



File No.: 6500-20

(Hornby Island OCP and
LUB Review Project)

DATE OF MEETING: September 1, 2026

TO: Hornby Island Local Trust Committee

FROM: Sonja Zupanec, Island Planner/ Chad Townsend, Island Planner
Local Planning Services

SUBJECT: Hornby Island OCP and LUB Review Project – Bylaw Nos. 176 (OCP) and No. 177 (LUB) – Post Public Hearing

RECOMMENDATION

1. That the Hornby Island Local Trust Committee Bylaw No. 176, cited as, “Hornby Island Official Community Plan Bylaw No. 149, 2014, Amendment No. 1, 2024”, be read a third time.
2. That the Hornby Island Local Trust Committee Bylaw No. 177, cited as “Hornby Island Land Use Bylaw No. 150, 2014, Amendment No. 1, 2024”, be read a third time.
3. That the Hornby Island Local Trust Committee proposed Bylaw No. 176 cited as “Hornby Island Official Community Plan Bylaw No. 149, 2014, Amendment No. 1, 2024” and proposed Bylaw No. 177 cited as “Hornby Island Land Use Bylaw No. 150, 2014, Amendment No. 1, 2024”, be forwarded to the Secretary of the Islands Trust for Executive Committee approval.
4. That the Hornby Island Local Trust Committee proposed Bylaw No. 176, cited as “Hornby Island Official Community Plan Bylaw No. 149, 2014, Amendment No. 1, 2024” be forwarded to the Minister of Municipal Affairs and Housing for approval.

REPORT SUMMARY

This is a post Public Hearing report supporting next steps for proposed Bylaws No. 176 (OCP amendment) and Bylaw No. 177 (LUB Amendment). These bylaws are the first phase of OCP and LUB amendments outlined in the [project charter](#) primarily related to vacation home rental regulations. Implementation of First Nations interests, housing and other amendments are not included in these proposed bylaws.

The recommendations above are supported as:

- All statutory requirements have been completed including the required notification and the holding of a Public Hearing consistent with the *Local Government Act*;
- Public, government agency or First Nation concerns raised with the proposed bylaws have been considered by the LTC; and,

- All Islands Trust bylaw amendments require the approval of the Executive Committee of the Islands Trust prior to the consideration of adoption.

BACKGROUND

The Hornby Island Local Trust Committee (LTC) is considering Bylaw Nos. 176 and 177 that would amend the Official Community Plan (OCP) and Land Use Bylaw (LUB).

Bylaw 176 (OCP Amendment) – amending the OCP with:

- A new requirement for a Temporary Use Permit for vacation home rental use;
- New policies supporting housing diversity;
- A new policy supporting housing in the ALR consistent with ALC regulations.

Bylaw 177 (Land Use Bylaw Amendment) – amending the LUB by:

- Amending the definition of ‘structure’ to exclude cisterns;
- Amending the definition of ‘vacation home rental use’ to specify guests less than 30 days;
- Amending the PU(a) site specific zone to include community housing;
- Introducing new Temporary Use Permit guidelines for vacation home rental use.

Both Bylaw Nos. 176 (OCP) and 177 (LUB) were given First Reading on August 9, 2024. Several amendments were made during Second Reading. Bylaw No. 176 was given Second Reading on May 16, 2025 and Bylaw No. 177 was given Second Reading as amended on June 26, 2026.

A Community Information Meeting (CIM) was held in spring 2026. All written Public Correspondence 2022-2026 is available on the [website](#). Referrals were sent out to government agencies, organizations and First Nations in 2024. The September 1, 2026 Public Hearing was a quasi-judicial process within and following which specific procedures must be followed.

The procedural steps following the close of the Hearing are as follows:

1. Consideration of Second Reading, as amended (this may include further changes to alter a bylaw);
2. Consideration of Third Reading;
3. Forwarding of the bylaws to Executive Committee for approval;
4. Forwarding the OCP amendment to Ministry of Municipal Affairs and Housing for approval; and
5. Final LTC consideration and adoption.

Following the close of the Public Hearing, the LTC may not hear further submissions without holding a new Public Hearing. The principle is that if new information is considered by the LTC, all other interested parties also need to have the opportunity to consider any new relevant material and to make further representations to the LTC. The courts have clarified that this does not open the door to endless Public Hearings: a local government body can legitimately decide that after a hearing if it wishes to hear further from staff on issues raised at the hearing.

ALTERNATIVES

1. Amend the Bylaw(s)

That the Hornby Island Local Trust Committee proposed Bylaw No. 176, cited as “Hornby Island Official Community Plan Bylaw No. 149, 2014, Amendment No. 1, 2024” be amended as follows:...

That the Hornby Island Local Trust Committee proposed Bylaw No. 177, cited as “Hornby Island Land Use Bylaw No. 150, 2014, Amendment No. 1, 2024” be amended as follows:...

2. Proceed no further

That the Hornby Island Local Trust Committee proceed no further with Bylaw Nos. 176 and 177.

NEXT STEPS

If the recommendations are supported:

- Bylaw Nos. 176 and 177 will be forwarded to the Islands Trust Executive Committee for approvals;
- Bylaw 176 (OCP Amendment) will be forwarded to the Minister of Municipal Affairs and Housing for approval; and
- Bylaw Nos. 176 and 177 will be returned to the LTC for final adoption.

Submitted By:	Sonja Zupanec, Island Planner Chad Townsend, Island Planner	August 18, 2026
Concurrence:	Renée Jamurat, RPP, MCIP, Regional Planning Manager	August 20, 2026

ATTACHMENTS

1. Bylaw 176 (OCP)
2. Bylaw 177 (LUB)

PROPOSED

HORNBY ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 176

A BYLAW TO AMEND HORNBY ISLAND OFFICIAL COMMUNITY PLAN, 2014

The Hornby Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Hornby Island Local Trust Area under the *Islands Trust Act*, enacts as follows:

1. This bylaw may be cited for all purposes as “Hornby Island Official Community Plan Bylaw No. 149, 2014, Amendment No. 1, 2024”.
2. Hornby Island Local Trust Committee Bylaw No. 149, cited as “Hornby Island Official Community Plan, 2014,” is amended as per Schedule “1” and “2” attached to and forming part of this bylaw.

READ A FIRST TIME THIS 9TH DAY OF AUGUST , 2024

READ A SECOND TIME THIS 16th DAY OF MAY , 2025

PUBLIC HEARING HELD THIS - DAY OF - , 202x

READ A THIRD TIME THIS - DAY OF - , 202x

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

- DAY OF - , 202x

APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING THIS

- DAY OF - , 202x

ADOPTED THIS - DAY OF - , 202x

Chair

Secretary

HORNBY ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 176
Schedule “1”

1. **Schedule “A”** of Hornby Island Official Community Plan, 2014 is amended as follows:
 - 1.1 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.3 Residential**, article **6.3.1 Residential – General, Objectives** (1) is deleted and replaced with:

“(1) to ensure that a variety of housing and housing tenure options are supported by this Plan.”
 - 1.2 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.3 Residential**, article **6.3.1 Residential – General, Policies**, is amended by adding the following new policy after 6.3.1.3 “6.3.1.4 Vacation Home Rental use is permitted through the issuance of a valid Temporary Use Permit.”
 - 1.3 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.3 Residential**, article **6.3.3 Rural Residential, Objectives**, be amended by adding a new objective after (4) which reads: “(5) to support multi-dwelling residential rental tenure development in the Large Lot Residential zone, through rezoning applications.”
 - 1.4 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.3 Residential**, article **6.3.3 Rural Residential, Policies** 6.3.3.6 is amended by deleting the words “and vacation home rentals”.
 - 1.5 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.3 Residential**, article **6.3.3 Rural Residential, Policies** is amended by adding a new policy 6.3.3.10 that reads “6.3.3.10 Rezoning applications are encouraged for multi-dwelling developments restricted to residential rental tenure and which ensure affordability is maintained in perpetuity.”
 - 1.6 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.4 Agriculture**, article **6.4.1 Agriculture, Policies**, 6.4.1.4 be deleted in its entirety and replaced with “6.4.1.4 On lots 4.0 hectares or larger in the Agricultural Land Reserve, regulations should permit one principal dwelling and one secondary suite within the principal dwelling as well as one additional secondary dwelling limited in floor area and consistent with the Agricultural Land Commission regulations.”
 - 1.7 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.5 Commercial and Home Occupations**, article **6.5.2 Visitor Accommodations and Tourism, Policies**, 6.5.2.5 a) is amended by removing the words “, guest houses or vacation home rentals”.
 - 1.8 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.5 Commercial and Home Occupations**, article **6.5.2 Visitor Accommodations and Tourism, Policies**, 6.5.2.5 b) is deleted in its entirety and replaced with “6.5.2.5 b) On land in the Agricultural Land Reserve, vacation home rentals approved by a temporary

use permit and agri-tourism accommodation in accordance with Agriculture Land Commission policy and regulations, if zoning allows such a use.”

- 1.9 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.5 Commercial and Home Occupations**, article **6.5.2 Visitor Accommodations and Tourism, Policies**, Policy 6.5.2.5 is amended by adding a new item c) that reads: “c) Vacation home rental use may be approved through the issuance of a Temporary Use Permit and subject to guidelines contained within the Land Use Bylaw.”
- 1.10 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.5 Commercial and Home Occupations**, article **6.5.3 Vacation Home Rental**, is deleted in its entirety and subsequent subsections renumbered accordingly.
- 1.11 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.5 Commercial and Home Occupations**, article **6.5.5 Home Occupations, Background**, paragraph 2 is amended by removing the words “and vacation home rental of a primary residence is addressed in article 6.5.3 Vacation Home Rental”.
- 1.12 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.5 Commercial and Home Occupations**, article **6.5.5 Home Occupations, Policies**, Policy 6.5.5.7 is deleted in its entirety and subsequent policies renumbered accordingly.
- 1.13 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.10 Temporary Use Permits, Objectives**, Objective (9) is deleted in its entirety and replaced with “(9) to allow vacation home rental use as per Policy 6.5.2.5 c)”.
- 1.14 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.10 Temporary Use Permits, Guidelines**, 6.10.1 through 6.10.10 are deleted and replaced with the following text: “The guidelines for this subsection are found in the Hornby Island Land Use Bylaw.”

PROPOSED

HORNBY ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 177

A BYLAW TO AMEND HORNBY ISLAND LAND USE BYLAW, 2014

The Hornby Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Hornby Island Local Trust Area under the *Islands Trust Act*, enacts as follows:

1. This bylaw may be cited for all purposes as “Hornby Island Land Use Bylaw No. 150, 2014, Amendment No. 1, 2024”.
2. Hornby Island Local Trust Committee Bylaw No. 150, cited as “Hornby Island Land Use Bylaw, 2014,” is amended as per Schedule “1” attached to and forming part of this bylaw.

READ A FIRST TIME THIS 9TH DAY OF AUGUST , 2024

READ A SECOND TIME THIS 26TH DAY OF JUNE , 2026

PUBLIC HEARING HELD THIS - DAY OF - , 202x

READ A THIRD TIME THIS - DAY OF - , 202x

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

- DAY OF - , 202x

ADOPTED THIS - DAY OF - , 202x

Chair

Secretary

HORNBY ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 177
Schedule “1”

1. **Schedule “A”** of Hornby Island Land Use Bylaw, 2014 is amended as follows:

1.1 **PART 1, INTERPRETATION, Section 1.1 Definitions**, the definition of **structure** is amended by adding the words “, and water storage cisterns.” After “related appurtenances”.

1.2 **PART 1, INTERPRETATION, Section 1.1 Definitions**, and the definition of **vacation home rental use** be deleted and replaced with:

“vacation home rental use means the use of a residential dwelling unit for the temporary accommodation of paying guests for a period of less than 30 consecutive days, where: (a) an owner or tenant of the lot on which the dwelling unit is located is ordinarily a resident in the dwelling and the vacation home rental use is occurring during a temporary absence of that owner or tenant; or (b) the owner or tenant is residing in another lawful dwelling on the same lot while the vacation home rental is occurring; or (c) the owner of the lot resides seasonally in the dwelling unit and the vacation home rental use is occurring during the absence of that owner; and includes such a use of a dwelling unit the residential use of which is a lawfully nonconforming use under Section 528 of the Local Government Act, unless such residential use is discontinued for a continuous period of six months.”

1.3 **PART 3, GENERAL REGULATIONS, Section 3.7 Vacation Home Rental Uses** be deleted and subsequent sections are re-numbered accordingly.

1.4 **PART 8, ZONE REGULATIONS, Section 8.1 Residential 1- Small Lot (R1) Zone (Galleon Beach, Shingle Spit, Sandpiper, Whaling Station Bay/Anderson Drive and portion of Klaver Lot)**, Subsection (1) (d) is deleted.

1.5 **PART 8, ZONE REGULATIONS, Section 8.2 Residential 2- Large Lot (R2) Zone**, Subsection (1) (h) is deleted.

1.6 **PART 8, ZONE REGULATIONS, Section 8.4 Residential 4- Forest (R4) Zone**, Subsection (1) (g) is deleted.

1.7 **PART 8, ZONE REGULATIONS, Section 8.5 Agriculture 1 (A1) Zone**, Subsection (1) (f) is deleted.

1.8 **PART 8, ZONE REGULATIONS, Section 8.21 Public Use (PU) Zone**, Subsection (9) **table** is amended by adding a new site specific regulation after “(d) Recycling depot” that reads “(e) Community housing, to a maximum density of 10 units per hectare and 24 live/work units per lot.”

1.9 **PART 10, TEMPORARY USE PERMIT AREAS, Section 10.1 Temporary Use Permits**, text is amended by adding the following sentence at the end of the paragraph “All Temporary Use Permit Objectives are listed in the Hornby Island Official Community Plan.”

1.10 **PART 10, TEMPORARY USE PERMIT AREAS, Section 10.2 Objectives** is deleted and subsequent section renumbered accordingly.

1.11 PART 10, TEMPORARY USE PERMIT AREAS, Section 10.3 Guidelines, Subsection (10)
is deleted and replaced with the following:

“When considering the issuance of a Temporary Use Permit for a vacation home rental, the following additional guidelines apply:

- (a) The cumulative impacts of vacation home rentals on both the neighbourhood and the island as a whole shall be considered. Applications may be refused where the concentration or cumulative effect of vacation home rentals would result in unacceptable land use impacts, including but not limited to impacts on residential character, traffic, or housing availability.
- (b) Applicants for a Temporary Use Permit should provide:
 - i) Confirmation from an authorized person that the wastewater management system serving the vacation rental has been inspected within the previous six (6) months and complies with the Sewerage System Regulation, or confirmation identifying what upgrades or construction would be required for the system to achieve compliance. Where alternative wastewater systems (such as composting or waterless toilets) are proposed, documentation must demonstrate that the system complies with applicable regulations or has been designed and assessed by a qualified professional.
 - ii) Where the vacation rental is served by a water system supplying more than one dwelling, a copy of a valid operating permit issued under the Drinking Water Protection Regulation, if applicable.
 - iii) Confirmation from a qualified professional, within the previous six (6) months, that the groundwater or rainwater supply serving the vacation rental meets, or can be made to meet through specified treatment or management measures, the Guidelines for Canadian Drinking Water Quality for microbial and chemical quality.
 - iv) Where groundwater is the whole or partial water supply serving the vacation rental, confirmation from a qualified professional that the quantity of groundwater available to serve the vacation rental is sufficient for the intended use.
 - v) Where rainwater is the whole or partial water supply serving the vacation rental, documentation of the rainwater collection system and quantity of the storage is sufficient for the intended use.
- (c) a condition of the Temporary Use Permit should require the permit holder to post information for guests about awareness and sensitivity to the significant First Nations cultural heritage and archaeological sites on the island;
- (d) a condition of the Temporary Use Permit should prohibit recreational vehicles or camping;

(e) a condition of the Temporary Use Permit should allow vacation home rental use only between May 1 – September 30;

(f) a condition of the Temporary Use Permit should allow no more than 2 beds per bedroom and no more than three bedrooms to be used for dwellings on lots less than 1.0 hectare in size; or more than four bedrooms if the lot has an area of 1.0 hectare or more.

(g) a condition of the Temporary Use Permit should restrict occupancy during any period of seven consecutive days to only one guest or guest party;

(h) a condition of the Temporary Use Permit should limit occupancy and signage on the property;

(i) a condition of the Temporary Use Permit should require specific information to be posted to guests regarding the location of property lines by way of a map, any applicable noise bylaws, measures to address water conservation, fire safety, storage and management of garbage, septic system care and control of pets (if pets are permitted) as stated in the Temporary Use Permit or as determined by the owner or manager to effectively manage the site; and

(j) any other requirements the Local Trust Committee may consider appropriate.”