STAFF REPORT TO COMMITTEE

MEETING TYPE & DATE	Electoral Area Services Committee of October 1, 2025
FROM:	- Community Planning
SUBJECT:	Electoral Area B Short-term Rental and Miscellaneous Zoning Amendments
FILE:	6450-20 Short-Term Rentals

PURPOSE/INTRODUCTION

The purpose of this report is to introduce "CVRD Bylaw No. 4689 – Electoral Area B – Shawnigan Lake Zoning Amendment Bylaw (Short-Term Rental Amendments), 2025" to clarify bed and breakfast licensing regulations. It is recommended that this bylaw proceed with public notice, and that the hearing be waived due to the purpose of the bylaw being to provide clarification and consistency to zoning regulations.

RECOMMENDED RESOLUTION

That it be recommended to the Board:

1. **That public notice be undertaken and "CVRD Bylaw No. 4689 – Electoral Area B – Shawnigan Lake Zoning Amendment Bylaw (Short-Term Rental Amendments), 2025", be forwarded to the Board for consideration of 1st, 2nd and 3rd readings; and**

2. **That a public hearing not be held for "CVRD Bylaw No. 4689 – Electoral Area B – Shawnigan Lake Zoning Amendment Bylaw (Short-Term Rental Amendments), 2025".**

BACKGROUND

Short-term rental zoning amendment bylaws for all electoral areas, with the exception of Electoral Area B and Electoral Area D (marine zoning), were adopted at the CVRD Board meeting on September 10, 2025. Prior to that Board meeting, an error was identified in proposed CVRD Bylaw No. 4645 – Electoral Area B – Shawnigan Lake Zoning Amendment Bylaw (Short-Term Rental Amendments), 2025, resulting in its removal from the agenda.

The error relates to the Bed and Breakfast Licensing Regulations section, which, as previously drafted, would have permitted B&B use in a detached suite. Consideration for accommodation in detached suites is intended to be reviewed through the Comprehensive Zoning Bylaw (CZB) process and is contrary to the purpose of the amendment bylaw, which is to undertake bylaw (housekeeping) maintenance.

ANALYSIS

Maintaining consistency across electoral area zoning regulations is important, particularly as the CVRD works toward establishing a single zoning bylaw for all electoral areas. The short-term rental amendment bylaws adopted for the other electoral areas on September 10, 2025, restrict B&B use to a single detached dwelling and aligning Electoral Area B, as directed, with this approach ensures fairness, clarity, and uniform application of regulations across the electoral areas.

No additional revisions are proposed.

FINANCIAL CONSIDERATIONS

N/A

COMMUNICATION CONSIDERATIONS

N/A

STRATEGIC/BUSINESS PLAN CONSIDERATIONS

Short-term rental amendments are aligned with Strategic Objective 7.5.

Submitted by: L, Wright, MCIP, RPP, Planning Coordinator
Concurrence: A. Kjerulf, MCP, RPP, MCIP, GM Land Use Services

Reviewed for form and content and approved for submission to the Committee:

Resolution:	Financial Considerations:
☒ Corporate Officer	☒ Chief Financial Officer

ATTACHMENTS:
Attachment A – Draft CVRD Bylaw No. 4689 – Electoral Area B – Shawnigan Lake Zoning Amendment Bylaw (Short-Term Rental Amendments), 2025

COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 4689

A Bylaw for the Purpose of Amending Zoning Bylaw No. 985
Applicable to Electoral Area B – Shawnigan Lake

WHEREAS the *Local Government Act* empowers the Regional Board to adopt and amend zoning bylaws;

AND WHEREAS the Regional District has adopted a zoning bylaw for Electoral Area B – Shawnigan Lake, that being the "Electoral Area "B" Zoning Bylaw No. 985 1986";

NOW THEREFORE the Board of Directors of the Cowichan Valley Regional District, in open meeting assembled, enacts as follows:

1. **CITATION**

   This bylaw shall be cited for all purposes as **"CVRD Bylaw No. 4689– Electoral Area B – Shawnigan Lake Zoning Amendment Bylaw (Short-Term Rental Amendments), 2025".**

2. **AMENDMENTS**

   Electoral Area "B" Zoning Bylaw No. 985 1986 is amended as follows:

   a. Section 2.1 through 2.4 are deleted and replaced with the following:

      2.1 Enforcement

      1. The provisions of this Bylaw may be enforced by any and all of the following Cowichan Valley Regional District staff or employees: Bylaw Enforcement Officer, Building Inspector and Manager, Bylaw Enforcement, all and any of whom may enter any parcel, building or premises at all reasonable times, and in accordance with Section 284 of the *Local Government Act*, ascertain whether the regulations of this Bylaw are being obeyed.

      2. A Bylaw Enforcement Officer, Building Inspector, and Manager, Bylaw Enforcement or other such person that may be appointed by the Board may enforce this Bylaw.

      3. An authorized person acting on behalf of the Regional District under Section 2.1.2 may issue and enforce a ticket under the Regional District's

Bylaw Offence Notice Enforcement bylaw and/or the Municipal Ticket Authorization Bylaw for any violation under Section 2.2 below.

2.2 Violation

1. Any person who:

   a. violates any provision of this Bylaw;
   b. permits, suffers or allows any act or thing to be done in contravention or violation of any provision of this Bylaw;
   c. neglects to do or refrains from doing any act or thing which is required to be done by any provisions of this Bylaw;
   d. carries out, causes or permits to be carried out any development in a manner prohibited by or contrary to this Bylaw;
   e. allows a violation of this Bylaw to continue;
   f. fails to comply with an order, direction or notice given under this Bylaw; or
   g. prevents or obstructs or attempts to prevent or obstruct the entry of an authorized person acting on behalf of the Regional District under Section 2.1.2;

   has committed an offence under this Bylaw.

2. Each day a violation, contravention or breach of this Bylaw continues is deemed to be a new and distinct offence.

2.3 Penalty

Any person who contravenes any provision of this Bylaw commits an offence punishable upon summary conviction and is liable to a fine not exceeding $50,000, or the current maximum fine and penalty prescribed under the *Offence Act*, whichever is the highest, for each offence, plus the costs of prosecution.

b. Section 3.1 – Definitions – is amended by deleting the following definitions:

   i. "**Bed and breakfast accommodation**"
   ii. "**Campground**"
   iii. "**Dwelling" and "Dwelling Unit**"
   iv. "**Residence**"
   v. "**Tourist accommodation**"

b. Section 3.1 – Definitions – is further amended by adding the following definitions:

   i. "**Bed and breakfast accommodation**" means the accessory use of a residential dwelling for the overnight temporary accommodation of transient paying guests in accordance with Section 5.13 of this Bylaw;
   ii. "**Boarding and lodging**" means the partial use of a dwelling unit for rental of sleeping units, with or without meals being provided, where there is a full-time, non-boarding or lodging, resident of the dwelling unit present;
   iii. "**Campground**" means site intended or used for the temporary accommodation of persons in recreational vehicles, park model units (CSA Z241) or tents, which do not serve as dwelling units and may include an accessory laundry facility, washroom,

shower facilities, convenience store, restaurant, office and recreational facilities, provided such uses are limited to serving the occupants of the campground, but excludes a manufactured home park;

iv. "**Dwelling**" and "**Dwelling Unit**" means one or more attached habitable rooms in a building used and occupied or intended to be used and occupied as the permanent home or residence of one household, that together contain or provide for the installation of:
   (a) not more than one kitchen;
   (b) not more than one kitchenette;
   (c) one or more washrooms;
   (d) one or more sleeping areas;

   Excludes: Temporary accommodation and short-term rental unless expressly permitted in this Bylaw;

v. **"Dwelling, Multiple-Unit (or Multi-Unit Dwelling)"** means a building or cluster of buildings consisting of three or more dwelling units. Includes: Congregate Housing; excludes: Temporary accommodation unless expressly permitted in this Bylaw;

vi. "**Hotel**" means a building or buildings used for temporary accommodation, which contains temporary accommodation sleeping units, and where those sleeping units also contain cooking facilities, hotel use also includes short-term rental. Hotel use may also include accessory facilities such as a restaurant, cafeteria, spa, meeting rooms, convention facilities, gift shop, recreational facilities and a public house;

vii. "**Recreational Vehicle**" means a motorhome, camper van, 5th wheel, tent trailer or other vehicle that is required to be licensed under the *Motor Vehicle Act* if used on a highway and is designed, converted or adapted for the temporary accommodation of people;

viii. "**Residential use**" means a use providing for the accommodation of one or more persons, including activities customarily incidental to the accommodation of a person or a group of persons, where such accommodation is the principal home and residence to which the person or group of persons intends to return if absent, and if such premises are rented, where the minimum rental and occupancy period is 30 consecutive days; and does not include short-term rental;

ix. "**Short-term rental**" means a self-contained dwelling unit in which accommodation is provided to people in exchange for compensation other than a bed and breakfast under Section 5.13 of this Bylaw, for stays of fewer than 30 consecutive days, and where the dwelling unit is not occupied by the owner or long-term resident during the stay;

x. "**Temporary accommodation**" means the accommodation of any person for other than a residential use or short-term rental use;

xi. "**Temporary accommodation sleeping unit**" means a room or group of rooms, which may or may not contain cooking facilities, used for the temporary accommodation of any person; and where a sleeping unit also contains cooking and sanitary facilities, includes short-term rental and long-term residential use;

c. The following is added after Section 4.6:

4.7 Short-term rental (STR) is not permitted on any parcel, unless STR use is explicitly permitted in a specific zone or on a specific parcel in this Bylaw, or by way of a Temporary Use Permit.

d. Section 5.13 is deleted and replaced with the following:

5.13 Bed and Breakfast Licensing and Regulations

For zones in which it is permitted, a **bed and breakfast** (B&B) use:

a. shall be licensed by the CVRD pursuant to a CVRD Business License Regulation Bylaw, should one be in effect;
b. shall be completely contained within a single detached dwelling that is the principal use on the parcel;
c. shall be conducted by the principal resident of the single detached dwelling on the parcel, and may not employ more than one additional non-resident person for B&B purposes;
d. shall include the requirement that the principal resident of the single detached dwelling be present whenever any B&B temporary accommodation is underway;
e. shall not include short-term rental accommodation, either alone or in combination with a B&B on the same parcel. For example, if the licensed operator of the B&B is not residing on site during the stay of paid guests then the operator is engaging in short-term rental accommodations.
f. shall not involve the use of more than four rooms per parcel at any one time, for the temporary accommodation of guests;
g. where a renovation, an addition or new construction is required to allow the B&B use to occur, applications for building permits shall explicitly show which rooms in the dwelling will be used for B&B purposes.

5.13A Short-Term Rental Licensing and Regulations

Short-term rental (STR) use is only permitted if it is listed as an explicitly permitted principal or accessory use of a residence in the zone within which the parcel is located, or if a Temporary Use Permit (TUP) for STR use has been issued by the CVRD Land Use Services Department and has not expired.

Where STR is permitted, the use of the land and buildings for STR shall be licensed by the CVRD pursuant to a CVRD Business License Regulation Bylaw, should one be in effect, and no one person or group of persons shall occupy the STR beyond a maximum period of 29 consecutive days.

If the STR is in what would otherwise be considered dwelling units that are located in a Zone that permits hotel, resort, campground and similar uses, STR use does not require a business license.

3. **FORCE AND EFFECT**

This bylaw shall take effect upon its adoption by the Regional Board.

PUBLIC NOTICE GIVEN in ACCORDANCE WITH THE *LOCAL GOVERNMENT ACT* this	_____	day of	_____,	2025.
READ A FIRST TIME this	_____	day of	_____,	2025.
READ A SECOND TIME this	_____	day of	_____,	2025.
READ A THIRD TIME this	_____	day of	_____,	2025.
RECEIVED MINISTRY OF TRANSPORTATION & TRANSIT APPROVAL this	_____	day of	_____,	2025.
ADOPTED this	_____	day of	_____,	2025.

_____ _____

Chair Corporate Officer