



# Memo

**TO:** Mayor and Council

**SUBJECT:** Short-term Rentals

**DATE:** March 22, 2024

**FROM:** Chief Administrative Officer

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## **BACKGROUND**

The Principal Residence Requirement under Bill 35 mandates that short-term rental activities must be limited to a host's principal residence plus either a secondary suite or accessory dwelling unit (ADU). For the purposes of Bill 35, a principal residence is defined as "the residence in which an individual resides for a longer period of time in a calendar year than any other place".

Communities with populations of more than 10,000 have now been mandated to comply with the new requirements relating to short-term rentals. Though currently exempt, communities with populations of less than 10,000 may opt not to be exempt from the regulations respecting the principal residency requirement. Attached is a [policy guidance booklet](#) on Short-term Rentals.

The Town's Advisory Planning Commission at its February 29<sup>th</sup>, 2024, meeting lent its support for the implementation of legislation affecting short-term rentals in the Town. To that end if council accepts that recommendation, the Council will have to apply to the Province to have the Town of Lake Cowichan be made not exempt from the requirements of Bill 35, effective May 1<sup>st</sup>. Any existing legal non-conforming permissions related to short-term rental operations will also be extinguished.

Once accepted by the province, the Principal Residence Requirement will be enforced by the Province of British Columbia's Compliance and Enforcement Unit.

## **RECOMMENDATION**

That the Council apply to the province to have the short-term rental requirements under Bill 35 be made applicable to the Town of Lake Cowichan;

And that any non-conforming use of short-term rentals not be permitted.

A handwritten signature in black ink, appearing to read 'Joseph A. Fernandez'.

Joseph A. Fernandez

