

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	-	DAY OF	-	, 202x
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** is deleted.
 - 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 3, GENERAL REGULATIONS**, Section **3.8 Secondary Suites**, Subsection **(1) (e)** is amended by replacing the words "the principle residential dwelling" with "a permitted residential dwelling".
 - 1.5 **PART 3, GENERAL REGULATIONS**, Section **3.8 Secondary Suites**, Subsection **(1) (g)** is amended by replacing the word "principal" with "permitted residential".
 - 1.6 **PART 3, GENERAL REGULATIONS**, Section **3.8 Secondary Suites**, a new subsection is inserted after **(2)** and before **(3)** with the following text:

“(3) Where a secondary suite is permitted in Part 8 of this Bylaw, an authorized qualified professional must state in writing to the Islands Trust that the potable water system to which the building accommodating the secondary suite is connected to, is capable of providing adequate quantity and quality of potable water.”

and the subsequent subsection renumbered accordingly.
 - 1.7 **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 amending by replacing the words "vacation home rental use" with "secondary suite as per Section 3.8 of this bylaw."
 - 1.8 **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 **(2) (a)** is deleted and replaced with "(a) a maximum of one residential dwelling unit with one secondary suite or one recreational vehicle used for a residential use per lot; and".
 - 1.9 **PART 8, ZONE REGULATIONS**, Section **8.2 Residential 2- Large Lot (R2) Zone**, Subsection **(1) (c)** is amended by deleting the words "in a dwelling on lots 2.0 hectares or larger" and replacing with "as per Section 3.8 of this bylaw".
 - 1.10 **PART 8, ZONE REGULATIONS**, Section **8.2 Residential 2- Large Lot (R2) Zone**, Subsection **(1) (h)** is deleted.
 - 1.11 **PART 8, ZONE REGULATIONS**, Section **8.2 Residential 2- Large Lot (R2) Zone**, Subsection **(2) (a)** is amended by adding the words "and one secondary suite" after the word "unit".
 - 1.12 **PART 8, ZONE REGULATIONS**, Section **8.2 Residential 2- Large Lot (R2) Zone**, Subsection **(2) (b)** is amended by adding the words "and two secondary suites" after the word "units".

- 1.13 **PART 8, ZONE REGULATIONS**, Section **8.4 Residential 4- Forest (R4) Zone**, Subsection **(1) (b)** is amending by replacing the words “in a dwelling on lots 2.0 hectares or larger” with “as per Section 3.8 of this bylaw.”
- 1.14 **PART 8, ZONE REGULATIONS**, Section **8.4 Residential 4- Forest (R4) Zone**, Subsection **(1) (g)** is deleted.
- 1.15 **PART 8, ZONE REGULATIONS**, Section **8.4 Residential 4- Forest (R4) Zone**, Subsection **(2) (a)** is amending by adding the words “and one secondary suite” after the word “unit”.
- 1.16 **PART 8, ZONE REGULATIONS**, Section **8.4 Residential 4- Forest (R4) Zone**, Subsection **(2) (b)** is amending by adding the words “and two secondary suites” after the word “units”.
- 1.17 **PART 8, ZONE REGULATIONS**, Section **8.5 Agriculture 1 (A1) Zone**, Subsection **(1) (d)** is amended by replacing the words “in a dwelling on lots 2.0 hectares or larger” with “as per Section 3.8 of this bylaw.”
- 1.18 **PART 8, ZONE REGULATIONS**, Section **8.5 Agriculture 1 (A1) Zone**, Subsection **(1) (f)** is deleted.
- 1.19 **PART 8, ZONE REGULATIONS**, Section **8.5 Agriculture 1 (A1) Zone**, Subsection **(2) (a)** is amended by adding the words “and one secondary suite” after the word “unit”.
- 1.20 **PART 8, ZONE REGULATIONS**, Section **8.5 Agriculture 1 (A1) Zone**, Subsection **(2) (b)** is amended by adding the words “and two secondary suites” after the word “units”.
- 1.21 **PART 8, ZONE REGULATIONS**, Section **8.6 Agriculture 2 –Agriculture/Residential (A2) Zone (Shire Property)**, Subsection **(1) (b)** is amended by adding the words “as per Section 3.8 of this bylaw;” after “suite”.
- 1.22 **PART 8, ZONE REGULATIONS**, Section **8.6 Agriculture 2 –Agriculture/Residential (A2) Zone (Shire Property)**, Subsection **(2) (a)** is amended by adding the words “and one secondary suite per dwelling” after “units”.
- 1.23 **PART 8, ZONE REGULATIONS**, Section **8.7 Agriculture 3 –Agriculture/Residential (A3) Zone (Syzygy)**, Subsection **(1) (d)** is amended by adding the words “as per Section 3.8 of this bylaw;” after “suite”.
- 1.24 **PART 8, ZONE REGULATIONS**, Section **8.7 Agriculture 3 –Agriculture/Residential (A3) Zone (Syzygy)**, Subsection **(2) (a)** is amended by adding the words “and one secondary suite per dwelling” after “units”.
- 1.25 **PART 8, ZONE REGULATIONS**, Section **8.8 Agriculture 4 –Agriculture/Residential (A4) Zone (Downes Point Land Holdings Ltd.)**, Subsection **(1) (b)** is amended by adding the words “as per Section 3.8 of this bylaw;” after “suite”.
- 1.26 **PART 8, ZONE REGULATIONS**, Section **8.8 Agriculture 4 –Agriculture/Residential (A4) Zone (Downes Point Land Holdings Ltd.)**, Subsection **(2) (a)** is amended by adding the words “and one secondary suite per dwelling” after “units”.
- 1.27 **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.”
- 1.28 **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.”
- 1.29 **PART 10, TEMPORARY USE PERMIT AREAS**, Section **10.2 Objectives** is deleted and subsequent section renumbered accordingly.

1.30 **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 effects, both positive and negative, on the neighbourhood and island of all Temporary Use Permits issued for vacation home rentals shall be considered by the Local Trust Committee;

(b) applicants for a Temporary Use Permit should provide documentation from a qualified professional that:

- i) the septic tank has been inspected in the last 6 months and is working and capable of supporting the proposed occupancy load for the vacation rental use; and
- ii) there is sufficient quantity and quality of potable water to support the vacation rental 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 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.