



Hornby Island Short Term Rental Association

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August 24, 2022

Re: March 29 Hornby Island APC recommendations for Housing and Short-Term Rentals

Hornby Island Short Term Rental Association (HISTRA) has reviewed the Hornby Island Local Trust's Advisory Planning Commission (APC) Recommendations made to the Local Trust Committee for Islands Trust in March of 2022. We have sought feedback on these recommendations from our members and other island residents and community organizations.

In responding to the recommendations, we offer the following comments:

- By recommending the removal of STR as an approved use in the Hornby Island Local Trust Area Regulatory Bylaws and replacing it with the Temporary Use Permit, which cannot be extended beyond 6 years (initial 3 year term plus a single 3 year extension), the APC recommendations, as written, would effectively end legal STR on Hornby Island within six years. The impact of this would devastate our Island's economy and cause irreparable damage to our community.

Note to HISTRA: This may not be true, it is possible that a new TUP can be applied for after the 6 years, if that is true (I've asked and hope for an answer Tuesday) then we need to revise or remove the above paragraph

- The removal of STRs from the Hornby Island Local Trust Area Regulatory Bylaws is inconsistent with the 2010 and 2017 Islands Trust community surveys and consultation



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outcomes and with the Official Community Plan. The Official Community Plan describes STRs as a part of the Hornby community and important to the island economy, which, while not supported by all, reflects the overall community perspective.

- Raising this issue, yet again, is of no benefit to the Island, creates division in the community, has little or no impact on issues of housing affordability or long term rental availability and threatens the economic health of our community. It also diverts attention away from much more critical issues.
- Short Term Rentals generate a significant economic benefit to Hornby, in terms of tourist dollars spent (STR visitors spend an estimated at \$2.3-3.4M¹ per year between May and September not including accommodations), and also throughout the year in the support services that STR owners purchase from local mechanical, construction, garden and yard maintenance and other small business people living in the Island (this adds a further estimated half million or more dollars to the economy² every year). Decreasing the rental time frame will not reduce the pressure on the island when it is highest, in July and August, but could cut more than \$1M¹ of direct spending from Island business, Artisans and working population.
- STRs are largely long term Hornby community members' family homes. In a 2019 HISTRA survey more than 80% of STR owners said they had been part of the community for more than 10 years, with almost 30% having been on Hornby more than 30 years. These long term members of our community use STR to keep their properties in good condition, including water, septic and other sustainability systems. If STR were no longer allowed, more than 30%³ of these very established Hornby community members say they could be forced to sell. This would diminish our community.
- ~~There are 1,225⁴ residents on Hornby Island, the number of private dwellings on Hornby is 1,117², 654² of which have full time residents. The highest number of STRs identified by the APC was 167, the current count is 112⁵ (10-15% of private dwellings). That leaves between 296 and 351 dwellings that are not STR and are not occupied by full time residents. This indicates that, while 59% of dwellings on Hornby have full time residents, between 26 and~~

¹ Source: Go2HR and Destination BC.

In BC in 2017, 9\$B was spent by 5.7M overnight and an estimated 7.7M day visitors (57% of visitors to BC are day visitors), \$6.8B of which was spent on goods and services other than accommodation.

That equates to an estimate of \$507 per visitor.

As there are fewer services on Hornby, we have estimated daily spending at \$175 per STR (not per person) per day.

We used 116 days in the summer and shoulder seasons and between 112 and 167 STRs operating on each day.

² Source HISTRA: STR owners spend on average \$5,000 a year on Hornby local business and workers supporting their properties, uses 112 STRs as the multiplier.

³ 2019 HISTRA Survey

⁴ 2021 Census data

⁵ 2022 HISTRA estimate



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~~30% are used part of the year by their owners. We suggest that, if current STR owners are forced to sell because they can no longer afford to maintain their homes, this number could increase to 40%. This would be destructive to our community.~~

NOTE TO HISTRA: I recommend we remove this point, it could lead to support for Vacancy Tax on Hornby which I doubt we want

- Only 3% of 2019 HISTRA Survey respondents suggested they would consider long term rental if STR was no longer possible. As a result, ending STR would not address the needs of the estimated 30⁶ families on Hornby with insecure housing. The Beulah Creek Development, recently submitted for development permit and designed to provide 26 new rental units, many tied to income and set at affordable rates, if approved, will have a much bigger impact on addressing this challenge in our community.
- The APC Recommendations cannot reflect the ideas, opinions or expectations of the diverse residents of Hornby Island. ~~and should not be presented as such. While representatives from specific groups were invited to attend the APC meetings, it was made clear they were there to answer questions from the APC members and were not included in any aspect of the decision making, other than providing written feedback for the members' consideration.~~ The current APC has only 4 of its 7 possible members and does not have representation from many Hornby resident groups including, STR owners, local business or the artisan communities.

Note to HISTRA – based on the LTCs support of the work of the APC I don't think we gain anything with this sentence, I recommend removing it

Based on these comments and the overwhelming feedback from our membership, the Hornby Island Short Term Rental Association requests that at the September 10th 2022 Hornby Island Local Trust Committee meeting the following motions be made and approved:

1. That the Hornby Island Local Trust Committee remove the March 29, 2022 APC Recommendations:
 - a. Density Recommendation 2
 - b. Density Recommendation 3
 - c. Temporary Use Permit Recommendation 1
 - d. Temporary Use Permit Recommendation 2
 - e. Temporary Use Permit Recommendation 3
 - f. Short Term Rental Recommendation 1

⁶ This is the number used by the APC, no source is referenced for it



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- g. Short Term Rental Recommendation 3
- h. Short Term Rental Recommendation 4
- i. Short Term Rental Recommendation 5
- j. Short Term Rental Recommendation 7
- k. Short Term Rental Recommendation 9
- l. Short Term Rental Recommendation 11
- m. Zoning Recommendation 1
- n. Zoning Recommendation 2
- o. Definition 2
- p. Definition 3
- q. Definition 4
- r. Advocacy Recommendation 1 (part 2)
- s. Advocacy Recommendation 2

in their entirety, from the Project Charter, Workplan and Scope of the Official Community Plan update⁷ currently being developed with Islands trust.

The two years of extensive consultation in 2010 and 2011 that endorsed STRs as an important aspect of the Hornby community, added them as an allowed use in the bylaws, established the 5 month season, and outlined the community expectations for their operation and impact, reflects the current views of the majority of the island community.

The 2017 Islands Trust community survey reiterated this support and there is no evidence to indicate the community views have changed. We urge that, the 2017 Islands Trust survey be accepted as a reflection of the community's preferences. Extensive community consultation, including a survey of preferences, must done before any of the contested bylaw changes are considered. Given this issue has been settled, twice, we respectfully suggest that the cost to pursue the issue a third time is not a good use of limited funds.

Removing these Short Term Rental and Housing Recommendations from the Official Community Plan update would enable that project to be completed with less extensive consultation and allow the work to focus on areas, such as first nations and riparian areas that have not been previously addressed and decided.

⁷ HO-LTC-2022-028 It was MOVED and SECONDED, that the Hornby Island Local Trust Committee request staff to develop a Project Charter with a detailed work plan based on the Advisory Planning Commission recommendations. AND Project Scope and workplan June 10th LTC meeting submission: Report subject: Hornby Island OCP Amendments Review Project Charter



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2. That the APC, which has been doing a broad and complex scope of work with 3 vacant seats, be filled out to ensure it is a good representation of the diversity and complexity of our Island. We suggest it should be expanded to its full membership and must include and retain specific interests on Hornby such as:
 - a. Long Term full-time residents
 - b. Long Term part-time residents
 - c. Property owners
 - d. Renters/tenants
 - e. Business owners
 - f. STR/Tourist accommodation operators
 - g. Artists/Artisans
 - h. Community diversity – age, cultural and socio-economic differences

3. The Province of BC has announced that it is developing province wide STR reporting requirements. Hornby Island Local Trust Committee requests that members of the Hornby community, including but not limited to STR owners, participate in that process.

This is in place of the APC recommended parallel process that will likely duplicate costs and effort. We believe participating in the provincial work will enable the development of a provincial reporting framework that can be tailored to individual communities and their needs.

Sincerely,

HISTRA Board and members (total of 92 Hornby Island Residents)

Signed by
Michael Williams, President HISTRA

HISTRA Board:

Michael Williams, President
Raymond Therrien, Vice President
Angela Hudson, Treasurer
Patrick Lui, Secretary
Eulala Mills, Director
Arifin Graham, Director

Lee Gorral, Director
Donna Tuele, Director
Karen Ross, Director
Michelle Metzelaar-Easterly, Director
Karen (Garton) Young, Director
Frances Millan, Director



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Along with the HISTRA Board and its 93 members, this document, its requests and the recommendations that follow in the Appendix have been endorsed by the following Hornby Island Businesses, Associations and Residents:

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| 1. Martin Cree, Bradsdadsland | 8. Jeff Bishop, Seabreeze Resort |
| 2. Jeff Zamluk, Fossil Beach Farm | 9. Kalena Young |
| 3. Joan Costello, Hornby Island Winery | 10. Jed Young |
| 4. Xx, Lorena Winery | 11. Jim Garton |
| 5. Xx, President for the Hornby Island Arts Council | 12. Sachan Im |
| 6. Xx Thatch Pub and Resort | 13. Robin de Lavis |
| 7. Kate Ortwein, Tribune Bay Outdoor Education Society | 14. Scott Brown |
| | 15. Pamela Copley |

Additionally, along with many HISTRA board members, several Hornby Island Residents have submitted letters requesting clarification or the retraction of these recommendations, those who have copied HISTRA in their letters are listed below:

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|----------------------------------|-----------------|
| 1. Miranda-Jo and Dave Andersen | 5. Jim Garten |
| 2. Joan E. Ford and Gail Roberts | 6. John Gellard |
| 3. Morgan Janice (Jan) Radford | 7. David Wardle |
| 4. Ryan Denomme | |



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**Appendix:
Areas of HISTRA and listed Endorsers Agreement and Disagreement
by APC recommendation**

We Do support these APC Recommendations:

Density Recommendation 1, with revisions	✓ Large Lot Residential zone, allow multi-family rental/strata/fee simple development through site-specific subdivision rezoning (we would support an allocation model that puts some of this into affordable long term rental, some into private ownership and allows some to be STR).
Density Recommendation 3, with revisions Short Term Rental Recommendation 2	✓ A requirement that homes on Hornby – whether they be STR or any other type of housing – have appropriate septic, water and sustainability infrastructure for the capacity of the home/STR.
Short Term Rental Recommendation 6 with revisions	✓ Enforce existing bylaws about STR.
Short Term Rental Recommendation 8 with revisions	✓ Require all platforms to only advertise properties in compliance with zoning, if so identified and requested by Island Trust. HISTRA, HICEEC, hornbyisland.com are not policing agencies and should not be expected to be the enforcement arm of Island Trust.
Short Term Rental Recommendation 10 with revisions	✓ Clarify occupancy levels, Note: We interpret this to mean that that STRs have occupancy that is supported by their infrastructure capacity (septic, water, sustainability, power etc.). Additionally, for noise, parking, etc. The Island Trust should identify a manner to limit occupancy so as not to impair the residential character of neighbourhoods.
Short Term Rental Recommendation 12	✓ Permit limited numbers of long-term residential occupancies in seasonal campgrounds.
Zoning Recommendation 3	✓ Clarify bylaws for the Thatch. Note: We understand this has already been done.
Zoning Recommendation 4 with revisions	✓ Amend the bylaws governing Public Use zone to add: <ul style="list-style-type: none"> - Cemetery - Public Utility Storage Yard - Highways maintenance year - Recycling depot and



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	<ul style="list-style-type: none"> - Community Trades & Services (APC added section) - Affordable housing (HISTRA added section)
Administrative Recommendation 1	✓ Change Elder Housing and ISLA to Hornby Island Housing Society as appropriate.
Administrative Recommendation 2 with revisions	<p>✓ All site plans and permits to be checked for compliance with on-site visits if economically feasible for the Islands Trust and or the CVRD.</p> <p>Note: this assumes that visits can be accomplished without significant impact to project timelines or costs to the Islands Trust or CVRD Bylaw enforcement program.</p>
Definition 1	✓ Define community housing to include mobile homes, tiny homes, caravans, yurts.
Advocacy Recommendation 1 (part 1)	✓ Request governments to allow Business Licenses on Island Trust areas.
Advocacy Recommendation 3 with revisions	<p>✓ The provision of information to all visitors, in STR, campgrounds, Bed and Breakfasts and other vacation sites, that includes information and expectations related to environmental, water, sensitive natural area, first nations relationships to Hornby, noise levels and parking.</p> <p>Note: HISTRA provides outlines for this information and much more on its web site HISTRA.ca.</p>
Advocacy Recommendation 4/5	✓ Provide information to Realtors to assist them in sharing that information with potential new residents about Land Use Bylaws and Short Term Rental regulations.

We would add:

	✓ The use of a framework of sustainable practices, similar to that on the HISTRA web site, for STRs operating on Hornby.
	✓ Participating in the Province wide STR registration program design, instead of creating a redundant or competing system, to help ensure alignment with Hornby community priorities and values.

We Do Not support these APC Recommendations:

Density Recommendation 2	X Large Lot Residential zone, create a new zone which allows constructed of a second dwelling, specifically not to be used for vacation rentals.
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Density Recommendation 2 and 3	X In all zones permit site specific applications for a second dwelling specifically for long term rentals.
Temporary Use Permit Recommendation 1	X Sort Term Rentals as a permitted use is revoked in all zones.
Temporary Use Permit Recommendation 2	X Current STR operators would need to apply for a Temporary Use Permit: <ul style="list-style-type: none"> o Provide water and septic certification and maintenance plan (part of TUP); o TUP for STR be batch processed and the fee adjusted to \$250 and to \$0 if the permit is to provide a community benefit; and o Current occupancy limits to be confirmed as part of the TUP process.
Temporary Use Permit Recommendation 3	X Max. time any short term rental can operate be reduced to 3 months.
Short Term Rental Recommendation 1	X All Short Term Rentals must register with Island Trust. Note: as the province is embarking on the development of a STR registration system we see this a redundant.
Short Term Rental Recommendation 3	X STR only in the principal residence.
Short Term Rental Recommendation 4	X Rental period reduced from 5 months to 3.
Short Term Rental Recommendation 5	X Only one STR per property.
Short Term Rental Recommendation 7	X Proactive enforcement of all Visitor accommodations (incl glamping, campgrounds, lodges, etc.).
Short Term Rental Recommendation 9	X Require all platforms to provide data
Short Term Rental Recommendation 11	X Number of STRs to be capped.
Zoning Recommendation 1	X All Small Lot Residential zones be designated IA, Heavily Developed Aquifer Note: without a defined rationale, the reason for and expected impact of this change is unclear. Once these details are available this could change to a supported recommendation
Zoning Recommendation 2	X Create bylaws governing Lerena Vineyards and Fossil Beach Farm.
Definition 2	X Define tank to exclude cistern.



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	<p>Note: without a defined rationale, the reason for and expected impact of this change is unclear. Once these details are available this could change to a supported recommendation.</p>
Definition 3	<p>X Define cistern and mandatory setbacks. Note: without a defined rationale, the reason for and expected impact of this change is unclear. Once these details are available this could change to a supported recommendation.</p>
Definition 4	<p>X Define septic fields and absorption fields. Note: without a defined rationale, the reason for and expected impact of this change is unclear. Once these details are available this could change to a supported recommendation.</p>
Advocacy Recommendation 1 (part 2)	<p>X Once Islands Trust can issue business licences require STR to hold business licences. Note: Until the details of this program are clear, we cannot support it. Once these details are available this could change to a supported recommendation.</p>
Advocacy Recommendation 2	<p>X Advocate Provincial Government to regulate advertising of short term rentals. Note: We cannot support this as a blanket statement, but need some more details on what was being considered before reconsidering. We do support participation in the development of a province-wide registration process to help ensure the outcome aligns with the grassroots, community based solutions that are at the core of our Island.</p>