

**HORNBY ISLAND LOCAL TRUST COMMITTEE  
PUBLIC HEARING RECORD  
REGARDING**

**PROPOSED BYLAW NO. 142 CITED AS “HORNBY ISLAND OFFICIAL COMMUNITY  
PLAN BYLAW NO. 104, 2002, AMENDMENT NO 1 2011”**

**AND**

**PROPOSED BYLAW NO. 143 CITED AS “HORNBY ISLAND LAND USE BYLAW 86,  
1993, AMENDMENT NO. 1 2011”**

**HELD AT 8:00 PM ON TUESDAY, JUNE 28, 2011  
AT NEW HORIZONS  
1765 SOLLANS ROAD, HORNBY ISLAND, BC**

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|-----------------|---------------|----------------|
| <b>PRESENT:</b> | Louise Bell   | Chair          |
|                 | Fred Hunt     | Local Trustee  |
|                 | Tony Law      | Local Trustee  |
|                 | Brodie Porter | Island Planner |
|                 | Sonia Zupanec | Island Planner |
|                 | Vicky Bockman | Recorder       |

There were thirty-three (33) members of the public in attendance.

Chair Bell called the meeting to order at 8:28 pm. She read the opening statement and stated that no further submissions would be received by the Local Trust Committee after the conclusion of the Public Hearing.

Planner Porter summarized the Notice of Public Hearing and stated that the Notice of Public Hearing had been posted in two editions of the local newspaper and that the documents had been made available to the public in various locations. He stated that no further written or oral submissions will be received after the conclusion of the Public Hearing. He summarized the government agency referrals and responses to the proposed bylaw amendments which have been received.

Chair Bell outlined the rules for making a submission and opened the floor to submissions from the public.

**Larry Pierce, 6160 Central Road** – Stated his opposition to both proposed bylaws. He said that the community has told the Local Trust Committee that they do not want regulations. He disagreed with the Island Trust position that the present vacation home rental usage is illegal.

**Jennifer Armstrong, 5065 Little Tribune Bay** – Expressed her disagreement with regulations that limit months of rental and number of beds, stating that vacation home rentals should be allowed in the off season. She requested further legal advice be sought and said these amendments will negatively impact the economics of the island and benefit the commercial establishments.

**Elsbeth Armstrong, 5455 Porpoise Crescent** – Said the community has expressed their preference to see vacation home rentals allowed as a home occupation and questioned the legal decision determining that they are presently illegal. She expressed disagreement with limiting the months of operation from May to September.

**Judi Stransman, 8230 Central Road** – Stated that the proposed amendments to Bylaws 142 and 143 should be redrafted and that they are unenforceable. She said that she believes the Islands Trust is against vacation home rentals and is attempting to stop commercial activity in residential zones.

**Jan Bevan, 4590 Northwind Trail** – Spoke in favour of both bylaws, saying that proposed Bylaws 142 and 143 are the best attempt yet to create a solution that accommodates the residential laws and balances the economic need of local residents to rent to tourists. She stated she feels the allowed rental period of from May to September is long but understands the rationale for keeping the residential status for seven months.

**Karen Ross, 3895 Shingle Spit Road** – Stated she has concerns with three policies in this proposal: 1) limiting the rental period to five months which does nothing to increase the residential housing stock, 2) limiting rentals to seven days as people will come for a week in the summer but not in the winter and 3) limiting the rental capacity of larger parcels to only eight people.

**Care Snowden, RR1 Central Road** – Said these amended bylaws could create a class of people who cannot afford their own properties. She said these bylaws go against the wishes of the community.

**Carol Quin, 4950 Seawright Road** – Stated that this is a fairly reasonable solution to the vacation home rental issue, balancing the mandate of the Islands Trust to preserve and protect the environment and now communities, concerns about water and sewage, and the real economic benefit to allowing vacation home rentals. She said that it might be beneficial to have more discussion about details such as the seasonal limitations.

**Judy Cross, 3518 Strachan Road** – Objects to the top-down revision of the Hornby Island Official Community Plan and Land Use Bylaw, counting the number of beds and bedrooms, and the intrusive nature of Islands Trust. She said these projects are expensive for taxpayers.

**Jennifer Armstrong, 5065 Little Tribune Bay** – Said that if these proposed bylaws go through there will not be a community of working people on Hornby because many of these people are renting homes from September to June from homeowners who rent the houses out during the summer and live elsewhere during the rest of the year. She said that these bylaws will make it impossible for working people to rent because it states that homes cannot be rented from October to April.

Chair Bell requested a point of clarification from staff to speak to the idea of renting.

Planner Porter explained that the term “vacation home rental occupancy” refers to a visitor staying for a short period of time, versus renting to live for 30 days or more. He said that if someone wishes to occupy a home from October to April and rent it, it is a residential use of the property and is fine. However if one wants to use it for shorter

periods of time for a vacation home rental from October to April the bylaws do not allow it as that is a time for residential use of the property.

**Jennifer Armstrong, 5065 Little Tribune Bay** – She said that when she got married on Hornby during the off season many of her friends and family who did not wish to stay at the commercial resorts stayed at vacation home rentals and that would not be possible with these proposed amendments. She said these amendments are changing the spirit of the community.

**Larry Pierce, 6160 Central Road** – Presented his point of view as a farmer, saying that most farmers need another source of income and that as Hornby Islanders do not have the option of supplementing income from off island sources, these amendments are attacking farming.

**Elsbeth Armstrong, 5455 Porpoise Crescent** – Pointed out that the Hornby community has done an exceptional job of preserving and protecting the environment and that the community would continue to look after their water resources without these amendments. She said that the water aquifers have not been adequately researched and that a family living year around on Hornby probably uses more water than visitors during a few weeks in the summer. She said that these bylaws are intrusive and perhaps we have not reached the point that they are necessary.

**Stefan Vanicek, 5540 Harvey** – Said that this bylaw is subjective and that enforcement will be selective. He said that the purpose seems to be make everyone live in a situation that is illegal in order to control them.

**Jane Talbot, 5540 Harvey Road** – Said her biggest problem with these bylaws is that there will be selective bylaw enforcement. She said reasons for putting these amendments in place should be clear and transparent and she would like to know how many complaints about vacation home rentals have actually been received.

**Cory Roy, 3380 Gunpowder Trail** – Said that if the issues are not researched to learn that there is actually nothing wrong, and if the few complaints that exist are not investigated and followed up on then passing bylaws will not change the practice. She recommended that the Trust listen to the opinions of the community and leave it the way it is, allowing self-regulation, accountability to neighbours and operating at a high standard.

**Jane Talbot, 5540 Harvey Road** – Quoted a statement from Trudeau: “The State has no business in the bedrooms of the nation”.

**Care Snowden, RR1 Central Road** – Said that most vacation home rental operators she knows make very limited income from their operations, much of which goes to pay for the portion of the taxes that go to Island Trust and for alternative medicines. She said that this proposal is a direct assault on their potential to continue to remain and exist on Hornby.

**Christa Yeomans, 1660 Lea Smith Road** – Said that the bylaws should not go through and that Temporary Use Permits have a negative effect and should not be included in the bylaws.

Chair Bell explained that at this point in the hearing when there appears to be no additional speakers that it is the practice of the Chair to call three times for further submissions. She reminded those present that after the third call she will close the hearing and there will be no further opportunities to hand in a written submission. She advised that this is the time to do so if desired.

Chair Bell asked three times if there were any further submissions. Hearing none, Chair Bell closed the Public Hearing at 9:45 pm.

Chair Bell advised those present that there will be a meeting of the Local Trust Committee at 10:15 am on June 29, 2011 at Joe King Park.

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Recorder

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Date