

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

DATE OF MEETING: March 2, 2020

TO: Galiano Island Local Trust Committee

FROM: Brad Smith, Island Planner
Southern Team

COPY: Gary Richardson, Acting Regional Planning Manager

SUBJECT: STVR Review – Summary of Community and Stakeholder Input

RECOMMENDATION

1. That the Galiano Island Local Trust Committee provide direction to staff regarding the development of draft bylaw amendments for regulating short term vacation rental land uses in the Galiano Island Local Trust Area.

REPORT SUMMARY

The purpose of this memo is to provide the Galiano Island Local Trust Committee (LTC) with a further summary and analysis of the community and stakeholder outreach that has been completed for the Galiano Island Short Term Vacation Rental (STVR) Review Project, and to provide options for LTC consideration of next steps with respect to drafting bylaw amendments.

The recommendation above is supported as:

- Staff have now completed the research and community outreach phases of the project;
- Public and stakeholder consultation has provided LTC with a better understanding of community and stakeholder perspectives regarding STVRs;
- Results indicate that opinion is divided in the community regarding STVRs and whether regulations should more restrictive, less restrictive or left alone;
- There are a range of options available for amending bylaws and staff cannot proceed without clarity from LTC on what direction they intend to take i.e. additional regulation, relaxing standards, status quo with minor tweaks etc.

BACKGROUND

At the June 3rd, 2019 regular meeting staff presented the amended project charter for LTC endorsement. The Galiano Island LTC passed the following resolution:

GL-2019-051

It was Moved and Seconded,

that the Galiano Local Trust Committee:

- a) endorse the attached Galiano Island Short Term Vacation Rental (STVR) Review Project Charter as amended and associated scope of work, timelines and budget;
- b) Direct staff to begin working on Galiano Island STVR Review Project deliverables.

Carried

The endorsed project charter includes the following key tasks:

1. Complete review of STVRs currently operating on Galiano Island and research of STVR regulations/policies in other jurisdictions
2. Develop discussion paper summarizing findings of review
3. Complete public/stakeholder outreach (including public meetings)
4. Finalize recommendations and confirm scope of proposed bylaw amendments with LTC
5. Complete bylaw amendment process (if changes are sought by LTC)

Staff have now completed the first three key tasks (unless the LTC would prefer to conduct additional outreach) and are seeking direction on Task 4.

A [staff memo](#) was provided to the LTC at the February 3, 2020 LTC meeting that summarized the results of the November 23, 2019 STVR open house and as well as baseline web-survey responses. This staff report builds on the information contained within that staff memo, and includes a summary of the additional written survey comments for questions 1-12.

The research phase was completed in the summer of 2019 with results presented to the LTC at the September 9, 2019 LTC meeting. A [discussion paper](#) was published summarizing findings of the review along with a preliminary list of options for potential changes to STVR regulations on Galiano Island.

Additional project information, including previous staff reports, are located here:

<http://www.islandstrust.bc.ca/islands/local-trust-areas/galiano/projects-initiatives/2019-stvr-review/>

ANALYSIS

Open House

An Open House was held on November 23, 2019 at the Lions Hall on Galiano Island. Approximately 50 members of the public were in attendance. General conclusions from the town hall session include:

- There is general agreement in the community that STVRs are important to the local economy;
- There is a range of opinion in the community with respect to existing STVR regulations, some think there is not enough regulation, others think there is too much;
- Operating an STVR as a home occupation with an owner/operator onsite is generally viewed as an appropriate land use;
- There is a broader division of opinion regarding the operation of STVRs via a temporary use permit (TUP);
- It is difficult to correlate impacts on long-term rental housing with STVR operations given the number of other variables involved regarding the current challenges of housing affordability.

Meeting minutes from the town hall portion of the open house are now posted [online](#) (click on link and then set calendar to November 23, 2019).

“Dotmocracy” Poster Board Results

At the open house, participants were asked to place coloured dots on the answer that most closely represented their viewpoint (Table 1).

Table 1. Results of Dotmocracy Poster Boards, November 23rd STVR Open House

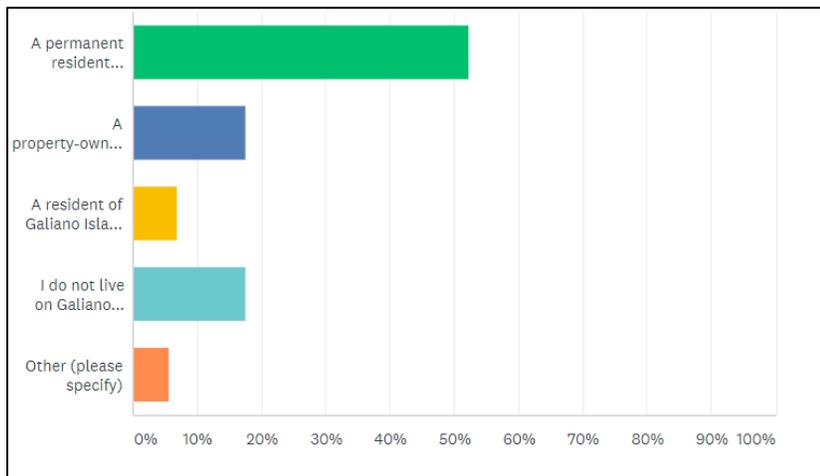
Question	Response			# Dots
Do STVRs play an important role in the Galiano Island economy?	Very negative			1
	Somewhat negative			3
	Not important			0
	Somewhat positive			15
	Very positive			17
How should STVRs be regulated on Galiano Island?	Allowed anywhere			15
	Specific zones			2
	TUP only			3
	Current regs are good			3
	Home business only			15
	No STVRs allowed			0
Do STVRs compete with existing commercial accommodation businesses?	Supplement			26
	Do not compete			1
	Some competition but not significant			3
	Significant competition			11
Do STVRs leave fewer options for long term rentals?	No influence			11
	Some impact but not significant			19
	Significant impact			15
STVRs have impact on:	Positive	Negative	No Impact	
Immediate Neighbourhood	5	5	2	
Sense of community	3	7	0	
Socio-economic Diversity	22	6	1	
Natural environment	0	4	2	
Traffic flow and safety	0	5	2	
Water supply	0	9	2	
Long-term rentals	0	14	5	

Online Survey

An online survey was conducted from November 23, 2019 – January 20, 2020 using the web-based Survey Monkey platform. A total of 234 surveys were completed.

Question 1. I am:

Answer	%
A permanent resident property-owner on Galiano Island.	52.36
A property-owner on Galiano Island but not a permanent resident.	17.6
A resident of Galiano Island that lives in a long-term rental property or other accommodation.	6.87
I do not live on Galiano Island or own property there.	17.6
Other (please specify)	5.58

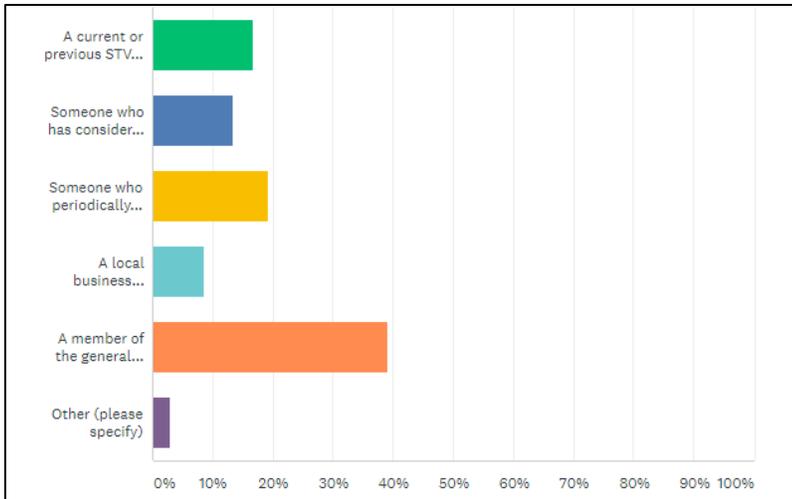


Summary of 'Other' responses (13 in total)

- 1 Gossip Island property owner
- 1 person just moved from Galiano to Pender due to lack of affordable housing
- Several permanent/semi-permanent households
- 1 occasional visitor

Question 2. I am:

Answer	%
A current or previous STVR operator on Galiano Island.	16.74
Someone who has considered operating an STVR on Galiano Island.	13.3
Someone who periodically rents or is interested in renting STVR properties on Galiano Island.	19.31
A local business operator other than an STVR.	8.58
A member of the general public.	39.06
Other (please specify)	3.0

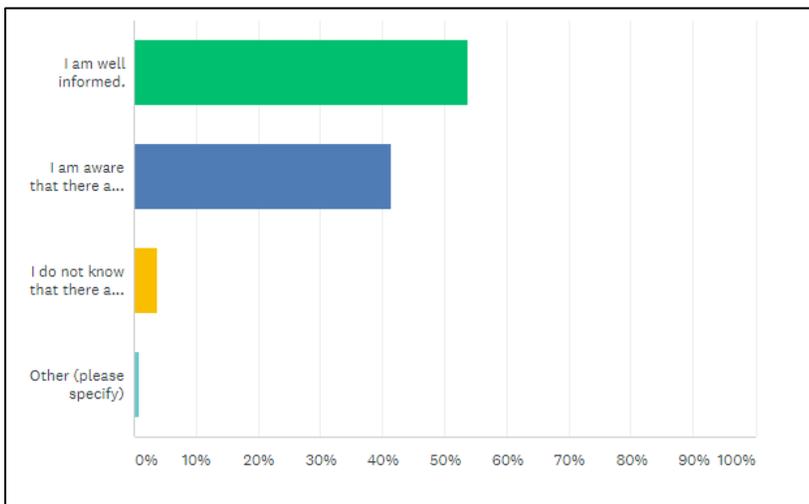


Summary of 'Other' responses (7 in total):

- 1 Gossip Island property owner
- A mix of long time residents, STVR operators, visitors and long-term renters
- 1 person who does not support does not support commercial accommodation use of residential property without a proper tourism plan based on public input with safeguards for the environment, the community and residential neighbourhoods.

Question 3. Are you familiar with the existing Islands Trust bylaws and policies that administer STVR uses on Galiano Island?

Answer	%
I am well informed.	53.85
I am aware that there are STVR bylaws and policies but I am not familiar with them.	41.45
I do not know that there are bylaws and policies administering STVRs.	3.85
Other (please specify)	0.85

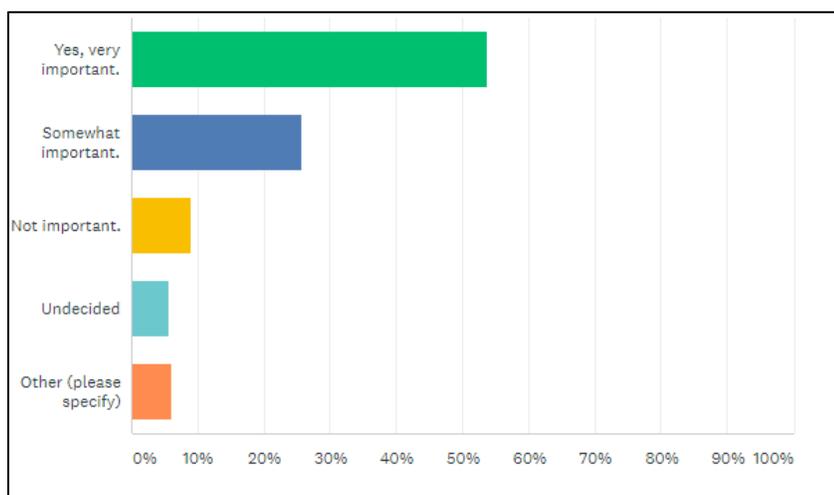


Summary of 'Other' responses (2 in total):

- 1 person questioned the purpose of STVR policies if they are not applied consistently
- 1 person indicated they are aware but not fully informed

Question 4. Are STVRs important to the local Galiano Island economy?

Answer	%
Yes, very important.	53.85
Somewhat important.	25.64
Not important.	8.97
Undecided	5.56
Other (please specify)	5.98

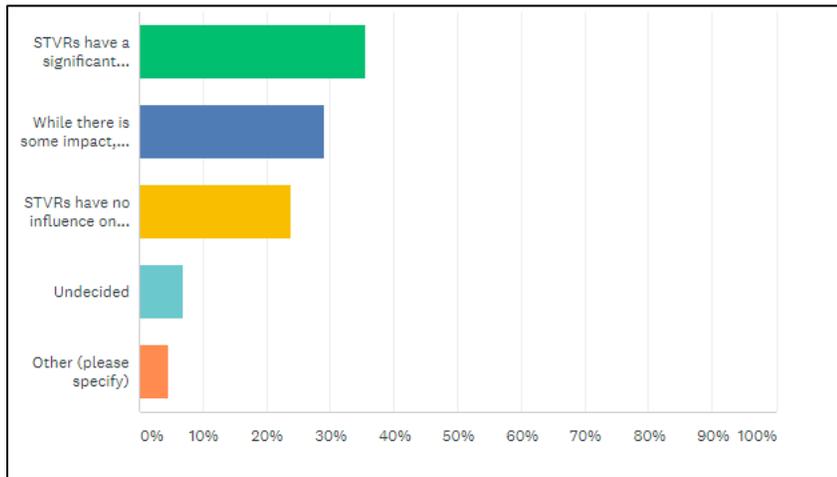


Summary of 'Other' responses (14 in total):

- 1 person felt they lacked information on this topic
- Several commented that STVRs are important to the economy but limits are needed to reduce other impacts including island character, environment, neighbourhood cohesion etc.
- 1 person commented the gap between 'very important' and 'somewhat important' is too large and another option is needed
- 1 person commented they are negative because they reduce housing for people who live and work on the island
- A few people commented that home occupation STVRs provide more benefit than TUPs

Question 5. Do STVRs leave fewer options for those looking for long term rental housing?

Answer	%
STVRs have a significant impact on the availability of long term rental housing.	35.47
While there is some impact, I don't think it is a significant issue.	29.06
STVRs have no influence on the availability of long term rental housing.	23.93
Undecided	6.84
Other (please specify)	4.7

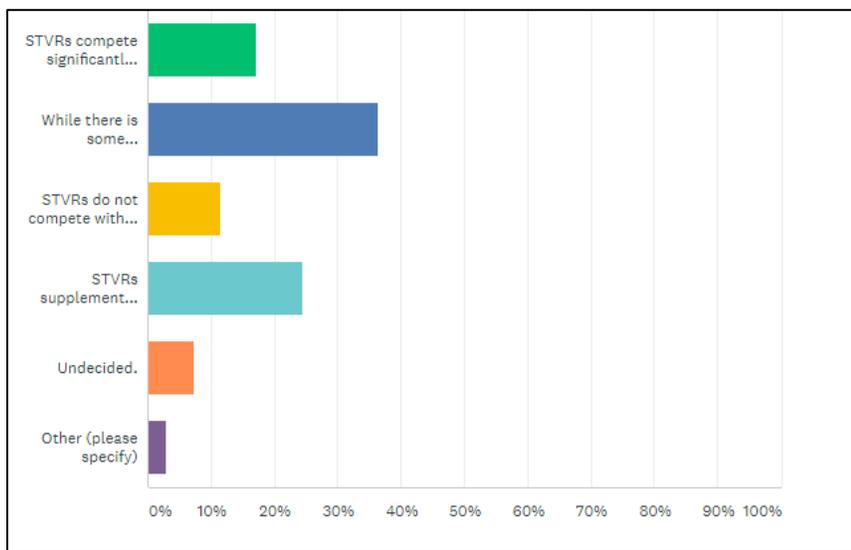


Summary of 'Other' responses (11 in total):

- 1 person felt they lacked information on this topic
- 1 person thinks it depends on location and house cost
- A few people think that many of the STVR properties would not be rented out long-term if STVRs were not allowed
- 1 person thinks think in some cases a unit may be used for STVR that could have otherwise been used for long term housing and that there are situations whereby a STVR would not be used for long term housing because the owner would still like the opportunity to use that unit for the use of family and friends
- 1 person thinks properties in the bottom 25% based on assessed value should be not allowed to be rented short term and saved for long term rentals
- One person says "they do have an impact...I have seen it in my neighbourhood...but the TUP option lets people invest in homes here for commercial use not residential use."
- One person says "In the past we have rented it to winter tenants, but the cost of wear and tear, damage to the rental and thefts on our property make offering it for winter long term rental no longer an option. If we rent it out full time, our family will not have access to using the property."

Question 6. Do STVRs compete with existing commercial accommodation businesses?

Answer	%
STVRs compete significantly with existing commercial accommodation businesses.	17.17
While there is some competition, I don't think it is a significant issue.	36.48
STVRs do not compete with existing commercial accommodation businesses.	11.59
STVRs supplement existing commercial accommodation businesses.	24.46
Undecided.	7.3
Other (please specify)	3.0



Summary of 'Other' responses (7 in total):

- 2 people felt that there can be both competition and benefits to commercial accommodation depending on circumstances, time of year etc.
- 2 people made the point that STVRs offer a different experience to commercial accommodations
- 1 person thinks all STVRs should be outlawed
- 1 people thinks they compete but they are not sure how much
- 1 person thinks that the question to be answered should be how much additional overflow accommodation space should be permitted in the high season through regulated STVR's

Question 7. STVRs have impact on:

Item	% Positive	% Negative	% No Impact	% Undecided
<i>The Island's water supply</i>	1.76	42.36	36.68	19.21
<i>Traffic flow and road safety</i>	2.17	33.48	46.52	17.83
<i>The natural environment</i>	7.52	27.43	46.9	18.14
<i>The local economy</i>	82.17	6.09	3.91	7.83
<i>The socio-economic diversity</i>	57.02	19.3	10.96	12.72
<i>The sense of community I feel</i>	30.53	26.11	30.09	13.27
<i>My immediate neighbourhood</i>	20.44	21.33	40.44	17.78



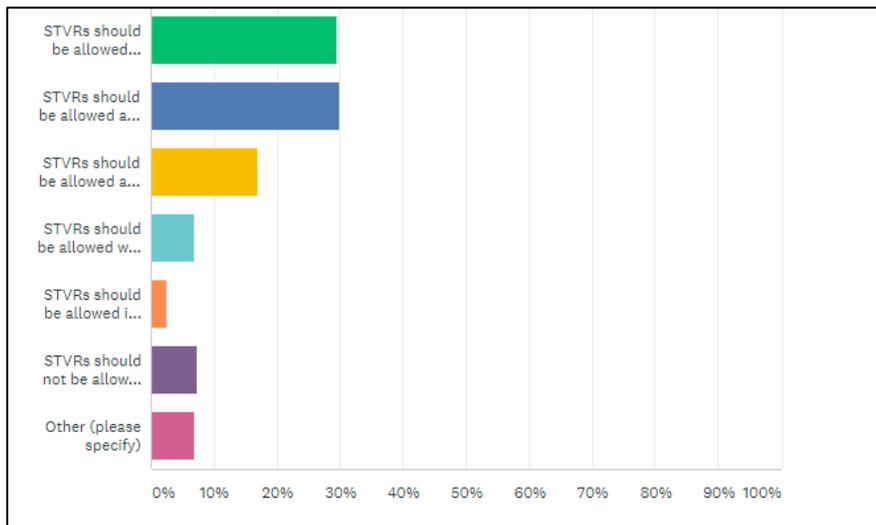
Summary of 'Other' responses (45 in total):

- Several people expressed concerns over impacts to water supply, environment, noise, sense of neighbourhood etc., others indicated that from their experience STVR users are generally respectful
- Several people expressed that STVRs provide important income for island residents and allow the island to be shared with others
- 1 person expressed that their temporary workers often stay in STVRs
- 1 person thinks that STVRs create a commercial business in residential neighbourhoods which is not positive

- There was mixed opinion expressed on the impact to long-term rental housing
- A couple people expressed there is not enough data to understand/correlate STVRs with water impacts or impacts on housing affordability
- One person thinks the questions could be biased
- 1 person thinks that the impacts should be framed by season with the shoulder season where the most benefits occur given summer is always busy
- 1 person thinks an apartment building is needed on the island for affordable housing
- 1 person expressed impacts on ferry traffic by STVRs

Question 8. Should people be allowed to rent their houses or cottages as STVRs on Galiano Island properties with residential zoning?

Answer	%
STVRs should be allowed anywhere.	29.44
STVRs should be allowed as a home business or with a Temporary Use Permit (TUP).	29.87
STVRs should be allowed as a home business only.	16.88
STVRs should be allowed with a Temporary Use Permit (TUP) only.	6.93
STVRs should be allowed in specific zones only.	2.6
STVRs should not be allowed at all.	7.36
Other (please specify)	6.93



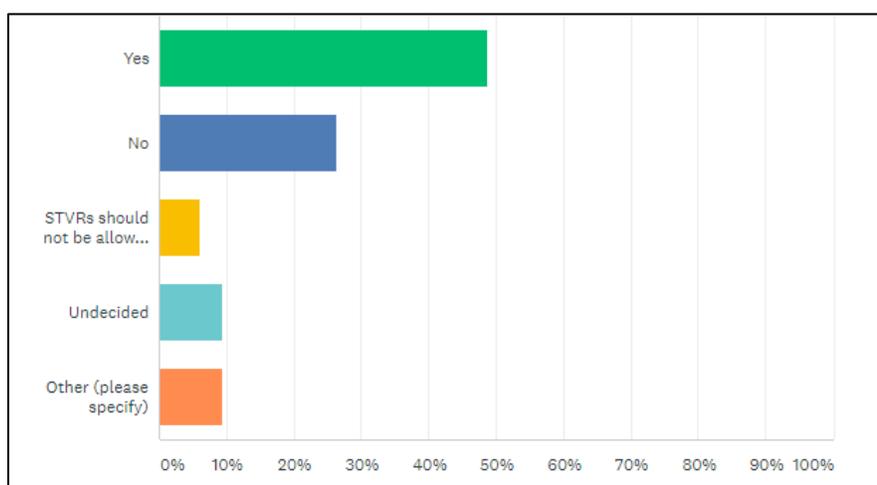
Summary of 'Other' responses (16 in total):

- Several people indicated that only home occupation STVRs should be allowed with a permanent resident on-site i.e. no TUPs
- 1 person thinks that there needs to be a better mechanism than TUPs that provide some regulation for safety and environmental impact but are not time-bound and needing renewal as long as requirements are being met

- 1 person suggested limiting the number operating days per year/STVR
- 1 person is happy with the current rules and just wants more enforcement
- 1 person thinks STVRs should be allowed anywhere
- 1 person thinks that home occupation regulations plus specific zoning for non-home occupation properties should be considered
- 1 person thinks a tourism plan needs to developed

Question 9. Are home occupation regulations, which require that the owner or the owner’s representative live on the STVR property at the same time, a good way to manage STVRs?

Answer	%
Yes	48.71
No	26.29
STVRs should not be allowed at all.	6.03
Undecided	9.48
Other (please specify)	9.48

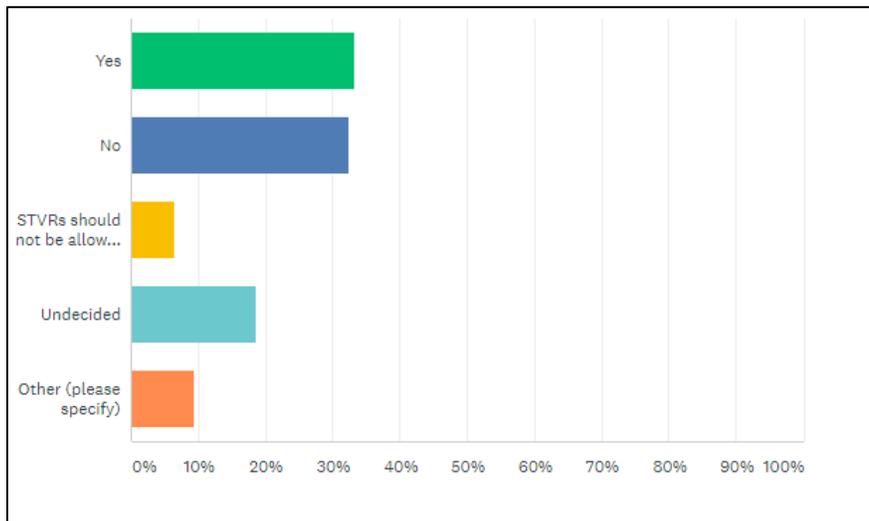


Summary of ‘Other’ responses (22):

- Several people indicated that while having someone living on site is good, it should not be the only option and that someone designated on island to manage the property should suffice
- 1 person thinks Islands Trust needs ability to license uses
- 1 person thinks increasing density allowances (e.g. cabin on a parcel less than 0.4 hectares) to allow for caretaker residences should be considered
- 1 person thinks the existing regulations work well
- 1 person thinks there should always be someone on-site

Question 10. Are TUPs which allow an STVR to operate for a temporary period where it would not otherwise be allowed (i.e. home occupation regulation requirements are not met), a good way to manage STVRs?

Answer	%
Yes	33.19
No	32.33
STVRs should not be allowed at all.	6.47
Undecided	18.53
Other (please specify)	9.48

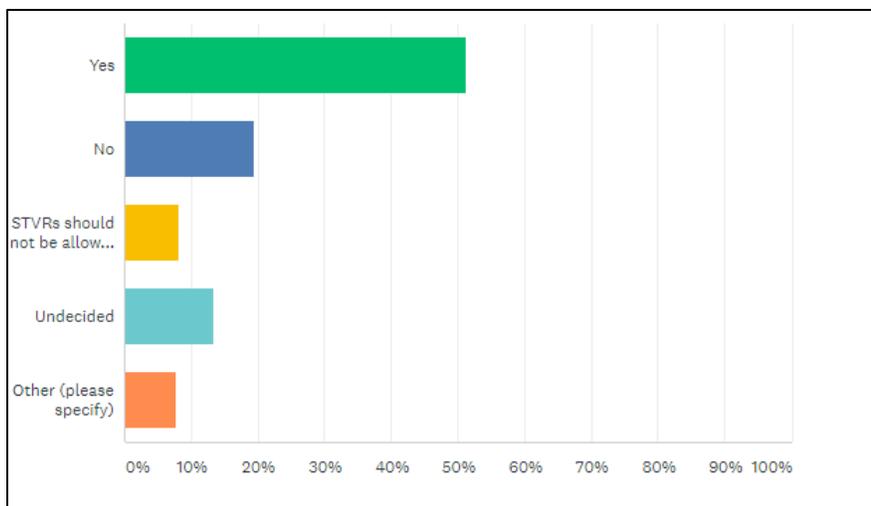


Summary of 'Other' responses (22):

- Several people think that the TUP process is too complex, onerous and expensive
- Some people think TUPs are a reasonable approach given that licensing is not an option
- 1 person thinks permitting of smaller homes for a permanent resident on all lots with a requirement for them to be used as long-term rental should be considered
- 1 person thinks that TUPs are not intended for managing commercial accommodation
- A few people think TUPs should not be allowed for STVRs

Question 11. Should only one STVR be allowed per property?

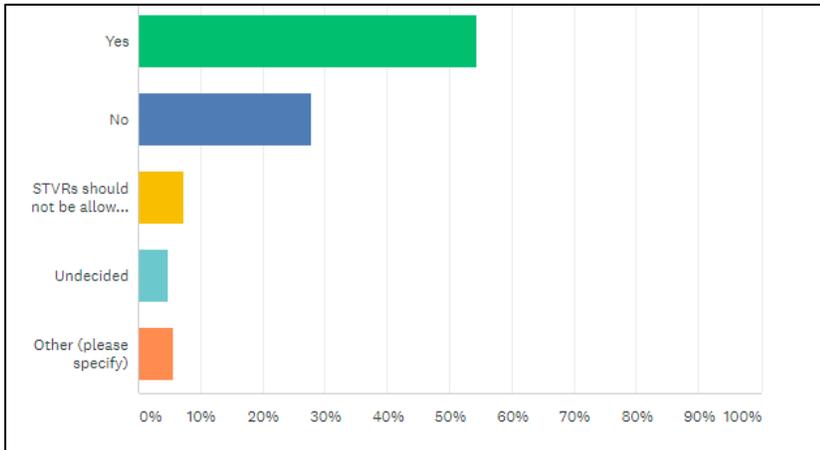
Answer	%
Yes	51.29
No	19.4
STVRs should not be allowed at all	8.19
Undecided	13.36
Other (please specify)	7.76



Summary of 'Other' responses (18 in total):

- Several people think it should be on a case-to-case basis (scale, location, water availability etc.)
- Two people think on corporate held properties, such as Therah, Hunterston Farms or various others, more than one STVR seems reasonable.
- One person thinks multiple STVRs should only be allowed if the property is also the permanent residence for someone on island (eg., can't operate both house and cabin as STVR, but could operate house and suite within house as two STVRs, if cabin is a long-term rental, or owner's primary home). Allowing multiple STVRs must also only be granted after careful consideration of sustainable water use.
- 1 person think licensing is needed
- 1 person thinks more than 1 STVR could cause more noise and water use impacts
- One person thinks a community vision is needed for tourism capacity, measuring impacts, regulating STVRS
- Question 12. Where STVRs are allowed, should the number of bedrooms or guests should be limited?

Answer	%
Yes	54.35
No	27.83
STVRs should not be allowed at all	7.39
Undecided	4.78
Other (please specify)	5.65



Summary of ‘Other’ responses (13 in total):

- Several people think it should be on a case-to-case basis (scale, location, water availability etc.)
- 1 person thinks that houses that are grandfathered in with a specific capacity, should be allowed, even if it is limited going forward for new structures
- 1 person thinks the rules are not always followed
- For larger properties that wish to host retreat groups, larger family events etc., perhaps some sort of licensing per event - like BCLC temporary liquor licensing for events - be created. Something less time intensive and less costly than TUP
- 1 person thinks only if there is compliance with fire regulations

Conclusions

In general, the findings of the public and stakeholder outreach indicates:

- A vast majority of respondents are either aware or well informed with respect to STVR bylaws;
- A vast majority of respondents think that STVRs are important to the local economy;
- There is mixed opinion on whether STVRs significantly impact long-term rental availability;
- There is mixed opinion on whether STVRs compete or benefit commercial accommodations;
- A majority of respondents think that STVRs improve the socio-economic diversity of the Island;
- There is generally a higher level support for STVRs operated under home regulations than TUPs where there is no permanent resident on-site;
- Less than a third of respondents think that the STVRs should be allowed everywhere without a TUP or home based provision;
- Many respondents have concerns about impacts of STVRs on water supplies, traffic flow/safety, and the environment;
- A majority of respondents think that there should be only one STVR allowed per property;
- A majority of respondents think that if STVRs are allowed there should be limits placed on the bedrooms/guests;
- Many respondents think an on-island operator should suffice for the granting of a TUP and/or home occupation allowance;

- Many respondents think that STVR uses and limits should be on a case-to-case basis with considerations of property size, location, water supply etc.;
- Many people think the TUP process should be simpler and less expensive;
- Some people think site specific zoning and/or licensing should be considered;
- A few people think that a tourism plan is required that considers STVRs;
- Some people are impacted by STVRs in their neighbourhoods but the issues are not widespread;
- Future regulatory reviews of STVRs need to consider the entire Galiano Island Trust Area including associated islands.

Options

Chapter 6 of the STVR [discussion paper](#) (included as Attachment 1) provides a range of options for potential revisions to STVR regulations and bylaw enforcement policies. The options presented in the paper largely speak to the many considerations and issues raised during the public outreach process, and where possible remain independent of whether the regulatory oversight is to be increased or relaxed.

With substantive information in hand, and overall community opinion divided on the benefits and impacts of STVRs, it is now up to the LTC to determine what bylaw amendments and other policy changes may be appropriate to consider.

Rationale for Recommendation

Based on the foregoing, the recommendation on page 1 is supported as:

- Staff have now completed the research and community outreach phases of the project;
- Public and stakeholder consultation has provided LTC with a better understanding of community and stakeholder perspectives regarding STVRs;
- Results indicate that opinion is divided in the community regarding STVRs and whether regulations should more restrictive, less restrictive or left alone;
- There are a range of options available for amending bylaws and staff cannot proceed without clarity from LTC on what direction they intend to take i.e. additional regulation, relaxing standards, status quo with minor tweaks etc.

ALTERNATIVES

1. Request further information

The LTC may request further information prior to making a decision. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request.

Resolution:

That the Galiano Island Local Trust Committee request that staff provide the following additional information: _____.

2. Conduct additional community and stakeholder outreach prior to considering direction on potential bylaw amendments

The LTC may choose to undertake additional community consultation prior to making a decision on potential bylaw amendments.

Resolutions:

That the Galiano Island Local Trust Committee direct staff to organize the following community and stakeholder outreach: _____.

3. Receive for information

The LTC may receive the report for information.

NEXT STEPS

If potential bylaw changes are identified by the LTC, staff will develop draft bylaw amendments and arrange for public and stakeholder consultation.

Submitted By:	Brad Smith, Island Planner	February 19, 2020
Concurrence:	Gary Richardson, Acting Regional Planning Manager	February 20, 2020

6. Options

As outlined in section 3.1, the Galiano Island OCP and LUB currently regulate STVRs through a combination of home occupation use and TUPs. Outlined below is a brief discussion of potential options that could be considered by the LTC for further enhancing the STVR regulatory and policy framework on Galiano Island.

6.1. Changes to Home Occupation Use

Potential changes to the home occupation regulations concerning STVRs vary significantly between encouraging or deterring STVR use. The range of potential options here includes:

- Remove the requirement in section 3.13.1 of the LUB that only one dwelling or cottage or secondary suite per lot be used for STVR use at one time, thereby increasing potential STVR use for lots with multiple legal dwellings.
- Modify section 3.13.2 of the LUB, which places a maximum of three bedrooms with a total of four beds per lot on guest accommodation, including both STVRs and B&Bs. The number of bedrooms and beds permitted could be increased, decreased, or removed entirely, depending on the goals of the LTC.
- Place a more stringent restriction on what type of unit STVRs are permitted in, for example by forbidding STVR operations in secondary suites. This would have the intention of preserving secondary suites for long term rental stock, but would also require amending the OCP, which currently provides guidance that secondary suites can be used for vacation rental accommodation.
- Add some of the standard TUP guidelines to the home occupation regulations; for example, provisions concerning a responsible person available to reach 24/7 whose information has been distributed to neighbours, rainwater catchment system requirements, provision to guests of information on noise bylaws, water conservation, fire safety, and waste disposal, or other considerations the LTC feels are appropriate.
- Establish a minimum parcel size to conduct STVR operations, as an approach to addressing the perceived noise and privacy impacts. A minimum lot size regulation for STVRs could be clearly established and could be enforced with a degree of certainty. This would also have the effect of ensuring that the potential use was limited to a proportion of the overall residential lots on the Island and not all residential lots. However, this would necessarily preclude owners of lots smaller than the minimum established in the bylaw.
- Limit the number of dwellings used for short-term rental to a maximum number in any zone, neighbourhood, or block. A similar approach is to limit the impacts by permitting no additional short-term rentals within a certain distance of an existing short-term rental. However, without business licensing, such an approach would be virtually impossible to administer on Galiano Island within the home occupation category.
- Remove STVR as a permitted use entirely. This would require amending the LUB to take STVR use out of the home occupation regulations; this could be done either in concert with a continued TUP regulatory scheme to gain more control over STVRs, or jointly with the removal of STVR TUPs, if the LTC felt that a total STVR moratorium was more appropriate.

- Alter the regulations to state that home occupation could occur in the temporary absence of an operator; while a significant departure from the current regulations, this would adhere more closely to Airbnb's original intent of homeowners renting their primary residence while they are on vacation or otherwise absent for a short period of time. This option would face enforcement difficulties, as it has proven to be difficult to determine how much of the year a residence is occupied.
- Allow STVRs to operate in single family dwellings with no on-site operator under the condition that there be an operator elsewhere on the Island, with the standard provision that the responsible person be available 24/7 and their contact information be distributed to neighbours within a given geographic range.
- Prohibit the use of secondary suites both for STVR rental and for owners to live in while operating an STVR in a primary suite. This change would provide some protection for secondary suites as long-term rental stock.

6.2. Changes to Temporary Use Permits

Changes to TUPs will require amendments to the OCP, which currently has STVR-specific guidelines. Potential options here include that the LTC:

- Require that TUP numbers be displayed in all advertising and promotional materials. This would simplify bylaw enforcement investigation of potential bylaw contraventions.
- Forbid or limit TUPs issued in water management zones. Concerns about groundwater usage could be somewhat addressed through placing a specific number of acceptable TUPs or number of bedrooms in water management areas. This would refine the current guideline directive that the LTC "consider the cumulative effects on the neighbourhood and Island," and move toward a more quantified approach to groundwater protection.
- Require water metering of STVR TUPs. This would serve to provide data on water usage of STVRs, and could be taken into consideration in a TUP renewal application. This data could prove difficult to collect, quantify, or interpret, and may require increased administration efforts and attendant costs.
- Limit the number of dwellings issued STVR TUPs to a maximum number in any zone, neighbourhood, or block. A similar approach is to limit the impacts by permitting no additional STVR TUPs within a certain distance of an existing STVR TUP. This approach has the clear limitation that, while home occupation STVR use continues, limiting the number of TUPs in a given area will not necessarily correlate to limiting the number of STVRs.
- Remove STVR TUPs from the OCP entirely, requiring that all STVR operations adhere to the home occupation regulations. This would substantially curtail STVR operations by off-island residents by making it impossible to operate an STVR on a lot with only one dwelling unit, given the resident operator requirement within the home occupation regulations.
- Refuse TUPs to people or entities who own multiple properties, either on Galiano Island or within Trust Area generally. This would serve to restrict the possibility of one management company running a multitude of STVRs as a large-scale commercial operation, as is a noted issue in larger jurisdictions such as Vancouver.

Potential changes to TUPs should take into account that there is a possibility that STVR operators may keep applying for TUPs after their initial renewal expires. This requires that both the LTC and the applicant continue expending resources on application processes, and is also problematic in that

TUPs, as indicated in their name, are intended as temporary measures. In light of this, using TUPs as a permanent and ongoing regulatory tool should be considered carefully.

6.3. Changes to Zoning

Beyond looking at the home occupation regulations, there is potential for wider changes to the LUB through zoning to effect STVR use. One potential approach to managing STVRs through zoning would be to remove the home occupation and TUP avenues to compliance and create a new zone specifically for STVRs, similar to but distinct from existing LUB Inn or other accommodation zoning. Applicants would need to go through the rezoning process including a public hearing, which would allow for public notification and comment.

A potential STVR zone could have the same general requirements as are currently in the TUP guidelines, or could be more refined depending on LTC goals. The drawbacks of this approach include the cost of rezoning, the time involved in processing a rezoning, the need to develop guidelines, and the possibility of a continuing series of contentious rezoning decisions put forward to the LTC.

Alternately, another potential zoning approach to changing STVR regulation would be for the LTC to choose not to regulate the activity beyond making it a permitted use in all zones. This would presumably be based on the perception that there are no appreciable negative impacts resulting from STVR activity, or that existing regulations are undesirable to the community. This approach would require amending both the OCP and LUB to remove specific guidelines for STVR use.

6.4. Bylaw Enforcement

A crucial consideration in the formulation of any regulations is the ability to effectively enforce those regulations. In terms of enforcement of on-going activities, Galiano Island's enforcement policy is typically based on complaint rather than proactive enforcement, although a current standing regulation requires active bylaw enforcement of unlawful STVRs. Enforcement is based on the principle of seeking voluntary compliance, with legal action as a last resort.

Policy 5.5.1 of the Trust Council Policy Manual, Bylaw Compliance and Enforcement, outlines the conditions under which an investigation for unlawful activity may commence. Local Trust Committees have the ability to modify their own enforcement approaches from this policy by way of standing resolutions. The Galiano LTC could modify the current standing resolution requiring proactive enforcement such that it remained in force after the conclusion of the STVR review project. Continued proactive enforcement would address some concerns about over proliferation of STVRs, particularly of whole home rentals with no resident operator, as those are the most easily enforced STVR bylaw contraventions.

There are significant costs to enforcing at a higher level than is currently maintained. Continuing proactive enforcement would require an increase in bylaw enforcement resources, or could affect enforcement's ability to respond to other matters if resources remain the same. An approach used by several municipalities is the use of a third-party STVR monitoring software service, such as Host Compliance, to maintain a list of active STVRs and reduce the time required of bylaw officers in investigation. However, this software can be costly, and the financial feasibility of this method would need to be further explored.

The LTC also has the ability to amend the Bylaw Enforcement Notification (BEN) bylaw, which sets out the manner in which bylaw regulation is conducted. This includes designating bylaw contraventions and penalties for such contraventions. The LTC could increase or decrease the penalty amounts to reflect their perspectives and goals concerning STVR usage.

Bylaw enforcement would also be affected by any changes to the OCP or LUB that modify regulations for STVR use, by changing what is or is not bylaw compliant.

6.5. Business Licenses

Many jurisdictions use business licensing to review and control uses such as STVRs; however, as the Islands Trust does not have the legislative ability to implement business licensing, this tool is not available. Bowen Island is an exception due its status as a municipality. As explored in section 4.1, the benefits to business licensing include the potential to cover administrative costs through fees, simplify bylaw enforcement, and impose conditions of use.

The Islands Trust would need to collaborate at the regional district level to implement any business licensing scheme with respect to STVR uses.