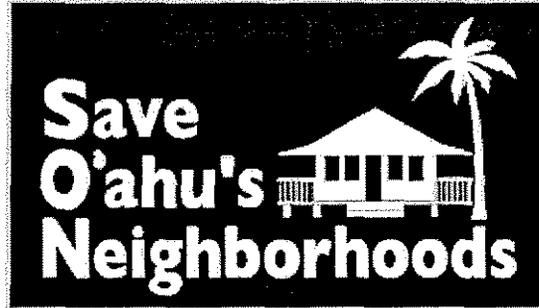


From: Son Hawaii [son.hawaii@yahoo.com]
Sent: Thursday, March 13, 2008 6:22 AM
To: City Clerk
Subject: Oppose Bills 6,7 & 9, Support Bill 8: Victoria BC, Canada bans short-term rentals in residential zones



“E Malama i ka Nohona Kaiaulu o O’ahu.”

P.O. Box 88131
 Honolulu, HI 96830
www.sonhawaii.org

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 CITY CLERK
 HONOLULU, HAWAII

Dear Council Members;

The operators of illegal B&B’s and TVU’s have repeatedly claimed that “only” Oahu has issues with short-term rentals. Please review the attached PDF file (Victoria BC Canada bans short-term rentals in residential zones) that demonstrates their propaganda is false. Visitor lodging business such as B&B’s and TVU’s being located in residential zoned neighborhoods is increasingly becoming a problem for many municipalities around the country and the world.

Thank you for protecting our residential zoned neighborhoods.

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Victoria tightens vacation home rental rules Council responds to rash of complaints

Carolyn Heiman
Times Colonist

Friday, January 26, 2007

Making cash by renting a spare condo or an extra house to tourists just got a little harder as Victoria tightened rules around vacation rentals.

Victoria city council yesterday rewrote the definition of what transient accommodation means in an effort to deal with complaints - mostly by strata councils - objecting to properties zoned as residential but rented out like hotels.

Stan Schopp, who heads up the city's bylaw enforcement department, said the new definition will have a negative impact on the city's growing vacation rental business. "I would expect that a lot of rental units that they have been offered - and especially those in condos not zoned for transient rental - will have to be taken out of the pool."

The changes aren't going down well with people in the vacation rental business who told council it would hurt a sector of the tourism industry because some visitors don't want to stay in hotels.

Gerry Morgan, owner of a luxury home on the Malahat which was used to lodge 10 contestants trying out in the Canada's Next Top Model television show, told council "that people who use vacation rentals aren't looking for a hotel experience. These are high-end people."

Morgan's property is outside the city's jurisdiction, but he's concerned the city's move will have an impact on his business and others like it.

Vacation rentals help to offset rising taxes, Ivan Jespersen, who has a home on Dallas Road, told council. Jespersen said the money allows Victorians to maintain their properties.

Mayor Alan Lowe said he's not convinced that vacation rentals in single-family homes is a problem, although staff later advised that transient accommodation isn't a use defined by a single-family zoning.

Still, for range of reasons - the number of complaints arising from the vacation rental business, the impact it can have on affordable rentals, the way it can alter the nature of a single-family neighbourhood, and that illegal vacation rentals don't pay commercial taxes - council approved the definition change in the zoning bylaw.

"It is up to council to ensure that neighbourhoods and communities are developing the way we want them to," said Coun. Dean Fortin.

He added the city wants more residents living in the downtown, but if council doesn't deal with the transient accommodation definition, all it will create is time-share accommodation.

Scot Piercy, owner of Platinum Vacation Group, advised council that the definition was still grey and needs to define "vacation rental." Outside the meeting he said the change wouldn't significantly affect his business because most of the condos he rents are zoned for transient use.

Over the last few years the city has been slowly regulating vacation-related businesses taking place in homes, first taking aim at bed and breakfasts by requiring them to have a business licence, and be situated on properly zoned land.

When the issue of vacation rentals first came to council in September 2006, city staff estimated there were more than 300 illegal units in Victoria alone, but the breadth of the issue extended well beyond the city's boundary to Saanich, Oak Bay, and Central Saanich.

Schopp said the number of vacation rentals taking place in properties not zoned for the use continues to increase and garner complaints from strata councils and single-family homeowners.

Friction arises when neighbours, expecting they have moved into a single-family neighbourhood or a condo where they will have fixed neighbours, find "a lot of coming and goings" next door. "That's no longer a single-family neighbourhood."

The new definition is clearer "so we can proceed with enforcement on files that we were reluctant to because of the previous definition."

Staff advised council yesterday that the new definition will not affect home exchanges or people going on vacation for six months and renting out their homes for that period.

Under the new definition transient accommodation is the use of land or a building for temporary accommodation of visitors and includes hotels, motels, vacation rentals and bed and breakfasts.

The new definition note that visitors not paying money or receiving other considerations, are exempt.

Tom Pebernat, the city's zoning administrator, said it comes down to "am I doing a commercial activity at this location."

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