



AGENDA
DISTRICT OF PORT HARDY
COMMITTEE OF THE WHOLE MEETING
6:15 PM TUESDAY APRIL 24, 2018
COUNCIL CHAMBERS, MUNICIPAL HALL
7360 COLUMBIA STREET

Mayor: Hank Bood
Councillors: Pat Corbett-Labatt, Dennis Dugas, Rick Marcotte, Fred Robertson, John Tidbury and Leightan Wishart

Staff: Allison McCarrick, CAO; Abbas Farahbakhsh, Director of Operational Services; Heather Nelson-Smith, Director of Corporate Services; Lynda Sowerby, Director of Financial Services; Leslie Driemel, Recording Secretary

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A. CALL TO ORDER

Time:

B. APPROVAL OF AGENDA

Motion required

1.

2.

C. STAFF REPORTS

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1. Heather Nelson-Smith, Director Corporate Services (Apr.4/18) re: Short Term Vacation Rentals / AirBnb. For information.

2. Allison McCarrick, CAO re: Telus Update.

D. DELEGATION

1. RCMP Staff Sgt. Wes Olsen re: Quarterly Report to Council, January to March 2018.

4-5

RCMP stats: January – March 2018

6-7

RCMP stats: January – March 2017

E. ADJOURNMENT

Motion required

1.

2.

Time:



DISTRICT OF PORT HARDY REPORT TO COUNCIL

AGENDA

TO: Mayor and Council
FROM: Heather Nelson-Smith, Director of Corporate Services
SUBJECT: Short Term Vacation Rentals /AirBnb
DATE: April 4, 2018

BACKGROUND

Council requested staff prepare a report regarding Short Term Vacations Rentals (STVR) /AirBnb's.

VACATION RENTALS

STVR's are different from hotels, motels, tourist cabins and bed and breakfasts in that they are usually operated within a self contained dwelling unit usually in residential zones and may or may not have a person on the property to allow for access to the home or anyone permanently on site during the stay. In many cases owners live out of town.

Process: A customer books a STVR online or through AirBnb.ca or other vacation rental site and receives instructions on how to access their unit prior to arrival. Not all AirBnb listings are single family dwelling units, they can be hotels, motels, bed and breakfasts and secondary suites.

BED AND BREAKFAST REGULATION (CURRENT)

A bed and breakfast shall be permitted as a major home occupation or rural home occupation and in addition to the other provisions of this Bylaw, is subject to the following regulations:

- (a) It shall only be operated as an accessory use within a single detached dwelling or carriage home dwelling;*
- (b) A bed and breakfast shall contain a maximum of three sleeping rooms for guests and shall accommodate a maximum of six guests at any time;*
- (c) A bed and breakfast shall not alter the residential character and appearance of the single detached dwelling;*
- (d) The holder of the business licence of a bed and breakfast shall reside in the dwelling in which it is located; and,*
- (e) Off-street parking shall be provided in conjunction with the requirements for a major home occupation or rural home occupation, whichever is applicable.*

CURRENT LISTING SEARCH

A quick search for Port Hardy on Airbnb.ca revealed only one house and an entire apartment listed that meets the STVR.

There may be additional sites in which vacation rentals are advertised, so this search is non-conclusive.

HOTEL TAX

The MRDT (Hotel Tax) does NOT apply to accommodations that have less than 4 units. The measurement of the unit of accommodation, for example, in a hotel or motel, a unit of accommodation is generally a room or suite. A unit of accommodation in a hostel or dormitory is generally a bed. A unit of accommodation in a house with multiple bedrooms that is rented out for a single price is generally the house, meaning it is one unit of accommodation.

OFFICIAL COMMUNITY PLAN

The Official Community Plan refers to Vacation Rentals in Commercial Zones only. If provisions were to be made to allow them, both the OCP and Zoning regulation would require amendment.

SUPPLY OF AFFORDABLE RENTAL HOUSING

A growing concern in Port Hardy is the access to affordable housing.

An increase in tourism could trigger increased opportunities to open a STVR and limit the availability of rental or sale properties.

An out of town or absentee owner may want to use the home for a limited time each year and this would not be possible if the house was rented full time, therefore a STVR is desirable.

An owner may decide to move away from Port Hardy permanently, but rather than rent or sell their property they convert the home into a STVR and await property value rise or use the property for revenue, thus removing the property from the market.

With the unavailability of rental stock, prices for rentals increase creating hardship for those looking for affordable housing.

Council will need to be conscious of Official Community Plan statements around affordable housing if STVR's are permitted.

RESIDENTIAL CONCERNS AND BYLAW ENFORCEMENT

In other Municipalities and Regional Districts there have been issues with noise and parking. Others have noted the concerns from neighbours regarding the transient patrons in the neighbourhood or multiple sites being used in the same block as STVR's.

Another concern is unfair tax advantage as STVR owners are paying residential rates for taxes and taking away business from those operating businesses in the commercial zones or bed and breakfast which operate rooms for let in their principle residence.

BENEFITS

- Increased investment return to property owners
- More accommodation options and prices for visitors, improving their experience
- Allows visitors to experience Port Hardy as a resident.
- Offsets a cost of housing/expenses for local residents renting out a portion of their home.
- Offsets the costs of the seasonal or absentee owners.

CONSIDERATIONS

Council could consider the following:

1. Prohibit STVR's.
2. Engage with the community including the local businesses offering nightly accommodation to tourists and see what the appetite is to permit and regulate STVR's
3. Create a provision for STVR's in the Zoning bylaw and OCP regulation.
4. Site specific rezoning.
5. Issue Temporary Use Permits.
6. Create zoning for certain sized properties or within a specific zone.

Respectfully submitted,



Heather Nelson-Smith, DCS

**Port Hardy RCMP Detachment
7355 Columbia Street**

	Q#1 - 2018	Q#2-2018	Q#3-2018	Q#4-2018	Annual Total
Total number of files for this quarter	874				
ASSAULTS:	34				
Common / Trespassing	23				
Assault w/ Weapon or CBH	3				
Aggrevated	1				
Criminal Harassment	0				
Utter Threats Against Person	7				
SEXUAL ASSAULTS:	1				
Aggravated Sex Assault	0				
Sex Assault w/Weapon or CBH	0				
Sexual Interference	1				
Sexual Touching	0				
Sexual Exploitation	0				
Intoxicated in Public	49				
Liquor Violation Tickets Issued	7				
Breach of Peace	19				
Secondary Involving Alcohol	15				
Cause Disturbance	20				
Secondary Involving Alcohol	14				
MISCHIEF:					
Under \$5,000.00	2				
Over \$5,000.00	0				
Loss Enjoyment of Property	10				
Breach of Probation -- Adult	19				
Breach of Probation -- Youth	3				
Bail Violations	27				
By-Law Noice	14				
False / Abandoned 9-1-1	27				
Break & Enter Business	3				
Break & Enter Residence	5				
THEFT FROM MOTOR VEHICLE:					
Less than \$5,000.00	4				
More than \$5,000.00	0				

Port Hardy RCMP Detachment Continued

	Q#1--2018	Q#2--2018	Q#3--2018	Q#4--2018	Annual Total
THEFT:					
Shoplifting Under \$5,000.00	10				
Missing Persons	16				
Missing Persons -- High Risk	14				
Unspecified Assistance	15				
False Alarm	17				
Mental Health Act	45				
Suicidal	6				
DRUGS:					
Cocaine Trafficking	0				
Cocaine Possession	0				
Cannabis Possession	0				
Cannabis Trafficking	0				
IMPAIRED DRIVING:	7				
Charge Recommended	0				
Charged	0				
Unfounded / Unsubstantiated	5				
IRP -- 24 Hour	0				
IRP -- 3 Day	0				
IRP -- 7 Day	0				
IRP -- 30 Day	0				
IRP -- 90 Day	2				
Violation Tickets -- Moving	31				
Violation Tickets -- Non-Moving	5				
Traffic Notice Written Warnings	3				
Motor Vehicle Incident -- Fatal	0				
Motor Vehicle Incident -- Injury	0				
Motor Vehicle Incident -- Over \$1,000.00	4				
Street Checks	13				
PRISONERS HELD	107				
JJP HEARINGS	15				
DETENTIONS FROM JJP HEARINGS	11				

AGENDA

<p>Port Hardy Detachment</p> <p>Total Files</p> <p>January 1, 2017 – March 31, 2017</p>	895
Assaults Common / Trespassing = 24 Assault w/weapon or CBH= 3	27
Sexual Assaults = 3 Sexual Interference= 1	4
Intoxicated in Public	65
Breach of Peace	29
Cause Disturbance	33
Mischief Under \$5,000.00 = 9 Mischief Over \$5,000.00= 0	9
Bail Violations	23
Bylaw - Noise	15
False/Abandoned 911	32
Break & Enter - Business	5
Break & Enter Residence	8
Theft from Motor Vehicle under \$5000	5
Theft from Motor Vehicle over \$5000	0
Theft - Shoplifting Under \$5000	9
Missing Persons = 9 Missing Person High Risk = 26	35
Unspecified Assistance	27
False Alarms	10
Mental Health Act	8
Cocaine trafficking = 0 Cocaine possession = 0	0
Marijuana trafficking = 0 Marijuana possession= 4	4
Road Checks	1

Violation Tickets Moving = 36 Violation Tickets Non-Moving = 3	39
Traffic Notice Written Warnings	2
Impaired Driving	5
IRP = 24 Hour	0
IRP = 3 Day	0
IRP = 7 Day	0
IRP = 30 Day	0
IRP = 90 Day	3
Motor Vehicle Incident – Fatal	0
Motor Vehicle Incident – Injury	1
Motor Vehicle Incident – Over \$1,000.00	8
Street Checks	24
Prisoners Held	132
JJP Hearings	32
Detentions from JJP Hearings	16