



MEMORANDUM

TO: CHIEF ADMINISTRATIVE OFFICER
FROM: BRIGID REYNOLDS, CONSULTING TOWN PLANNER
SUBJECT: ZONING AMENDMENT BYLAW NO. 1121-2025, 135 NORTH SHORE RD
FILE NO: ZA2025-01
MEETING DATE: AUGUST 19, 2025

Purpose

The purpose of this report is to consider and grant 1st, 2nd and 3rd reading to Zoning Amendment Bylaw no. 1121, 2025 to amend Zoning Bylaw No. 1055-2021 to permit short term rental as an accessory use at 135 North Shore Rd, Lot 4, Section 5, Cowichan Lake District, Plan VIP62342 (PID: 023-278-340)

Background

The property is zoned R3, contains a single family dwelling with a secondary suite.

Many residential property owners have been renting out their home, rooms in the home or secondary suites as short-term vacation rentals. In 2023 the Province adopted the *Short Term Rental Accommodation Act* (the Act) as part of its Homes for People Action Plan. Some but not all the regulations in this new Act apply to the Town of Lake Cowichan. Effective May 1, 2024, for applicable local governments, the Act limits short term rentals (STR) to a host's principal residence. The Town's Zoning Bylaw permits short term rentals in limited way.

Town of Lake Cowichan Bylaw No. 777-2003 regulates business licenses and requires a business license to be obtained for every business operating on any property within the Town. Business licenses can only be issued for business that are permitted in the Zoning Bylaw.

The property owner would like to be able to rent out his home as a short term rental when he is on vacation. The property is a two-bedroom house with a two-bedroom suite in the basement.

Official Community Plan

Tourism and Recreation related policies are found in the Economic Development section of the OPC, specifically Section 5.1.5 of the OCP includes the following policies related to vacation rentals:

5.1.5.5) support purpose-built vacation rental facilities.

5.1.5.7) Short-term vacation rental in existing private residences may be supported subject to licensing, location criteria, life and safety standards, insurance, adequate off-street parking, limiting nuisances, and other matters as may be determined by the Town Council.

Zoning Bylaw

The Zoning Bylaw identifies two types of short-term rentals (STR) in the Zoning Bylaw and these are defined and regulated as follows:

Short-Term Vacation Rental means a building that contains a room, or a set of rooms, which may have a kitchen; and that is offered for rent to the travelling public on a temporary basis of 31 days or less and is subject to all the conditions listed under Part VI Conditions for Short Term Vacation Rentals.

Short term vacation rental is permitted in one zone district C-3 Lakefront and Riverfront Commercial for the specific property of 38 North Shore Drive (Lot 1, Section 6, Plan 5631). Short term vacation rental is not a permitted use in any residential zones.

Bed And Breakfast means an owner-occupied single detached dwelling containing a maximum of two (2) rooms without cooking facilities intended primarily for the temporary overnight accommodation for the travelling public, with breakfast meals prepared and served to guests by means of a common kitchen and dining facilities used by the owner-occupier.

Bed and breakfast accommodations are a type of short-term vacation rental and are specifically permitted as an accessory use in the R-2 Urban Residential zone and R-5 B Single Detached and Duplex zone (Point Ideal). The use is also permitted as a site-specific accessory use for the property located at 207 North Shore Rd (Lot 3, Block 4, Section 5, Plan 1750).

The amendment if approved would allow the owner at 135 North Shore Road to operate a short term rental.

Discussion

Council has directed staff to undertake a review of short term rentals. This has not yet taken place. In the meantime, the owner would like the opportunity to have a short term rental while he is away. He has someone who can take care of his property while he is away in the event of any nuisance matters.

Notification

As required in the Development Approval Procedures and Notification Bylaw No. 1109-2024 a letter was sent to neighbours within 50 m of the subject property about the proposed zoning amendment. The property owner has posted a sign on their property. A notice has been posted on the Town's website and on its Facebook page.

At the time of writing the report no comments have been received.

Sections 464(2) of the Local Government Act states that the Town is not required to hold a public hearing for proposed Zoning Amendment Bylaw No. 1121-2025 as the proposed bylaw is consistent with the Official Community Plan.

Options

1. That Council not proceed with 1st reading
2. The Council direct the applicants to provide more information related to the application.

Recommendation

The contract planner recommends granting 1st, 2nd, and 3rd reading of Zoning Amendment Bylaw No. 1121-2025 to amend Zoning Bylaw No. 1055, 2021 section 5.1.4 c. ii) Site Specific Permitted Principal and Accessory Uses Traditional Urban R-3 to add (c) Short term rental as an accessory use at 135 North Shore Rd, legally described as Lot 4, Section 5, Cowichan Lake District, Plan VIP62342 (PID: 023-278-340)

Signed:

Brigid Reynolds

Brigid Reynolds RPP MCIP
Contract Planner

Concurrence:

John Thomas

John Thomas MBA
Chief Administrative Officer