



# ADOPTED

provision for the Local Trust Committee to monitor the rate of use of VHR development as it is the responsibility of the Local Trust Committee to ensure that there is an adequate supply of residential housing on Hornby Island.

Planner Porter explained that the proposed amendment to Bylaw 143 provides land use regulations to provide standards for VHRs. He outlined the proposed amendments and explained the requirements and limitations which are intended to ensure that the practice does not exceed normal residential characteristics.

## 2.2 *Question Period*

Chair Bell announced that the Community Information Meeting (CIM) would be followed by a Public Hearing. She stated that it is important that the audience ask questions during the CIM to understand the proposed bylaws as the bylaws will not be clarified during the Public Hearing. She explained that the purpose of the Public Hearing is to allow the public the opportunity to address their positions on the proposed bylaws to the Local Trust Committee.

Chair Bell opened the meeting to questions from the public.

**Allison Campbell** asked what sewage standards will have to be met and what an operator will have to do to comply with those standards.

Planner Porter explained that the regulation only applies to lots designated within the area of Aquifer 1A on Schedule D1 of the Official Community Plan. He explained that the sewage disposal system must be capable of providing adequate sewage treatment for residential and VHR use. He stated that a VHR operator will be required to obtain a written statement to that effect from a person authorized, as defined in the Public Health Act.

**Allison Campbell** asked how much such a sewage inspection would cost.

Planner Porter replied that the cost could vary depending on the house size and nature of the system.

**Care Snowden** asked if the Chair would recuse herself based on her purported election platform against vacation home rentals on Hornby Island.

Chair Bell responded that she would not. She said that she has heard this statement before and that it is false.

# ADOPTED

**Mike Tarbotton** asked if a septic system would need to be reassessed to qualify for VHR operations if it was approved many years ago. He asked what would happen if it did not meet current standards and what would be the consequences.

Planner Porter clarified that the proposed bylaw does not state that the system must be in accordance with current regulations, but rather that it must be capable of providing adequate sewage treatment for residential use and for the proposed VHR use.

**Judith Lawrence** asked that the audience refrain from making personal remarks about those running the meeting and that there be no applause.

**Russell Roy** asked how Aquifer 1A relates to the issue of septic systems.

Planner Porter responded that Aquifer 1A is the only area that would require proof of an adequate septic disposal system for VHR operation. He said that Aquifer 1A defines an area that has been identified by the provincial government as being an area that is vulnerable to contamination and water shortages, is highly developed and highly sensitive.

**Carol Quin** asked what the allowed VHR density per dwelling would be for a lot of less than one hectare.

Planner Porter replied that if the VHR is located on a lot of less than one hectare that no more than two beds per bedroom and not more than three bedrooms would be allowed for VHR accommodations. He confirmed that this applies to the entire island while the sewage system requirement is limited to the Aquifer 1A area.

**Carol Quin** asked what water supply requirements apply to the Aquifer 1A area.

Planner Porter responded that the Official Community Plan strongly encourages water catchment and storage for VHRs in this area, however there are no requirements.

**Judi Stransman** asked how the Local Trust Committee intends to monitor the rate of use of VHR development and at what frequency would the monitoring occur.

Planner Porter stated that the policy is general and does not specify a particular time frame or methodology. He explained that the Local Trust

# ADOPTED

Committee has a responsibility to monitor availability of housing on Hornby Island and said that various studies might be undertaken to provide a basis for monitoring such as forecasts of population growth.

**Mike Tarbotton** asked for clarification of policy 6.5.3.8 as he does not consider VHR use to be a commercial use as stated.

Planner Porter explained that because there is a service provided and payment received for those services, that a commercial relationship between the homeowner and the renter exists and that the intent of the policy is to give recognition to that fact.

**Elke Jarchow** asked why policy 6.5.3.8 refers to “monitor rate of use” as opposed to “evaluate rate of use”.

Planner Porter responded that the term “monitor” is descriptive of the way that the Local Trust Committee must follow the rate of use as opposed to “evaluate” which represents assessing the situation during a point in time.

**Allison Campbell** asked why the proposed amendments refer to the whole island as residential when actually residential areas are commonly mixed with businesses nearby.

Planner Porter stated that the current bylaws do allow for home occupations on residential properties so there will be entrepreneurial occupations within residential areas and those undertakings exist all over the island.

**Elke Jarchow** asked where in proposed Bylaw 142 there is a reference supporting the need for regulation 3.23.2 in proposed Bylaw 143, which states that a dwelling unit may only be occupied by one group of paying guests during a period of seven consecutive days.

Planner Porter stated that policy 6.5.3.2 a) speaks to promoting a level of stay that allows the visitor to experience Hornby Island and that 6.5.3.2 e) refers to ensuring that the residential appearance of a property is not altered by the VHR. He said that some management of the frequency of use is required so that the VHR is comparable to residential character.

**Elke Jarchow** asked if it is considered better to have, for example, Group A for 30 days and then Group B for 30 days rather than a group stay for 60 days.

# ADOPTED

Planner Porter explained that occupancy for 30 days or less is a VHR while more than 30 days is a residential tenancy use. These amendments only speak about VHR use and residential occupancy is discussed elsewhere in the existing bylaws. He said that a group could stay for only one night but that another group could not come the next night.

**Ross Muirhead** asked if since Vancouver Island Health Authority (VIHA) has jurisdiction over water and sewage then would it not be outside the jurisdiction of this bylaw to include provisions for water and sewage.

Planner Porter responded that VIHA has responsibility for installation of new sewage disposal systems and to act if there is a health emergency. He said that the intent of the bylaw is to allow a land use of VHRs and also to ensure that it meets current provincial regulations in those situations that are not a health emergency. He added that the Local Trust Committee is encouraging, not regulating, water catchment and storage.

**Carol Quin** asked if Temporary Use Permits (TUP) are an option for some circumstances.

Planner Porter responded that these bylaws allow for VHR land use and if a landowner wants to provide a visitor accommodation that does not fit these options, the TUP enables an application for consideration. He said that the process would include contacting neighbours and that approved TUPs would be effective for three years with a three-year renewal possible for a total of six years.

**Judy Cross** stated that policy 6.5.3.8, which states that the Local Trust Committee should monitor the rate of use of VHR development, puzzles her and asked if it the job of the Islands Trust to ensure there are houses for sale.

Planner Porter replied that the Local Trust Committee has a responsibility under provincial legislation to monitor the availability of housing, not to intervene in the marketplace, but to examine the housing stock.

**Elsbeth Armstrong** asked if it is a requirement to check with neighbours prior to issuing a TUP as a part of the process.

Planner Porter responded that when reviewing TUP applications provincial legislation requires that the Local Trust Committee notify neighbours in the process.

# ADOPTED

**Elsbeth Armstrong** asked if during that process neighbours disagree with the application, is it possible that the TUP would not be approved.

Planner Porter responded that the legislation requires that neighbours be contacted in order for them to have an opportunity to voice their opinion. The decision would be a responsibility of the Local Trust Committee, as are all land use decisions.

### 3. TRUSTEE COMMENTS

As there was a general desire of the public to proceed to the Public Hearing, the Chair consented and as a result, there were no Trustee comments at this time.

### 4. ADJOURNMENT

The Chair adjourned the meeting at 8:26 pm.

---

Minute Taker