

**TOWNSHIP OF ESQUIMALT**

# Short-Term Rentals

# Summary

1. Overview of the *Short-Term Rental Accommodations Act* (Bill 35)
2. Esquimalt Context and Policy
3. Analysis of the issues
4. Questions for the Committee







# Short-Term Rentals

- Not permitted in Esquimalt
- Recent changes in Provincial Legislation
- Demand for commercial vacation rentals
- Review the current and future use and regulation of short-term rentals (STR's) in Esquimalt

# Short-Term Rental Accommodations Act (Bill 35)

## **The purpose of the Act is to:**

- Return short-term rental units to the long-term housing market
- Give local governments stronger tools to enforce short-term rental bylaws
- Establish a new Provincial role in the regulation of short-term rentals

# Short-Term Rental Accommodations Act (Bill 35)

## **The Act applies to STR's offered to the public including :**

- Platforms where people reserve and pay for accommodation (Airbnb, VRBO, Craigslist, etc.)

## **The Act does not apply to:**

- Hotels, motels
- Reserve lands
- Vehicles (RV's, float homes)
- Tents or temporary shelters

# Short-Term Rental Accommodations Act (Bill 35)

## **Principal Residence Requirement**

- Effective May 1<sup>st</sup>, 2024, short-term rentals are limited to:
  - The host's principal residence
  - One secondary suite or accessory dwelling unit on the same property

# Short-Term Rental Accommodations Act (Bill 35)

## **Length of rental**

- Short-Term Rental Accommodations Act defines short-term rentals as those lasting less than 90 days
- Local governments may choose to define them differently within their own bylaws

## **Enforcement**

- Provincial Compliance Enforcement Unit established to enforce the Short-Term Rental Accommodations Act
- Local governments responsible for enforcing own bylaws

# Short-Term Rental Accommodations Act (Bill 35)

## **Business licence**

- Hosts must display a valid business license number on their listing in areas where it is required by the local government
- If a listing does not comply with a business license requirement, the STR platform must remove the listing at the request of the local government





# Esquimalt Context



# Zoning Bylaw, 1992, No. 2050

## **“Short-Term Rental”**

- Not currently defined or included as a permitted use

# Official Community Plan (2018)

## 16.4 Tourism

**Objective:** “Consider land use decisions that help promote tourism”

**Policy:** “Consider short-term vacation rentals within legal dwelling units, where the dwelling unit is an owner or tenant’s principal residence”

# Business Licenses

## **Business License and Regulation Bylaw, 2013, No. 2810**

- No business licences are issued, as STR's are prohibited.
- Bylaw 2810 is currently under review

# Analysis

# Prohibition

Prevent the displacement of residential units by commercial, non-residential uses.

Reduce neighbourhood disturbances (parking, noise, etc.) from non-residential uses in residential zones.



## Defining “Short-Term Rental”

**Defining STR's in the Zoning Bylaw is expected to lead to more clarity and remove areas of ambiguity regardless of Council's stance on permitting short-term rentals**

- The Township may define STR's as a different length of time than the Province's 90 day definition
- Include or exclude additional dwellings on the same property (such as a Detached Accessory Dwelling Unit or secondary suite) depending on Council's priorities

# Enforcement

Esquimalt bylaws  
are complaint-  
based

Province will  
enforce new  
Provincial  
regulations

# Regulation

## Benefits

- Legalize and bring existing STR's into compliance with municipal and provincial regulations
- Potential affordability (income for homeowners)
- Potential housing availability (illegal STR's become available for tenants)
- Data/transparency/awareness of trends and statistics for decision making purposes
- Income from business licences (financial benefit for the Township)
- Economic development – Keep dollars in the community; provide alternatives to a hotel; support local business
- Fairness among accommodation providers
- New support for regulation from the province

## Challenges

- Staff time/capacity: business licensing, bylaw enforcement, policy development
- Potential loss of long-term housing availability and/or affordability (new STR's)
- Communications

# Questions

1. Would Council like to consider permitting and regulating short-term rentals in the Township?
2. Would Council like staff to include a definition for “short-term rentals” or “principal residence” in the Zoning Bylaw? Staff recommends this, regardless of whether Council decides to permit and regulate STR’s.
3. Would Council like staff to report back with more information and/or options for regulating short-term rentals?



# Questions

1. Would Council like to consider permitting and regulating short-term rentals in the Township?

- ➔ If yes, Council should consider what their goals are for regulating STR's
- ➔ If no, Council should consider the potential consequences

Thank you