

From: Anthony Law [REDACTED]
Sent: Thursday, May 15, 2025 6:55 PM
To: northinfo; Grant Scott; Alex Allen; Timothy Peterson
Subject: Re: Vacation rentals - proposal for a two-tier approach

There was an error in the message I just sent you (corrected version below)

It said:

Guest House

(37) Where a bed and breakfast home occupation is permitted in any zone subsections 3.6(38) to 3.6(41) inclusive apply.

This should read;

Guest House

(37) Where a guest house home occupation is permitted in any zone subsections 3.6(38) to 3.6(41) inclusive apply.

Corrected version:

Dear Hornby Island Local Trust Committee:

This is a proposal to take a dual approach to permitting the use of residential dwellings for accommodating paying visitors, recognizing the distinctiveness of operations carried out by residents.

Background

Near the beginning of this century, when a previous LTC began to look at how to permit and regulate vacation rentals, bed and breakfasts were a permitted home occupation. There was strong community interest in also allowing vacation rentals as a home occupation.

However, a home occupation use has to be carried out by a person whose home is on the property and who is resident while the use is carried out. This would have excluded non-resident property owners from carrying out vacation rentals because a resident would not be present on the property.

After considerable community discussion, bylaw amendments were adopted to allow vacation home rentals to be operated through land use regulations, like bed and breakfasts, but not as a home occupation.

Re: Vacation rentals - proposal for a two-tier approach

Despite the regulations being more permissive than in similar jurisdictions, the majority of vacation home rentals have exceeded what was permitted. The number has also increased by about 50%.

At the same time, there has been a growing awareness of the potential negative impacts of the uncontrolled growth of residential dwellings being used for non-residential commercial purposes – including by the Province of BC, which adopted legislation to address the issue.

The legislation included enabling local governments to choose the option to limit vacation rentals to properties that are a principal residence. The Hornby Island Local Trust Committee chose to not adopt this option, but to instead require Temporary Use Permits for all vacation rentals, including those that are operated on a principal residence.

Rationale

There have always been a number of low key visitor accommodation operations conducted in our community by residents in a style and scale that have not presented problems for the community. It is unfortunate that they have been lumped in with problematic non-resident operations with the result of being subjected to an onerous permit process.

Because of their continuing presence in their neighbourhoods and the community, residents have far more accountability than part-time or non-resident property owners. Unlike people who own two or more homes, full-time residents can need supplementary income from visitor accommodation to sustain their valued contributions to their home community.

Proposal

I propose that residents of Hornby Island who are providing visitor accommodation on a property that is their principal residence be allowed to do so as a home occupation through land use regulations, without requiring a permit. This could be done by replacing Bed and Breakfast regulations with Guest House regulations.

The Land Use Bylaw defines “Bed and Breakfast” as follows:

Bed and Breakfast means a home occupation use that provides bedrooms within a dwelling unit for the temporary accommodation of the travelling public, and the provision of breakfast meals to those guests, but does not include boarding house.

It could be replaced by something like this:

Guest House means a home occupation use, conducted by a resident, that provides temporary accommodation within a dwelling unit for paying guests and may or may not include the provision of meals.

The Land Use Bylaw has the following zoning regulations for Bed and Breakfast

Bed and Breakfast

(37) Where a bed and breakfast home occupation is permitted in any zone subsections 3.6(38) to 3.6(41) inclusive apply.

(38) The operator of the bed and breakfast home occupation must:

(a) provide only temporary accommodation for the travelling public;

(b) use only rooms that are located in the dwelling unit in which the home occupation is operated, for the accommodation of the travelling public;

(c) provide no more than two beds per bedroom; and

- (d) serve breakfast meals to guests who have been accommodated overnight.*
- (39) Bed and breakfast home occupations are not permitted on lots with areas of less than 0.1 hectares.*
- (40) The number of bedrooms used to accommodate the travelling public in a bed and breakfast home occupation must not exceed:*
- (a) one if the lot is 0.25 hectares or less in area;*
 - (b) two if the lot is greater than 0.25 hectares and 1.0 hectare or less in area;*
 - (c) three if the lot is greater than 1.0 hectare in area.*

These could be replaced by something like this:

Guest House

- (37) Where a guest house home occupation is permitted in any zone subsections 3.6(38) to 3.6(41) inclusive apply.*
- (38) The operator of the Guest House home occupation must:*
- (a) provide only temporary accommodation for the travelling public;*
 - (b) use only rooms that are located in the dwelling unit in which the home occupation is operated, for the accommodation of the travelling public;*
 - (c) provide no more than two beds per bedroom; and*
- (39) Guest house home occupations are not permitted on lots with areas of less than 0.1 hectares.*
- (40) The number of bedrooms used to accommodate the travelling public in a guest house home occupation must not exceed:*
- (a) one? if the lot is 0.25 hectares or less in area;*
 - (b) two? if the lot is greater than 0.25 hectares and 1.0 hectare or less in area;*
 - (c) three? if the lot is greater than 1.0 hectare in area.*

I hope you will give this consideration.

Thank you.

Tony Law

On Thu, May 15, 2025 at 5:34 PM Anthony Law <tlaw1@telus.net> wrote:

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Background

Re: Vacation rentals - proposal for a two-tier approach

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However, a home occupation use has to be carried out by a person whose home is on the property and who is resident while the use is carried out. This would have excluded non-resident property owners from carrying out vacation rentals because a resident would not be present on the property.

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Because of their continuing presence in their neighbourhoods and the community, residents have far more accountability than part-time or non-resident property owners. Unlike people who own two or more homes, full-time residents often need supplementary income from visitor accommodation to sustain their valued contributions to their home community.

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(b) use only rooms that are located in the dwelling unit in which the home occupation is operated,

for the accommodation of the travelling public;

(c) provide no more than two beds per bedroom; and

(d) serve breakfast meals to guests who have been accommodated overnight.

(39) Bed and breakfast home occupations are not permitted on lots with areas of less than 0.1 hectares.

(40) The number of bedrooms used to accommodate the travelling public in a bed and breakfast home

occupation must not exceed:

(a) one if the lot is 0.25 hectares or less in area;

(b) two if the lot is greater than 0.25 hectares and 1.0 hectare or less in area;

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These could be replaced by something like this:

Guest House

(37) Where a bed and breakfast home occupation is permitted in any zone subsections 3.6(38) to 3.6(41) inclusive apply.

(38) The operator of the Guest House home occupation must:

(a) provide only temporary accommodation for the travelling public;

(b) use only rooms that are located in the dwelling unit in which the home occupation is operated,

for the accommodation of the travelling public;

(c) provide no more than two beds per bedroom; and

(39) Guest house home occupations are not permitted on lots with areas of less than 0.1 hectares.

(40) The number of bedrooms used to accommodate the travelling public in a guest house home

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Thank you.

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