



# Memorandum

To: Council

From: Phil Armstrong, MDS / Planner

Date: February 11, 2018

File: 3900-20 Bylaw XXXX ToG Short Term Rentals

## **RE: Short Term Rental Direction Draft Regulatory Framework (Report 5)**

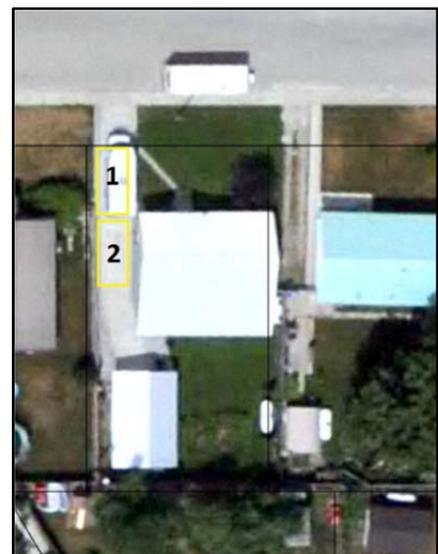
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At the Regular Open Council Meeting held on February 6, 2018 Council reviewed the public input gathered from the recent Short Term Rental survey, the four focus group meetings and the items of correspondence received. Council discussed the input and provided the following direction for bylaw drafting:

1. Support for the proposed Temporary Use Permit and business license/regulation framework.
2. A short term rental (accommodation of 30 days or less) can occur in single detached dwelling or in a secondary suite as well as within a duplex.
3. The single detached dwelling, duplex or ½ duplex, must be occupied during the short term rental by the owner and it must be the owner's principal dwelling.
4. Short term rentals are not to be permitted:
  - a. On a property with a detached secondary residential dwelling (carriage house or garden suite);
  - b. Within a unit in a multi-family residential development.
5. Prior to approval, an initial life-safety inspection is to be conducted by the building official then inspections every three years.
6. Requirements such as no advertising without a business license will also be implemented for efficient enforcement purposes.

Staff will further examine options for transitioning permits in order to ensure there are opportunities for new entrants to the STR market over time and if the permit can expire upon sale of the property. Also, at a later date further information will be brought forward for Council consideration on the permit and license fee structure.

There was a discussion in regards to parking requirements; to the right is an illustration that shows despite this home having a long driveway that leads to a single car garage only two parking stalls can be counted even though there is the potential for four onsite stalls. This is because the current parking requirements only allow counting of two tandem stalls, based on the rationale that people are unlikely to juggle their vehicles and more likely to park on the street. The parking requirement for a single detached dwelling is two onsite stalls as well as one for each bed and breakfast room. Thereby, a three bedroom bed breakfast would require five stalls. Note any parking on-street would not be counted. There was no direction to re-examine these requirements which will impact a property owner's ability to operate an STR.



At this juncture staff intend to engage legal counsel in assisting with drafting the necessary bylaw amendments for this initiative, but prior to the next Council meeting if councilors or the public wishes to provide further comments please email [str@golden.ca](mailto:str@golden.ca) by noon on Thursday, February 15<sup>th</sup>, 2018.

On a separate note, the Province and Airbnb reached an agreement and announced on February 7<sup>th</sup> that there will be legislative and regulatory changes made and Airbnb will begin collecting the provincial sales tax (PST) and the municipal and regional district tax (MRDT) on short-term accommodations provided in British Columbia through its platform on behalf of its hosts. In part this came about through Council's role advocating to the Province. See enclosed press release.

A handwritten signature in blue ink, appearing to read "Phil Armstrong".

**Phil Armstrong** MCIP, RPP

*Manager of Development Services / Planner*

British Columbia News

## Province and Airbnb working to fund affordable housing

<https://news.gov.bc.ca/16357>

Wednesday, February 7, 2018 11:45 AM

**Victoria** - The British Columbia government and Airbnb have reached an arrangement allowing the online company to collect provincial sales taxes on all short-term rentals conducted through its platform — a move that will help fund housing affordability measures for British Columbians — Finance Minister Carole James announced today.

“British Columbians want access to the sharing economy – and they want it to be fair,” James said. “This initiative will provide additional revenues to address housing affordability, and it improves tax fairness for all British Columbians.”

Once legislative and regulatory changes are made, Airbnb will begin collecting the 8% provincial sales tax (PST) and the up-to-3% municipal and regional district tax (MRDT) on short-term accommodations provided in British Columbia through its platform.

To streamline the process of collecting taxes, Airbnb will remit on behalf of its hosts in British Columbia, ensuring that no additional administrative burden is placed on them.

“This is a defining moment for Airbnb in British Columbia,” said Alex Dagg, public policy manager for Airbnb in Canada. “These changes are a welcome opportunity to continue helping the province and its residents benefit from the positive economic impacts of home sharing.”

This is the first arrangement of its kind in British Columbia. Airbnb is a leader in its sector for coming to the table with the Province, and agreeing to voluntarily register its platform to collect the PST and MRDT.

In the near future, the Province will be looking to move forward with similar arrangements with other accommodation platforms.

### Quick Facts:

- There are 18,500 Airbnb providers operating in British Columbia.
- The Province estimates Airbnb will remit approximately \$16 million through the PST and an additional \$5 million through the MRDT.
- MRDT is up to 3% and is applied to rentals of short-term accommodations, paid by consumers.
- Elsewhere in Canada, Airbnb also collects the 3.5% tax on lodging, on behalf of its hosts in the Province of Québec.
- Airbnb collects and remits occupancy taxes on behalf of its hosts in many jurisdictions around the globe, including:
  - the countries of France and India
  - the states of Michigan, Nevada and California

### Learn More:

Areas where Airbnb collects and remits taxes:

<https://www.airbnb.ca/help/article/653/in-what-areas-is-occupancy-tax-collection-and-remittance-by-airbnb-available>

How tax collection and remittance by Airbnb works:

<https://www.airbnb.ca/help/article/1036/how-does-occupancy-tax-collection-and-remittance-by-airbnb-work>

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