



Hornby Island Local Trust Committee Minutes of Regular Meeting

- Date:** January 27, 2017
- Location:** New Horizons
1765 Sollans Road, Hornby Island, BC
- Members Present** Laura Busheikin, Chair
Alex Allen, Local Trustee
Tony Law, Local Trustee
- Staff Present** Aleksandra Brzozowski, Island Planner
Marnie Eggen, Island Planner
Rob Milne, Island Planner
Miles Drew, Bylaw Enforcement Manager
Vicky Bockman, Recorder
- Others Present:** Approximately twenty (20) members of the public – am
Approximately ten (10) members of the public - pm

1. CALL TO ORDER

Chair Busheikin called the meeting to order at 11:33 am. She acknowledged that the meeting was being held in territory of the Coast Salish First Nations. She welcomed the public and introduced Trustees, staff and the recorder.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. TOWN HALL AND QUESTIONS

Comments regarding the Sea Breeze Liquor License application included the following:

- Concern was expressed regarding noise in the neighbourhood from Sea Breeze events and support for the recommendations in the resolution passed at the last meeting;
- Support of the application and acknowledgement of the economic benefit that the Sea Breeze provides; and
- Support for the license change noting that weddings provide important economic benefits including employment.

Comments regarding the proposed TELUS antenna included the following:

- Hornby Island is valued for its natural experience and as a wireless refuge;
- Discouragement of more cell communication;
- Antenna may provide more than local service coverage which does not concur with the Official Community Plan (OCP);
- Opposition based on health concerns, dangers from possible tower fire or collapse;

- Proposed site is in close proximity to the Elder Housing property;
- The location of the proposed antenna tower is not a compatible land use with the nearby Beulah Creek regeneration area;
- Concern regarding that it might be a dangerous temptation to youth in the area to climb the tower;
- Concern that further technology will be added to the tower in the future without consultation;
- Lack of ability for individuals to decline coverage if it is installed;
- Potential reduction in property values;
- Those working in the Co-op and Gas Bar have not been notified of the proposal; and
- Suggestion that a separate meeting be advertised and held to facilitate the ability for everyone to share their feelings on this matter.

4. COMMUNITY INFORMATION MEETING – none

5. PUBLIC HEARING - none

6. MINUTES

6.1 Local Trust Committee Minutes dated December 2, 2016 for Adoption

By general consent the Local Trust Committee meeting minutes of December 2, 2016 were adopted.

By general consent the meeting was recessed at 12:38 pm and reconvened at 12:44 pm.

By general consent agenda item 7.1 was moved to follow item 6.1.

7. APPLICATIONS AND REFERRALS

7.1 HO-LCB-2016.1 Sea Breeze Lodge - Staff Report

Planner Eggen presented the Staff Report that requests that the Local Trust Committee (LTC) reconsider the Sea Breeze liquor licence change application in order to provide an opportunity for the proponent to comment and to review additional information that has been received from the applicant and comments from the public since the application was presented at the December LTC meeting. She reported that since the last submission, a total of 39 comments were received from the public with 33 supportive and six unsupportive, citing noise and negative impacts.

Chair Busheikin invited the proponent to speak regarding the application.

Steven Bishop commented and the following key points were noted:

- He acknowledged the supportive comments from members of the public that have been received since the re-advertisement of the opportunity to comment.
- He observed that this application is being requested to conform to the regulations and noted the economic benefits that weddings provide the community.

- He indicated his willingness to work with neighbours to reduce noise and other possible negative impacts and noted that closing will be at midnight versus 1:00 am, he has requested the placement of a speed sign on Ostby Road, designated drivers are employed to reduce traffic and guests are asked to respect neighbours.
- He addressed concerns regarding the occupancy load by noting that there is no plan to increase seating capacity which is significantly lower than the maximum allowed.
- He did note that dancing on the outside deck would be an important consideration for the wedding business.

Trustees considered the additional information provided and observed that the earlier closing time and willingness to work with neighbours would be elements to help mitigate neighbours' concerns.

HO-2017-001

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee reconsider motion HO-2016-051.

CARRIED

HO-2017-002

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee request staff to inform the Liquor Control and Licensing Branch that it has considered application HO-LCB 2016.1 (Sea Breeze Lodge) for a "food-primary entertainment endorsement" to allow patron participation entertainment and recommends that the endorsement only be issued if the following conditions are met:

1. The licence is amended to specify that entertainment only take place within the restaurant building and not outdoors such as on patios;
2. Entertainment and the serving of liquor ends no later than 12:00 am and preferably at 11:00 pm on days of the week other than Saturday (to reduce the potential for after-midnight disturbance in the neighbourhood on consecutive nights);
3. The Liquor Control and Licensing Branch is satisfied that entertainment will only take place in association with, and secondary to, the serving of food in accordance with the requirements of a food-primary licence and the zoning of the restaurant building for restaurant use only; and
4. The Liquor Control and Licensing Branch is satisfied that the applicant has taken reasonable measures to prevent disturbances, including those emanating from patrons on or leaving the premises, as reported by residents under the existing license;

And provides the following comments:

- A. Noise from existing activities is already a concern in the neighbourhood. The proposed endorsement could generate more noise in that music provided for dancing tends to be louder than music provided for listening. Dancing can also generate more high-spirited behaviour with resulting increase in noise.
- B. Weddings taking place at Sea Breeze provide valued economic benefits for the community. However, these events need to be managed well to maintain the rural character of that part of the island.

ADOPTED

- C. If an endorsement enables patron participant entertainment, i.e., dancing, it would be desirable to have continuing monitoring to ensure that dancing remains secondary to food service.

During discussion Trustees acknowledged that new information has been received subsequent to the December 2, 2016 meeting that warrants reconsideration of the resolution.

DEFEATED

By general consent the meeting was recessed at 1:10 pm and reconvened at 1:18 pm.

Trustees considered possible responses to the Liquor Control and Licensing Branch.

HO-2017-003

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee request staff to inform the Liquor Control and Licensing Branch that it has considered application HO-LCB 2016 (Sea Breeze Lodge) for a “food-primary entertainment endorsement” to allow patron participation and recommends that the endorsement be issued; and provides the following comments:

1. A number of neighbourhood residents have expressed concerns about late night noise. This will be significantly addressed by events ending at midnight rather than 1:00 am. They could be further addressed by Sea Breeze hosting a meeting with neighbours to identify measures to further reduce noise impact.
2. Community impacts include the considerable positive benefits resulting from events hosted at Sea Breeze including employment, provision of goods and services and accommodation, and participants patronizing local businesses.

In speaking to the motion, Trustee Law indicated that it was unfortunate that all the information had not been available previously; however, he now feels comfortable making this decision based on new information that has been provided.

CARRIED

By general consent agenda item 9 was moved to follow item 7.1.

9. DELEGATIONS

9.1 Grant Scott, Conservancy Hornby Island

Grant Scott, on behalf of Conservancy Hornby Island, gave a presentation to illustrate the importance of the marine environment around Hornby Island and to draw attention to its limited protection. He indicated that the goal of this project is to collect information, provide education on the issues and reach out to other organizations with a goal of developing a Hornby Island Marine Use Plan. He suggested that

meetings on this topic, including with First Nations and Islands Trust, might assist in encouraging government bodies to assist with the process.

Trustees suggested that Conservancy Hornby Island might come to an LTC meeting to request that advocacy efforts for specific issues be placed on the work program and indicated that the Association of Vancouver Island and Coastal Communities might be of some assistance in this venture.

By general consent agenda item 7.2 was moved to follow item 9.1.

7.2 HO-OTH-2016.1 TELUS Antenna Siting Proposal - Staff Report

Planner Brzozowski presented the Staff Report outlining the draft consultation work plan and draft notification package for the microwave antenna tower proposal from TELUS. She provided information on process and options.

Trustees considered opportunities to enhance public information on this proposal, options for presenting consideration of alternative tower locations to the proponent, and discussed how comments regarding health concerns can be relayed to proper authorities in the process.

HO-2017-004

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee endorse the consultation work plan for the HO-OTH-2016.1 (TELUS) antenna tower proposal subject to the following conditions:

1. A pre-meeting between TELUS representatives and Local Trust Committee;
2. A public community meeting being held as part of the consultation process;
3. That public notices be posted in both the Grapevine and Hornby Tribune;
4. That TELUS address Official Community Plan policies 5.5.3, 5.5.4, and 5.5.5; and
5. That TELUS provide full information to the public about the purposes, projected uses and potential future uses of the proposed tower.

CARRIED

6.2 Section 26 Resolutions-without-meeting Report dated January 18, 2017

Received.

6.3 Advisory Planning Commission Minutes - none

8. BUSINESS ARISING FROM MINUTES

8.1 Follow-up Action List dated January 18, 2017

Planner Brzozowski presented the List and provided an update on the K'omoks Relationship Building initiative. She reported that the Islands Trust Senior

Intergovernmental Policy Advisor has arranged a meeting on this activity and will report to the LTC on the outcome of that meeting and next steps that might be pursued.

By general consent agenda item 12.1 was moved to follow item 8.1.

12. LOCAL TRUST COMMITTEE PROJECTS

12.1 Community Housing Amendments - Island Secure Land Association (ISLA) Community Housing Project

12.1.1 Staff Report

Planner Milne presented the Staff Report and outlined Bylaw No. 154 amending the Land Use Bylaw (LUB) in response to the change in the community housing ownership model proposed by ISLA. He recommended a community Open House hosted by ISLA and attended by one Trustee be conducted rather than a Community Information Meeting as these changes do not affect the location, purpose, potential density or use of the lands, and the community is aware of the circumstance and is supportive.

Trustees considered the definition of community housing and discussed possible changes to increase the understanding of affordable housing for clarity.

HO-2017-005

It was MOVED and SECONDED,

that draft Bylaw No. 154 cited as Hornby Island Land Use Bylaw, 2014, Amendment No. 2, 2016 be amended by adding the following words in the Definition of Community Housing after the words housing agreement: “for affordable and special needs housing”.

CARRIED

HO-2017-006

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee has reviewed the Directives Only Policy Checklist and confirmed by resolution that Bylaw No. 154 cited as Hornby Island Land Use Bylaw, 2014, Amendment No. 2, 2016, as amended, is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

HO-2017-007

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee Bylaw No. 154 cited as Hornby Island Land Use Bylaw, 2014, Amendment No. 2, 2016, as amended, be read a first time.

CARRIED

HO-2017-008

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee request the applicant to schedule an Open House meeting regarding Bylaw No. 154 cited as Hornby Island Land Use Bylaw, 2014, Amendment No. 2, 2016.

CARRIED

8.2 Standing Resolution regarding Bylaw Enforcement - Follow Up - Staff Report

Trustee Law declared a potential conflict of interest due to an interest in a property being discussed and left the meeting at 3:14 pm.

Bylaw Enforcement Manager Drew presented the Staff Report which recommends rescinding a Standing Resolution and removing “Home Occupation Review” from the Projects List as the need no longer exists, adopting a new Standing Resolution regarding unlawful dwellings, and that consideration be given to initiating a review of the related issue of housing density regulations.

Trustee Allen and Chair Busheikin discussed the recommendations and suggested that the issue of a housing density review might be considered when reviewing the Top Priorities list.

HO-2017-009

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee rescind Standing Resolution HO-043-2013.

CARRIED

HO-2017-010

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee remove “Home occupation review” from the Projects List.

CARRIED

HO-2017-011

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee adopt the following Standing Resolution:

1. That whereas the Hornby Island Local Trust Committee intends to facilitate a community process to review residential density to address community housing needs, which may result in amendments to the Official Community Plan and Land Use Bylaw, it is resolved that related enforcement actions against properties identified as:
 - a) Lot B, Section 15, Hornby Island, Plan 24652 (1655 Central Road);
 - b) Lot B, Section 6, Hornby Island, Plan 30442 (7205 Central Road); and
 - c) Lot 6, Section 10, Hornby Island, Plan 26332 (2475 St. Johns Point Road)shall be held in abeyance;
2. That nothing in this enforcement policy should be interpreted as giving permission to any party to violate Hornby Island Land Use Bylaw No. 150 and the Hornby Island Local Trust Committee may change this policy at any time and may give direction to commence enforcement activities with respect to the identified properties at any time without notice; and
3. That unless the Hornby Island Local Trust Committee extends the effective period, this enforcement policy expires on October 31, 2018 or when the residential density review project is complete, whichever is the sooner.

CARRIED

Trustee Law returned to the meeting at 3:21 pm.

10. CORRESPONDENCE - none

11. BREAK - none

12.2 Vacation Home Rentals Policy Review - Draft Project Charter

12.2.1 Staff Report

Planner Brzozowski outlined the Staff Report that presents the draft Project Charter for the Vacation Home Rental Review project and presents suggested next steps for recruiting up to three additional Advisory Planning Commission (APC) members.

Trustees reviewed the draft Project Charter and considered possible options for APC recruitment approaches. They discussed the value of placing the Project Charter on the Hornby Island webpage to enable any community members potentially interested in joining the APC to view the scope of this project.

HO-2017-012

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee endorse the draft Project Charter for the Vacation Home Rental Review project.

CARRIED

HO-2017-013

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee pursue targeted recruitment for up to three additional members for the Advisory Planning Commission in support of the Vacation Home Rental Review project.

CARRIED

12.3 Relationship Building with K'omoks First Nation - verbal update

An update on this initiative was discussed at agenda item 8.1.

13. REPORTS

13.1 Work Program

13.1.1 Top Priorities Report dated January 18, 2017

Trustees reviewed the Top Priorities and discussed the option of placing a fourth item on the list to address a Housing Density Review. They noted that one Top Priority item is nearing completion and suggested that at its completion, consideration might be given to moving the Housing Density Review from the Projects List to the Top Priority List.

13.1.2 Projects List Report dated January 18, 2017

Received.

13.1.3 Hornby LTC 2014-2018 Term Goal Setting Session

Received.

13.1.4 Work Program - Suggestions for Discussion

Received.

13.2 Applications Report dated January 18, 2017

Received.

13.3 Trustee and Local Expense Report dated November, 2016

Received.

13.4 Adopted Policies and Standing Resolutions

Received.

13.5 Local Trust Committee Webpage

Trustees requested that the Vacation Home Rental Review Project Charter be placed on the webpage.

13.6 Chair's Report

Chair Busheikin reported on the following:

- Executive Committee work in progress includes preparations for the next Trust Council Meeting sessions that will be held on Gabriola Island;
- There is no new information available yet on the Salt Spring Island referendum;
- An update on Trust Area Services staffing was provided; and
- She is participating in an on-line course through UBC regarding Reconciliation and First Nations issues.

13.7 Trustee Reports

Trustee Law reported on the following:

- Attendance at an operations meeting with BC Ferries and the possibility of some schedule improvement on Route 22;
- Attendance at a Hornby Island Residents and Ratepayers Association committee meeting on housing that is considering ways to facilitate rental housing; and,
- Working in a non-trustee role to assist in organizing a workshop on understanding First Nations reconciliation issues.

Trustee Allen reported that he attended Trust Council in December.

13.8 Electoral Area Director's Report - none

13.9 Trust Fund Board Report - none

14. NEW BUSINESS

14.1 Shoreline Protection Material - Memorandum

Planner Brzozowski reported that a shoreline protection information guide "Your Marine Waterfront Guide: a guide to protecting your property while promoting healthy shorelines" is available, advised of the cost, and solicited input on the LTC's interest in arranging for hard copies.

HO-2017-014

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee request five hard copies of the 48-page guide entitled "Your Marine Waterfront Guide: a guide to protecting your property while promoting healthy shorelines".

CARRIED

14.2 Information for New Home Buyers – discussion

Trustee Law advised that he has reviewed the draft letter with information developed for distribution to new residents and property owners with the Islands Trust Communications Specialist and the Senior Intergovernmental Policy Advisor and sought input on options for next steps.

HO-2017-015

It was MOVED and SECONDED,

that the Hornby Island Local Trust Committee request staff to prepare documents to be inserted into copies of "A Place in the Islands" to be distributed to new home buyers on Hornby Island.

CARRIED

14.3 Provincial Private Moorage Policy Update January 2017 - Memorandum

This item was deferred to the next meeting agenda.

15. UPCOMING MEETINGS

15.1 Next Regular Meeting Scheduled for March 31, 2017 at 11:30 am at Room to Grow, The Hornby Island Resource Centre, 2100 Sollans Road, Hornby Island, BC

Trustees confirmed the next regular scheduled meeting date, time and location.

16. TOWNHALL - none

17. CLOSED MEETING - none

18. ADJOURNMENT

By general consent the meeting was adjourned at 3:55 pm.

Laura Busheikin, Chair

Certified Correct:

Vicky Bockman, Recorder