

**MINUTES OF THE HORNBY ISLAND LOCAL TRUST COMMITTEE
SPECIAL BUSINESS MEETING
WEDNESDAY, APRIL 20, 2011 AT 12:15 PM
IN THE NEW HORIZONS
1765 SOLLANS ROAD, HORNBY ISLAND, BC**

PRESENT: Louise Bell Chair
Fred Hunt Local Trustee
Tony Law Local Trustee
Brodie Porter Island Planner
Miles Drew Bylaw Enforcement Coordinator
Vicky Bockman Minute Taker

There was one (1) member of the public in attendance.

1. CALL TO ORDER

Chair Bell called the meeting to order at 12:20 pm. She welcomed the public and acknowledged that the meeting is taking place in the traditional territory of the Coast Salish First Nation.

2. APPROVAL OF AGENDA

The agenda was adopted by consensus.

3. NEW BUSINESS

3.1 Vacation Home Rental

Planner Porter provided a summary of the Staff Report dated April 19, 2011 regarding Vacation Home Rentals. He presented the options available to the Local Trust Committee to address the issue of Vacation Home Rentals and outlined challenges associated with the process.

3.1.1 Review of Draft Vacation Home Rental Policies

Trustee Law said that at recent Community Information Meetings the community clearly expressed what is desired and did not feel the Status Quo approach provided certainty to those dependent on the activity. He stated he supports the Staff Report Option b: Lawful Recognition of Vacation Home Rentals in the Land Use Bylaw with restrictions established. He said the possible concerns of the

Executive Committee with this approach need to be addressed.

Trustee Hunt noted that there were some letters concerning vacation home rentals that had not been included in the material for the April 27, 2011 Local Trust Committee meeting agenda and that he would identify those for Planner Porter who will follow up.

Trustee Hunt noted that a theme that arose at the Community Information Meetings was that the many years of stress from this issue has contributed to a general distrust of Islands Trust. He stated this perception needs to continue to be addressed through discussions, meetings and possibly at least one more Community Information Meeting. He suggested that there are people who do not wish to see vacation home rentals as a lawful use but have not made their opinions known. He stated that if Option b is chosen as the proposal to advance, additional community meetings would be desirable.

Chair Bell said the three Community Information Meetings were valuable with the different locations providing different opinions. She commented that it does not appear that the complexities of the issue are understood by many and that there is a failure to understand how the Local Trust Committee operates according to the Islands Trust Act. She shared a schematic of how decisions are made by local government groups as being equal parts public input, policy directives, and professional advice. She stated that she does favour the idea of a Home Rental Association on Hornby as a useful addition to the overall approach to home vacation rentals.

Trustee Hunt asked for Bylaw Enforcement Coordinator Drew's input on the feasibility of enforcing the various options identified in the Staff Report under Option c: Vacation Home Rentals as a Residential Land Use.

Bylaw Enforcement Coordinator Drew gave his view from an enforcement perspective of these options. He identified the challenges with all the approaches; however, he concluded that Option c iii: Vacation Home Rentals as a Permitted Use on All Residential Properties would be the preferred approach of these options from an enforcement standpoint. He said that this option presents the clearest intent which is best for enforcement purposes. He recommended that whatever solution is chosen, it should be one in which enforcement can be implemented. Discussion followed on potential triggers for enforcement.

Planner Porter suggested that if vacation home rentals are made a formal permitted use the statement of how the Hornby community views itself may require Official Community Plan changes. Timing and requirements to complete work projects during this term were

discussed.

Potential conflicts with Trust Policy Statement were considered and the role of the Executive Committee was reviewed. The possibility of providing justifications to the Executive Committee to address the issues was discussed.

Trustee Hunt asked if there would be an opportunity for the community to comment on the possibility of allowing vacation home rentals as a permitted use.

Planner Porter responded that there would be time for an additional community information meeting if necessary and could include discussion of proposed enforcement policies.

Chair Bell stated her belief that whatever path the Local Trust Committee takes to address vacation home rentals, necessary changes to the Official Community Plan (OCP) and Land Use Bylaw (LUB) should be completed at the same time to avoid technical problems. She suggested there could be one Public Hearing for both amending bylaws directed to the one topic; however she said the process would likely take the rest of the term and the remaining OCP changes would need to be deferred.

Planner Porter agreed this would be a logical process. Discussion followed on the process and timing required to complete various work projects relating to vacation home rentals and the OCP review. Planner Porter suggested an approach that would focus on completing Vacation Home Rental LUB and OCP amendments before the end of this term. Where time is available during the remainder of this term, staff could work with the Advisory Policy Commission on the OCP review for Local Trust Committee consideration at the start of the next term.

Chair Bell asked Bylaw Enforcement Coordinator Drew if he would be able to provide a draft Enforcement Policy if the Local Trust Committee adopts an approach to create lawful recognition of Vacation Home Rentals in the LUB.

Bylaw Enforcement Coordinator Drew replied that he would work with Planner Porter to draft a Bylaw Enforcement Policy that would support the proposed bylaw amendments.

Chair Bell recessed the meeting at 3:40 pm. The meeting was reconvened by Chair Bell at 3:51 pm.

HO-015-2011

It was **MOVED** and **SECONDED** that the Hornby Island Local Trust Committee request staff to:

- a) draft an Official Community Plan Amendment Bylaw that would enable vacation home rentals to be recognized as a permitted use in zoning regulations as outlined on page 9 of the Staff Report on Vacation Home Rentals dated April 19, 2011
- b) draft a Land Use Bylaw amendment bylaw that would implement the draft Official Community Plan policies, and
- c) draft a Bylaw Enforcement Policy that would support the proposed Official Community Plan and Land Use Bylaw amendments for consideration by the Local Trust Committee to bring forward for community comment.

CARRIED

Trustee Law commented that the anxiety and stress the community has expressed over vacation home rental issues has caused him concern and it has taken time and thought to craft a solution that integrates the many clearly articulated opinions received from the community. He said it is important to balance the many interests and concerns and added that this initiative may provide those with minority viewpoints another opportunity to be heard. He stated that having the possibility of a group in the community that is willing to promote best practices in the home rental operations should be a part of the discussion.

Trustee Hunt said that this issue has been ongoing since 1971 and that not being recognized as a permitted use along with misinterpretation of possible enforcement action has been the source of community discomfort for a long time. He expressed his appreciation for the community's creative involvement in meetings and significant correspondence on this matter. He stated his hope that there is an interest in the proposed Home Rental Association to continue to be involved.

Chair Bell stated her belief that the approach that was recently advanced in Community Information Meetings did not resonate with the community and perhaps more discussion of the type of enforcement recommended in that initiative may have been beneficial. She said that this approach, although there are some difficulties, makes the intention clear and transparent and is the better step.

The Local Trust Committee identified several items to be considered in the drafting of the proposed Vacation Home Rental (VHR) amending bylaws for community discussion:

- impact on the Agricultural Land Reserve and Agri-Tourism
- water advocacy policy or regulation
- septic advocacy policy
- legal and illegal multiple dwellings

- occupancy levels
- advertising maximum occupancy levels
- associating levels with lot size as referenced in Bylaw No. 138
- limiting VHRs to May 1 – September 30
- accommodation within dwelling/camping, tenting, recreational vehicles
- establishing seven days as a minimum number of days per guest party

Discussion followed on possible future meeting dates to address vacation home rental issues.

3.2 Official Community Plan

Discussion deferred by consensus.

3.2.1 Review of Draft Official Community Plan

Discussion deferred by consensus.

4. NEXT BUSINESS MEETING

The next Local Trust Committee regular meeting will take place on Wednesday, April 27, 2011 at 12:15 pm in the Hornby Island Community Hall, Central Road, BC.

5. ADJOURNMENT

Chair Bell adjourned the meeting at 4:39 pm.

Minute Taker

Chair