



# STAFF REPORT TO COMMITTEE

**DATE OF REPORT** November 8, 2023  
**MEETING TYPE & DATE** Electoral Area Services Committee Meeting of November 15, 2023  
**FROM:** General Manager  
Land Use Services Department  
**SUBJECT:** *Short-Term Rental Accommodations Act* Principal Residence Requirements  
**FILE:** 6450-20

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## PURPOSE/INTRODUCTION

This report provides information about the *Short-Term Rental Accommodations Act* principal residence requirements and ability for exempt areas to opt in to these requirements.

## RECOMMENDED RESOLUTION

For information.

## BACKGROUND

The *Short-Term Rental Accommodations Act* received Royal Assent on October 26, 2023, and is intended to address the prevalence of short-term vacation rentals in BC and recover housing for long-term residential purposes. The legislation includes a principal residence requirement where a short-term rental accommodation service may only take place within a property host's principal residence or in not more than one secondary suite or accessory dwelling related to the principal residence. This legislative requirement will apply to communities with a population of more than 10,000 people or that are adjacent to larger communities, and does not automatically apply to any CVRD electoral areas.

Staff provided a report to Electoral Area Services Committee (EASC) on November 1, 2023, and the Board on November 8, 2023, resolved:

1. *That staff be directed to consult with electoral area advisory planning commissions on the topic of short-term rentals, and that staff review and provide recommendations to the Electoral Area Services Committee on potential amendments to short-term rental regulations.*
2. *That staff prepare a report that outlines the Electoral Area "opt-in" provisions for short-term rental regulations from the Short-Term Rental Accommodations Act and report back to the Electoral Area Services Committee at an upcoming meeting.*

The *Short-Term Rental Accommodations Act* states:

- 15 (1)** *Subject to the regulations, a local government that meets the applicable prescribed criteria may, by resolution, request that the Lieutenant Governor in Council change the exempt land to remove or add the geographic area of the local government if the local government wishes, as applicable,*
- (a) that the principal residence requirement apply to the geographic area and that the geographic area be removed from the exempt land, or*
  - (b) that the principal residence requirement not apply to the geographic area and that the geographic area be added to the exempt land.*

- (2) *The local government must convey a resolution adopted under subsection (1) to the minister, on behalf of the Lieutenant Governor in Council, on or before the prescribed date in respect of a prescribed period of time.*

#### ANALYSIS

The legislation states that the Board may request by resolution that the principal residence requirement apply to a geographic area subject to prescribed criteria, and that the resolution must be conveyed before the “prescribed date” in respect of a “prescribed period of time”. Prescribed criteria, dates and times will be subject of forthcoming regulations.

Staff have been directed to consult with Advisory Planning Commissions on the topic of short-term rentals (which are currently prohibited in most zones) and expect to report back to the EASC in the first quarter of 2024 with consideration for zoning bylaw amendments and provincial principal residence requirements.

#### FINANCIAL CONSIDERATIONS

N/A

#### COMMUNICATION CONSIDERATIONS

N/A

#### STRATEGIC/BUSINESS PLAN CONSIDERATIONS

Supports strategic direction regarding affordable housing and enforcement of short-term rentals

#### GENERAL MANAGER COMMENTS

☐ Not Applicable

Referred to (upon completion):

- ☐ Community Services (Arts & Culture, Cowichan Community Centre, Cowichan Lake Recreation, South Cowichan Recreation, Facilities & Transit)
- ☐ Corporate Services (Finance, Human Resources, Information Technology, Legislative Services)
- ☐ Operations (Parks & Trails, Recycling & Waste Management, Utilities)
- ☐ Land Use Services (Building Inspection & Bylaw Enforcement, Community Planning, Development Services, Strategic Initiatives)
- ☐ Strategic Services (Communications & Engagement, Economic Development, Emergency Management, Environmental Services)

Prepared by:

  
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General Manager

Reviewed for form and content and approved for submission to the Committee:

Resolution:

☒ Corporate Officer

Financial Considerations:

☒ Chief Financial Officer