

Late Agenda Item

**Public Hearing and Regular Council Agenda
April 15, 2025**

Recommendation:

That Council amend the agenda to add the following items, received after publication of the agenda:

- | | |
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| 3.3. Public Hearing “Official Community Plan Bylaw 2022, No. 2200, Amendment Bylaw 2025, No. 2205” | Pages |
| Add public submissions. | 1-5 |

15 April 2025

To: Town of Ladysmith, Mayor and Council

Re: Bylaw No. 2205 – Temporary Use Permits for Short-Term Rentals

I am writing to express concerns about Bylaw 2205 and the proposed guidelines for Temporary Use Permits (TUPs) for Short-Term Rentals, intended for incorporation into Official Community Plan Bylaw 2022, No. 2200.

This appears less a housing strategy than a permitting system in search of a purpose. Several of the proposed design requirements are inconsistent with the intent of land use regulation. The expectation of a cohesive design theme, minimum ceiling heights, and discouragement of small or galley kitchens suggests a shift toward boutique commercial standards rather than practical residential use. These criteria set an oddly high bar and exclude viable, modest rentals managed responsibly by resident homeowners.

The suggestion that units should not provide redundant accommodation, that is, compete with local hotels and motels, seems misguided. Of course they will compete – on differentiation. This is normal market functioning.

On the other hand, a notable omission from the guidelines is any reference to the number of short-term rental units permitted per civic address. This leaves the door open to multiple TUP applications at a single property, including for multi-suite dwellings or detached accessory buildings. If the intent is to protect housing stock and neighbourhood character, it would make sense to limit short-term rental use to a single unit per property and ensure that this is clearly defined.

Further to the above, Guideline 2 makes no distinction between very different types of properties in its specific mention of secondary suites:

- Owner-occupied homes with one suite
- Fully tenanted homes or duplexes
- Investment properties held by absentee landlords

This is a significant oversight. Treating these scenarios as interchangeable erases the risks and responsibilities borne by owner-occupiers and blurs the critical line between residential use and commercial operation. The underlying assumption that secondary suites should exist solely to provide affordable housing is deeply problematic. The idea that the only “correct” use of a

secondary suite is to support affordability puts a moral burden on individual homeowners to subsidize housing policy failures. That is not a burden that private individuals should be expected to carry.

It is also worth noting that a secondary suite may not be rented long-term for a number of legitimate reasons, including past experience, personal needs, or general uncertainty in today's political and economic environment. This framework may discourage responsible, part-time use of secondary spaces where a long-term tenancy may not be suitable or feasible. In such cases, short-term or intermittent use can serve a legitimate role – *where otherwise the unit may be removed from inventory entirely, as is increasingly the case.*

The structure of the bylaw seems driven by platforms like Airbnb or VRBO, which already maintain internal review and quality control systems that far outpace what a local permitting process can provide. While the inclusion of neighbour impact considerations is a novel and potentially positive step in this municipality, these too lack enforcement in practice.

For context, I do not operate an Airbnb or any kind of themed rental. However, I do have a strong interest in housing issues, in the work undertaken by Council and staff, and in the broader goal of effective, focused governance. That includes recognizing the administrative impulse toward overreach – particularly when responding to housing pressures that originate in a long chain of failed policies at every level of government, most of them fiscal in nature. This bylaw appears to me as an indicator of the broader pattern: elaborate regulation aimed at the margins, while core affordability issues remain unaddressed.

I urge Council to consider whether the administrative complexity of this bylaw is proportionate to its purpose. It risks entrenching unnecessary bureaucracy without solving the problems it purports to address.

Sincerely,

C. Mathers

Received April 15, 2025



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April 14, 2025

ALC Planning Review: 46823

Jake Belobaba
Director of Development Services
Town of Ladysmith
jbelobaba@ladysmith.ca

Re: April 7, 2025 Referral of Draft OCP Amendment Bylaw 2205 – Short Term Rental Regulations

Thank you for forwarding a draft copy of the above bylaw (the "Bylaw") for review by the Agricultural Land Commission (the "ALC" or "Commission"). The Bylaw proposes an amendment to the Town's Official Community Plan Bylaw No. 2200, 2022, to enable the issuance of temporary use permits for short-term rentals, subject to criteria. [Section 46 of the Agricultural Land Commission Act](#) ("ALCA") requires local governments to ensure their bylaws are consistent with the ALCA, the Agricultural Land Reserve ("ALR") regulations, and any orders of the Commission. ALC staff provide the following comments to assist in this regard:

ALC staff advise that short-term rentals are only permitted in the ALR, without an application to the Commission, where the use would be consistent with the 'Agri-Tourism Accommodation' or 'Tourist Accommodation' provisions under sections 33 and 34 of the [ALR Use Regulation](#).

ALC staff recognize that the majority of the Town's ALR lands are currently uninhabited, and as such, short-term rental development in the ALR is unlikely at this time. However, to minimize any potential for non-compliance with regard to current or future short-term rentals in the ALR, ALC staff suggest adding a simple policy statement in the Bylaw's Schedule A Guidelines, advising the reader of the additional ALR requirements. ALC staff suggest language such as:

"If located in the Agricultural Land Reserve (ALR), short term rentals must be compliant with the Agricultural Land Commission Act and ALR regulations."

For reference, more information about the types of short-term rentals permitted in the ALR can be found in Section 8 of [ALC Information Bulletin 06: Tourist and Agri-Tourism Accommodation in the ALR](#).

The ALC strives to provide a detailed response to all referrals affecting the ALR; however, you are advised that the lack of a specific response by the ALC to any draft provisions cannot in any way be construed as confirmation regarding the consistency of the submission with the ALCA, the regulations, or any decisions of the Commission. This response does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

If you have any questions about the above comments, please contact the undersigned at 236-468-3276 or by e-mail at ALC.Referrals@gov.bc.ca.

Sincerely,

PROVINCIAL AGRICULTURAL LAND COMMISSION



Mike Bandy, Regional Planner

CC: Ministry of Agriculture and Food – Attention: Reed Bailey

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