

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.”