

# PROPOSED

## HORNBY ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 177

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### A BYLAW TO AMEND HORNBY ISLAND LAND USE BYLAW, 2014

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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                      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

ADOPTED THIS                      -                      DAY OF                      -                      , 202x

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**Chair**

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**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 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 sewerage system for the vacation rental has been inspected in the last 6 months and meets the requirements of the Sewerage System Regulation and/or determines what level of construction is required on the existing system to comply with the Sewerage System Regulation;
- ii) an issued operating permit for a water supply system servicing more than one dwelling;
- iii) confirmation from a qualified professional to certify the watery supply meets the Guidelines for Canadian Drinking Water Quality for microbial and chemical quality or can be made potable with specified measures;
- iv) confirmation from a qualified professional that well water quantity intended to supply the vacation rental is sufficient.

(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.