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Subject: Short term vacation rentals - Letter of Concern.

Dear Hornby Island Trustees

March 14, 2026

I have owned property on Hornby Island for 49 years and have used it as a vacation home/get away with my three growing children for all these decades. Now fully grown with partners of their own, we all enjoy time at our Hornby home, with extended family and friends too. We've maintained and enjoyed friendships over these decades with full-time Islanders who love this place as well. I believe that paying property taxes over these decades has benefited those who live here year-round as well as myself and other non-resident property owners. I have rented to help defer the costs of maintaining this property but it also means that not just my family and I, but also those who have rented from me have provided economic benefit on Hornby year-round.

In past Trustee meetings it has been mentioned that the economy of Hornby was doing just fine 20 years ago and it is implied it will be fine once Short-Term Vacation Rentals (STVRs) are capped, limited to summer months and eligibility restricted to only permanent Hornby Island residents who pay property taxes.

I would argue that the economy of 20 years ago was just fine because it **was** supported by the STVR year-round renters like those who have rented yearly from me over many decades. I no longer look for new renters as those with a history of staying at my Hornby home in the past plan to continue to come to Hornby with their families yearly when they too need a getaway or family time at Christmas, spring break etc. This letter is urging Trustees to reconsider the current capping system, seasonal prohibition for renting and discriminatory restrictions against non-resident property owners being placed into draft Hornby bylaws.

I am deeply concerned with the instructions given to Island Trust staff on limiting rentals to only those who own property and live full time on Hornby. I don't think the long-term regular clients who plan their get-away time on Hornby and who have enjoyed renting from me will understand that my house must sit empty and they cannot come to Hornby as they have done for decades simply because I don't live on the island.

I think the residency requirement is a red herring and as such should not distract the Trustees from the task of limiting rentals from properties that do not have adequate septic systems which could be polluting the groundwater—a common shared resource that needs protection. I support limitations on renting based on: the number of people a septic system can handle, rules that prohibit rentals/renters that cause noise-related disturbances, and the requirement that a STVR property has an appropriate renter management system in place. Limits on the number of guests should be based on septic capacity, not bedroom configuration and criteria such limitations on the number of beds in a room. If septic systems are designed to handle the occupancy, I believe that is sufficient and controlling room layout and bed count seems unreasonable.

According to the 2021 Census, there were a total of 1,117 private dwellings on Hornby Island of which 654 were permanent residents. The census did not disclose if all permanent residents owned their properties or were renting. The census classified 463 dwellings as seasonal, recreational, or vacation properties. As the proposed bylaw will restrict Temporary Use Permits (TUPs) to permanent residents only, it would discriminate against 42 percent of Hornby Island property owners who also pay property taxes.

Those of us non-residents who do STVR do so to help offset the costs of maintaining our properties and I, for one, provide access to Hornby year-round for other well-screened, nature-loving friends to respectfully enjoy too. My family and our friends and friends of friends who rent contribute to the local economy (and local employment) with our purchases of food, items from the shops and offerings from local artists such as pottery. We collectively provide ongoing employment to those who work and create on the Island, and those who do up-keep and cleaning of our properties.

For me, and other moderately-incomed off-island owners, without a source of rental income to defer operating expenses/taxes, there will likely be some of us who are forced to sell if we aren't allowed to rent. The buyers could potentially be very rich off-islanders who don't need rental income and they would only come for Hornby a couple of times a year, and therefore would not be supporting the local economy much. If the intent of the proposed bylaw is to create mostly vacant houses owned by very well-off non-residents, that seems a likely outcome.

If the bylaw passes, forty percent of the properties could be vacant except when the wealthy owners come for their holiday time, and the stores, businesses, and artists will have fewer sales. Is that consistent with the long-term vision for the Hornby Islanders? I thought the long-term vision is more along the lines of protecting the environment and building a sustainable community, including providing jobs for Hornby Island residents.

The proposed regulations would include a cap on short term rentals in addition to the limitation to residents only but also be capped at a particular number? *I urge the Trustees to abandon the cap approach.* The proposed cap on Temporary Use Permits (TUPs) feels arbitrary and in the long-term has possible negative ripple effects. Limiting rentals with those restrictions seems not fully studied and could render sweeping financial challenges for the people who work, live and create on Hornby. The results of a cap-system are not fully studied and I don't think they can be. Many of us off-island owners would be devastated if due to financial hardship we had to sell our homes. Our family, friends and friends of friends would be devastated, as well as the friends we've made on Hornby. If a homeowner meets all the requirements, follows the rules, and operates responsibly, why should they be turned away simply because a 'cap' number has been reached? I support preventing long-term rentals from being converted into short-term ones — but I think a hard cap punishes good actors without solving the housing problem.

If STVR caps are to be pursued, the onus is on the Trustees and those who support caps to bring empirical evidence that STVR are detrimental without a cap.

Instead of an arbitrary STVR cap I suggest the Trustee focus on whether the rental property has a properly functioning and maintained septic system, adequate water for the number of people who will be using the property and that the building/property is otherwise sound and well-maintained so that well-managed rentals are kept within the carrying capacity of the building(s) and land. In addition, the Temporary Use Permit (TUP) can also focus on property management so there is assurance that there is adequate management regarding noise or overcrowding, etc. I feel these criteria will be sufficient to control vacation rentals.

Also, the issuing of TUPs should be done in a fair and transparent manner. I have clients that specifically come for the herring season and also rent over Christmas to maintain family connections. The current proposed regulations would make renting illegal during these times.

I share the island-wide concern and the need to protect a supply of long-term rental housing and safeguard a rental supply to prevent conversion of existing long-term rentals to STVR. This means inclusion of criteria on future STVR conversions needs to be in place to limit the number of STVRs coming from long-term renter evictions. I support preventing long-term rentals from being converted into short-term ones — but a hard cap punishes well-established good actors without solving the housing problem.

The proposed restriction limiting rentals to May through September is particularly troubling in my case, because I have used this home during the summer and have been doing so with my three now-grown children and their partners and my extended family for decades. If

renting is restricted to summers, that means we can't enjoy the home in summer as we have for decades. Off-season rentals are the only way we can help offset rising costs like taxes, insurance, and maintenance, so that my family and I can enjoy the summers there. Taking that away doesn't create housing — it just makes it harder for long-time owners to keep their homes.

In earlier Trustee meetings the concept of restricting tourism through limiting rental options was considered reasonable because it happened on other islands specifically Maui and the Galapagos Islands. Drawing these two examples as a rationale for STVR caps for Hornby is a stretch for me. Many people lost their lives due to a wildfire in Maui. A web search reveals there are restrictions and outsiders are not welcome in the *Burn Zone of Lahaina as it is for residents and Maui area businesses still need support, but its crucial visitors be respectful, reverent, and helpful.*

A web search also provides insight to why and how the *Galapagos limits tourism to protect its fragile ecosystem by enforcing strict visitor rules, including mandatory certified guides, required park fees (\$200 for most foreigners as of August 2024), and limitations on boat sizes (maximum 100 passengers). Key restrictions include staying on marked trails, keeping 2 meters from wildlife, no single-use plastics, and a 60-day maximum stay.*

I suggest that comparison of Hornby with Galapagos is an apple-to-oranges comparison. Tourists come to Hornby Island to enjoy the natural environment and there are a number of rare and endangered species which have safeguards in place to protect them from pressures from human degradation by residents and non-residents. There are marked trails and signage to stay on them. STVR policy with seasonal rental bans and number of rental unit caps limited to resident property owners is not the appropriate tool to safeguard the environment and species at risk. Education is.

Finally, for over 40 years, my rentals have been quiet, modest, and carefully managed. I don't advertise online. I rent only to friends or trusted friend referrals. I hire local cleaners and tradespeople. For the past 15 years or so I've had the same on-site caretaker who is a long-term renter and who lives with his small family in a secondary dwelling on my property. Prior to that, since the late 70's I've had other long-term renters living there to help maintain and enjoy the property. This isn't absentee speculation — it's stewardship.

I'm also deeply concerned about regulations tying potable water to temporary use permits. I have sufficient water for household needs, and safe drinking water is readily available on the island. This feels like an added burden that doesn't reflect how people actually live here. I've spent a lot of time on Hornby over the decades, have many local friends, and my

daughter and her husband have rented and lived on the Island for many years. I have a well-established understanding of how people live here.

Importantly, (as I stated earlier) my guests support Hornby businesses. They shop at the Co-op and Ford Cove, eat at local restaurants, visit farms, wineries, distilleries, and buy from local artisans. That economic activity matters — especially outside the summer months. As written, this bylaw would reduce that support without creating a single new long-term rental, because my island home will never be available for that purpose.

I am asking for balance. For fairness. For regulations that reflect the realities of this island and respect for those who have cared for it responsibly for decades. Please revise these provisions and adopt a more flexible, equitable approach — one that protects housing and allows low-impact, well-managed rentals to continue.

I urge Trustees to:

- Reconsider the current approach entirely. TUPs should be open to all property owners not just permanent resident land owners. It's likely non-permanent residents who rent their Hornby property use their rental revenue to pay property taxes and employ local islanders to do maintenance on their properties. I have seen no evidence that this rental income "leaves the island" as Trustees have suggested.
- The cap should be based on successful applications for TUPs which meet all reasonable environmental and social criteria, some of which were suggested above i.e. on adequate septic systems, management of renters (noise) on site etc.
- Short term rentals should be permitted year-round, not just in the summer months. Hornby businesses benefit from this.

Thank you for your time.

Mike Fenger,

