Reserve lands subject to provisions of the Soil Conservation Act shall not be permitted.

6.4.2.10 The sale of farm products together with the retailing of some off-farm products as allowed by the Agricultural Land Commission shall be permitted.

6.5 Commercial and Home Occupations

Background:

Commercial use policies are classified into retail and personal service and visitor accommodation. In 1997 the Assessment Authority listed 11 commercial properties on the Island.) The two main classifications have very different criteria for location as defined in the objectives. Schedule B includes designations for three types of commercial land use: retail and personal service, visitor accommodation and limited commercial use. Limited commercial use, reflects an existing land use that is retail in nature but limited by bylaw to activities associated with a bakery. It is not a designation of future classification, it is considered a special case so there are no specific policies defined in this section for it.

Home occupations also provide some opportunity for commercial activity and may involve the sale of products produced on site or provision of personal services. These uses are permitted in residential areas and so are not designated as a separate land use on Schedule B. There are policies that guide the use listed in this section. Home occupations are permitted only if the residential character of the property is maintained and the product or service is produced by the resident. When a business retails products not produced on-site or at such a large scale that the impact on the property changes the residential character, then appropriate commercial zoning is required.

6.5.1 Retail and Personal Service

Background:

The three existing retail commercial designations on the Island (Co-op Corner, Shingle Spit and Ford Cove, as well as one limited commercial designation {Syzygy}) are shown on the land use map, Schedule B. The Co-operative store, which has a large community membership, is located centrally on the island near Tribune Bay. This is the busiest commercial area on the island and its services include groceries and hardware departments, post office, liquor outlet, gas bar and independent local merchants operating small-scale food and retail businesses. On-site parking is unable to meet the demand at busy times. Ford Cove dock provides the only sheltered moorage

on Hornby Island and historically this area has developed to provide marine-related services. It is accessed from land by a steep and narrow heritage road and the location imposes constraints, including for parking. Ford Cove store provides grocery and other retail services 364 days a year. The Shingle Spit commercial area is located at the ferry terminal and provides a restaurant, pub, liquor store and visitor accommodation units.. A co-operative bakery operates at Syzygy on Central Road, with a number of associated small businesses including a popular pizza outlet.

Objectives:

The objectives of this subsection are:

- (1) to support the existing pattern of one major centre (Co-op) and three lesser centres (Ford Cove, Shingle Spit and Syzygy) for general or limited commercial uses shown as retail and personal service on Schedule B, the land use map,
- (2) to support the concept of a village centre in the central area of the Island,
- (3) to protect the environment from degradation and resources from depletion while providing opportunity for commercial activities,
- (4) to protect the integrity of quiet residential and rural neighbourhoods,
- (5) to prevent commercial strip development, and
- (6) to ensure the scale, form and character of all commercial developments harmonize with the natural surroundings and the rural character of the Island.

Policies:

Policies 2.2.1 and 2.2.2 apply to all sections of this plan.

Policies in subsection 6.1 apply to this subsection.

- 6.5.1.1. The existing commercial locations for retail and personal services (as shown on Schedule B) of one major centre (Co-op) and two lesser centres (Ford Cove and Shingle Spit) for general commercial uses and one centre (Syzygy) for limited commercial use associated with a bakery shall be supported.
- 6.5.1.2 Limited expansion of commercial zoning at the present Co-op location shall be supported to enable improved operation of existing services, such as a new gas bar and additional provision for parking subject to Agricultural Land Commission approval.
- 6.5.1.3 Proposals for new patterns of commercial development (including for example a village centre located near the community hall or very small scale neighbourhood stores) may be considered, particularly where these will reduce the overall impact of commercial development, vehicle usage and parking and will better serve the needs of the population.
- 6.5.1.4 Applicants for commercial zoning must provide a Development Plan and demonstrate that there is sufficient available water supply (including utilizing rainwater catchment and storage systems), effective sewage and used water treatment, and waste disposal capability, and adequate provision for parking to serve the business and clientele both at the time of application and at ultimate projected growth levels. A hydrological study may be required in situations where there is reason to be concerned about impacts upon the groundwater resource.
- 6.5.1.5 The scale of use, the degree of servicing, including roads and parking, the provision of open space, signage and the form and character of any new commercial development shall be regulated through Development Permit.
- 6.5.1.6 For any subdivision of property designated retail and personal service, a minimum parcel size of one hectare (2.5 acres) shall be permitted as designated on Schedule B.
- 6.5.1.7 The principal land use shall be small-scale commercial business.

- 6.5.1.8 Residential use may be permitted as a use secondary to a commercial use.
- 6.5.1.9 Clustering of compatible retail and personal service businesses will be encouraged by providing mixed zoning in designated areas.
- 6.5.1.10 Ribbon or strip development shall not be supported.
- 6.5.1.11 Petroleum product services must incorporate provisions for containment and treatment of all leaks or spills, utilizing innovative technologies and where appropriate utilizing effective available technologies.
- 6.5.1.12 Temporary Use Permits as provided for in the *Local Government Act* will be permitted in areas designated for:
- a) truly temporary commercial events,
 - b) short term projects,
 - c) a period of evaluation of a new commercial venture (that does not involve significant new development) prior to application for rezoning, or
 - d) uses for a period of time to enable impacts to be assessed before any further permitting of the use.
- 6.5.1.13 Land may be rezoned to supply an off-site parking lot to a commercial use within 100 meters of the property containing the commercial use without an amendment to the Official Community Plan map Schedule "B" provided the zone does not permit associated structures nor human habitation of vehicles.
- 6.5.1.14 Subject to decisions by the Ministry of Transportation and the Agricultural Land Commission, approximately 1 ha of the western portion of a property within the Agricultural Land Reserve adjacent to Shields Road and Central Road may be considered for redesignation and rezoning to allow more land to be available to accommodate the existing permitted uses of the Hornby Island Co-op, and in particular, to enable the continuation of the gas bar services and the provision of required parking.

6.5.2 Visitor Accommodations and Tourism

Background:

Hornby Island has become widely known for its scenery, recreational opportunities, ambience, and locally created crafts and art. The Island's increasing popularity as a summer destination has made tourism both a key component of the local economy and a cause for concern because of its impacts. Island services, such as ferries, roads and the recycling depot, become heavily loaded in the summer. Fragile ecosystems are susceptible to degradation. The greatest demand for water is generated at the time of declining groundwater availability while the adequacy of existing systems to handle the volume of sewage and used water is questionable. The large influx of people can be stressful to a small community and can present safety and law enforcement problems.

This creates the challenge of providing visitor accommodation in a manner and at a level that caters to visitors and provides much-needed employment while protecting the Island's environment, sustaining its resources and amenities and preserving the ambience and character of the community.

Unsupervised and unserviced camping is not considered desirable because of the impact on quiet residential or rural neighbourhoods, the risk of fire, and because public services are not readily available. The provision of such facilities as public washrooms and waste disposal sites could place a burden on the available water supply and thereby threaten the availability of those resources for use by the local community population. Currently, the Island is supplied with visitor accommodations in the form of five campgrounds, three resorts with rental cabins and a restaurant, and several bed and breakfasts. Short-term rental of residential units has been a long-standing means of providing visitor accommodation, but there is also concern about impacts, both in neighbourhoods and cumulatively.

Objectives:

The objectives of this subsection are:

- (1) to allow, through appropriate zoning, for a variety of types of small-scale visitor accommodation operations that meet health, safety and environmental objectives,
- (2) to allow forms of accommodation which have the least impact on the quiet rural character of the Island,
- (3) to ensure all accommodations can be adequately serviced,
- (4) to allow for recreational opportunities to the citizens of the Province without stressing the existing natural and social systems and services,
- (5) to encourage a kind of tourism which is compatible with preserving and protecting the environmental and social qualities of Island life for present and future generations and to discourage large scale tourist accommodation,
- (6) to emphasize activities which involve quiet, low impact use of existing natural features and amenities rather than man-made ones, and
- (7) to prevent undue cost to the local taxpayers in providing basic facilities for visitors.

Policies:

Policies 2.2.1 and 2.2.2 apply to all sections of this plan.

Policies in subsection 6.1 apply to this subsection.

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- 6.5.2.1 Accommodation for visitors shall be environmentally sensitive, small-scale and low density and may be dispersed around the Island. Convention centers or multi-room hotels shall not be permitted.
- 6.5.2.2 "Destination resort" type development, designed to draw large numbers of tourists at one time, are considered inappropriate on Hornby Island and shall not be permitted.
- 6.5.2.3 Applicants for visitor accommodation zoning must provide a Development Plan and be able to demonstrate that there is sufficient available water supply with Vancouver Island Health Authority approval (including utilizing rainwater catchment and storage systems), effective and approved sewage and used water treatment, waste disposal capability and adequate provision for parking to serve the business and clientele both at the time of application and at ultimate projected growth levels. A hydrological study may be required in situations where there is reason to be concerned about impacts upon the groundwater resource.
- 6.5.2.4 The scale of use, the degree of servicing, including roads and parking, the provision of open space, signage and the form and character of any new commercial development for visitor accommodation shall be regulated through Development Permit to retain a rural character and reflect community values.

- 6.5.2.5 One existing property, Lot A Plan 38493 Section 13 (known as Bradsdaslands), has been designated as Visitor Accommodation to recognize an historically legal non-conforming situation in which the parcel has been used for a campground. This parcel shall be designated as a Development Permit Area and land use bylaw regulations will limit the permitted development to the established legally non-conforming use.
- 6.5.2.6 Large-scale campgrounds and other tourist facilities shall be permitted only by rezoning. Only campgrounds without individual hook-up of power and water services are considered appropriate.
- 6.5.2.7 Small resorts and lodges with cabins, hostels, camping facilities, or dormitories used only for transient accommodation are considered appropriate on non-Agricultural Land Reserve acreage upon site specific zoning only.
- 6.5.2.8 Small-scale bed and breakfast facilities shall be permitted as a home occupation and shall be regulated to ensure that the residential character of the site is maintained and that there is sufficient provision for parking, water supply and approved waste disposal and minimal impact on adjacent properties.
- 6.5.2.9 Upon application for a Temporary Commercial Use Permit, Bed and Breakfasts may be allowed to provide a full complement of meals to overnight guests only, subject to Vancouver Island Health Authority standards for water supply, food preparation and waste disposal.
- 6.5.2.10 The rental of an individual dwelling unit in order to provide temporary accommodation for paying guests shall be permitted as a home occupation. The home occupation shall be operated in accordance with land use bylaw and with guidelines prepared by the LTC in consultation with the community.
- 6.5.2.11 Rainwater catchment and storage systems and water conservation shall be encouraged for all types of visitor accommodation.
- 6.5.2.12 New developments and promoted events shall be encouraged to focus upon year-round and off- season activity rather than upon attracting more visitors during the summer peak season.
- 6.5.2.13 A position of "welcome without promotion" to tourism use of the Island shall be adopted.
- 6.5.2.14 Information provided to visitors should emphasize the fragility of the environment, the limited resources (particularly the need to conserve water) and the appropriateness to the Island of low impact recreational activities.
- 6.5.2.15 Toilet facilities at beaches and the provision of safe fresh water from community wells shall continue to be supported for the use of visitors to the Island.
- 6.5.2.16 The RCMP shall be requested to provide adequate policing on the Island particularly in the summer months to address issues of safety and public disturbance.

6.5.3 Home Occupations

Background:

Home Occupations are allowed to various degrees in most designations that permit residential

uses. A home occupation is a type of commercial activity involving limited services and the sale of products crafted in the home or upon a property. General retail sale of fabricated products produced off the Island is not considered a home occupation. The retail sales of materials used in a home occupation (such as lumber, fabric and potting clay) is considered part of the home occupation. Home occupations must be clearly secondary to residential use and the character of the property must remain residential in appearance. Some home occupations, such as workshops, repair shops and saw-milling, may involve noise and outside storage, and therefore, these uses are restricted by regulations to larger sized properties with regulations to deal with impacts.

In order to provide a range of possible activities that are compatible with the neighbourhood and environment there are two types of home occupation land use categories: Home Occupations and Extended Home Occupations.

Objectives:

The objectives of this subsection are:

- (1) to encourage small businesses to enhance the economy and self reliance of the Island community,
- (2) to allow opportunities for residents to carry out limited businesses on the property of their principal residence;
- (3) to ensure that there is no degradation of the environment or depletion of natural resources, and
- (4) to retain a rural and/or residential character in all neighbourhoods.

Policies:

Policies 2.2.1 and 2.2.2 apply to all sections of this plan.

Policies in subsection 6.1 apply to this subsection.

6.5.3.1 Home Occupation means an occupation or profession conducted for gain by a full-time or part-time resident of the lot on which the dwelling is located. Home Occupation use must be clearly incidental to the use of the dwelling or parcel for residential purposes. The two types of home occupation uses are:

- a) Home Occupations which shall be allowed on all properties designated on Schedule B for residential use and shall be conducted entirely within the dwelling or accessory building, and
- b) Extended Home Occupations which shall be allowed on all properties designated on Schedule B for residential use except properties as designated as Small Lot Residential, Compact Residential and Social Housing. Extended home occupations shall be conducted within the dwelling, a permitted accessory building or outdoors on the property.

6.5.3.2 Home Occupations shall be permitted as a secondary use to a permitted residential use and shall be regulated by land use bylaw.

6.5.3.3 Any occupation involving significant use or production of toxic, odour causing or flammable materials and/or conducted at a scale or in a manner that may cause public or environmental health risks shall not be permitted as a Home Occupation use.

6.5.3.4 Home Occupations shall be regulated according to the nature of the enterprise and the potential impacts to the environment and surrounding properties such as water supply,

waste disposal, noise, odours and visual impact.

6.5.3.5. Extended Home Occupation regulations shall be designed as follows:

- a) to protect groundwater catchment areas from pollutants,
- b) to require screening that ensures that wide buffers of native vegetation are left along roads and property lines,
- c) to ensure that no activity involving emission of toxic or irritant material shall be permitted that does not conform to the Provincial regulations and guidelines,
- d) to require that occupations that generate on-going noise (such as machine shops and woodworking shops) are conducted in fully enclosed and insulated buildings with sufficient setbacks from adjacent properties,
- f) to require that operations that create significant noise (such as stationary saw-milling) are restricted to larger lots with appropriate setbacks and/or buffering,
- f) to address the size of buildings used for Extended Home Occupations,
- g) to ensure signage and lighting are compatible with the rural landscape, and
- h) to exclude certain activities that may require a significant water supply, generate waste disposal, odour or noise or involve other potential environmental impacts. Excluded activities may be considered following an application for a Temporary Use Permit which would carry certain conditions to address potential impacts.

6.5.3.6 Bed and Breakfasts operated within a dwelling are permitted as a home occupation use and shall be operated in accordance with land use bylaw regulations.

6.5.3.7 The rental of an individual dwelling unit in order to provide temporary accommodation for paying guests shall be permitted as a home occupation. The home occupation shall be operated in accordance with land use bylaw and with guidelines prepared by the LTC in consultation with the community.

6.5.3.8 Coaching and teaching facilities with minimal environmental impact may be allowed as extended home occupations and shall be operated in accordance with land use bylaw regulations.

6.5.3.9 Other small-scale home occupations not covered by Policy 6.5.3.5 may be considered for larger properties upon application to the Local Trust Committee for a Temporary Use Permit which will include specific conditions addressing environmental protection, waste disposal, water supply, monitoring, setbacks, screening and noise buffering requirements.

6.6 Recreational

6.6.1 Outdoor Recreation

Background:

Most of the outdoor recreation opportunity is provided by the natural features of Hornby: the coastal waters, shoreline areas and the forested interior accessed through a long-established system of traditional trails. The Island is endowed with a rich variety of recreation options—from kayaking, sailing or scuba diving off shore, hiking, biking or riding on Mount Geoffrey, strolling along the trails of Helliwell, to relaxing on Tribune Bay's beaches. In addition to the Provincial and Regional Parks and properties under Ministry of Transportation jurisdiction noted in subsection 2.6.1, the Community School playing field and the Joe King Park (Hornby Island Athletic

Association) also provide opportunities for outdoor recreation.

Following amendments to the *Occupier's Liability Act* in 1998, there is now very minimal liability with respect to people using trails on private land. People entering a property for recreation purposes are "deemed to have willingly assumed all risks".

Objectives:

The objectives of this subsection are:

- (1) to retain the traditional accesses to shoreline, beach areas, Crown land, and viewpoints, and
- (2) to ensure that outdoor activities are compatible with the natural environment and with the rural ambience of a small island.

Policies:

Policies 2.2.1 and 2.2.2 apply to all sections of this plan.

Policies in subsection 6.1 apply to this subsection.

- 6.6.1.1 Present public accesses to the waterfront and Crown land, as shown on the Schedule C, should be continued and maintained in a safe condition and additional accesses shall be obtained, where possible, at time of subdivision, or rezoning.
- 6.6.1.2 The Ministry of Transportation shall be requested to:
 - a) maintain and sign public accesses,
 - b) ensure that they are not used for camping, overnight parking or obstructed by adjacent land owners,
 - c) where required and formally requested by the community, construct and maintain safe steps made from natural materials such as stone and wood to access public beach areas, at Sandpiper and other beach accesses,
 - d) prevent unauthorized encroachment upon or disturbance of these areas (such as structures, tree cutting, garbage dumping or obstruction of access),
 - e) support local stewardship arrangements for the water accesses and allowances not in use for roads.
- 6.6.1.3 No activities that would restrict public access to or across the beaches shall be permitted.
- 6.6.1.4 Overnight parking or camping on public land or beaches shall be discouraged for health and fire protection reasons.
- 6.6.1.5 Viewpoints and access to them shall be protected in any way possible.
- 6.6.1.6 Outdoor recreation activities that pose a threat to the environment or to public enjoyment of public amenities shall not be permitted.
- 6.6.1.7 Motorized outdoor recreation activities on the land, on the water adjacent to the shoreline and in the air above or adjacent to the Island are not considered appropriate and shall be discouraged.
- 6.6.1.8 Organizers of outdoor recreation activities or events shall ensure that these do not unduly interfere with the public access and enjoyment of the land and shall 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.

6.6.1.10 Initiatives to educate the public to prevent damage of natural features shall be developed and supported.

6.6.2 Recreation Facilities

Background:

Because of the Island's distance from the nearest town, some residents of Hornby Island wish to have a range of recreational facilities of an appropriate scale provided on the Island. Residents are not able to use regional facilities without the additional cost of transportation and sometimes overnight accommodation off-Island. It is anticipated that if the year-round population grows, and as more people move to Hornby from urban areas, there will be an increased focus in the community upon providing additional recreational facilities. In particular, there has been continuing interest in establishing a public swimming pool. An increase in summer residents and visitors may generate requests for the provision of commercial recreational activities.

Objectives:

The objectives of this subsection are:

- (1) to encourage appropriate use of natural recreational opportunities rather than develop significant artificial infrastructure,
- (2) to minimize the impact of recreation facilities on the natural environment,
- (3) to ensure that any recreational facility is of a scale appropriate to the rural nature and size of the Island,
- (4) to ensure that any new facilities are broadly supported and do not place a heavy burden upon taxpayers, and
- (5) to ensure that facilities, if located on Crown land or publicly funded, be accessible to all of the community.

Policies:

Policies 2.2.1 and 2.2.2 apply to all sections of this plan.

Policies in subsection 6.1 apply to this subsection.

6.6.2.1 All recreation facilities should be so located and of such scale that they do not stress the fragile ecology and limited water resource.

6.6.2.2 All public facilities should be within the ability of the taxpayers to pay for such services and subject to public involvement in planning and implementation.

6.6.2.3 Planning for recreational facilities shall ensure that they do not alienate existing public uses nor involve significant removal of natural vegetation and should allow for re-habilitation or re-establishment of native vegetation where this has been disturbed.

6.6.2.4 Public recreational facilities should be located in the area designated for public use near the Community Hall and any exceptions shall be subject to a rezoning.

6.6.2.5 Commercial recreational facilities shall only be established through re-designation and rezoning. Any applications for such facilities shall be carefully evaluated to ensure that they do not:

- a) require an excessive supply of water,

- b) generate a clientele that is likely to put additional stress upon transportation systems, Island resources and local infrastructure,
- c) have adverse impacts upon the ecosystem, groundwater recharge areas and riparian areas (for example through the use of pesticides and fertilizers), and
- d) have an adverse impact upon the neighbourhood and adjacent properties (including public areas) or upon Island character.

6.6.2.6 Activities that are noisy, potentially dangerous, polluting, or incompatible with the natural landscape such as amusement parks, shooting ranges, water slides or go-cart tracks shall not be permitted.

6.6.2.7 Destination gaming facilities such as casinos and commercial bingo halls shall be prohibited.

6.6.2.8 Efforts to provide information that will encourage knowledgeable and minimal impact use of natural areas shall be supported.

6.7 Marine

6.7.1 Foreshore

Background:

The foreshore zone is defined as the land located between the highest tide line and the lowest tide line. This is public land managed by Land and Water BC Inc. Although the Crown is not bound by local bylaws, any occupiers must comply with the bylaws. From time to time commercial operators acquire leases for part of the foreshore for the cultivation of shellfish such as oysters. Where the harvest is for naturally occurring resources such as clams, the operators are not subject to local bylaws and there is evidence that they are cropped to the point of endangering the continuation of the resource. It is recognized that commercial oyster operators do not rely on naturally occurring stocks and by reserving areas between leases for use of the public, the commercial operators actually contribute to maintenance of the naturally occurring resource.

Objectives:

The objectives of this subsection are:

- (1) to ensure any use of the foreshore does not result in damage to the natural systems,
- (2) to minimize the impact of uses and users on upland owners,
- (3) to ensure owners of property on the shoreline do not pollute the foreshore areas,
- (4) to ensure public opportunity to use the foreshore areas, and
- (5) to protect the scenic values of the foreshore areas.

Policies:

Policies 2.2.1 and 2.2.2 apply to all sections of this plan.

Policies in subsection 6.1 apply to this subsection.

6.7.1.1 Foreshore zoning shall be designed to protect against disruption of natural beach systems and pollution of the foreshore zone.

6.7.1.2 Any marine industrial operation that would alter or damage the foreshore such as boat ways or log dumps shall be prohibited by regulation.

- 6.7.1.3 The use of structures, pens, cages, or other apparatus on the foreshore for mariculture or aquaculture operations shall be regulated through zoning.
- 6.7.1.4 Private wharves, docks and/or breakwaters shall be prohibited by regulation.
- 6.7.1.5 The Ministry of Water, Land and Air Protection and Land and Water BC Inc. shall be requested to:
- a) ensure commercial leases fronting on residential areas are located to permit public access to the water at regular intervals, and to ensure public right-of-way along all beaches is preserved,
 - b) designate community beaches to permit community cultivation of oysters and clams for recreational harvesting only, and
 - c) encourage and protect marine life by opposing any filling or excavation of sand, gravel or any natural deposit on the foreshore.
- 6.7.1.6 The Ministry of Agriculture, Foods and Fisheries shall be requested to refer any new shellfish lease applications or proposals for expansions of shellfish lease sites to the Local Trust Committee for consideration.
- 6.7.1.7 The Ministry of Water, Land and Air Protection, Land and Water BC Inc. and the Ministry of Agriculture, Foods and Fisheries shall be requested to ensure that foreshore areas between leases and containing naturally occurring oyster populations be kept accessible for harvest by the general public.

6.7.2 Coastal Waters

Background:

The Hornby Local Trust Area extends out 1000 metres from the shoreline of Hornby except where it overlaps another jurisdiction such as Denman Island, when the boundary becomes a line mid-channel. In coastal waters the Local Trust Committee only has planning authority with respect to the surface of the water. The Federal Government has jurisdiction over the column of water (including fisheries and marine transportation) and the Province of British Columbia has jurisdiction over the bed of the Strait of Georgia.

Objectives:

The objectives of this subsection are:

- (1) to ensure that coastal uses are compatible with protecting the environment and amenities,
- (2) to protect the right of the public to access over waterways.

Policies:

Policies in subsections 3.8 and 4.3 apply to this subsection.

- 6.7.2.1 All uses of the waters within 1000 metres of the shoreline shall be regulated by zoning.
- 6.7.2.2 Permanent anchoring of floating camps or houseboats and the residential use of any vessel moored or beached shall not be permitted.
- 6.7.2.3 Temporary residential use of vessels shall be permitted by regulation at the Ford Cove Marina provided there are adequate toilet facilities in place.

6.7.2.4 The Local Trust Committee shall assist the Coastguard in assessing effects of developments on rights protected by the *Navigable Waters Protection Act*.

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Section 6.8 Climate Change Adaptation and Mitigation

Background:

Although it is recognized climate change can occur as a result of naturally occurring phenomena, in the context of this Plan climate change refers to the impact of increasing concentrations of heat-trapping greenhouse gases in the atmosphere as the result of human activities— primarily the burning of fossil fuels and large-scale deforestation. A 2007 report from the Intergovernmental Panel on Climate Change states that between 1970 and 2004, greenhouse gas emissions have increased by 70%. According to this report, this dramatic rise in atmospheric greenhouse gas concentrations has in turn triggered an increase in the average temperatures of near-surface air and ocean water, with temperatures projected to rise 1.1° to 6.4° C over the next century. Although seemingly slight, these temperature changes will have dramatic and negative impact on ecological systems around the globe.

In response to concerns about human-induced climate change, the provincial government gave Royal Assent to Bill 27 [*Local Government (Green Communities) Statutes Amendment Act, 2008*] on May 29, 2008. Bill 27 amends the *Local Government Act* and other Provincial regulations to provide new tools for local governments. Most significantly, Bill 27 requires that all local governments include greenhouse gas emission reduction targets—and policies and actions to achieve those targets— in their Official Community Plans.

The following targets, objectives, policies and actions are the first step to ensuring that the reduction of greenhouse gas emissions specifically and the impact of climate change in general become part of the planning process for Hornby Island. This part of the Plan contains objectives and policies relating to the reduction of greenhouse gas emissions and the broader topic of climate change adaptation and mitigation.

This Plan sets the following interim target:

- *Target: to reduce greenhouse gas emissions by 25% by 2020 and 80% by 2050 based on 2007 levels. Within the local trust area this reduction will be achieved by actions resulting from individual and community initiatives, the actions of other levels of government, technological changes, and changes to land use policies and regulations.*

Objectives:

The objectives of this subsection are:

- (1) to give consideration to the impacts of climate change in all land use decisions,
- (2) to support actions in land use, site planning, and construction that will result in the reduction of greenhouse gas emissions,
- (3) to focus on those actions that can be taken locally to mitigate and adapt to global changes,
- (4) to protect the natural landscape and minimize the carbon footprint of residents and guests on Hornby Island.

Policies:

- 6.8.1 The Local Trust Committee should work with the community to develop revised greenhouse gas emission targets (to replace the interim targets stated in this Plan) that are locally based and that have a capacity for being monitored.
- 6.8.2 The Local Trust Committee should consider the development of new criteria for assessing official community plan or zoning amendment applications from the perspective of climate change adaptation and mitigation.
- 6.8.3 This Plan strongly encourages the retention of forest cover except for the clearing of land for farming in the Agricultural Land Reserve. Trees on private property should be maintained where possible to sequester carbon and provide habitat, although it is understood that some clearing is necessary for growing food to guard against forest fires and to create protected house sites.
- 6.8.4 The Local Trust Committee should consider any proposals for new development potential in the context of the overall development potential of the Island, and the global dynamics of climate change.
- 6.8.5 This Plan supports limitations on the size of buildings and opportunities for attached dwelling units and visitor accommodation units.
- 6.8.6 This Plan strongly encourages the incorporation of green building techniques and alternative energy systems (solar, wind, geothermal, or water based) into residential housing, whether it is new construction or renovations.
- 6.8.7 This Plan encourages residents to participate in ride sharing and car pooling as simple but effective ways to reduce greenhouse gas emissions.
- 6.8.8 This Plan encourages the development and maintenance of safe multi use trails and bike lanes to facilitate non-motorized forms of travel.
- 6.8.9 The Local Trust Committee should consider supporting the local provision of services that residents presently travel off-island to access.
- 6.8.10 A number of Climate Change adaptation and mitigation actions are identified that can only be achieved through cooperation and initiatives resulting from individuals and the community, the actions of other levels of government, technological changes, and changes to land use policies and regulations. In order to foster such actions the Local Trust Committee should:
 - a. develop improved methods of determining and assessing the energy efficiency and climate change impacts of proposed development when it is processing land use applications. Application checklists should be revised to include climate change mitigation and adaptation criteria, such as energy efficiency, renewable energy and carbon sequestration impacts.
 - b. support opportunities for incentives to encourage “climate wise” actions, including water conservation, storm water retention, the use of alternative energy sources for home use, and the use of alternative transportation methods;
 - c. review land use regulations to provide for community gardens and community food processing and storage facilities in appropriate locations and encourage residents to pursue the establishment of such gardens and facilities;
 - d. encourage local food production and explore with the community options for creating a Farm Plan;

- e. encourage residents, community groups, businesses and other entities to pursue alternative transportation options, such as a bus service or green bicycle program;
- f. encourage the Province to reduce the maximum speed limit on Hornby Island to 50 kph and to consider measures that will enable and support the use of alternatively-powered vehicles;
- g. Encourage the Insurance Corporation of British Columbia to link insurance rates to the mileage actually driven in the previous year by means of a tamper proof odometer. This would also offer valuable information for the calculation of greenhouse gas emissions across British Columbia;
- h. Encourage BC Ferries and the Province to consider pricing strategies and services that will support car-pooling, the use of small energy-efficient vehicles and passenger travel on ferries;
- i. Encourage School District 71 to allow for the use of the school bus by residents of Hornby Island for traveling to and from the Island, should extra space be available on the bus;
- j. Encourage the Province to amend policies and legislation and allow rainwater collection as a source of potable water, and to require that all new development include systems for water catchment and treatment; and,

Work with Trust Council to develop a web based carbon neutral calculator to assist residents in calculating their personal and household greenhouse gas emissions.

6.9 Development Permit Areas

Background:

Section 920 of the *Local Government Act* provides that in areas designated as Development Permit Areas in an official community plan, land shall not be subdivided and construction of, addition to or alteration of a building or structure shall not be commenced unless the owner first obtains a Development Permit.

Development Permits may be issued by resolution of the Hornby Island Trust Committee for land in designated Development Permit Areas. Each designation must include a description of the special conditions or objectives that justify the designation and must specify guidelines on how the objectives will be fulfilled.

Development Permits shall be monitored by the Local Trust Committee on annual review basis.

6.9.1 Commercial

Development Permits to Define the Form and Character of Commercial Development

Development Permits for this purpose may vary or supplement bylaw regulations to specify the general character of the development and the siting and form of buildings and structures.

Areas: Commercial Centres (Retail and Visitor Accommodations)

Commercial Centres Development Permit Areas are as follows: Coop Store, Ford Cove, Shingle Spit, Sea Breeze, Cardboard House Bakery (Rural Service Zone), Tribune Bay Campground, Bradsdadsland and a portion of property north of Shields Road and Central Road as shown on Schedule E.

Justification:

Existing commercial centres were developed under the Development Permits permitted in legislation prior to 1985. These permits have authority over all aspects of the developments and have attempted to ensure that the form and character have been compatible with the rural atmosphere of the community.

To encourage continuation of that trend and to maintain the Island's rural atmosphere, all new and existing commercial development shall be designated a Development Permit Area. Commercial resorts and campgrounds are permitted on the Island subject to rezoning. The intent is to provide only small scale operations that meet health, safety and Trust objectives. To ensure the quiet rural lifestyle of the Island is maintained, the form and character of development should comply with the following guidelines:

Guidelines:

Development Permits issued in these areas shall be in accordance with the following guidelines:

1. The character of each development (including campgrounds) shall be in keeping with the rural environment and blend in with the aesthetic qualities of the natural surroundings.
2. The form of the development shall incorporate low, small-scale building designs with such amenities as public walkways and outdoor open spaces for use by the public, and include sufficient services to ensure public health is maintained.
3. Natural vegetation and trees should be maintained for screening of parking and storage areas and to enhance the privacy and rural flavour of public open spaces.
4. In order to minimize light pollution to neighbouring properties, lighting should be softer and lower than supplied by mercury vapour lighting towers, and alternatives that do not light up adjacent private properties shall be required.
5. Off-street automobile parking must be provided as required by bylaw and the Permit should ensure that it is adequately screened and unobtrusive and, if possible, is located to the rear of the parcel and away from public open spaces and eating places.
6. Adequate convenient toilet and washroom facilities must be provided for the number of customers anticipated.
7. Clustering of businesses in order to share in the provision of parking, services, and public facilities and open space shall be encouraged.
8. Natural landscaping shall be encouraged.
9. Neon or internally lit signs should not be permitted.
10. All buildings shall be finished in natural products such as wood or brick.

**6.9.2 Development Permit for Protection of the Natural Environment
Mt. Geoffrey Escarpment**

Area: Environmental Protection Development Permit Area as shown on Schedule E.

Justification:

The Mt. Geoffrey escarpment area contains watershed, wetlands, areas of slumpage, areas of high visibility and high scenic values. Any development could affect the water catchment capabilities and other natural values. The removal of tree cover could adversely affect all

values.

Guidelines:

Development Permits issued in these areas shall be in accordance with the following guidelines:

1. No permanent buildings or structures shall be permitted in the area subject to flooding or sloughing.
2. No septic tank or deposit field shall be constructed in the portion of the site that drains into the wetlands.
3. Alteration of the natural drainage of areas within the permit areas shall be minimized and scrutinized for impact and prohibited if such alteration would have a negative impact on the area being protected.
4. Where the Ministry of Water, Land and Air Protection has requested it, vegetation shall be retained or planted to control erosion or protect banks.
5. Areas of land located above the natural boundary of the sea shall remain free of development except in accordance with any conditions contained in the Permit.
6. Areas of 30% slope or greater shall remain free of development except in accordance with any conditions contained in the Permit.

6.9.2.2 Lot 11 Plan 25736 Water Collection System Protection Area

Area: Environmental Protection Development Permit Area as shown on Schedule E.

Justification:

Lot is adjacent to a water collection system that provides water to property owners in the Whaling Station Bay area.

Guidelines:

Development Permits issued in these areas shall be in accordance with the land use bylaw regulations and guidelines.

6.9.2.3 Lot 10, Plan 48077 Large Lot Residential/Water Resource Protection Area

Area: Environmental Protection Development Permit Area as shown on Schedule E.

Justification:

The objective of this subsection is to ensure that development and land uses allow for the protection of the water resource in a heavily-developed, highly-vulnerable aquifer.

BL 110

Guidelines:

Development Permits issued in this area shall be in accordance with the following guidelines:

1. Before any residential development is permitted on a new lot created by subdivision there must be approval of a permitted sewage and used water system and provisions for water catchment and storage in the development plans;
2. All development that takes place within this Development Permit Area should be done in a way that minimizes the degradation of water quality in surrounding wells;
3. If vegetation is to be removed in a way that exposes more than 280 square metres (3014 sq.ft.) of bare soil, then a plan should be implemented to control storm water drainage and avoid the deterioration of groundwater quality;

4. Non-residential structures should not be built in this area if they are to be used for the storage or handling of materials in quantities sufficient to pollute groundwater supplies; and
5. If a proposed land subdivision is to create additional new lots within this Development Permit Area, then any new lots, roads, building sites, septic fields and driveways should be located and constructed in a way that protects the quality of drinking water supplied from surrounding wells.

6.9.2.4 Parts of Sections 11 and 12 Designated PU and PS on Schedule B

Area: Environmental Protection Development Permit Area as shown on Schedule E.

Justification:

The public use area lies within a groundwater recharge area (identified in the *Groundwater Geochemistry Study on Hornby Island, B.C.* – Allen and Matsuo, SFU, 2001), which is upslope from one of the Island's main residential neighbourhoods. Developments within the public use area could involve institutional or community buildings and activities that could have a potential impact upon the water resource. Guidelines for issuing Development Permits can ensure that such potential impacts are addressed.

Guidelines:

Development Permits issued in this area shall be in accordance with the following guidelines:

1. Before any new development is permitted, there must be approval of a permitted sewage and used water system.
2. A significant portion of the water required by a new development must be provided by a rainwater catchment and storage system.
3. Any development involving activities that may utilize potential contaminants (such as, for example, an automotive service operation) must (a) include a containment system to ensure that no contaminant enters the ground and (b) comply with any applicable Provincial environmental standards and guidelines
4. A hydrology study may be required to identify any adverse impacts of a proposed development upon the groundwater recharge function of the land or upon the quantity or quality of the water resource of existing users. Where such impacts are identified, measures will be required to mitigate the impacts before development is permitted. A hydrology study will be required where a proposed development involves significant removal of vegetation, significant alteration of the ground, significant alteration of surface drainage, or significant use of groundwater.

Exemptions:

A Development Permit will not be required for additions to existing buildings or for accessory buildings or other structures where these do not involve significant alteration of the ground, removal of vegetation or additional activities and levels of use that will require additional water use or additional sewage and used water disposal capacity.

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6.9.2.5 Water Resource Protection Area

Area:

Environmental Protection Development Permit Area as shown on Schedule E.

Justification:

This designation is consistent with OCP Policy 2.2.2 as this area has been identified as a being within a IIA Aquifer (moderately developed – high vulnerability) and within a potential groundwater recharge zone.

Guidelines:

Development Permits issued in this area shall be in accordance with the following guidelines:

1. If any vegetation is to be removed in a way that exposes more than 280 square metres (3014 sq.ft.) of bare soil, then a plan shall be implemented to control storm water drainage from the exposed area so as to prevent the deterioration of surface water and groundwater quality on the subject land and adjacent lands.
2. Any new roads, building sites, driveways and septic fields should be located and constructed in a way that will minimize interference with the hydrological regime (including the natural flow of water on or below the surface of the land) and will not cause the deterioration of surface water or groundwater quality on the subject land or adjacent lands.

Exemptions:

A development permit will not be required for: accessory buildings having a floor area of 46.45 square metres (500 square feet) or less; or subdivisions where all of the lots being created are greater than 4 hectares in area.

6.10 Temporary Use Permits

Background:

Section 975 of the *Local Government Act* provides that temporary commercial or industrial uses may be permitted in areas designated in Official Community Plan. Upon application by a property owner the Local Trust Committee can issue a Temporary Use Permit through resolution. The permit can specify the conditions of use and the time period. Temporary Use Permits expire after two years unless specifically extended for a further period not exceeding two years.

Objectives:

The objectives of this subsection are:

- (1) to permit temporary commercial events,
- (2) to permit short-term projects,
- (3) to allow for a period of evaluation of new commercial ventures that do not involve significant new development prior to an application for rezoning,
- (4) to allow particular uses for a period of time to enable impacts to be assessed before any further permitting of the use, and
- (5) to allow light industrial home occupations that require a more rigorous permitting process than provided for under land use regulations for extended home occupations.

Policies:

Policies 2.2.1 and 2.2.2 apply to all sections of this plan.

6.10.1 Upon application, Temporary Use Permits may be considered for all parcels of land within the Hornby Island Local Trust Area, as shown on Schedule B, with the following exclusions:

- a) properties less than one quarter of a hectare (0.63 acre),
- b) land designated as park, ecological reserve, water supply protection area, as shown on Schedule B, and
- c) land identified as an ecologically sensitive area, as shown on Schedule D1 or D2.

- 6.10.2 All applications for Temporary Use Permits shall be referred to the Advisory Planning Commission which shall be requested to provide an opportunity for public input to be received and considered 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 provincial policies and regulations.
- 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 highly developed and if the proposed use involves more than minimal potential impacts upon the groundwater resource.
- 6.10.5 Where approvals are required from other agencies, these should be obtained prior to the issuing of a Temporary Use Permit.

- 6.10.6 The General Conditions for issuing a Temporary Use Permit are as follows:
- a) adequate off-road parking should be provided,
 - b) there should be adequate provision for approved waste disposal before consideration is given by the Local Trust Committee,
 - c) commercial uses (other than very short term) should be screened from adjacent residential uses,
 - d) industrial uses should be screened from adjacent properties and roads,
 - e) there should be adequate setbacks of the use to minimize impacts upon adjacent properties,
 - f) noise generation should be addressed to prevent disturbance of the neighbourhood and to ensure compliance with regional district regulations,
 - 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,
 - h) water supply should be addressed so as to not create negative impacts upon existing common water sources,
 - i) other potential impacts upon the neighbourhood should be mitigated, including by limitations upon the hours of operation where appropriate, and
 - j) the owner of the property may be required to provide a security to guarantee the performance of the terms of the permit.
- 6.10.7 Applicants for Temporary Use Permits should address the issues identified in the General Conditions in their applications and are strongly encouraged to consult with neighbours about the proposed use prior to making application.
- 6.10.8 Light Industrial activities which require specific consideration of impacts with respect to environmental protection, water use, waste generation, noise, odour, parking, or neighbourhood character, may be allowed upon application for a Temporary Use Permit that will contain specific conditions to address these impacts.

SECTION VII—ADMINISTRATION

7.1 Person Responsible

This Bylaw shall be administered by the Secretary and enforced by the Bylaw Investigation Officer of the Islands Trust or other employee of the Islands Trust appointed by resolution of the Hornby Island Trust Committee.

7.2 Implementation

7.2.1 The Hornby Island Local Trust Committee may use available regulatory tools as defined in the *Local Government Act* to implement this Plan.

7.2.2 The following instruments may be used to implement this plan: Development Permits, the Land Use Bylaw, Siting and Use Permits, Temporary Use Permits and covenants.

7.2.3 The Local Trust Committee shall formally communicate with the Regional District of Comox-Strathcona, Ministries of the Provincial government, departments of the Federal government and any other agencies mentioned in this Plan to advocate the policies of this Plan.

7.2.4 The Local Trust Committee shall use every opportunity to work co-operatively with other governments and non-government organizations, or through the Islands Trust Council, to support policies of this plan.

7.2.5 The Local Trust Committee shall actively promote the policies of this plan to residents, businesses, community organizations, non-resident property owners and visitors.

7.2.6 To promote compliance with the instruments used to implement this plan, the Local Trust Committee shall:

- a) make information available on policies, regulations and permit requirements to property owners and residents,
- b) encourage real estate agents to inform prospective buyers about policies, regulations and permit requirements,
- c) encourage building contractors to ensure that appropriate permits are in place before undertaking work on a property,
- d) require site inspections by staff to ensure that significant new developments are in compliance with regulations,
- e) encourage voluntary compliance with regulations and support neighbourhood resolution of problems when this is appropriate and possible,
- f) make property owners and residents aware of the bylaw investigation and enforcement process, including procedures for initiating investigation,
- g) support maintaining a policy of strict confidentiality with respect to complaints originating in the immediate neighbourhood, and complaints dealing with issues of health, safety, environment or impacts to public land,
- h) support prompt investigation of all complaints,
- i) adopt a Municipal Ticketing Information Bylaw to assist in bringing about compliance only after ensuring that the community is fully informed about this option and determining that there is general support for it,
- j) support the use of immediate injunctive proceedings to halt continuing unpermitted construction or any activities that threaten health, safety or the environment and when no action is taken to correct a violation,
- k) support the use of alternate dispute resolution processes where these may assist in bringing about compliance, and

- l) encourage applicants for a Development Variance Permit to include with their applications details of measures proposed to mitigate any impacts of the proposed variance upon the environment or upon the visual or other amenity of neighbouring private or public lands.

7.2.7 The Local Trust Committee may appoint Special Projects Advisory Planning Committees to assist the Local Trust Committee in reviewing particular issues or sections of the Official Community Plan and consulting with the community.

7.3 Amendment Procedure

This Bylaw may be amended by the Hornby Island Trust Committee at its initiative or in response to an application. Individuals seeking amendment shall submit applications in the form provided for in the bylaws of the Trust Committee.

Where an application for amendment of this bylaw has been refused, no application for the same amendment shall be considered within twelve months of the date of refusal, unless the Hornby Island Trust Committee waives this requirement.

7.4 Update and Revision

The Local Trustees, in consultation with the Advisory Planning Commission and the community, may initiate review of the Community Plan at any time. The bylaw should be updated at least every three years and reviewed in its entirety at least every ten years from the adoption date.

All amendments of the Community Plan shall comply with the mandate and policies of the Islands Trust, as well as with procedures specified in the *Local Government Act*, and be accompanied by public review and discussion.

Whenever the Policy Statement is amended by Islands Trust Council, the relevant sections of the community plan shall be reviewed and if necessary amended to ensure compliance.