



File No.: 6500-20  
Affordable Housing – STVR  
Review

DATE OF MEETING: June 3, 2019  
TO: Galiano Island Local Trust Committee  
FROM: Brad Smith, Island Planner  
Southern Team  
COPY: Robert Kojima, Regional Planning Manager  
SUBJECT: Galiano Island STVR Review Project

## RECOMMENDATION

1. **That the Galiano Island Local Trust Committee:**
  - a) **Endorse the attached Galiano Island Short Term Vacation Rental (STVR) Review Project Charter and associated scope of work, timelines and budget**
  - b) **Direct staff to begin working on Galiano Island STVR Review Project deliverables**

## REPORT SUMMARY

The purpose of this report is to introduce the Galiano Island STVR project charter for Local Trust Committee (LTC) endorsement and to recommend an associated scope of work, timelines and budget.

At the May 6<sup>th</sup>, 2019 LTC meeting, the LTC agreed to conduct a review of STVRs currently operating on Galiano Island along with associated bylaws and policies as a next step towards addressing affordable housing on Galiano Island. Reasons for the LTC to consider a review of STVRs on Galiano Island include recent input provided by the Galiano Island Advisory Planning Commission (APC) along with ongoing feedback from the community regarding the need to review STVR bylaws/policies and their impact on local housing.

The objectives of the proposed project include:

- To identify and document the number and extent of STVRs currently operating on Galiano Island;
- To assess the impact of STVRs and associated regulations/policy on the availability of affordable rental housing on Galiano Island; and,
- To review current Galiano STVR regulations/policies and provide options for changes to potentially further limit STVR uses.

## BACKGROUND

Affordable Housing is one of Galiano Island LTC's Top Priorities. In September 2017, the Galiano Island LTC resolved to refer the Affordable Housing Project to the Galiano Island APC for input. The APC provided the LTC with an [Affordable Housing Report](#) dated September 2018 that includes recommendations and options to address the lack of long-term affordable housing on Galiano.

A key recommendation of the APC was to conduct a review of current STVR regulations and policies and to amend as necessary in order to set appropriate limits for STVR use of residential lands. The current STVR policies and regulations were established in 2014 as the result of an [LTC project](#). Specific recommendations of the APC include:

*7.1.1 The GIAPC recommends that the GILTC immediately undertake a review and amend the current STVR TUP and Home Occupation STVR provisions*

*7.1.2 The GIAPC recommends that the GILTC find means of establishing limits on the number of all types of STVR; and that the limits include a cap for the Galiano Trust Area, to ensure limits apply specifically to different neighbourhood areas, groundwater regions and Water Management Areas*

The APC also recommends that additional resources be identified to proactively enforce compliance with STVR limits and regulations, and that higher fine limits should be considered for issues of non-compliance.

The Capital Regional District (CRD) has recently completed an assessment of housing needs in the Southern Gulf Islands. The February 2018 [Southern Gulf Islands Housing Needs Assessment](#) report concluded that “STVRs have had, and continue to have, an adverse impact on the availability of affordable rental housing in the Southern Gulf Islands.”

## **ANALYSIS**

### **Policy/Regulatory**

#### ***Islands Trust Policy Statement:***

The Trust Policy Statement does not specifically mention STVRs, but it does provide guidance in recognizing the need to balance and address the goals of the Policy Statement regarding ecosystem protection and the need for sustainable communities.

#### ***Official Community Plan/Land Use Bylaw:***

The current provisions in the Galiano Island OCP and Land Use Bylaw have legalized STVR use as a home occupation, and made STVR uses by non-resident property owners possible via Temporary Use Permit (TUP). These provisions were brought into force in November 2014.

#### ***Bylaw Enforcement:***

There are currently no policies or standing resolutions with respect to specific conditions relating to bylaw enforcement of STVRs on Galiano Island. Penalties for STVR bylaw infractions currently range from \$350-500 if ticketed under the Bylaw Enforcement Notification (BEN) bylaw. Bylaw enforcement policy generally is to achieve compliance, either through ceasing the use or by the operator obtaining a TUP.

### **Issues and Opportunities**

Issues arising from the project include the potential loss of visitor accommodation options, either generally or specifically. Second, operators, owners and other affected stakeholders not in favour of any additional limits or requirements for operating STVRs on Galiano Island may have concerns with re-visiting policies and regulations that were put in place through a public consultation process less than five years ago. Robust public and

stakeholder consultation that clarifies the potential impacts on STVR operators may help to mitigate some concerns.

Opportunities arising from the project include the potential to develop a new or refined framework of STVR related bylaws and policies with stricter requirements for STVR operators that may both provide greater certainty for operators and residents, as well as potentially help to free up rental accommodations that could aid in addressing issues of housing affordability and availability on Galiano Island.

### **Consultation**

Consultation will be required with the public along with stakeholders that may be impacted by proposed changes to STVR regulations and policies.

Public/stakeholder outreach to disseminate results of initial research findings and to gauge community opinion on potential changes to STVR regulations are proposed to include at least one public house/community information meeting. Outreach may also include:

- Information mail-outs
- Web-based project updates
- Web-based public survey(s)
- Stakeholder specific meetings if requested

If bylaw amendments proceed the public and stakeholders will also be engaged during the bylaw amendment process, including holding a public hearing.

### **Statutory Requirements**

In the first stage of the project (i.e. conducting research, documenting results and undertaking community consultation) there are no statutory requirements to consider.

If at a later stage the LTC resolves to undertake bylaw amendments, statutory notification requirements of the *Local Government Act* will need to be considered including appropriate agency and First Nation referrals, public hearing requirements and bylaw adoption procedures.

### **Rationale for Recommendation**

It is recommended that the Galiano Island Local Trust Committee endorse the attached project charter along with requested funding and that project work commence by staff.

The project charter is meant to be consistent with the direction provided by the LTC at the May 6, 2019 LTC meeting where it was agreed a review of STVRs would be the next phase in the Affordable Housing Strategy project to encourage and support affordable housing on Galiano Island.

Bylaw amendments enabling legal STVRs came into force in November 2014. Given it has been 5 years since these bylaws were implemented, a regulatory review of these bylaws and their resulting impacts on the community is well-timed and appropriate.

The CRD Housing Needs Assessment identified that one of the problems most frequently cited by community members was that of reduced rental housing availability due to STVRs. They expressed very strong concerns about this issue, citing a desire for stronger regulation and bylaw enforcement to reduce the impact.

The APC housing report recommends that up-to-date data and tools are needed in order to have better options for monitoring and controlling the amount of STVRs. A review of STVRs is a useful first step towards achieving that recommendation.

## ALTERNATIVES

The LTC may consider the following alternatives to the staff recommendation:

### 1. Request further information

The LTC may request further information prior to making a decision. Staff advise that the implications of this alternative are potential delays to commencing and completing the project. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request. Recommended wording for the resolution is as follows:

*That the Galiano Island Local Trust Committee request that the staff provide further information regarding...*

### 2. Request revisions to the draft project charter

The LTC may request revisions to the draft project charter prior to making a decision. Staff advise that the implications of this alternative are potential delays to commencing and completing the project. If selecting this alternative, the LTC should describe the specific revisions needed and the rationale for this request. Recommended wording for the resolution is as follows:

*That the Galiano Island Local Trust Committee request that the staff make the following revisions to the draft Galiano Island STVR project charter... (list revisions)*

### 3. Reconsider conducting an STVR review as the next phase in the Affordable Housing Strategy project

The LTC may choose to focus on different aspects of the Affordable Housing Strategy project instead of conducting a review of STVRs. Recommended wording for the resolution is as follows:

*That the Galiano Island Local Trust Committee not pursue a review of STVRs on Galiano Island as the next phase of the Galiano Island Affordable Housing Strategy project.*

### 4. Receive for information

The LTC may receive the report for information

## NEXT STEPS

Next steps include:

- LTC project charter endorsement (June 3, 2019 LTC meeting)
- Begin conducting research on STVRs currently operating and existing STVR regulations/policy
- Develop draft framework/table of contents for discussion paper
- Present findings to LTC via a staff report and discussion paper prior to commencement of public and stakeholder consultation (September 9 or October 7 LTC meeting)

Submitted By:	Brad Smith Island Planner	May 23, 2019
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Concurrence:	Robert Kojima Regional Planning Manager	May 24, 2019
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**ATTACHMENTS**

1. Project Charter