



Hornby Island Short Term Rental Association

Email: hornbyshortterm@gmail.com

Sue Ellen Fast, Chair, Hornby Island Local Trust Committee, Vice Chair, Islands Trust Council

SFast@IslandsTrust.BC.ca

Grant Scott, Trustee Hornby Island Local Trust Committee

GScott@IslandsTrust.BC.ca

Alex Allen, Trustee Hornby Island Local Trust Committee

AAllen@IslandsTrust.BC.ca

Peter Luckham, Chair, Island Trust Council

pluckham@islandstrust.bc.ca

Murray Rankin, Attorney General of BC and Minister Responsible for Housing

AG.Minister@gov.bc.ca

Melanie Mark, Minister of Tourism, Arts, Culture and Sports

TAC.Minister@gov.bc.ca

Nathan Cullen, Minister of Municipal Affairs

MUNI.minister@gov.bc.ca

August 24, 2022

Re: March 29 Hornby Island Advisory Planning Commission recommendations for Housing and Short-Term Rentals

Hornby Island Short Term Rental Association (HISTRA) has reviewed the Hornby Island Local Trust's Advisory Planning Commission (APC) Recommendations made to the Local Trust Committee for Islands Trust in March of 2022. We have sought feedback on these recommendations from our members and other island residents and community organizations.

In responding to the recommendations, we offer the following comments:

- The removal of Short Term Rentals (STR) from the Hornby Island Local Trust Area Regulatory Bylaws is inconsistent with the 2010 and 2017 Islands Trust community surveys, consultation outcomes and the Official Community Plan. The Official Community Plan, created with and by Islanders, describes STRs as a part of the Hornby community and important to the island economy, which, while not agreed to by all, reflects the overall community perspective.
- Raising this issue, yet again, creates division in the community and the proposed changes would have little or no impact on issues of housing affordability or long term rental availability. It also has minimal connection to water and septic issues that are created by, and effect, all residents and visitors throughout the year. It threatens the economic health of our community and diverts attention away from more critical issues.



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- The Temporary Use Permit will add nothing that is not already captured in the Official Community Plan. The Temporary Use Permit is a complex multi-step process that, if approved, allows one 3 year period and one 3 year extension, a maximum of 6 years. After these 6 years the bylaws are silent on whether the use will no longer be allowed or a new permit application can be made. One creates a huge administrative burden on the Local Trust Committee, Islands Trust and the Hornby Community, the other ends STR on Hornby Island.
- Short Term Rentals generate a significant economic benefit to Hornby, in tourist dollars spent in our community, STR visitors spend an estimated \$1.8-2.8M¹ per year between May and September, not including accommodations. Throughout the year, STR owners purchase services and goods from mechanical, construction, garden and yard maintenance and other small business people living on the Island. This adds an estimated further half million dollars to the island² every year. Decreasing the rental time frame by 2 months will not impact affordability, long term housing or reduce the pressure on the island when it is highest, in July and August, but it could cut more than \$1.2M¹ a year of direct spending from Island businesses, Artisans, trades and other workers.
- STRs are largely long term Hornby community members' family homes and properties. In a 2019 HISTRA survey more than 80% of STR owners said they had been part of the community for more than 10 years, with almost 30% having been a part of Hornby more than 30 years. These long term members of our community use STRs to keep their properties in good condition, including water, septic and other sustainability systems. If STR is further limited or no longer allowed, more than 30%³ of these established and valued Hornby community members say they could be forced to sell. This would diminish our community.
- In contrast to the statement that STRs are growing out of control, the APC report shows the number of STRs declining from a high of 167 in 2018. Our information suggests the number is stable, with more and more joining HISTRA as well as following our recommendations for safe, respectful and sustainable STR operation.

¹ Source: Go2HR and Destination BC.

In BC in 2017, 9\$B was spent by 5.7M overnight and an estimated 7.7M day visitors (57% of visitors to BC are day visitors), \$6.8B of which was spent on goods and services other than accommodation.

That equates to an estimate of \$507 per visitor.

As there are fewer services on Hornby, we have estimated daily spending at \$140 per STR (not per person) per day.

We used 116 days in the summer and shoulder seasons and between 112 and 167 STRs operating on each day.

² Source HISTRA Owners Survey data: STR owners spend on average \$5,000 a year on Hornby local business and workers supporting their properties, uses 112 STRs as the multiplier.

³ 2019 HISTRA Survey



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- The pressure on the island, its services and infrastructure comes from family gatherings, large and small, at family homes of full and part time residents, campers, resorts, B and B's and STRs. STRs represent about 10% of the dwellings on Hornby⁴, most are used by their owners for several weeks in the spring and summer⁵ and about 3 in 4⁵ of them have an enforced capacity of 6 or less visitors. The water, septic and infrastructure issues need to be addressed by all dwellings on the island, focusing on only 10% of them cannot create an island wide solution.
- Only 3% of 2019 HISTRA Owners Survey respondents suggested they would consider long term rental if STR was further limited or no longer possible, 30% would be forced to sell and the rest would use their property less. Limiting or removing STR would not address the needs of the estimated 30⁶ families on Hornby with insecure housing. The Beulah Creek Development, recently submitted for development permit is expected to provide 26 new rental units. Many of these units will be tied to income and set at affordable rates. If approved, this will have a substantial impact on addressing this challenge in our community.
- The APC and their recommendations must reflect the ideas, opinions or expectations of the diverse residents of Hornby Island. The current APC has only 4 of its 7 possible members and does not have representation from many Hornby resident groups including, local business, the artisan communities or STR owners.

Based on the above information and the overwhelming feedback from our membership and Island residents, the Hornby Island Short Term Rental Association requests that, at the September 9th 2022 Hornby Island Local Trust Committee meeting, the following motions be made and approved:

1. That the Hornby Island Local Trust Committee remove the following March 29, 2022 APC Recommendations:
 - a. Density Recommendation 2
 - b. Density Recommendation 3
 - c. Temporary Use Permit Recommendation 1
 - d. Temporary Use Permit Recommendation 2
 - e. Temporary Use Permit Recommendation 3
 - f. Short Term Rental Recommendation 1
 - g. Short Term Rental Recommendation 3

⁴ 2021 Census data

⁵ HISTRA Owners Survey

⁶ This is the number used by the APC, no source is referenced for it



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- h. Short Term Rental Recommendation 4
- i. Short Term Rental Recommendation 5
- j. Short Term Rental Recommendation 7
- k. Short Term Rental Recommendation 9
- l. Short Term Rental Recommendation 11
- m. Zoning Recommendation 1
- n. Zoning Recommendation 2
- o. Definition 2
- p. Definition 3
- q. Definition 4
- r. Advocacy Recommendation 1, part 2
- s. Advocacy Recommendation 2

in their entirety, from the Project Charter, Workplan and Scope of the Official Community Plan update⁷ currently being developed with Islands trust.

The two years of extensive consultation in 2010 and 2011 endorsed STRs as an important aspect of the Hornby community, adding them as an allowed use in the bylaws, establishing the 5 month season, and outlining the community expectations for their operation and impact. This reflects the current views of the majority of the island community.

The 2017 Islands Trust community survey reiterated this support and there is no evidence to indicate the community views, on the whole, have changed. We urge that, the 2017 Islands Trust survey be accepted as a reflection of the community's preferences. Extensive community consultation, including a survey of preferences, must be done before any change to Official Community Plan. Given this issue has been recently settled, twice, we respectfully suggest that the cost to pursue the issue a third time is not a good use of limited funds.

Removing these APC Short Term Rental and Housing Recommendations from the Official Community Plan Update currently underway would enable the OCP Update to be completed with less extensive consultation and cost and allow the work to focus on areas, such as first nations and riparian zones that have yet to be decided.

⁷ HO-LTC-2022-028 It was MOVED and SECONDED, that the Hornby Island Local Trust Committee request staff to develop a Project Charter with a detailed work plan based on the Advisory Planning Commission recommendations. AND Project Scope and workplan June 10th LTC meeting submission: Report subject: Hornby Island OCP Amendments Review Project Charter



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2. That the APC, which has been doing a broad and complex scope of work with 3 vacant seats, be filled out to continue its work and ensure it is a good representation of the diversity and complexity of our Island.

We suggest it should be expanded to its full membership by the end of 2022 and must include and retain specific interests on Hornby such as:

- a. Long Term full-time residents
 - b. Long Term part-time residents
 - c. Property owners
 - d. Renters/tenants
 - e. Business owners
 - f. STR/Tourist accommodation operators
 - g. Artists/Artisans
 - h. Community diversity – age, gender identity, cultural and socio-economic differences
3. The Province of BC has recently announced it is developing Provincial STR reporting requirements. Hornby Island Local Trust Committee requests that members of the Hornby community, including but not limited to STR owners, participate in that process.

This would replace the APC recommended reporting process which will likely duplicate costs and effort. We believe participating in the provincial work will enable the development of a provincial reporting framework that can be tailored to individual communities and their needs.

Sincerely,

HISTRA Board and members (total of 92 Hornby Island Residents)

Michael Williams, President HISTRA

HISTRA Board:

Michael Williams, President
Angela Hudson, Treasurer
Patrick Lui, Secretary
Raymond Therrien, Director
Eulala Mills, Director
Arifin Graham, Director

Lee Gorral, Director
Donna Tuele, Director
Karen Ross, Director
Michelle Metzelaar-Easterly, Director
Karen (Garton) Young, Director
Frances Millan, Director



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Along with the HISTRA Board and its 93 members, this document, its requests and the recommendations that follow in the Appendix have been endorsed by the following Hornby Island Businesses, Associations and Residents:

- | | |
|---|----------------------------------|
| 1. Martin Cree, Bradsdadsland | 8. Jeff Bishop, Seabreeze Resort |
| 2. Jeff Zamluk, Fossil Beach Farm | 9. Kalena Young |
| 3. Joan Costello, Hornby Island Winery | 10. Jed Young |
| 4. Phil Davies, Lorena Winery | 11. Jim Garton |
| 5. Louise McMurray, President for the
Hornby Island Arts Council | 12. Sachan Im |
| 6. Jack Hornstein, Thatch Pub and
Resort | 13. Robin de Lavis |
| 7. Kate Ortwein, Tribune Bay Outdoor
Education Society | 14. Scott Brawn |
| | 15. Pamela Copley |
| | 16. Rachelle Chinnery |

Additionally, along with many HISTRA board members, several Hornby Island Residents have submitted letters requesting clarification or the retraction of these recommendations, those who have copied HISTRA in their letters are listed below:

- | | |
|----------------------------------|-----------------|
| 1. Miranda-Jo and Dave Andersen | 5. Jim Garton |
| 2. Joan E. Ford and Gail Roberts | 6. John Gellard |
| 3. Morgan Janice (Jan) Radford | 7. David Wardle |
| 4. Ryan Denomme | |



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Appendix:
Areas of HISTRA and listed Endorsers Agreement and Disagreement
by APC recommendation

We Do support these APC Recommendations:

Density Recommendation 1, with revisions	✓ Large Lot Residential zone, allow multi-family rental/strata/fee simple development through site-specific subdivision rezoning (we would support an allocation model that puts some of this into affordable long term rental, some into private ownership and allows some to be STR).
Density Recommendation 3, with revisions Short Term Rental Recommendation 2	✓ A requirement that homes on Hornby – whether they be STR or any other type of housing – have appropriate septic, water and sustainability infrastructure for the capacity of the home/STR.
Short Term Rental Recommendation 6 with revisions	✓ Enforce existing bylaws about STR.
Short Term Rental Recommendation 8 with revisions	✓ Require all platforms to only advertise properties in compliance with zoning, if so identified and requested by Island Trust. HISTRA, HICEEC, hornbyisland.com are not policing agencies and should not be expected to be the enforcement arm of Island Trust.
Short Term Rental Recommendation 10 with revisions	✓ Clarify occupancy levels, Note: We interpret this to mean STRs have occupancy that is supported by their infrastructure capacity (septic, water, sustainability, power etc.). Additionally, for noise, parking, etc. The Island Trust should identify a manner to limit occupancy so as not to impair the residential character of neighbourhoods.
Short Term Rental Recommendation 12	✓ Permit limited numbers of long-term residential occupancies in seasonal campgrounds.
Zoning Recommendation 3	✓ Clarify bylaws for the Thatch. Note: We understand this has already been done.
Zoning Recommendation 4 with revisions	✓ Amend the bylaws governing Public Use zone to add: <ul style="list-style-type: none">- Cemetery- Public Utility Storage Yard- Highways maintenance yard- Recycling depot and- Community Trades & Services (APC added section)



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	- Affordable housing (HISTRA added section)
Administrative Recommendation 1	✓ Change Elder Housing and ISLA to Hornby Island Housing Society as appropriate.
Administrative Recommendation 2 with revisions	✓ All site plans and permits to be checked for compliance with on-site visits if economically feasible for the Islands Trust and or the CVRD. Note: this assumes that visits can be accomplished without significant impact to project timelines or costs to the Islands Trust or CVRD Bylaw enforcement program.
Definition 1	✓ Define community housing to include mobile homes, tiny homes, caravans, yurts.
Advocacy Recommendation 1 (part 1)	✓ Request governments to allow Business Licenses on Island Trust areas.
Advocacy Recommendation 3 with revisions	✓ The provision of information to all visitors, in STR, campgrounds, Bed and Breakfasts and other vacation sites, that includes information and expectations related to environmental, water, sensitive natural area, first nations relationships to Hornby, noise levels and parking. Note: HISTRA provides outlines for this information and much more on its web site HISTRA.ca.
Advocacy Recommendation 4/5	✓ Provide information to Realtors to assist them in sharing that information with potential new residents about Land Use Bylaws and Short Term Rental regulations.

We would add:

	✓ The use of a framework of sustainable practices, similar to that on the HISTRA web site, for STRs operating on Hornby.
	✓ Participating in the Province wide STR registration program design, instead of creating a redundant or competing system, to help ensure alignment with Hornby community priorities and values.



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We Do Not support these APC Recommendations:

Density Recommendation 2	X Large Lot Residential zone, create a new zone which allows constructed of a second dwelling, specifically not to be used for vacation rentals.
Density Recommendation 2 and 3	X In all zones permit site specific applications for a second dwelling specifically for long term rentals.
Temporary Use Permit Recommendation 1	X Sort Term Rentals as a permitted use is revoked in all zones.
Temporary Use Permit Recommendation 2	X Current STR operators would need to apply for a Temporary Use Permit: <ul style="list-style-type: none"> ○ Provide water and septic certification and maintenance plan (part of TUP); ○ TUP for STR be batch processed and the fee adjusted to \$250 and to \$0 if the permit is to provide a community benefit; and ○ Current occupancy limits to be confirmed as part of the TUP process.
Temporary Use Permit Recommendation 3	X Max. time any short term rental can operate be reduced to 3 months.
Short Term Rental Recommendation 1	X All Short Term Rentals must register with Island Trust. Note: as the province is embarking on the development of an STR registration system we see this as redundant.
Short Term Rental Recommendation 3	X STR only in the principal residence.
Short Term Rental Recommendation 4	X Rental period reduced from 5 months to 3.
Short Term Rental Recommendation 5	X Only one STR per property.
Short Term Rental Recommendation 7	X Proactive enforcement of all Visitor accommodations (incl glamping, campgrounds, lodges, etc.). Note: we do not believe that Islands Trust has the capacity or funding to support this
Short Term Rental Recommendation 9	X Require all platforms to provide data
Short Term Rental Recommendation 11	X Number of STRs to be capped.
Zoning Recommendation 1	X All Small Lot Residential zones be designated IA, Heavily Developed Aquifer



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	Note: without a defined rationale, the reason for and expected impact of this change is unclear. Once these details are available this could change to a supported recommendation
Zoning Recommendation 2	X Create bylaws governing Lerena Vineyards and Fossil Beach Farm.
Definition 2	X Define tank to exclude cistern. Note: without a defined rationale, the reason for and expected impact of this change is unclear. Once these details are available this could change to a supported recommendation.
Definition 3	X Define cistern and mandatory setbacks. Note: without a defined rationale, the reason for and expected impact of this change is unclear. Once these details are available this could change to a supported recommendation.
Definition 4	X Define septic fields and absorption fields. Note: without a defined rationale, the reason for and expected impact of this change is unclear. Once these details are available this could change to a supported recommendation.
Advocacy Recommendation 1 (part 2)	X Once Islands Trust can issue business licences require STR to hold business licences. Note: Until the details of this program are clear, we cannot support it. Once these details are available this could change to a supported recommendation.
Advocacy Recommendation 2	X Advocate Provincial Government to regulate advertising of short term rentals. Note: We cannot support this as a blanket statement, but need some more details on what was being considered before reconsidering. We do support participation in the development of a province-wide registration process to help ensure the outcome aligns with the grassroots, community based solutions that are at the core of our Island.