

**From:** Angela Hudson (personal) [REDACTED]  
**Sent:** Tuesday, August 6, 2024 9:17 PM  
**To:** Sonja Zupanec; Alex Allen; Grant Scott; northinfo; Timothy Peterson  
**Subject:** A Therrien response to LUB/OCP draft 08 06 2024  
**Attachments:** A Therrien comments to OCP LUB 08 06 2024.docx

Dear Trustees and Sonja

Please find attached my comments regarding the draft changes to the LUB and OCP most specifically related to the housing piece. In summary I have the following comments:

1. The definition of short term rental has been eliminated in the definition section of the LUB and the staff note references that it will be in the TUP but does not show up there in the draft TUP language. This could be because this part has not been drafted yet however some language needs to be included so that it can be commented on by the community as it has been eliminated in the LUB. I believe that it should be in the definition section and again in the TUP as it is important to indicate that STR are rentals are defined as less than 30 days or it will be the provincial less than 90 days and that affects workforce housing in the fall etc.
2. The way the bylaws are now drafted Sandpiper and Galleon can not have any secondary suites because of the proposed IA designation for those areas. The section of the bylaw that creates this issue is highlighted in the attached document with a comment. I think this is a big concern as the development of affordable housing is a priority. Septic and water concerns can be addressed through other means (and have been in the bylaw revisions). I don't believe this was the intention of the trustees, to make all the current non conforming affordable housing illegal.
3. Secondary suites should be attached **or detached** as long as they are for long term rental or owner use and currently the way the LUB is written only permits attached secondary suites. Adjustments to the current square footage should be permitted to add a secondary suite above the current sq. ft for the main dwelling ensuring that enough water and proven septic are provided. It could even be that attached could be a certain size and detached could be a tiny home size for example. Carriage houses/Laneways homes are already the norm in many areas and secondary suites are already permitted to be detached on certain gulf islands. This should be considered on Hornby and it would be much more acceptable to the culture here. Many renters have dogs and prefer to have a little bit of separation from the owners and it should be permitted with appropriate safeguards to the environment.
4. The OCP should include a statement that commercial developments should incorporate affordable housing in the air space above the buildings. This is also something that is the norm in other parts of BC - above grocery stores, fire halls, libraries and other commercial areas. This is not mentioned anywhere in the OCP and should definitely be. The days of one story buildings are gone and we should be keeping a smaller footprint by adding a second story for affordable housing and encouraging it. Also the inclusion of workforce housing in resorts etc. zoning should be stated and supported by IT in the OCP.

The way the bylaws/OCP has been drafted currently all of the illegal secondary units in Sandpiper and Galleon will not meet the criteria outlined and may never be able to (specifically

about potable water) including the requirement to have the units inside the existing dwelling footprint. I understand that the owners could probably apply for a TUP but they will not if it is too onerous and costly and will never conform to the OCP guidelines etc.

Those individuals currently in illegal secondary suites/housing will be displaced and the only places that can even consider secondary suites would be areas outside the 1A which do not provide for many opportunities especially if the units have to be in the dwelling unit or attached to it. More dialog or consideration should be done before proceeding with this language. I believe it is the intention of the Trustees to create housing as well as preserve and protect and we can do both with more thought regarding the language and the intent of the Trustees.

I have other thoughts but these are the biggest concerns. I do have some questions that I am hoping that Sonja can answer in the comment section of the attachment.

I can also not find the bylaw referred to in staff comments Bylaw 173 and can not fully review the documents without that bylaw to refer too.

Thank you for your consideration.  
Angela (Therrien)



August 6<sup>th</sup>, 2024

Below please find Angela Therrien comments regarding the Draft OCP and the LUB language. I have referenced the agenda package page numbers for ease of reference. My comments are inserted in a comment section of the highlighted area.

## Draft Official Community Plan

### PAGE 97

#### 6.3.1 Residential—General (IT staff cross-reference Bylaw 173 item 1.2)

6.3.1.4 Vacation home rental use is permitted through the issuance of with a valid temporary use permit.

#### 6.3.2 Small Lot Residential (Agenda package page 97) (IT staff cross-reference Bylaw 173 item 1.3)

Background:

Lots in this category are smaller than 0.8 hectares and generally range around 0.24 hectares in some subdivisions to 0.1 hectares in areas on the peninsula of the island. As these lots become increasingly developed and used, the already evident problems with sewage disposal and water supply could become more acute.

The Anderson Drive/Whaling Station Bay aquifer areas are classified as the highest vulnerability in the province as 1A (heavily developed with high vulnerability). This is reflected in the area's water quality and quantity problems, including saltwater intrusion, sulphurous water and poor-yielding wells. In 202X the Local Trust Committee added the Galleon and Sandpiper neighbourhood areas to this aquifer classification. The peninsula at the north-east end of the island, which includes the Anderson Drive/Whaling Station Bay area, has a separate aquifer which has the highest vulnerability classification in the Province: 1A (highly developed with high vulnerability). This is reflected in the area's water quality and quantity problems, including saltwater intrusion, sulphurous water and poor-yielding wells.

#### 6.3.3 Rural Residential (Agenda package Page 100) (IT staff cross - reference Bylaw 173 item 1.10)

Only one principal dwelling unit and one secondary suite should be permitted on lots smaller than 2.0 hectares. A maximum of two dwelling units and two secondary suites should be permitted on lots 2.0 hectares or larger. Only one dwelling unit should be permitted on lots smaller than 4.0 hectares, and a maximum of two dwelling units should be permitted on lots 4.0 hectares or greater.

#### 6.3.4 Forest (Agenda package page 101) (IT staff cross-reference Bylaw 173 item 1.13)

6.3.4.3 Only one principal dwelling unit and one secondary suite should be permitted on lots smaller than 2.0 hectares. A maximum of two dwelling units and two secondary suites should be permitted on

lots 2.0 hectares or larger. Only one dwelling unit should be permitted per parcel and two dwellings if the parcel is over 4.0 hectares.

## Draft Bylaws

### 1.1 Definitions (Agenda package page 142 to 147)

**MISSING definition for Vacation Home Rental? Should be rentals under 30 days.**

**IT Staff Commented [SZ4]:** This definition can be removed as the TUP objectives and guidelines apply and a definition is not required.

**secondary suite** means a separate dwelling unit located wholly within a building which is a single real estate entity used for residential use and which contains only one other dwelling unit (see Section 3.8).

### 3.7 Secondary Suites (Agenda package page 157)

(1) Where a secondary suite is permitted in Part 8 of this Bylaw, the suite must:

- (a) be authorized by a Siting and Use Permit;
- (b) meet all requirements of the British Columbia Building Code;
- (c) contain at least one bedroom and bathroom, a separate kitchen and living area;
- (d) be allocated at least one off-street parking area on the same lot, in addition to any parking requirements for the principle dwelling unit;
- (e) be located wholly within or attached to the principle a the permitted residential dwelling;
- (f) be occupied by the owner or residential tenant; and
- (g) be limited in size to 40% of the floor area of the principal permitted residential dwelling unit to a maximum floor area of 90 square metres.

(2) Where a secondary suite is permitted in Part 8 of this Bylaw, an authorized person as defined in the Sewage System Regulations under the *Public Health Act* must state in writing to the Islands Trust that the sewage disposal system to which the building accommodating the secondary suite is connected to is capable of providing adequate sewage treatment for the principal dwelling and secondary suite.

(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.

(4) Despite Part 8 of this Bylaw, a secondary suite is not a permitted use in a dwelling on any lot within the heavily developed – high vulnerability aquifer designation as shown on Schedule D2 of the Hornby Island Official Community Plan Bylaw No. 149.

### PART 8 ZONE REGULATIONS (Page 170)

#### **8.1 Residential 1 – Small Lot (R1) Zone (Galleon Beach, Shingle Spit, Sandpiper, Whaling Station Bay/Anderson Drive and portion of Klaver Lot)**

##### **Permitted Uses**

(1) The following uses are permitted, subject to the regulations set out in this Section and Part 3, and all other uses are prohibited:

- (a) residential use of a dwelling;
- (b) residential use of a recreational vehicle;
- (c) accessory uses, buildings and structures, including but not limited to home occupations; and
- (d) ~~vacation home rental use~~ secondary suite as per Section 3.8 of this bylaw.

#### **Permitted Buildings, Structures and Density (page 170)**

(2) The following buildings and structures are permitted, subject to the regulations set out in this Section and Part 3, and all other buildings and structures are prohibited:

- (a) a maximum of one residential dwelling unit with one secondary suite or one recreational vehicle used for a residential use per lot; and
- (b) accessory buildings and structures.

(3) Lot coverage must not exceed 10% of any lot having an area of 1.0 hectare or more, nor 15% of any lot having an area of less than 1.0 hectare.

#### **Siting and Size**

(4) The minimum setback for any building or structure or recreational vehicle used for a residential use, except for a fence or pump/utility house shall be:

- (a) 8.0 metres from a front lot line;
- (b) 8.0 metres from a rear lot line, or 6.0 metres in the case of a lot having an area less than 4000 m<sup>2</sup>;
- (c) 6.0 metres from any interior side lot line, or 3.0 metres in the case of a lot having an area less than 4000 m<sup>2</sup>; and
- (d) 8.0 metres from any exterior side lot line, or 6.0 metres in the case of a lot having an area less than 4000 m<sup>2</sup>.

(5) The floor area of a residential dwelling unit must not exceed 200 m<sup>2</sup>.

(6) The total combined floor area of all accessory buildings on a lot must not exceed 100 m<sup>2</sup>.

### **8.2 Residential 2 – Large Lot (R2) Zone (Agenda Package page 172)**

#### **Permitted Uses**

(1) The following uses are permitted, subject to the regulations set out in this Section and Part 3, and all other uses are prohibited:

- (a) residential use of a dwelling;
- (b) residential use of a recreational vehicle;
- (c) secondary suite in a dwelling on lots 2.0 hectares or larger as per Section 3.8 of this bylaw;
- (d) horticulture accessory to a principal residential use;
- (e) agriculture accessory to a principal residential use on lots 2.0 hectares or larger;
- (f) silviculture accessory to a principal residential use on lots 2.0 hectares or larger;
- (g) accessory uses, buildings and structures, including but not limited to home occupations; and
- ~~(h) vacation home rental use.~~

#### **Permitted Buildings, Structures and Density**

(2) The following buildings and structures are permitted, subject to the regulations set out in this Section and Part 3, and all other buildings and structures are prohibited:

- (a) a maximum of one residential dwelling unit and one secondary suite per lot having an area less than 4.0 hectares;
- (b) a maximum of two dwelling units and two secondary suites per lot having an area of 4.0 hectares or larger; and
- (c) accessory buildings and structures.