

## SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

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**TO:** Planning and Community Development Committee – May 9, 2019

**AUTHOR:** Yuli Siao, Senior Planner

**SUBJECT:** ZONING AMENDMENT BYLAWS NO. 310.184 AND 337.118 FOR SHORT TERM RENTAL ACCOMMODATION REGULATIONS - CONSIDERATION OF SECOND READING AND PUBLIC HEARING

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### RECOMMENDATIONS

1. THAT the report titled Zoning Amendment Bylaws No. 310.184 and 337.118 for Short Term Rental Accommodation Regulations - Consideration of Second Reading and Public Hearing be received;
  2. AND THAT Sunshine Coast Regional District Zoning Amendment Bylaw No. 310.184 and Sunshine Coast Regional District Electoral Area A Zoning Amendment Bylaw No. 337.118 be forwarded to the Board for Second Reading;
  3. AND THAT a Public Hearing to consider the bylaws be scheduled for June 18, 2019 at 7:00 p.m. at the Seaside Centre, 5790 Teredo Street, Sechelt, BC;
  4. AND THAT Director \_\_\_\_\_ be delegated as the Chair and Director \_\_\_\_\_ be delegated as the Alternate Chair for the Public Hearing with all other electoral area directors in attendance;
  5. AND FURTHER THAT all advisory planning commissions be notified of the Public Hearing.
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At the October 25, 2018 Regular Board meeting resolution 308/18 was adopted as follows:

**Recommendation No. 3** *Zoning Amendment Bylaws to Implement Short Term Rental Accommodation Regulations*

THAT the report titled Zoning Amendment Bylaws to Implement Short Term Rental Accommodation Regulations be received;

AND THAT *Sunshine Coast Regional District Zoning Amendment Bylaw No. 310.184 and Sunshine Coast Regional District Electoral Area A Zoning Amendment Bylaw No. 337.118* be forwarded to the Board for First Reading;

AND THAT these bylaws be forwarded to the following stakeholders for comment:

- a) All Advisory Planning Commissions;
- b) shíshálh and Sk̓w̓x̓wú7mesh Nations;
- c) District of Sechelt and Town of Gibsons;

- d) Roberts Creek Official Community Plan Committee;
- e) Pender Harbour Chamber of Commerce;
- f) Gibsons and Area Chamber of Commerce;
- g) Sechelt Chamber of Commerce;
- h) Sunshine Coast Tourism; and
- i) Habitat for Humanity Sunshine Coast.

AND THAT two public information meetings be held in different Electoral Areas prior to consideration of Second Reading of the Bylaws;

AND FURTHER THAT staff attend Advisory Planning Commissions and Roberts Creek Official Community Plan Committee meetings on this topic.

This report analyzes referral and public consultation feedback and recommends revisions to the proposed bylaws for consideration of Second Reading and holding of a Public Hearing.

## **DISCUSSION**

### *Timeline of Activities Concerning Short Term Rental Accommodation*

Staff reports and consideration of bylaw amendments related to short term rental accommodation date back to 2012. Recent activities on this subject began in 2017, which include a succession of staff reports and Board resolutions along with a series of community engagement and consultation events: one initial on-line questionnaire and three public consultation meetings before the zoning amendments were proposed; and two public workshops, two public information meetings, one further on-line questionnaire as part of the Zoning Bylaw No. 310 update process, and consultation with advisory committees and agencies after the First Reading of the proposed bylaws. The detailed timeline of activities can be found in Attachment D.

### *Referral Comments*

The first draft of the bylaws and associated staff report (for context provided as Attachment H) were referred to the above listed agencies and committees. A summary of comments is provided in the following table.

**Staff Report to Planning and Community Development Committee - May 9, 2019**  
**Zoning Amendment Bylaws No. 310.184 and 337.118 for Short Term Rental**  
**Accommodation Regulations - Consideration of Second Reading and Public Hearing**  
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Referred Agency	Comments
Sunshine Coast Tourism	Sunshine Coast Tourism thanks the SCRD for the thorough review of the short term rental file as it pertains to the SCRD. The bylaw amendments are well researched and provide an appropriate and needed update to the bed and breakfast regulations. A fair balance was struck between property rights and responsibilities.
Sechelt and District Chamber of Commerce	We have reviewed the two existing by-laws as well as the proposed changes and would support the proposed changes. Streamlining the existing by-laws and simplifying the language to remove any ambiguity is always a good practice.
Gibsons and Area Chamber of Commerce	Generally no concerns.
Pender Harbour Chamber of Commerce	No comments received.
District of Sechelt	No comments received.
Town of Gibsons	Interest not affected.
shíshálh and Skwxwú7mesh Nations	No comments received.
Habitat for Humanity Sunshine Coast	No comments received.
Advisory Planning Commissions	Summaries provided in Attachment E.
Roberts Creek Official Community Plan Committee	Attachment F.

The West Howe Sound APC recommended forming a working group composed of people who would be affected by the proposed bylaw amendments to develop a guiding framework and that bylaw amendments recognize the need for temporary housing for temporary workers. The guiding framework for the bylaw amendments was established in the prior phase of the project through public participation activities other than a working group; given the broad impact of STRA, public meetings/dialogues and a questionnaire were used. The public participation approach was endorsed by the Board on May 25, 2017.

As indicated by the timeline of activities, the extensive public consultation process has engaged a broad range of stakeholders including the business communities and the general public. This process has yielded substantive feedback and a clear pattern of issues on which to make a recommendation moving forward. Therefore staff do not recommend forming a working group.

*Public Information Meetings and Submissions*

Public information meetings in response to Board resolution 308/18 were held on February 20, 2019 in Roberts Creek and on February 27, 2019 in Pender Harbour, and attended by approximately 25 and 15 people respectively. Additional written submissions have also been received since the First Reading of the Bylaws.

*On-line Questionnaire*

As part of the Zoning Bylaw No. 310 update public consultation process, an on-line questionnaire was open for input from March 25 to April 15, 2019. Over 700 responses to questions related to short term rental accommodation were received. The responses are almost equally split on whether or not current zoning regulations for bed and breakfast are effective. The majority of responses are generally not in favour of permitting off-site management of bed and breakfast or short term rental accommodation. Feedback was not collected on whether or not respondents would support off-site management if it is effectively regulated and monitored. Operator management options will be discussed in detail in the following sections of this report.

*Analysis and Recommended Approach*

Alongside hotels and resorts, short term rental accommodations in residential areas have been in existence on the Sunshine Coast for a long time. They have been traditionally operated as home-based bed and breakfast establishments in a residence and normally managed by a host residing on the property. The increasing popularity of on-line booking platforms such as AirBnB, HomeAway, VRBO and FlipKey etc. has made short term rental accommodation easier to operate with or without an on-site host and more accessible and appealing to many people. This allows residential properties to be used for commercial purposes. Some property owners are turning to short term rental accommodation as a way to counter rising housing costs, supplement income, or for various other reasons. Some prefer renting the accommodation for short term over long term because of the flexibility of short-term tenancy.

As experienced in many places in the world, social and economic tensions arise from the spread of short term rental accommodation, with issues including diminishing of affordable long-term rental housing, disruption to life of local residents, loss of sense of community, nuisance, and so forth. Many local governments have enacted regulations and mechanisms to control short term rental accommodation according to local conditions. Establishing appropriate controls without preventing potential benefits of STRA is an approach other local governments have applied; for example, the City of Vancouver has taken a balanced approach that “prioritizes housing as homes first and as a commodity second”.

On the Sunshine Coast, public consultation on this subject since 2017 has revealed a very similar pattern of problems which are centred around the conflict between the use of short term rental accommodation as a source of income and employment and the need to control its scale and impact so as to maintain the character and livability of residential neighbourhoods. The most problematic short term rental accommodations appear to be those without on-site supervision. This indicates that a similar approach should be taken in finding a local solution that balances the needs between home and business, and focuses on dealing with the main issue of short term rental operation. The following is a detailed discussion of the key aspects of this approach which form the basis of the revised bylaws for consideration of Second Reading (Attachments B and C).

### Existing Policy Framework

Bed and breakfast (B & B) is the only type of short term rental accommodation with a framework of policies and regulations in SCRD's official community plans and zoning bylaws. Bed and breakfast is permitted as an auxiliary use in most commercial, rural and residential zones. The permitted scope of the use ranges from two to five bedrooms, which is also proportional to the size of the property. The principal resident is required to operate the use and the property must also have adequate sewage disposal.

The existing policy framework for B & B is a balanced approach suited to the rural environment of the Sunshine Coast. It diversifies land uses by allowing B & B as a business opportunity for residential and rural properties. This helps to sustain the lifestyle on the Coast and support tourism. The operation of B & B on those properties is limited to the scope of an auxiliary use, so as not to alter the primary character of those areas. This is also important for maintaining the land use pattern and intensity that can be supported by current infrastructure and servicing capacity.

As new styles of short term rental accommodation beyond the traditional bed and breakfast are emerging, there is a need to update and broaden existing zoning regulations and make them more effective in managing the full range of this type of use. However, amendments to the zoning laws must maintain consistency with the existing OCP policy framework and uphold the fundamental principles of the balanced approach, which include where the use is permitted and the size of the use (e.g. number of bedrooms). Other elements can be updated to complement the fundamental principles, enhance clarity and consistency of the bylaws and assist bylaw enforcement, such as terminology, length of stay, number of occupants, bedroom size, utility requirements, and operator options. The recommended improvements are discussed in the following sections. A summary of proposed changes with comparison to current zoning regulations and regulations proposed for First Reading is provided in Attachment A.

### Re-defining Bed and Breakfast

Bed and breakfast and short term rental accommodation are similar land uses. Generally they are both small-scaled, residential-based business that provides accommodation for a short period of time with frequent change of occupants. The major distinction between them is not the mere difference in terminology or provision of breakfast, but the operational aspect of the business – whether or not they are managed by an operator residing on the property. Therefore, regulations for this type of land use can be divided into two main aspects: use and operator.

In terms of use, as bed and breakfast and short term rental accommodation are very similar, the existing definition for bed and breakfast can be expanded to include short term rental accommodation as a type of use. Bed and breakfast can be re-defined as follows and this definition should be reflected in both zoning bylaws.

*“Bed and breakfast” means rental accommodation provided in a dwelling and occupied by the same occupant(s) for not more than 30 consecutive days, which may include an accommodation commonly known as Short Term Rental, but excludes accommodation provided in a campground, a sleeping unit, a housekeeping unit, a motel, a lodge, a hotel or a resort hotel.*

Additionally, since the term “bed and breakfast” has long been established and referred to in many official community plans, and zoning bylaw amendments must be consistent with official community plans, keeping the term “bed and breakfast” in the zoning bylaws will maintain consistency with the official community plans. With the expanded definition for “bed and breakfast” established, the following discussions refer to all types of short term accommodation rental business as bed and breakfast or B & B. Recommended regulations are divided into two main aspects of this type of land use: use and operator.

## Use

### 1. Length of Stay

The most common length of stay in a bed and breakfast or short term rental accommodation is from a few days to 30 days. The 30-day threshold is also used to determine applicability of Provincial Sales Tax and Municipal and Regional District Tax (MRDT) that is collected on the purchase of accommodation and used to support tourism. Stays longer than 30 consecutive days are normally regarded as long term rental accommodation which is not subject to these taxes, and generally considered residential use rather than vacation or tourist use. Therefore the maximum length of stay for the same occupant(s) should be 30 consecutive days, as indicated in the definition above.

### 2. Bedroom and Bedroom Size

The term “bedroom” has been established in both zoning bylaws and official community plans as a factor in measuring the intensity of B & B use. However what constitutes a bedroom is not clearly defined. A bedroom can be an enclosed room, and it can also be an open floor space with no walls or interior partitions, such as a loft, a studio, a suite, etc. Therefore “bedroom” should be defined as an enclosed room or a contiguous floor space for the exclusive use of the B & B occupants.

Zoning Bylaw No. 310 limits the B & B bedroom size to 28 m<sup>2</sup> while Zoning Bylaw No. 337 sets no size limits. A bedroom of 28 m<sup>2</sup> is considered a common size in many dwellings, and most hotel rooms (including full bathrooms) average about 30 m<sup>2</sup>.

Considering some bedrooms are larger or smaller than such size, it is recommended that an average maximum bedroom size be set at 28 m<sup>2</sup> for all permitted B & B bedrooms within a dwelling for both zoning bylaws.

### 3. Number of Bedrooms and Number of Occupants

The number of bedrooms and the number of occupants are the most commonly required information when booking a hotel, a B & B or any other accommodations. These numbers are important factors in controlling the intensity of use of a B & B. Many complaints and concerns on B & B or short term rental use of a property appear to be operations that exceed the limit on the number of bedrooms or occupants, resulting in “party houses”. Both zoning bylaws limit the number of bedrooms from 2 to 5 in accordance with the zoning designation and size of the property. These regulations are important for ensuring the auxiliary nature of a B & B use, and therefore should be maintained.

With bedroom and bedroom size defined in the above section, the number of occupants a bedroom can reasonably accommodate can be defined. Generally an average-sized bedroom in a dwelling can accommodate up to two people. A group of three people or more, such as a family with children, is often better accommodated in two or more bedrooms, a larger bedroom or a family suite with more than one bedroom.

Zoning Bylaw No. 310 currently does not regulate the number of B & B occupants, while Bylaw No. 337 has a scale for the number of occupants proportional to the number of permitted bedrooms: 4 occupants for a B & B Home where 2 bedrooms are permitted, and 10 occupants for a B & B Inn where 5 bedrooms are permitted. This translates into an average of two occupants per bedroom.

Based on the above principle, it is recommended that a limit of two occupants per bedroom be introduced to both zoning bylaws for determining the maximum total number of occupants in a bed and breakfast establishment.

#### 4. Utility, Signage and Parking

Both zoning bylaws currently require a B & B property to have a proper sewage disposal system, limit the size of a sign for the B & B to 0.35 m<sup>2</sup>, and require one off-street parking space per bedroom used for B & B.

A water supply system is equally important as a sewage disposal system, therefore it is recommended that a water supply system be added to the requirement.

#### Operator

The operator aspect is what sets traditional bed & breakfast apart from contemporary short term rental, and is the key issue identified through the consultation process. Currently both zoning bylaws require a B & B to be operated by a resident or the principal resident residing on the property. This has worked well and is supported by many participants in the public consultation process. A resident operator, with a vested interest in the property, does have an inherent advantage of having quick and constant control of the property and the ability to oversee B & B occupants. The operator can also be more easily contacted by neighbours when issues arise.

On the other hand, as reflected in consultation feedback, properties successfully managed by off-site operators with no or very little negative impact on neighbours do exist, and off-site management is regarded as an alternate option that is important for many property owners, especially seasonal dwellers. Off-site management can also create employment opportunities. Various techniques can be deployed by an off-site operator to control the property and occupants, for example, customer screening through booking platform reviews, in-person check-in and/or check-out, outdoor cameras and noise detectors, detailed instructions on local regulations such as fire ban, water restriction, parking, garbage disposal, etc. But above all, the key to off-site management is to establish accountability for the operator and enable monitoring and enforcement of regulations.

In order to reach a balanced solution, it is recommended that two operator options be considered as follows.

1. On-site Operator Option

This option is the existing requirement. Both zoning bylaws require a B & B to be operated by a resident or the principal resident. A resident can be the property owner or a tenant. The essence of this requirement is that the operator resides on the property when the B & B is in operation. This regulation can be clarified by stating that an operator must reside on the property at all times when a B & B is in operation. Such an operator is herein referred to as an “on-site operator”.

2. Off-site Operator Option

This option would allow a B & B to be operated by someone who resides outside of the property or is not present at the property for the majority of the time when the B & B is in operation. This type of operator is herein referred to as an “off-site operator”. Generally an off-site operator can be a relative or friend of the property owner, or an individual or management company. Despite available technical devices as discussed above, the weakness of off-site management is that the operator is not physically present at the property and lacks quick and constant control of the property. Therefore stricter requirements must be put in place to impose responsibility on the operator, enable neighbourhood oversight and assist SCRD monitoring and bylaw enforcement.

Due to the lack of authority for a business licensing system in the SCRD, it is recommended that Temporary Use Permit (TUP) be used to implement these requirements. TUP is a tool authorized by the *Local Government Act* to regulate uses not permitted by the zoning bylaw on a temporary basis. TUP is a more effective tool for dealing with procedural and operational issues. A TUP can impose special conditions for the use and requires neighbourhood notification of a permit application. A TUP is limited to a maximum of 3 years, and it can only be renewed once although a new permit can be applied for after one renewal. A TUP will enable SCRD to monitor the operation and obtain neighbourhood feedback. If an off-site management is problematic, the permit may be revoked or may not be renewed or re-applied for at the end of the term; but if it is successful and the operator wishes to continue the use, a new permit application will be required after one renewal of the permit. The following TUP conditions for off-site operation are recommended:

1. An “off-site operator” is defined as an operator of a Bed and Breakfast who does not reside on the property where the Bed and Breakfast is operated, but resides within the Sunshine Coast Regional District at all times when the Bed and Breakfast is in operation.
2. The maximum duration of a TUP is three years. The permit may be renewed only once. After the renewal expires, a new permit for the same property may be applied for.
3. Notice regarding a TUP application must be published in a local newspaper and given to owners and residents of properties within a 100-metre radius of the subject parcel. If the permit is granted, contact information of the operator shall be given to those owners and residents herein.
4. An application processing fee shall be required for a TUP application.
5. The authority to issue a Temporary Use Permit is delegated to SCRD staff.



6. A building inspection shall be required for the B & B portion of the property, and if upgrades to the building are required in order to meet BC Building Code, such work shall be completed prior to issuance of the TUP.
7. An off-site operator shall be responsible for all operations of the B & B and resolve any issues arising from the operations within 24 hours of being notified.
8. An off-site operator shall ensure that the B & B occupants comply with all applicable bylaws and regulations, including on-street parking, noise bylaw, garbage disposal, water usage restriction and fire ban when in effect.
9. Upon a total of three infractions of any terms and conditions of the TUP, the zoning bylaw or any applicable bylaws, the TUP shall be revoked.

Coordinating with these proposed TUP regulations, the Planning and Development Fee and Procedure Bylaw No. 522 and Delegation Bylaw No. 710 should be amended to reflect the application fee and deposit and delegation of application approval to staff. Bylaw amendments will be brought forward if the Board endorses the proposed zoning bylaw amendments.

#### Enforcement Consideration

Throughout the consultation process, delay or lack of bylaw enforcement has been identified as a major issue when dealing with problems resulting from short term rental operations, particularly those without on-site management. Bylaw compliance cannot be achieved by SCRD bylaw enforcement alone. It must be assisted by multiple means and mechanisms.

Stronger and clearer regulations, as proposed in this report, can promote compliance. These regulations can help both operators and neighbouring residents better understand the requirements. The regulations are enforceable. The scope of operation and compliance with other requirements are all verifiable by SCRD bylaw enforcement staff or observation by neighbours or members of the public.

The Temporary Use Permit for off-site operator is an important tool to assist bylaw enforcement. It provides a legal and supervised channel for off-site operators to do business which otherwise is currently not permitted. This will encourage better compliance with the bylaws. The Temporary Use Permit not only allows SCRD to monitor off-site operations, but also enables neighbourhood watch over these operations. A neighbouring resident can directly contact the operator, and this can help resolve an issue more quickly. The revocation of a Temporary Use Permit after three infractions is a strong deterrent of bylaw violation and a strong incentive for the operator to comply with regulations and implement effective management.

Technological measures implemented by the operator, such as guest screening and on-site monitoring devices, can also help to prevent potential problems and enable quicker response to issues.

#### *Financial and Organizational Implications*

Should the proposal proceed and temporary use permits be utilized, an analysis to the impact on staff time for permit application processing, notification, inspection, monitoring and

enforcement will be undertaken. Should the proposed bylaw amendments, as described in this report move forward, staff will need to review staffing resources and recommended cost recovery to ensure the service can be provided.

#### *Timeline for Next Steps*

If the Board gives the bylaws Second Reading, a Public Hearing will be scheduled. It is recommended that all advisory planning commissions be notified of the Public Hearing. Comments received from the Public Hearing will be incorporated into a staff report to the Planning and Community Development Committee for consideration of Third Reading of the bylaws.

#### *Communication Strategy*

Information regarding these bylaws will be posted on the SCRD website. The Public Hearing will be advertised in the newspaper and on the SCRD website.

### **STRATEGIC PLAN AND RELATED POLICIES**

The subject of the report meets the Strategic Plan Values of:

- Collaboration
- Respect, Equality and Transparency

### **CONCLUSION**

Extensive consultation on short term rental accommodation has revealed that the key issues around this subject are the need to maintain the livability of residential neighbourhoods while allowing the coexistence of short term rental business as an auxiliary use, and the need to better regulate operations without on-site management.

It is concluded that the preferred solution moving forward is a balanced approach that maintains and improves upon the existing policy framework of the official community plans and the zoning bylaws for bed and breakfast, and introduces Temporary Use Permit regulations for off-site operators.

Staff recommend that the revised zoning amendment bylaws be forwarded to the Board for Second Reading and a Public Hearing be arranged.

*Attachments*

Attachment A – Comparison of Current B & B Regulations and Proposed STRA Regulations

Attachment B – Zoning Amendment Bylaw 310.184 for Second Reading

Attachment C – Zoning Amendment Bylaw 337.118 for Second Reading

Attachment D – Timeline of Activities Concerning Short Term Rental Accommodation

Attachment E – Advisory Planning Commission Comment Summaries

Attachment F – Roberts Creek OCP Committee Comments

Attachment G – Public Information Meeting Notes of Key Points

Attachment H – Staff report and proposed bylaws for First Reading dated October 11, 2018

Reviewed by:			
Manager	X – A. Allen	CFO/Finance	X- T. Perreault
GM	X - I. Hall	Legislative	X – A. Legault
A/CAO	X – A. Legault	Building	X- A. Whittleton

**Staff Report to Planning and Community Development Committee - May 9, 2019**  
**Zoning Amendment Bylaws No. 310.184 and 337.118 for Short Term Rental**  
**Accommodation Regulations - Consideration of Second Reading and Public Hearing**  
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**Attachment A Comparison of Current Zoning Regulations and Proposed Regulations**

	Current Zoning Regulations		Proposed Zoning Regulations	
	Bylaw 310	Bylaw 337	First Reading	Second Reading
1. Definition	Includes B & B only	Includes B & B only	Replaces B & B with Short Term Rental Accommodation	Re-define B & B to include both B & B and short term rental accommodation
2. Length of stay	Up to 3 consecutive months	NA	26 days per calendar month	Up to 30 consecutive days for the same occupant(s)
3. Location of permitted use	Most Residential, Commercial & Rural zones, AG, PA2, PA3 zones	Most Residential, Commercial & Rural zones	Same as current bylaws	
4. Provision of breakfast	Yes		NA	
5. Number of bedrooms	5 per parcel for RU1A and RU1C zones  2 per dwelling for other zones permitting B & B	2-5 per dwelling	Commercial, Park & Assembly, RU1A, RU1C zones: 5 per parcel  RU5, AG zones: 2 per parcel  All other zones permitting B & B:  1 where only 1 dwelling is permitted  2 per parcel where 1 principal dwelling and 1 auxiliary dwelling are permitted  3 per parcel where 2 principal dwellings are permitted  4 per parcel where more than 2 principal dwellings are permitted	Same as current bylaws
6. Bedroom size	28 m <sup>2</sup>	NA	Define bedroom as enclosed room or contiguous floor space  Average of all bedrooms - 28 m <sup>2</sup>	
7. Number of occupants	NA	4-10 per dwelling	2 adults + 1 child per bedroom	2 per bedroom for the entire B & B establishment
8. Operator	Principal resident	Resident	On-site operator, or off-site operator with TUP	
9. Utility, signage & parking	Require community or on-site system, signage not exceeding 0.35 m <sup>2</sup> , 1 parking space per B & B bedroom		Same as current bylaws with additional requirement for water supply system	

**Attachment B            SUNSHINE COAST REGIONAL DISTRICT**

**BYLAW NO. 310.184**

*A bylaw to amend the Sunshine Coast Regional District Zoning Bylaw No. 310, 1987*

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The Board of Directors of the Sunshine Coast Regional District, in open meeting assembled, enacts as follows:

**PART A – CITATION**

1. This bylaw may be cited as *Sunshine Coast Regional District Zoning Amendment Bylaw No. 310.184, 2018.*

**PART B – AMENDMENT**

2. *Sunshine Coast Regional District Zoning Bylaw No. 310, 1987* is hereby amended as follows:
  - a. Replace the definition for “bed and breakfast” in Section 201 with the following definition:

“bed and breakfast” means rental accommodation provided in a dwelling and occupied by the same occupant(s) for not more than 30 consecutive days, which may include an accommodation commonly known as Short Term Rental, but excludes accommodation provided in a campground, a sleeping unit, a housekeeping unit, a motel, a lodge, a hotel or a resort hotel.
  - b. Replace Sections 502.11(a) to (f) with the following sections:
    - (a) “Bedroom” shall be defined as an enclosed room or a contiguous floor space for the exclusive use of the bed and breakfast occupants.
    - (b) Except as provided for by Section 1001A.4 for the RU1A zone and Section 1001C.3(h) for the RU1C zone or any other parts of this bylaw, the area utilized for bed and breakfast shall not exceed two bedrooms per dwelling.
    - (c) The average floor area of all bedrooms used for bed and breakfast shall not exceed 28 m<sup>2</sup>.
    - (d) The total number of occupants of a bed and breakfast establishment shall not exceed two per permitted bedrooms.
    - (e) No external indication associated with a bed and breakfast shall exist except a single sign not exceeding 3500 square centimetres.

- (f) Any dwelling utilized for bed and breakfast shall be connected to sewerage disposal and water supply facilities that are in compliance with current regulations pursuant to the *Public Health Act* of British Columbia.
- (g) A bed and breakfast shall be operated by an operator who resides on the property where the bed and breakfast is permitted at all times when the bed and breakfast is in operation, or an off-site operator subject to Section 502.11(h).
- (h) All zones within this bylaw that permit bed and breakfast are designated as a Temporary Use Permit Area for the consideration of permitting off-site operators for bed and breakfast establishments, subject to the following conditions:
  - i. An “off-site operator” is defined as an operator of a bed and breakfast who does not reside on the property where the bed and breakfast is operated, but resides within the Sunshine Coast Regional District at all times when the bed and breakfast is in operation.
  - ii. The maximum duration of a Temporary Use Permit is three years. The permit may be renewed only once. After the renewal expires, a new permit for the same property may be applied for.
  - iii. Notice regarding a Temporary Use Permit application must be published in a local newspaper and given to owners and residents of properties within a 100-m radius of the subject parcel. If the permit is granted, contact information of the operator shall be given to those owners and residents herein.
  - iv. An application fee shall be required for a Temporary Use Permit application in accordance with the Planning and Development Procedures and Fees Bylaw in effect.
  - v. A building inspection shall be required for the bed and breakfast portion of the property, and if upgrades to the building are required in order to meet BC Building Code, such work shall be completed prior to issuance of the Temporary Use Permit.
  - vi. An off-site operator shall be responsible for all operations of the bed and breakfast and resolve any issues arising from the operations within 24 hours.
  - vii. An off-site operator shall ensure that the bed and breakfast occupants comply with all applicable bylaws and regulations, including on-street parking, noise bylaw, garbage disposal, water usage restriction and fire ban when in effect.
  - viii. Upon a total of three infractions of any terms and conditions of the Temporary Use Permit, the zoning bylaw or any applicable bylaws, the permit shall be revoked.

**PART C – ADOPTION**

READ A FIRST TIME this	25 <sup>TH</sup> DAY OF OCTOBER,	2018
READ A SECOND TIME this	DAY OF	MONTH YEAR
PUBLIC HEARING HELD PURSUANT TO THE <i>LOCAL GOVERNMENT ACT</i> this	DAY OF	MONTH YEAR
READ A THIRD TIME this	DAY OF	MONTH YEAR
ADOPTED this	DAY OF	MONTH YEAR

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Corporate Officer

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Chair

**Attachment C**

**SUNSHINE COAST REGIONAL DISTRICT**

**BYLAW NO. 337.118**

A bylaw to amend *Sunshine Coast Regional District Electoral Area A Zoning Bylaw No. 337, 1990*

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The Board of Directors of the Sunshine Coast Regional District, in open meeting assembled, enacts as follows:

**PART A – CITATION**

1. This bylaw may be cited as *Sunshine Coast Regional District Electoral Area A Zoning Amendment Bylaw No. 337.118, 2018*.

**PART B – AMENDMENT**

2. *Sunshine Coast Regional District Electoral Area A Zoning Bylaw No. 337, 1990* is hereby amended as follows:

- a. Replace the definitions for “bed and breakfast home” and “bed and breakfast inn” in Section 201 with the following definitions:

“bed and breakfast home” means rental accommodation provided in not more than two bedrooms of a dwelling and occupied by the same occupant(s) for not more than 30 consecutive days, which may include an accommodation commonly known as Short Term Rental, but excludes accommodation provided in a campground, a sleeping unit, a housekeeping unit, a motel, a lodge, a hotel or a resort hotel.

“bed and breakfast inn” means rental accommodation provided in not more than five bedrooms of a dwelling and occupied by the same occupant(s) for not more than 30 consecutive days, which may include an accommodation commonly known as Short Term Rental, but excludes accommodation provided in a campground, a sleeping unit, a housekeeping unit, a motel, a lodge, a hotel or a resort hotel.

- b. Replace Section 509 Bed and Breakfast Homes and Section 510 Bed and Breakfast Inns with the following section:

**Bed and Breakfast Homes and Bed and Breakfast Inns**

509 Bed and breakfast homes and bed and breakfast inns, where permitted and herein referred to as bed and breakfast, are subject to the following conditions:

- (a) “Bedroom” shall be defined as an enclosed room or a contiguous floor space for the exclusive use of the bed and breakfast occupants.
- (b) The average floor area of all bedrooms used for bed and breakfast shall not exceed 28 m<sup>2</sup>.



- (c) The total number of occupants of a bed and breakfast establishment shall not exceed two per permitted bedrooms.
- (d) No external indication associated with a bed and breakfast shall exist except a single sign not exceeding 3500 square centimetres.
- (e) Any dwelling utilized for bed and breakfast shall be connected to sewerage disposal and water supply facilities that are in compliance with current regulations pursuant to the *Public Health Act* of British Columbia.
- (f) A bed and breakfast shall be operated by an operator who resides on the property where the bed and breakfast is permitted at all times when the bed and breakfast is in operation, or an off-site operator subject to Section 509(g).
- (g) All zones within this bylaw that permit bed and breakfast are designated as a Temporary Use Permit Area for the consideration of permitting off-site operators for bed and breakfast establishments, subject to the following conditions:
  - i. An “off-site operator” is defined as an operator of a bed and breakfast who does not reside on the property where the bed and breakfast is operated, but resides within the Sunshine Coast Regional District at all times when the bed and breakfast is in operation.
  - ii. The maximum duration of a Temporary Use Permit is three years. The permit may be renewed only once. After the renewal expires, a new permit for the same property may be applied for.
  - iii. Notice regarding a Temporary Use Permit application must be published in a local newspaper and given to owners and residents of properties within a 100-m radius of the subject parcel. If the permit is granted, contact information of the operator shall be given to those owners and residents herein.
  - iv. An application fee shall be required for a Temporary Use Permit application in accordance with the Planning and Development Procedures and Fees Bylaw in effect.
  - v. A building inspection shall be required for the bed and breakfast portion of the property, and if upgrades to the building are required in order to meet BC Building Code, such work shall be completed prior to issuance of the Temporary Use Permit.
  - vi. An off-site operator shall be responsible for all operations of the bed and breakfast and resolve any issues arising from the operations within 24 hours.
  - vii. An off-site operator shall ensure that the bed and breakfast occupants comply with all applicable bylaws and regulations, including on-street parking, noise bylaw, garbage disposal, and water usage restriction and fire ban when in effect.

viii. Upon a total of three infractions of any terms and conditions of the Temporary Use Permit, the zoning bylaw or any applicable bylaws, the permit shall be revoked.

**PART C – ADOPTION**

READ A FIRST TIME this	25 <sup>TH</sup> DAY OF OCTOBER,	2018
READ A SECOND TIME this	DAY OF	MONTH YEAR
PUBLIC HEARING HELD PURSUANT TO THE <i>LOCAL GOVERNMENT ACT</i> this	DAY OF	MONTH YEAR
READ A THIRD TIME this	DAY OF	MONTH YEAR
ADOPTED this	DAY OF	MONTH YEAR

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Corporate Officer

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Chair

**Attachment D Timeline of Activities Concerning Short Term Rental Accommodation**

**November 24, 2016**

Board Resolution:

THAT the 2012 staff reports regarding the topic of short-term vacation rentals be brought back to a future Planning and Community Development Committee for review;

AND THAT a staff report be provided regarding the current approach of the SCRD and other local governments/regional districts to address the issue of short-term vacation rentals.

**February 23, 2017**

Board Resolution:

THAT the report titled Local Government Approaches to Address the Issue of Short-Term Vacation Rentals be received;

AND THAT staff report to a future Committee with respect to a public engagement framework on the issue of short-term rentals.

**May 25, 2017**

Board Resolution:

THAT the report titled Short-Term Rental Public Engagement be received;

AND THAT staff report on results of the first stage of the public engagement process to a Planning and Community Development Committee meeting in the 3rd Quarter of 2017.

**June 19 to August 15, 2017**

On-line survey with 662 responses received.

**October 12, 2017**

Board Resolution:

THAT the report titled Short Term Rental – Public Consultation be received for information.

AND THAT the Short Term Rental – Public Consultation Report be provided to the Sechelt Indian Government District, District of Sechelt and Town of Gibsons for informational purposes.

**November 2017**

Three public consultation meetings at Pender Harbour, Roberts Creek and Gibsons.

**March 22, 2018**

Board Resolution:

THAT the report titled Short Term Rental Policy Options be received;

AND THAT a report be provided to a Standing Committee in Q4 with draft bylaw amendments that include:

- i) Definition of Short Term Rental (STR) in Zoning Bylaw No. 310 and Zoning Bylaw No. 337;
- ii) Consideration of Temporary Use Permits (TUP) for STR with regulations to be noted in the general use provisions of the Zoning Bylaws;
- iii) Proposed fines for “unauthorized Bed & Breakfast or Short Term Rental establishments” in Municipal Ticket Information (MTI) Bylaw No. 558 and Bylaw Notice Enforcement (BEN) Bylaw No. 638.

**October 2018**

THAT the report titled Zoning Amendment Bylaws to Implement Short Term Rental Accommodation Regulations be received;

AND THAT Sunshine Coast Regional District Zoning Amendment Bylaw No. 310.184 and Sunshine Coast Regional District Electoral Area A Zoning Amendment Bylaw No. 337.118 be forwarded to the Board for First Reading;

AND THAT these bylaws be forwarded to the following stakeholders for comment:

- a) All Advisory Planning Commissions;
- b) shíshálh and Sk̓w̓x̓wú7mesh Nations;
- c) District of Sechelt and Town of Gibsons;
- d) Roberts Creek Official Community Plan Committee;
- e) Pender Harbour Chamber of Commerce;
- f) Gibsons and Area Chamber of Commerce;
- g) Sechelt Chamber of Commerce;
- h) Sunshine Coast Tourism; and
- i) Habitat for Humanity Sunshine Coast.

AND THAT two public information meetings be held in different Electoral Areas prior to consideration of Second Reading of the Bylaws;

AND FURTHER THAT staff attend Advisory Planning Commissions and Roberts Creek Official Community Plan Committee meetings on this topic.

**November 2018**

Two public workshops regarding Zoning Bylaw No. 310 update at Sechelt and Gibsons. Short term rental accommodation was one of the main topics of discussion in these workshops.

**February 2019**

Two public information meetings as per Board resolution regarding the proposed zoning amendment bylaws were held at Pender Harbour and Roberts Creek.

**March 25 to April 15, 2019**

On-line questionnaire regarding Zoning Bylaw No. 310 update. Short term rental accommodation was one of the main topics of the questionnaire. About 700 responses were received.

## **Attachment E Advisory Planning Commission Comment Summaries**

### Area A

Senior Planner and GM, Planning & Development presented to the APC policy options addressing short term rental accommodations and the proposed zoning amendment bylaws. Comments and concerns are as follows:

- Enforcement
- Fine levels to be higher
- Operator to reside on the lower Sunshine Coast

### Area B

Regarding the Zoning Amendments to Implement Short Term Rental Accommodation Regulations, the APC offers the following suggestions:

- 1) Reduce the radius of the offsite operator from 50 km to 25 km.
- 2) Require the offsite operator to be on the lower Sunshine Coast.
- 3) Provide the offsite operator contact information to neighbours within 100 meters at the time the permit is issued.
- 4) Suggest that the SCRD explore the options for business licencing rather than a complaint driven control system.

### Area D

The APC supports STRAs subject to the following conditions:

- There will be an onsite operator for almost all B & Bs and STRAs.
- If an on-site operator is not possible for a STRA, then the property manager must be in the neighbourhood (a few properties away at most) and a TUP must be obtained.
- There will be input from neighbours before issuing TUPs.
- There will be a minimum property size of one-half acre for all B & Bs and all STRAs.
- There will be effective, consistent and timely enforcement of bylaws
- There will be escalating penalties that are a deterrent and TUPs can be revoked after repeated infractions, within the 3-year period.

### Area E

The following points were noted:

- Enforcement issues:
  - SCRD consider employing a bylaw officer on weekends (currently only available daytime hours during the week) when short-term rentals and partying are more likely;
  - Limit the number of people permitted in a short-term rental;
  - Importance of enforceability if bringing people into our subdivisions;

- \$150 fine for violations is low; something higher would be more appropriate; or utilize an incremental increase for repeated offenses;
- Discourage use of fire pits at STRAs due to possible ignoring of fire bans;
- 28 square metre average bedroom size seems large;
- Concern about permitted size of auxiliary buildings: doubling permitted size of auxiliary buildings might encourage owners to construct STRAs, dramatically impacting the character of existing neighbourhoods;
- Off-site operator of STRA:
  - Permitting the operator to reside up to 50 km from STRA, as proposed, seems far;
  - Operator should be on the coast, monitoring and troubleshooting;
  - Operator should have access to transportation to the STRA site 24/7.

The APC recommended that this be brought back to the APC after the SCRD has received the input from referrals.

#### Area F

The APC noted the following concerns:

- Proposed limit of 26 days per month for STRA operations impacts temporary stays for temporary workers (e.g. millworkers, nurses, BC Ferries staff).
- Proposed regulation of who and how many can stay in a room is difficult to enforce.
- Concern that industry be consulted regarding the proposed regulations for short-term rentals.
- What if the bylaw said: no STRA's unless registered with an association (e.g., Sunshine Coast Tourism Association)?
- STRA survey results indicated most STRA's are about one month: the 26 days is a limit on that.
- The issues of neighbours – noise and parking – do not seem to be addressed.
- Need to look at the financial implications of what is being proposed.
- Could we have a bylaw saying no STRA unless there is supervisor/owner on site?
- Need to focus on behaviour and the problem. The bylaw officer could say where the problems are.
- This has been written to open up the availability of rental housing. A working group would need to include a broad spectrum of people, including people who are renting.

The APC recommended that the Sunshine Coast Regional District form a working group of people who would be affected by the proposed bylaw amendments to develop a guiding framework, and that bylaw amendments recognize the need for temporary housing for temporary workers.

**Attachment F Roberts Creek OCP Committee Comments**

- 1) The 26 day limit on STRA seems wholly unnecessary; operators can manage their transition times independently. Instead, the OCPC recommends that ST rentals be 30 consecutive days or less, and LT rentals be greater than 30 consecutive days.
- 2) Limiting the number of occupants per bedroom to 2 adults and 1 child excludes families who travel with more than 1 child; it was noted that hotel rooms often provide two beds that sleep two adults each.
- 3) Garbage & recycling is a major issue that needs to be addressed. Local public garbage facilities are being taxed by visitor garbage. The OCPC recommends that the amendment stipulate that STRA operators must provide garbage and recycling options to occupants.
- 4) Limiting off-site operators to managing only two properties could prevent effective local management firms/individuals from operating. The OCPC recommends this limit be reconsidered. The OCP states, "6.3.3 Short term home rental where the owner or property manager is not present shall be discouraged."
- 5) The OCPC recommends that the 50 km range for off-site operators be revised. The OCPC feels that off-site operators should be on the Coast and able to access the property within a reasonable amount of time, day or night.

The major issues that the OCPC would like to see fully addressed are noise, garbage, recycling, water, sewerage, and parking.



**Attachment G                      Public Information Meeting Notes of Key Points**

Public Information Meeting, Roberts Creek Community Hall, February 20, 2019

- Questions around enforcement – what are we currently doing and how do we propose to manage this? – LOTS of concern around this.
- Comments that it seems like we're looking for a balance approached, but by precluding management companies from being able to manage STRAs we may not only be limiting entrepreneurial opportunities for management firms, but we may also be restricting companies with reputations that would help to ensure STRAs are run more successfully and in keeping with the Bylaws.
- Comment made that we are making things extremely restrictive and overly bureaucratic, in terms of getting down into the nitty-gritty of what goes on inside each STRA vs actually dealing with the problems that bother people related to STRAs.
- People again reiterated the problem with limiting an STRA to two people to bedroom as this assumes a lot about a family (i.e. 5 or 6 person families). This is going to work against us, make it impossible for people to run a business.
- A gentlemen brought up how his wife runs a daycare and they have an STRA right next to them. This, he says, is a huge liability as they are supposed to keep children safe and this is not possible to do if you're next to an STRA that has people drinking and partying. He called for regulations around what types of existing uses an STRA can be located next to.
- A gentlemen mentioned that there is a significant cost of enforcement; and these regulations, if too strong will have significant impacts on tourism on the Coast.
- It was echoed that there may be ways to improve upon existing regulation to achieve some of the concerns without actually hurting people's ability to run STRA businesses.
- Another gentlemen asked if these changes were going to open things up to an "open season" in all zones, or just certain zones.
- A lady who runs a STRA Management Firm said that the bylaw regulations as proposed will simply not work. She said that she takes 20% as a management fee from the STRA. She said that when there's a STRA rental she meets with every visitor and hands out business cards to all STRA visitors and neighbours.
- She was countered by the neighbor of the Ocean Beach house. He echoed the problem with these uses on smaller properties, and noted he has to call the police regularly when there are parties. He again mentioned, the issues with enforcement and how this is a major problem.
- Another lady mentioned that she lives on a 5 acre property and these sorts of parties are still problems for them – so suggesting that size isn't enough to cover it.
- Another speaker pushed to strike the ability to have an off-site operator and make STRAs only allowable when there's an on-site operator. He further noted that the problem he sees here is enforcement – it's the constant in the problem.
- A lady brought up how she is bordered by two STRAs – one owner occupied with no issues since it opened in 2014; and the second is owned and operated by an off-site operator in Vancouver and it advertises 13-16 people and she constantly has trespassers and constant issues.
- A gentleman brought up how we're making regulations that we are never going to be able to enforce – especially with only two bylaw officers that don't even work weekends.

- A speaker echoed this by saying that unless we are going to put 7 day a week/ 24 hour bylaw enforcement in as part of these bylaw updates, we are never going to be able to enforce the changes. He echoed, that STRAs are taking away business from hotels and getting away with lesser taxes and having to meet little to no regulation. He further noted that by allowing STRAs, specifically with off-site operators, it is changing the expectation of buying into a residential neighbourhood. He brought up that if you buy next to a pub, or a hotel, you made this decision consciously and know what you're getting into.
- A speaker said she had no problem with a strike system to enforcement (i.e. escalating fines and perhaps after so many strikes you're out). She also mentioned the requirement of cameras and noise detectors – is this something we could require?
- A speaker brought up the water scarcity problems and how this relates to STRAs - he also linked the issue of the sewage issues related on STRAs because most of these buildings used for STRAs are on septic fields, he then brought up the issue of landfills and the costs associated with this.
- Another gentleman brought up the issue of people having massive fires during fire ban season.
- One gentleman from the Sunshine Coast Tourism organization, brought up how these problems with water, liquid and solid waste, and fire. He mentioned that the SCT can work with the SCRDC to help come up with education programs to help inform tourists of Sunshine Coast issues and how help encourage respectful guests.
- A comment on the bylaw for noise was made, with regard to the Noise Bylaw speaking to 11PM for noise that disturbs sleep etc. – but there is nothing in the Noise Bylaw that permits excessive noise before 11PM. There are only limits to machinery and construction noise and the time limitations around this.
- Another point was made about the need for education/ requirements in a TUP about proper garbage disposal relative to wildlife considerations and light pollution.
- Suggestion was made that we need to do an economic impact analysis of our regulations.

Public Information Meeting, Pender Harbour School of Music, February 27, 2019

**Are existing regulations working?**

Recognized that complaints from Pender Harbour are very low

Offsite/onsite operator must be responsible

Local operators provide employment

Don't forget about long-term accommodation

Balance between supporting tourism and housing

Consider a cap on TUPs

Erosion of community feel – within the last 5 years

Consider a quota for STRA

Less regulation is better

Good neighbour guidelines can be used to resolve conflicts

Don't over-regulate

Post TUP so neighbours can see who to contact

**Should off-site operators be permitted?**

Consider 5km to 20km off site distance

Expand the term 'on-site' (5 to 10 mins should be close enough)

Find a way to regulate behaviour/function of operator

Off-coast should be disallowed rather than off-site

**How is enforcement working thus far?**

Some residents are reluctant to complain as this affects relationship with neighbours

Realtors should be very clear on rules

## SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

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**TO:** Planning and Community Development Committee – October 11, 2018

**AUTHOR:** Yuli Siao, Senior Planner

**SUBJECT:** ZONING AMENDMENT BYLAWS TO IMPLEMENT SHORT TERM RENTAL ACCOMMODATION REGULATIONS

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### RECOMMENDATIONS

1. **THAT the report titled Zoning Amendment Bylaws to Implement Short Term Rental Accommodation Regulations be received;**
  2. **Zoning Amendment Bylaw Nos. 310.184 and 337.118 be forwarded to the Board for First Reading;**
  3. **AND THAT these bylaws be forwarded to the following stakeholders for comment:**
    - a. **All Advisory Planning Commissions;**
    - b. **shísháhlh and Sḱwḱwú7mesh Nations;**
    - c. **District of Sechelt and Town of Gibsons;**
    - d. **Roberts Creek Official Community Plan Committee;**
    - e. **Pender Harbour Chamber of Commerce;**
    - f. **Gibsons and Area Chamber of Commerce;**
    - g. **Sechelt Chamber of Commerce;**
    - h. **Sunshine Coast Tourism; and**
    - i. **Habitat for Humanity Sunshine Coast**
  4. **THAT two public information meetings be held in different Electoral Areas prior to consideration of Second Reading of the Bylaws.**
- 

At the March 22, 2018 Regular Board meeting the following resolution was adopted:

105/18 **Recommendation No. 4** *Short Term Rental Policy Options*

THAT the report titled Short Term Rental Policy Options be received;

AND THAT a report be provided to a Standing Committee in Q4 with draft bylaw amendments that include:

- i) Definition of Short Term Rental (STR) in Zoning Bylaw No. 310 and Zoning Bylaw No. 337;

ii) Consideration of Temporary Use Permits (TUP) for STR with regulations to be noted in the general use provisions of the Zoning Bylaws;

iii) Proposed fines for “unauthorized Bed & Breakfast or Short Term Rental establishments” in *Municipal Ticket Information (MTI) Bylaw No. 558* and *Bylaw Notice Enforcement (BEN) Bylaw No. 638*.

This report analyzes the recommended policy options and introduces zoning amendment bylaws to implement short term rental accommodation regulations as well as recommendations for referral and public consultation.

## **DISCUSSION**

The previous staff reports on policy options for short term rental concluded that permitting short term rental subject to establishing regulations to minimize negative impacts is a viable option. This report further examines how options can be considered to formulate new regulations for short term rental and achieve the objective of the Board's directives.

### *Terminology for Short Term Rental Accommodation*

The term “Short Term Rental” in question is commonly used to describe small-scaled, home-based temporary commercial accommodation that is provided in a dwelling and normally does not exceed 5 bedrooms. However, the term itself does not literally convey the full meaning as the word “accommodation” is missing from the term, and in the strictest sense a rental can be interpreted as the rental of any kind, including non-residential building space and land. Therefore it is recommended that “Short Term Rental Accommodation” (STRA) be used to describe this specific type of rental and be used throughout this report and the recommended zoning amendment bylaws.

It is also noted that STRA, as defined in this report and the proposed bylaws does not include other forms of well-defined temporary accommodation in both Bylaw Nos. 310 and 337, including campground, sleeping unit, housekeeping unit, or larger commercial operation such as hotel, motel, lodge or resort hotel.

### *Existing Regulations*

In order to formulate new regulations for STRA, staff examined existing regulations in both Zoning Bylaws Nos. 310 and 337 and reviewed recently passed or proposed regulations of other municipalities in the Metro Vancouver area.

Relevant examples include the City of Vancouver's recently adopted regulations that restrict short term rental to the principal residence where the owner lives, or in a long term rental residence where the landlord allows subletting as a short term rental. The District of North Vancouver is proposing new regulations that permit short term rental accommodation only in single-family principal residences excluding secondary suites, coach houses, townhouses and condos, and require one additional off-street parking space.

Bed and Breakfast (B&B) is the only type of STRA that is defined in both SCRD zoning bylaws with a set of established regulations. These regulations permit B&B in most Residential, Commercial and Rural zones. A B&B is permitted to provide accommodation for a guest for up to three consecutive months. The number of permitted B&B bedrooms ranges from two to five depending on the zoning and size of the property. Each zoning bylaw requires a B&B to be operated by the principal resident and limit the size of a bedroom to 28 m<sup>2</sup>. There are also regulations for signage and sewage disposal on the property.

### *Recommended Regulations*

The existing regulations for B&B have long been established in each bylaw and the regulations are uniquely adapted to the rural communities and have been proven to be effective.

The new regulations can be built upon existing B&B regulations and broadened to include all types of STRA. This can enable regulatory continuity for existing B&Bs while updates can be made to existing regulations to enhance consistency across STRA uses and reflect feedback from the public consultation process on STRA. This also supports the objective to strengthen enforceability of regulations and accountability of STRA operations. The new regulations can help to reduce public confusion about STRA and provide clear and consistent guidelines for all operations.

The following is a comparison between existing regulations for B&B and recommended regulations for STRA, demonstrating how B&B regulations can be improved and incorporated into STRA regulations. A concise side-by-side comparison table is also provided in Attachment A. The recommended zoning amendment bylaws can be found in Attachments B and C.

#### 1. Definition

Bylaw No. 310 defines B&B as:

Transient accommodation business that provides overnight accommodation to travellers for a length of stay of three consecutive months or less in any calendar year and provides at least breakfast to those being accommodated.

Bylaw No. 337 defines B&B in two categories:

Bed and Breakfast Home – auxiliary use of a dwelling as a transient accommodation business that contains not more than two bedrooms for overnight accommodation of travelers and provides at least breakfast to those being accommodated.

Bed and Breakfast Inn – use of a dwelling as a transient accommodation business that contains not more than five bedrooms for overnight accommodation of travelers and provides at least breakfast to those being accommodated.

Proposed definition of STRA for both zoning bylaws:

A small-scaled transient rental accommodation provided in a dwelling and occupied for not more than 26 days in any calendar month, which may include a bed and breakfast but excludes accommodation provided in a campground, a sleeping unit, a housekeeping unit, a motel, a lodge, a hotel or a resort hotel.

The proposed definition provides a unified and precise description of STRA. Specific aspects of the definition such as duration of stay, provision of breakfast etc., will be discussed in the following sections.

## 2. Duration

Bylaw No. 310 sets a 3-month maximum duration for a B&B while no limit is defined in Bylaw No. 337.

The 3-month limit does not reflect the most common maximum duration of stay at an STRA, which is approximately one month as reflected in consultation feedback and regulations of many other municipalities. The one month threshold is also used to determine applicability of Provincial Sales Tax and Municipal and Regional District Tax for STRA. Stays longer than one month are normally regarded as long term rental accommodation which is not subject to these taxes, and considered common residential use rather than vacation or tourist use. Therefore the maximum duration of an STRA should be not more than one month.

Based on consultation feedback, the average stay in an STRA is approximately one week, and it is common practice for the STRA host to provide cleaning and maintenance service at the end of each stay. Therefore it is reasonable to reduce the maximum occupancy of an STRA from the normal one month to 26 days, to allow for break period(s) of up to 5 days per month, to be used either separately (e.g. 1 day per week) or consecutively, to facilitate management of the property and transition between stays. It is recommended that an STRA can be occupied for a total of 26 days in any calendar month, cumulatively or consecutively.

## 3. Location of Permitted Use

The existing bylaws permit B&B in most Residential, Commercial and Rural zones. This has been effective in regulating the location of B&Bs, and should be the same for all STRAs.

## 4. Provision of Breakfast

Both bylaws include the provision of breakfast in a B&B operation as per the definitions.

Breakfasts have been traditionally provided in B&Bs. However there are many meal options available to the guests, such as restaurants, self-catering, in-house cooking facilities, etc. Breakfast is no longer considered necessary or the defining factor for a B&B or STRA, nor is it easily monitored and enforced. Thus it is recommended that the provision of breakfast not be required in a STRA.

**5. Number of Bedrooms**

The number of bedrooms is an important measure of the intensity of a B&B or STRA operation. Table 1 below illustrates the number of permitted B&B bedrooms in different zones in both bylaws. Zoning Bylaw No. 310 permits only up to 2 bedrooms in most zones except two site-specific zones – RU1A and RU1 where up to 5 bedrooms are permitted. The permission of B&B is not related to parcel size, with the exception of the R1 zone where a minimum of 2000 m<sup>2</sup> is required.

Zoning Bylaw No. 337 classifies B&B into two categories – B&B Home (permitting up to 2 bedrooms) and B&B Inn (permitting up to 5 bedrooms). There is no restriction on parcel size for a B&B Home in a number of Residential and Rural zones except the R1 and R1A zones where a minimum of 2000 m<sup>2</sup> is required and the RU5 zone where a minimum of 2 hectares is required. The permission of a B&B Inn is generally in accordance with a scale of parcel sizes in a number of Residential and Rural zones, with no parcel size restriction in Commercial zones.

The primary difference between the two zoning bylaws is that Bylaw No. 310 lacks allowance for up to 5 bedrooms in most zones and lacks a scale for the number of bedrooms proportional to parcel size. Both bylaws lack regulations for situations where parcel size is less than 2000 m<sup>2</sup> in an R1 or R1A zone. Consultation feedback indicates that there are STRA operations in parcels smaller than 2000 m<sup>2</sup> in those zones.

*Table 1 Comparison of Zoning Bylaw Nos. 310 and 337*

Parcel size	Bylaw No. 310		Bylaw No. 337	
	up to 2 bedrooms per dwelling per parcel	up to 5 bedrooms per parcel	up to 2 bedrooms per dwelling per parcel	up to 5 bedrooms per dwelling per parcel
Exceeds 2000 m <sup>2</sup>	R1 zone		R1 and R1A zones	
Exceeds 3500 m <sup>2</sup>				R3 and RU3 zones
Exceeds 4000 m <sup>2</sup>				R2, R2A, R3A, R3B and R3C zones
Exceeds 8000 m <sup>2</sup>				RU1 zone
Exceeds 1 ha				RU2
Exceeds 2 ha			RU5 zone	RU1A zone
No restriction	R2, C2, C2A, C3, C4, C6, CR1, CR2, RU1, RU1A, RU1B, RU1C, RU1D, RU2, AG, PA2 and PA3 zones	RU1A and RU1C zones	RS1, R1B, R2, R2A, R3, R3A, R3B, R3C, CR1, RU1, RU1A, RU1B, RU1C, RU1D, RU2 and RU3 zones	C1, C2, C2A, C3, C3A and C4 zones



In order to bridge the differences and bring areas under both bylaws to a level playing field and accommodate limited operations on smaller parcels, staff recommend introducing to both bylaws a more consistent and less complex system to measure the intensity of STRA operation as discussed below and illustrated in Table 2.

1. As Commercial zones are the most suitable areas for more intense STRA operation, up to 5 bedrooms should be permitted in Commercial zones where STRA is permitted across both bylaws. Two Rural zones in Bylaw No. 310 – RU1A and RU1C currently permit up to 5 bedrooms, this should be retained. Two Park and Assembly zones in Bylaw No. 310 – PA2 and PA3 permit STRA and are also suitable for operations up to 5 bedrooms.
2. Up to 2 bedrooms are permitted in the Agricultural zone in Bylaw No. 310. This should be retained in order to be consistent with Agricultural Land Commission regulations. Rural Watershed Protection Zone – RU5 in Bylaw No. 337 limits bedroom number to 2 for the purpose of supporting watershed protection. This should also be retained.
3. STRA operation in Residential and Rural zones should be less intense than Commercial zones, so as to maintain the residential and rural character and lessen negative impact. As reflected in consultation comments, it is important to provide sufficient buffering distance, parking spaces and utility area for an STRA operation in a residential or rural property, so that negative impacts such as noise and insufficient parking can be mitigated.

The intensity of operation, as measured by the number of bedrooms, should be proportional to the size of the property. The number of dwellings in Residential and Rural zones is generally well defined in accordance with parcel size and zone in both bylaws, meaning that a larger parcel permits more dwellings, and Rural zones require larger parcel size than Residential zones to permit the same number of dwellings.

As an STRA is operated within a dwelling, the number of dwellings is a good determinant of the appropriate number of STRA bedrooms for the property. More STRA bedrooms will require more permitted dwellings on a larger parcel, and vice versa. Thus a graduated scale based directly on the number of permitted dwellings can be established to control the number of permitted STRA bedrooms. This scale can simplify the existing system and provide more consistent measure of STRA intensity across many zones in both zoning bylaws.

As reflected in consultation feedback, STRA does exist in parcels less than 2000 m<sup>2</sup> in an R1 or R1A zone, and there is support for limited STRA in smaller parcels. One bedroom is considered a reasonable limit for smaller parcels provided that the STRA meets all zoning regulations and the proposed regulations on the number of guests, bedroom size, number of parking spaces, operator and water and sewer system.

*Table 2 Recommended Number of Bedrooms for STRA*

	Zone	Number of permitted dwellings	Max. number of permitted STRA bedrooms	Comment
1	Commercial and Park & Assembly Zones that permit STRA, RU1A and RU1C zones	NA	5 per parcel	These zones are suited for more intense STRA operation and generally don't need parcel size restrictions.
2	RU5 or AG zone	NA	2 per parcel	Regardless the number of permitted dwellings, the number of STRA or B&B bedrooms is limited to 2 in the Agricultural or Rural Watershed Protection Zone.
3	All other zones that permits STRA	1	1 per parcel	This accommodates parcels less than 2000m <sup>2</sup> in R1 or R1A zone.
		1 dwelling + 1 auxiliary dwelling unit	2 per parcel	STRA is often provided in an auxiliary dwelling in rural areas.
		2 dwellings	3 per parcel	Generally all STRA bedrooms are concentrated in one dwelling while in some cases they could be in separate dwellings.
		More than 2 dwellings	4 per parcel	

## 6. Number of Dwellings

The number of dwellings on a single parcel that are permitted to operate a B&B is not defined in either bylaw. With the number of bedrooms clearly defined, it is unnecessary to regulate the number of dwellings that can operate STRA. STRA bedrooms can be allocated to different dwellings where the zoning permits more than one dwelling on the property. This will allow flexibility for the STRA owner to use the most suitable bedrooms for STRA in different dwellings according to individual needs, instead of concentrating all STRA bedrooms in one dwelling.

## 7. Bedroom Size

Zoning Bylaw No. 310 limits the B&B bedroom size to 28 m<sup>2</sup> while Bylaw No. 337 does not set any limits.

Bedroom size is an important factor in regulating the intensity of an STRA operation. A bedroom of 28 m<sup>2</sup> can typically accommodate up to two persons. This is considered a reasonable size. However, within this limit it is difficult to effectively allow for variation in bedroom size where more than one bedroom is permitted and some bedrooms are smaller or larger than others. Hence it is recommended that an average maximum bedroom size be set at 28 m<sup>2</sup> for all permitted STRA bedrooms.

## 8. Number of Guests

Zoning Bylaw No. 310 does not regulate the number of B&B guests while Bylaw No. 337 permits a maximum of 4 guests for a B&B Home where 2 bedrooms are permitted and a maximum of 10 guests for a B&B Inn where 5 bedrooms are permitted.

The number of guests is also an important factor in controlling the scale of an STRA operation. It should be related to the number of bedrooms permitted. A bedroom can typically accommodate up to 2 adults with the consideration of an additional child. It is recommended that the maximum number of guests for an STRA be set at 2 adults plus one child per bedroom.

## 9. Operator

Both bylaws require the principal resident of the property to be the operator of the B&B and restrict employees of a B&B to the principal resident's family members and one other person. The requirement for the principal resident as an operator is the defining factor that distinguishes between B&B and other types of STRA.

Having an operator, either on-site or close by and being able to respond to issues, was recognized in consultation feedback as an important requirement for STRA operation. It helps to establish accountability for STRA owners and address issues such as garbage, parking, nuisance, etc. It will also assist SCRD Bylaw Enforcement and the RCMP in dealing with these issues.

An on-site operator has the advantage of providing more responsive and timely management of the STRA, yet this may not be practical for properties, especially vacation properties, where the owner or operator does not reside all year round. An operator residing within a reasonable distance from the STRA can also respond to issues in a timely manner, and this provides some flexibility in how an STRA can be managed in different circumstances. A single operator managing multiple properties is also possible.

Staff recommend a two-tier approach to deal with different STRA operator requirements by using the zoning bylaws and temporary use permits. The new zoning regulations should require an on-site operator to manage the STRA. This will maintain the continuity of the existing operator requirement for B&B yet provide some flexibility for situations where the operator does not have to be the principal resident of the property. This will also encourage better management of STRA properties and strengthen accountability of the operators.

For temporary situations where an STRA is managed by an off-site operator or a single operator manages multiple properties, a temporary use permit (TUP) can be considered. The TUP will enable SCRD to keep track of such operations and assist enforcement efforts. Recommended TUP regulations will be discussed in detail in the following section.

## 10. Utility, Signage and Parking

Both zoning bylaws require a B&B property to have a proper sewage disposal system, limit the size of a sign for the B&B to 0.35 m<sup>2</sup>, and require 1 off-street parking space per bedroom used for B&B.

The above bylaw regulations are reasonable, and it is recommended that they be applied to STRA, with the additional requirements for an approved water supply system which is equally important as the sewage disposal requirement. The one parking space per bedroom requirement is intended to accommodate maximum parking demand while each bedroom can be used for separate guest(s) who have separate vehicles. This requirement will address concerns on negative impacts of parking shortages in some STRA operations. The required parking space(s) should be provided for STRA use in addition to parking spaces required for all other uses on the property.

#### *Consideration of Temporary Use Permit*

The previous staff report on short term rental recommended considering using temporary use permit (TUP) for STRA with regulations and conditions to be provided in the zoning bylaws. The advantage of a TUP is that it can enable SCRD to keep track of the applicants, but it can be only used for temporary situations because it is limited to a maximum of 6 years (initial 3 years plus one renewal of 3 years).

Staff recommend using TUP as an auxiliary tool to the zoning bylaws to only deal with STRA with an off-site operator. Other deviations from the zoning bylaws, permanent or temporary, will need to be reviewed through the variance or rezoning process. The following TUP conditions are recommended:

1. An off-site operator shall reside within a radius of 50 km of the STRA. This will ensure the operator can reach the STRA site within a reasonable amount of time.
2. An operator is permitted to manage a maximum of 2 separate STRA properties. This will limit the number of properties an operator can manage.
3. The number of STRA bedrooms shall be one less than that permitted in the zoning bylaw. The reduction in the number of bedrooms will help to compensate for the lack of an on-site operator.
4. The term of the temporary permit shall not exceed 3 years. A temporary use permit cannot be renewed more than once.
5. All other STRA regulations of the zoning bylaw shall apply.

Corresponding to the proposed TUP, the Planning and Development Fee and Procedure Bylaw No. 522 should be amended. The application fee for a TUP for an STRA with an off-site operator is recommended to be \$500 per property for a 3-year term. An amendment to Bylaw No. 522 will be brought forward to the Board if the proposed zoning bylaw amendments are endorsed by the Board.

#### *Municipal Ticket Information and Bylaw Notice Enforcement Bylaws*

Previous consultation indicated that the penalty of \$100 for STRA-related infractions at that time was considered too low to be a significant deterrent for bylaw violations. SCRD has since increased the penalty to \$150 for most zoning contraventions including unauthorized use and unauthorized B&B in the Municipal Ticket Information Bylaw No. 558 and Bylaw Notice

Enforcement Bylaw No. 638. STRA-related contraventions of the zoning bylaws can be considered unauthorized uses as defined in these bylaws.

Since the penalties in these bylaws were increased recently, a period of time is required in order to monitor the effectiveness of the changes through bylaw enforcement. Further increase of penalties must be considered in a consistent and holistic manner and supported by monitoring data. Staff do not recommend consideration of further increasing the penalty for STRA contravention until such a time as the proposed STRA regulations have been implemented and it has been determined there is a need to increase the penalty particularly for this type of land use.

#### *Organization and Intergovernmental Implications*

The proposed zoning bylaw amendments, if endorsed by the Board after First Reading, will be referred to agencies, advisory committees, First Nations, member municipalities and community groups for comments. Communication and consultation with other levels of government are essential during the process of reviewing the zoning amendments.

#### *Financial Implications*

None at this time. However, should the proposal proceed and temporary use permits are utilized an impact on staff time for permit preparation, monitoring and enforcement will be undertaken. Should the proposed bylaw amendments, as described in this report move forward, staff will need to review staffing resources to ensure the service can be provided. Staff will bring further information to Pre-Budget meetings.

#### *Timeline for next steps or estimated completion date*

The timeline for the proposed zoning amendment bylaws aligns with work currently underway for the review of Zoning Bylaw No. 310, however as it is proposed to also include Zoning Bylaw No. 337 and recognizing the urgency of need for both rental housing and resolution of neighbourhood issues related to STRA, there is value in an amendment process for each bylaw ahead of the Zoning Bylaw No. 310 review.

Similar to previously-conducted public information meetings on short term rental accommodation, public information meetings in various locations to obtain further community feedback are recommended. Comments received from the referrals and the public information meetings will be incorporated into a staff report to the Planning and Community Development Committee for consideration of Second Reading of the proposed bylaws. Then a public hearing will be held. Comments received from the public hearing along with recommended conditions will be presented to the SCRD Board for consideration of Third Reading of the bylaws. Upon fulfillment of conditions approved by the Board the bylaws can be adopted.

Referrals will be sent to:

- Advisory Planning Commissions;
- shíshálh and Skw̓xwú7mesh Nations;
- District of Sechelt and Town of Gibsons

- Agencies that were consulted during the previous consultation; and
- Public through public information meetings.

Information will be posted on the SCRD website and requests for input can be advertised through SCRD social media. Should the regulations proceed, a comprehensive communication plan would be developed to support implementation.

**STRATEGIC PLAN AND RELATED POLICIES**

The subject of the report meets the Strategic Plan Values of:

- Collaboration
- Respect and Equality, and
- Transparency

**CONCLUSION**

Staff have further analyzed the policy options to address short term rental accommodation, and determined that the best option to move forward is to build upon existing zoning bylaw regulations for B&B and formulate a new set of zoning bylaw regulations for STRA with supplementary TUP provisions for STRA with an off-site operator. Amendments to the Municipal Ticket Information Bylaw and Bylaw Notice Enforcement Bylaw are not recommended at this time.

Staff recommend that the proposed zoning amendment bylaws be forwarded to the Board for First Reading and the referral and public consultation process begin.

*Attachments*

Attachment A – Comparison of Current B&B Regulations and Proposed STRA Regulations

Attachment B – Zoning Amendment Bylaw 310.184 for First Reading

Attachment C – Zoning Amendment Bylaw 337.118 for First Reading

Reviewed by:			
Manager	X - A. Allen	Finance	
GM	X - I. Hall	Legislative	
CAO	X - J. Loveys	Other	

**Attachment A**

**Comparison of Current B&B Regulations and Proposed STRA Regulations**

	B & B Current Regulations		Short Term Rental Accommodation (STRA) Recommended Regulations
	Bylaw 310	Bylaw 337	
1. Definition	Transient accommodation business that provides overnight accommodation to travellers for a length of stay of three consecutive months or less in any calendar year and provides at least breakfast to those being accommodated.	<p>Bed and Breakfast Home – auxiliary use of a dwelling as a transient accommodation business that contains not more than two bedrooms for overnight accommodation of travelers and provides at least breakfast to those being accommodated.</p> <p>Bed and Breakfast Inn – use of a dwelling as a transient accommodation business that contains not more than five bedrooms for overnight accommodation of travelers and provides at least breakfast to those being accommodated.</p>	A small-scaled transient rental accommodation provided in a dwelling and occupied for not more than 26 days in any calendar month, which may include a bed and breakfast but excludes accommodation provided in a campground, a sleeping unit, a housekeeping unit, a motel, a hotel, a lodge or a resort hotel.
2. Duration	Up to 3 consecutive months	NA	26 days per calendar month
3. Location of permitted use	Most Residential, Commercial & Rural zones + AG, PA2, PA3	Most Residential, Commercial & Rural zones	Same as the bylaws
4. Provision of breakfast	Yes		NA
5. Number of bedrooms	5 per parcel for RU1A, RU1C 2 per dwelling for other zones permitting B&B	2-5 per dwelling	<p>Commercial, Park &amp; Assembly, RU1A, RU1C zones: 5 per parcel</p> <p>RU5, AG zones: 2 per parcel</p> <p>All other zones permitting B&amp;B:</p> <p>1 where only 1 dwelling is permitted</p> <p>2 per parcel where 1 principal dwelling and 1 auxiliary dwelling are permitted</p> <p>3 per parcel where 2 principal dwellings are permitted</p> <p>4 per parcel where more than 2 principal dwellings are permitted</p>
6. Number of dwellings	No restriction		No restriction
7. Bedroom size	28 m <sup>2</sup>	NA	Average of all bedrooms - 28 m <sup>2</sup>

8. Number of guests	NA	4-10 per dwelling	2 adults + 1 child per bedroom
9. Operator	Principal resident, owner's family member and 1 other person		At least one on-site operator per parcel shall be required to manage short term rental accommodation where it is permitted. TUP required for STRA with an off-site operator.
10. Utility, signage & parking	Require community or on-site system, signage not exceeding 0.35 m <sup>2</sup> , 1 parking space per B&B bedroom		Same as bylaws with additional requirement for community or on-site water system



**Attachment B**

**SUNSHINE COAST REGIONAL DISTRICT**

**BYLAW NO. 310.184**

A bylaw to amend the *Sunshine Coast Regional District Zoning Bylaw No. 310, 1987*

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The Board of Directors of the Sunshine Coast Regional District, in open meeting assembled, enacts as follows:

**PART A – CITATION**

1. This bylaw may be cited as *Sunshine Coast Regional District Zoning Amendment Bylaw No. 310.184, 2018*.

**PART B – AMENDMENT**

2. *Sunshine Coast Regional District Zoning Bylaw No. 310, 1987* is hereby amended as follows:

- a. Replace the definition for “bed and breakfast” in Section 201 with the following definition:

“short term rental accommodation” means a small-scaled transient rental accommodation provided in a dwelling and occupied for not more than 26 days in any calendar month, which may include a bed and breakfast but excludes accommodation provided in a campground, a sleeping unit, a housekeeping unit, a motel, a hotel, a lodge or a resort hotel.

- b. Replace Section 502.11 Bed and Breakfast with the following section:

**Short Term Rental Accommodation**

(11) Short term rental accommodation is permitted as an auxiliary use, subject in all cases to the following conditions in the R1, R2, C2, C2A, C3, C4, C6, CR1, CR2, RU1, RU1A, RU1B, RU1C, RU1D, RU2, AG, PA2 and PA3 zones:

- (a) The maximum number of short term rental accommodation bedrooms shall be in accordance with the number of permitted dwellings and zoning of the parcel as shown in the following table:

Zone	Number of Permitted Dwellings	Maximum Number of Bedrooms
C2, C2A, C3, C4, C6, PA2, PA3, RU1A, RU1C	Regardless of the number of permitted dwellings	5 per parcel
RU5, AG	Regardless of the number of permitted dwellings	2 per parcel
R1, R2, CR1, CR2, RU1, RU1B, RU1D, RU2	1	1 per parcel
	1 dwelling and 1 auxiliary dwelling unit	2 per parcel
	2 dwellings	3 per parcel
	More than 2 dwellings	4 per parcel

(b) The average floor area of all permitted short term rental accommodation bedrooms shall not exceed 28 m<sup>2</sup>.

(c) The number of guests shall not exceed 2 adults plus one child per permitted short term rental accommodation bedroom.

(d) At least one operator per parcel shall be required to manage short term rental accommodation where it is permitted. The operator must reside on the property where the short term rental accommodation is located.

(e) One external sign that is associated with short term rental accommodation and does not exceed 0.35 square meters in area is permitted within the property.

(f) Any dwelling utilized for short term rental accommodation shall be either connected to a community sewer and water facility or have on-site sewage disposal and water supply facilities in place that are in compliance with current regulations of the *Health Act*.

(g) At least one off-street parking space shall be provided per short term rental accommodation bedroom in addition to parking spaces required for all other uses on the same property.

(h) All zones that permit short term rental accommodation are designated as a Temporary Use Permit Area for the consideration of STRA with an off-site operator, subject to the following conditions:

- i. At least one operator per parcel shall be required to manage short term rental accommodation where it is permitted. Notwithstanding Section 502.11(d), an operator residing outside of the property where the short term rental accommodation is located is permitted, provided that the operator resides within a radius of 50 km of the property.

- ii. No more than 2 separate STRA properties shall be managed by a single operator.
  - iii. The maximum number of STRA bedrooms shall be one less than what is permitted in accordance with Section 502.11(a).
  - iv. The term of the temporary permit shall not exceed 3 years. The temporary use permit shall not be renewed more than once.
- c. Replace all words of “bed and breakfast”, “bed and breakfasts” and “bed and breakfast accommodation” with “short term rental accommodation”.
- d. Insert the following section immediately following Section 601.1:
- (3) short term rental accommodation in accordance with Section 502.11.

**PART C – ADOPTION**

READ A FIRST TIME this	DAY OF	MONTH,	YEAR
READ A SECOND TIME this	DAY OF	MONTH	YEAR
PUBLIC HEARING HELD PURSUANT TO THE <i>LOCAL GOVERNMENT ACT</i> this	DAY OF	MONTH	YEAR
READ A THIRD TIME this	DAY OF	MONTH	YEAR
ADOPTED this	DAY OF	MONTH	YEAR

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Corporate Officer

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Chair

**Attachment C**

**SUNSHINE COAST REGIONAL DISTRICT**

**BYLAW NO. 337.118**

A bylaw to amend the *Sunshine Coast Regional District Zoning Bylaw No. 337, 1990*

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The Board of Directors of the Sunshine Coast Regional District, in open meeting assembled, enacts as follows:

**PART A – CITATION**

1. This bylaw may be cited as *Sunshine Coast Regional District Zoning Amendment Bylaw No. 337.118, 2018*.

**PART B – AMENDMENT**

2. *Sunshine Coast Regional District Zoning Bylaw No. 337, 1990* is hereby amended as follows:
  - a. Replace the definitions for “bed and breakfast home” and “bed and breakfast inn” in Section 201 with the following definition:

“short term rental accommodation” means a small-scaled transient rental accommodation provided in a dwelling and occupied for not more than 26 days in any calendar month, which may include a bed and breakfast but excludes accommodation provided in a campground, a sleeping unit, a housekeeping unit, a motel, a hotel, a lodge or a resort hotel.
  - b. Replace Section 509 Bed and Breakfast Homes and Section 510 Bed and Breakfast Inns with the following section:

**Short Term Rental Accommodation**

509 Short term rental accommodation is permitted in R1, R1A, RS1, R1B, R2, R2A, R3, R3A, R3B, R3C, CR1, RU1, RU1A, RU1B, RU1C, RU1D, RU2, RU3, RU5, C1, C2, C2A, C3, C3A and C4 Zones, subject to the following conditions:

- (a) The maximum number of short term rental accommodation bedrooms shall be in accordance with the number of permitted dwellings and zoning of the parcel as shown in the following table:

Zone	Number of Permitted Dwellings	Maximum Number of Bedrooms
C1, C2, C2A, C3, C3A, C4	Regardless of the number of permitted dwellings	5 per parcel
RU5	Regardless of the number of permitted dwellings	2 per parcel
R1, R1A, RS1, R1B, R2, R2A, R3, R3A, R3B, R3C, CR1, RU1, RU1A, RU1B, RU1C, RU1D, RU2, RU3	1	1 per parcel
	1 dwelling and 1 auxiliary dwelling unit	2 per parcel
	2 dwellings	3 per parcel
	More than 2 dwellings	4 per parcel

(b) The average floor area of all permitted short term rental accommodation bedrooms shall not exceed 28 m<sup>2</sup>.

(c) The number of guests shall not exceed 2 adults plus one child per permitted short term rental accommodation bedroom.

(d) At least one operator per parcel shall be required to manage short term rental accommodation where it is permitted. The operator must reside on the property where the short term rental accommodation is located.

(e) One external sign that is associated with short term rental accommodation and does not exceed 0.35 square meters in area is permitted within the property.

(f) Any dwelling utilized for short term rental accommodation shall be either connected to a community sewer and water facility or have on-site sewage disposal and water supply facilities in place that are in compliance with current regulations of the *Health Act*.

(g) At least one off-street parking space shall be provided per short term rental accommodation bedroom in addition to parking spaces required for all other uses on the same property.

(h) All zones that permit short term rental accommodation are designated as a Temporary Use Permit Area for the consideration of STRA with an off-site operator, subject to the following conditions:

- i. At least one operator per parcel shall be required to manage short term rental accommodation where it is permitted. Notwithstanding Section 509(d), an operator residing outside of the property where the short term rental accommodation is located is permitted, provided that the operator resides within a radius of 50 km of the property.

- ii. No more than 2 separate STRA properties shall be managed by a single operator.
  - iii. The maximum number of STRA bedrooms shall be one less than what is permitted in accordance with Section 509(a).
  - iv. The term of the temporary permit shall not exceed 3 years. The temporary use permit shall not be renewed more than once.
- c. Replace all words of “bed and breakfast home” and “bed and breakfast inn” with “short term rental accommodation”.
- d. Insert the following sections:
- “(b) short term rental accommodation in accordance with Section 509” immediately following Section 601.1(1)(a).
- “(b) short term rental accommodation in accordance with Section 509” immediately following Section 602.1(1)(a).

**PART C – ADOPTION**

READ A FIRST TIME this	DAY OF	MONTH,	YEAR
READ A SECOND TIME this	DAY OF	MONTH	YEAR
PUBLIC HEARING HELD PURSUANT TO THE <i>LOCAL GOVERNMENT ACT</i> this	DAY OF	MONTH	YEAR
READ A THIRD TIME this	DAY OF	MONTH	YEAR
ADOPTED this	DAY OF	MONTH	YEAR

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Corporate Officer

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Chair