

File: 0400-01

November 15, 2017

Directors
Comox Valley Regional District Board

Re: Nominal Rent Tenure -Hornby Island Arts Council

As the electoral area director for Electoral Area ‘A’, Baynes Sound – Denman/Hornby Islands of the Comox Valley Regional District, I support the Hornby Island Arts Council in seeking a nominal rent tenure for their new Arts Centre. I thus ask that the following recommendation be considered by the board:

“THAT the Comox Valley Regional District supports the application by the Hornby Arts Council for a Nominal Rent Tenure.”

Respectfully,

B. Jolliffe

Bruce Jolliffe
Director, Electoral Area A

Encl:

Appendix A - HIAC Lease Management Plan

Appendix B – HIAC LOS CVRD

Appendix C – Project Brief for New Arts Centre on Hornby Island

Management Plan

Please describe the details of your project to the extent known. Consult the guidance document for further information on regulatory requirements, rational for why the information is required, and how to find required information.

The scope and the timing for response will be provided. If information is requested and not received, it may result in the disallowance of the application.

Information on these topics may be required as part of the application processing and if further detail is necessary that is not part of the application and management plan received, you will be contacted and requested to provide additional information. In some circumstances, the use of a qualified professional to complete the plan may be required.

1.0 Background

1.1 Project Overview

Describe project for which authorization is requested, including construction and/or phased development details:

The Hornby Island Arts Council, a registered society with charitable status, wishes to build a New Arts Centre on the crown land we have currently under a Licence of Occupation for this purpose. We are seeking a Lease with this application. The building will be a standard wood frame single story structure of approximately 2000 sq.ft. using all appropriate and attainable low-impact high-energy-efficiency build measures. The site will require parking for 10 vehicles, plus one wheel chair accessible space, site access, and a small concrete landscape retaining wall. Sanitary disposal will be via a professionally designed septic system. Rain water will be captured, stored, and treated on site for drinking and sanitary purposes. Existing trees will be removed only as required for construction, site access, septic disposal, and for safety. A certified arborist will ensure all tree removal work is completed with proper permits. The Islands Trust has been consulted and both a Development Permit and Siting and Use Permit will be processed once the lease details are confirmed. The site is on high ground where there are no surface water issues. Besides the road surfaces which will collect rain water, all other surfaces on the site will be permeable so as to minimize impact on ground water. All landscaping will be native species such as salal and ferns as currently exist on site. As with our original application, that portion of the site we do not use for the building will be purposed for a sculpture walk worthy of the calibre of artistry Hornby retains. Provided we can secure a lease, we have the support of our community, our MP Gord Johns, \$200K in community-raised funds, \$175K committed from Island Coastal Economic Trust, \$250K applied to from Canadian Heritage, and \$175 applied to from BC Gaming Capital Projects for executing this project.

1.2 Investigative Work

If any preliminary investigative work has been carried out, with or without an investigative authorization, provide details on work completed, incomplete or on-going from previous term.



Activity	Brief Description of Activity	Status (e.g. Complete, incomplete, ongoing)	Comments / Milestones
Test holes	Test holes have been dug to establish location and type of septic disposal field.	Test holes are complete. Awaiting approvals to complete septic field construction.	
Tree survey	Trees in the development area have been surveyed by a certified arbourist.	Awaiting approvals before septic tree removal can begin, and we are applying for an Occupant Licence to Cut.	

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1.4 First Nations Consultation

Describe any contact you may have had, including the name of the First Nation(s) and representatives contacted.



None. The Islands Trust will refer the Development Permit application to First Nations as part of their standard referral process.

2.0 Location

2.1 Description

Provide a general description of the location of the project:

The site is located in the heart of our community, near our The Community Hall, Credit Union, farmer's market, preschool and elementary school, and RCMP office. A site plan is attached.

2.2 Location Justification

Provide your reasons/justification of the need for this type of project at this location:

An arts centre most effective location is at the hub of our cultural activities. Hornby Island is proud of its outsized reputation in the arts. We have been called home by individuals like Charles Scott who helped found Emily Carr and brought his students to Hornby in the 1920s, artists like Wayne Ngan, Jack Shadbolt, Gordon Payne, Thorn Burrows, and Anne Ngan from Hornby's Downes Point artist colony alone, and so very many many others. Our island is also one of great self-reliance: with minimal outside assistance we built our first credit union, our library, co-op, senior centre, community hall, recreation facility, health centre, and first firehall. We are long overdue for the creation of a proper public dedicated space in which islanders and visitors may encounter and create art. The arts and cultural activities form our primary economic activity on Hornby Island. The exact site chose provides good exposure and access from the main road which will help islanders and visitors make the best use of the facility.

2.3 Seasonal Expectations of Use

When will the Project require use of the land? Include information on key works during construction phases as well as operations phase. Please reference [reduced risk fish windows](#) as required by DFO:

Project Phase (Construction / Operations)	Brief Description of Activity / Works	Season
Construction	Tree removal, building construction, access and parking construction, septic field installation in 2018.	January 2018-December 2018.
Operation	Year-round use of the facility by the public, artists, and arts organizations.	All year.

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3.0 Infrastructure and Improvements

3.1 Facilities and Infrastructure

Detail any new and existing facilities, infrastructure or processes proposed and any ancillary uses. Provide details of planned construction methods and materials, and construction scheduling.

Facility/Infrastructure/Process	Construction Methods/Materials	Construction Schedule
No existing proposed new infrastructure besides on-site water storage and septic field.		
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3.2 Access

Identify existing and proposed roads used for access and their use by season. Include any proposed connections to public or Forest Service Roads; traffic information including volume of traffic during construction/operation and phase or season that the traffic is expected:

Roadway/Proposed Connection	Existing/Proposed	Existing Road Classification	Road Permittee Information and Road Use Agreements	Traffic Volume		Mitigation of Traffic Effects
				Construction Phase	Operations Phase	
Central Road	Existing	Main island road	Highways will be consulted to approve new driveway entrance			
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3.3 Utility Requirements and Sources

Describe utility requirements and sources, include agreements in place or underway allowing access to utilities.

Hydro will provide power to the new building via a single overhead line directly to the building.

3.4 Water Supply

Identify water requirements for construction and operation phases (e.g. surface water and/or groundwater), including sources, location, volume and a general description of infrastructure planned to meet water supply requirements, include any agreements outside of Water Act Authorizations identified above (Section I, Authorizations, Permits or Approvals), such as Municipal water supply.

Project Phase (Construction/ Operation)	Water Requirement (e.g. Surface water or ground water, etc)	Source/location	Volume	Infrastructure Description	Agreements
Construction	none				
Operation	For washrooms and small kitchenette.	Onsite storage or rainwater.	2000 gallons.	Underground cistern and water filtration and UV treatment system.	

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3.5 Waste Collection Treatment and Disposal

Identify water requirements for construction and operation phases (e.g. surface water and/or groundwater), including:

Project Phase (Construction/ Operation)	Water Requirement (e.g. Surface water or ground water, etc)	Source/location	Volume	Infrastructure Description	Agreements
Construction	none				
Operation	Septic tank	On-site-see plan.	As determined by waste management professional.	Septic tank and pump with piping from building and to disposal field.	

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4.0 Environmental

Describe any significant impacts and proposed mitigation for the following environmental classes:

4.1 Land Impacts

4.1.1 Vegetation Removal

Is any timber removal required?

Yes No

Are any areas of vegetation to be cleared, outside of timber removal?

Yes No

Removal Type	Impacts	Proposed Mitigation
Excavation for building and driveway construction.	General construction removal of organics.	Planting of native species will be completed after construction to repair disturbed areas.
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4.1.2 Soil Disturbance

Will there be any areas of soil disturbance, including clearing, grubbing, excavation and levelling?

Yes No

Disturbance Type	Impacts	Proposed Mitigations
Excavation for building and driveway construction.	General construction impacts of soil removal.	Sediment and dust will be monitored and if present, managed on site.
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Is the area to be excavated a Brownfield site or has the potential to be contaminated?

Yes No

Is there potential for disturbance of archaeological, paleontological fossils or historical artifacts?

Yes No

4.1.3 Riparian Encroachment

Will any works be completed within or adjacent to the riparian zone of any water body?

Yes No

4.1.4 Pesticides and Herbicides

Will there be any use of pesticides or herbicides during construction, operations and/or maintenance?

Yes

(e' No

4.1.5 Visual Impacts

Will there be any adverse effects of the projects, and any potential adverse effects on sight lines to the project area from surrounding areas likely to be used for scenic viewing by residents or other users?

(' Yes (e' No

4.1.6 Archaeological Sites

Are there any known or high potential (Arch Procedure) archaeological sites within the project area?

(' Yes (e' No

Have you conducted an AIA or engaged an archaeologist to assist with your investigations?

(' Yes (e' No

4.1.7 Construction Methods and Materials

Identify the types of construction materials, the methods used, their impacts, and any mitigations:

Construction Material/Method	Impacts	Mitigations
Standard wood frame construction with concrete foundation.	Construction waste.	Waste will be handled through recycling and proper waste disposal.
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4.2 Atmospheric Impacts

4.2.1 Sound, Odor, Gas or Fuel Emissions

Will the project construction or operation cause any of the following to disturb wildlife or nearby residents:

[\(Best management practices for sound\)](#)

Sound? (e' Yes (' No

Explain the current conditions, source, type and range of emission. Provide a description of atmospheric effects from proposed construction, operation, and decommissioning phases. Also include proposed mitigation measures to manage or mitigate adverse effects.

Emission Source	Current Conditions	Project Impacts	Proposed Mitigations / Management
General construction noise.	No residential properties are nearby.	Noise during construction hours.	Contractor will be required to consult with community should noise be excessive/ disruptive or planned for after regular working hours

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Odor? Yes No

Gas? Yes No

Fuel Emissions? Yes No

4.3 Water or Land Covered by Water Impacts

4.3.1 Drainage Effects

Will the project result in changes to land drainage?

Yes No

4.3.2 Public Access

Will the project result in changes to public access?

Yes No

Describe the potential effect or impact and include plans for mitigation/management:

Effect	Potential Impacts	Proposed Mitigations / Management Plan
A new driveway entrance to the site will be installed off Central Road.	Access will be provided for Art Centre patrons.	Public access will only be allowed once construction is complete.
<u>Add Field</u>		

4.3.3 Flood Potential

Will the project result in a potential for flooding?

Yes No

4.4 Fish and Wildlife Habitat Impacts

4.4.1 Disturbance to Wildlife and Wildlife Habitat

Will the project result in adverse effects to wildlife or wildlife habitat?

[\(BC Wildlife Act\)](#)

Yes No

Will the project (construction or operations phase) occur in and around streams, lakes, estuarine or marine environments?

Yes No

Is the project (construction or operations phase) likely to increase erosion or sedimentation?

Yes **Na**

Will the project (construction or operations phase) require water diversion?

Yes **No**

Will the project threaten or endanger species at risk in the area?

[Species At Risk Act](#)

Yes **Na**

5.0 Socio-Community

5.1 Land Use

Describe the current community setting on or near the project area, including the location of non-aboriginal and aboriginal communities or known use areas.

The New Arts Centre is located in the central island area that is used and zoned for public facilities. The site is between our recreation facility and Community Hall, which in turn are next to our Firehall and Public Library, not to mention our RCMP office, Credit Union, preschool, elementary school, festival society office, and farmer's market.

5.1.1 Land Management Plans and Regional Growth Strategies

Are there any land and resource management plans, coastal plans, provincial, regional growth strategies or local government plans with zoning, or management policies or use restrictions in place that could limit or preclude your proposed use of the land? *(Please refer to the [Union of BC Municipalities \(UBCM\)](#), and check the websites of the municipality, regional district or other organization with jurisdiction including your project area.)*

Yes Na

5.2 Socio-Community Conditions

5.2.1 Adjacent Users or Communities

Is the project likely to restrict public access, or the ability, or the ability of adjacent land owners or tenure holder to access their property or tenures?

Yes Na

5.2.2 Existing Services

Provide a description any increased demand on fire protection and other health facilities and emergency services arising from your Project, including proposed management or mitigation measures.

The new structure will require general fire protection services from the local fire department. The fire department will be consulted as part of the Islands Trust Development Permit process. Access will be provided for fire fighting.

END OF FORM

Friday November 10, 2017

To the CVRD Board of Directors,

The Hornby Island Arts Council (HIAC) is seeking to renew and modify its tenure for a parcel of crown land in order to complete a New Arts Centre building project that has been a decade in the making.

HIAC is seeking a resolution from your board in support of an application for a Crown Sponsored Grant, a Lease. HIAC presently has a License of Occupation that began in 2010 and expires in 2020. To renew our tenure, we are applying for a Lease. We are seeking a Lease because it is the most secure form of tenure we can hope to achieve. We have funders on the line: \$175K from ICET and \$50K from local sources who will walk unless we can demonstrate durational and concrete tenure. Further, we have an application in with BC Gaming Capital Projects Grants for \$175K and are working on a \$250K application to Canadian Heritage Canada Cultural Spaces Fund. Should we fail to achieve tenure, we will be left with only the \$150K we have raised through community fundraising and still without a site for the building.

To be sure: we are not asking the CVRD to take any kind of responsibility for the land. We are a registered society with charitable status, and we are applying under the Community Institutional category of tenure which is specifically designed for independent tenure for institutions like ours. In essence, your letter will provide confidence in our project, and it will signal to the appropriate ministry (likely Municipal Affairs and Housing) that the CVRD has no competing interest in the land. To learn more about our kind of application visit these pages:

<https://www2.gov.bc.ca/gov/content/industry/natural-resource-use/land-use/local-government/community-institutional-program/ministry-sponsorship-how-to-get-it>
<https://www2.gov.bc.ca/gov/content/industry/natural-resource-use/land-use/local-government/community-institutional-program>

The sponsoring ministry wants to see that the project meets community priorities, generates local and regional economic benefits, contributes to community health and education, supports sustainable infrastructure, contributes to environmental quality, and has financial support. I'm sure we can all agree that a dedicated Arts Centre on Hornby Island will do these things.

Thank you for your time and energy.

Yours,

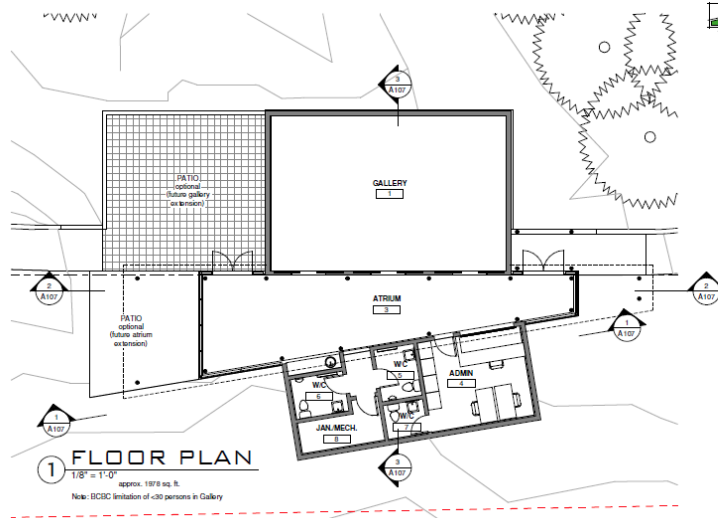
Andrew Mark, PhD
Administrator
Hornby Island Arts Council
2115 Sollans Road
Hornby Island, B.C.V0R 1Z0
[250-335-2070](tel:250-335-2070)
www.hornbyislandartscouncil.wordpress.com

Project Brief for a New Arts Centre on Hornby Island

The Hornby Island Arts Council (HIAC), a registered non-profit community arts organization with charitable status, is working to build a New Arts Centre on crown land centrally located on 2.35 hectares of license number 113758 covering that part of the remainder of NW 1/4, Section 11, Hornby Island, Nanaimo District. The society currently holds a License of Occupation that expires in 2020. As we renew our tenure, we are applying for a Lease, a Sponsored Crown Grant that provides the most enduring security we can request for crown land tenure.

Significant artists like Robert Bateman, who just donated \$15,000 in cash and a further \$15,000 in artwork to this project, have made Hornby Island their first or second home since the 1920s. At times, Hornby has been more or less of an artist colony. In our local economic enhancement corporation's 2015 Economic Action Plan Survey it was found that "artist" is the largest reported category of employment on the island. After our natural aesthetics, arts and crafts—our cultural aesthetics, from our gardens to our architecture—are listed by our visitors as some of the main reasons for visiting the island. However, in the last decade the island has seen a reduction in available space for exhibition and production of art. Presently, HIAC operates out of a 1957 Atco trailer, and we are simply unable to supply the support and service our community needs with our current facility.

The intention of our project is to build an inspiring, public, stable, and well-designed Arts Centre that will give appropriate access to the large multidisciplinary group of artists, artisans, actors, dancers, administrators, musicians, poets and writers in our Hornby Island community, to encourage them in their growth and development and promote their financial security. In the past ten years, over 65 artists have prioritized creating this space, and to date we have fund raised over 190k towards this pursuit in community dollars. A sizeable portion of this sum comes from working artists who have donated all they can possibly afford. In the winter of 2016/2017, we completed architectural drawings with site plans and elevations, engineering, and extensive community consultation. We view this building as essential to securing the role of the Arts in our community, to housing and transmitting the valuable knowledge of our elderly established artists who are world renown, and to attract future generations of artists to the island. We have recently successfully passed phase 1 of the Island Coastal Economic Trust (ICE-T) economic infrastructure program, valued at 175K. In addition to our funds, ICE-T funds, and proposed BC Gaming funds (175K) and Canadian Heritage funds (250K), we have also attracted the support of our MP Gord Johns who has visited our building site, assigned staff to aid us, and filed an LPO to search for any special funding to which we may be able to apply. We have a business plan for the New Arts Centre that will sustain us into the future, we have a site plan and building design, we have a preliminary budget estimate from Alan Fletcher Construction, a long-term strategic plan, and we have all pertinent financial details well in hand. These pictures showcase the design for the building, which is ideally planned next to the Community Hall and Farmers Market—joined by short forest paths.



JAMES MATTHEW
 DESIGN LTD.
 (Professional Seal)

Issued for display
 March 5, 2017

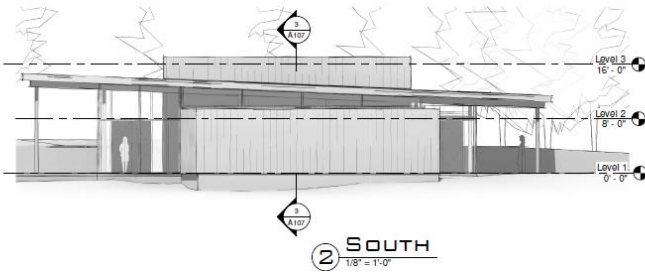
HIAC - HORNBY
 ARTS CENTRE

FLOOR PLAN

Scale: 1/8" = 1'-0" (Note: 1/8" = 1'-0")

A102

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 March 5, 2017

HIAC - HORNBY
 ARTS CENTRE

ELEVATIONS

Scale: 1/8" = 1'-0" (Note: 1/8" = 1'-0")

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