



Representing the Residents & Ratepayers
of Otter Point, Shirley & Jordan River

Request to Modernize Bylaw 2040 to reflect Short-Term Vacation Rentals

The following has been provided to the CRD in order to alert them to the issue and provide context.

Members have been coming to the OPSRRA board with complaints about vacation rentals operating in their neighbourhoods. The complaints are mainly regarding nuisance issues such as noise related to partying and loud music, increased traffic, parking problems, loose dogs and the like, which are pretty standard complaints about vacation rentals. Some complaints have also been about non-compliance with zoning and environmental impacts such as: effects on domestic water supply, no proof of sufficient potable water, inadequate septic capacity and in some cases no approved septic disposal system at all. As well, there is justifiable worry about negative effects on property values.

We are also aware that some of our members have approached the CRD with their concerns but do not feel they have had them addressed and are reluctant to pursue matters further without support. Understandably, people are reluctant to complain about their neighbours for fear of retribution, and may not want to provide specifics without assurances. Some people do not know what is permitted by zoning or even what their zone is. OPSRRA is attempting to assist with that education as we do not believe there should be a culture of fear that prevents people from stepping forward.

Zoning Bylaw 2040 does not include, define or provide regulation for vacation or short-term rentals, nor does it determine length of stay for rentals in most instances. The only defined use for tourist accommodation other than in a commercial zone, is a Bed & Breakfast, which is no longer the primary vacation rental option in the region. OPSRRA has been informed that the CRD is not enforcing any length of stay in a dwelling, which could make every dwelling a de facto vacation rental. The intention of allowing secondary suites and detached accessory suites was originally to increase the rental stock and generate income for the homeowner as a mortgage helper with an owner resident versus vacation rentals with no owner on site.

What is happening instead is that the uses are more commercial than residential in nature. We recognize that is not fair to those residents who do comply with the primarily residential uses allowed in their zoning and find they are being negatively affected by others not in compliance. Those who have a bonafide commercial zoning and operate a commercial establishment pay increased property taxes accordingly, have increased insurance and other requirements and need to declare business income, creating an unfair business climate.

OPSRRA believes that our residents should be able to supplement their income by renting secondary suites or detached accessory suites where permitted by zoning, home-sharing, operating a bed and breakfast or other permitted home-based business, including a properly

regulated vacation rental, if that was a permitted use by zoning. Since the OCPs for our communities are now approved, we hope a new zoning bylaw will be considered to replace Bylaw 2040 that will include up-to-date language and definitions as well as regulations for short-term or vacation rentals.

Much of the groundwork has already been done regarding vacation rentals, as it is a world-wide issue, so there are many available guidelines established. If a new zoning bylaw is not in the works, we would request that the existing Bylaw 2040 be amended to include vacation rentals and establish zoning regulations for them.