




Short-Term Rental Temporary Use Permit Policy (Policy P-28) Electoral Areas

Committee of the Whole – October 16, 2024



Overview

- A presentation on Short-Term Rentals (STRs) was given at the last the Committee of the Whole (CoW) meeting on August 14, 2024.
- Staff confirmed that a follow-up presentation would be given in the fall.
- The following next steps for completion in 2024 were noted:
 - Amendment to South Shuswap OCP BL725 to include the option for TUPs in Areas C and G -  completed
 - Updates to the CSRD STR TUP application process: application checklist, more info on STR webpage, fine-tune TUP review / processing -  completed
 - Consider a stand-alone CSRD STR Policy -  draft to be discussed
 - Determine the level of public engagement – options to be discussed

Today's Presentation

- Draft Short-Term Rental Temporary Use Permit Policy (Policy P-28)
 - Background/ Policy Criteria/ Bylaw Enforcement/ Financial Considerations/ Public Engagement Options
- Principle Residence Requirement – option to opt-in
- Update on Provincial STR Information
- Update on CSRD STR Communication
- Next Steps

Draft Short-Term Rental Temporary Use Permit Policy (Policy P-28)

Background

- The CSRD currently has a range of policy, regulation and guidance pertaining to vacation rentals (STRs):
 - Electoral Area B OCP Bylaw No. 850
 - Electoral Area F OCP Bylaw No. 830
 - Electoral Area E OCP Bylaw No. 840
 - Vacation Rental Guiding Principles Sheet
- The intent of Policy P-28 is to provide a consistent approach for reviewing and considering the approval and issuance of STR TUPs where CSRD zoning applies, and a TUP is an option.

Draft STR TUP Policy (P-28)

Purpose

- P-28 will provide guidance to the public and CSRD when considering TUP applications for STRs.
- TUPs allow a use to occur on a temporary basis that would otherwise not be permitted in a zoning or land use bylaw. The CSRD's preference for managing STRs is with TUPs as they provide a three-year trial period before a STR property may be considered for a renewal or rezoning.
- The goal of P-28 is to ensure that STRs operate legally in a safe and responsible manner that do not cause a disruption in the neighbourhood.

Draft STR TUP Policy (P-28)

Not included in the Policy

- Based on discussion at the August CoW meeting, cumulative impacts of STRs have not been included.
- Does not provide guidance about how many STRs may be permitted in a neighbourhood or community (e.g. density cap).
- Staff believe, however, that cumulative impacts are important and should be considered in the future.

Draft STR TUP Policy (P-28)

14 Mandatory Criteria

- a. Primary use is residential, rural, or agricultural*
- b. STR shall keep with the residential, rural, or agricultural character
- c. STR must be in a legal dwelling unit (no RVs, yurts etc.)
- d. STR is limited to one dwelling unit per parcel*
- e. STR is not permitted with a B&B
- f. Confirmation of appropriate sewerage system
- g. Potable water shall be provided to guests

* new requirement

Draft STR TUP Policy (P-28)

14 Mandatory Criteria (cont.)

- h) Identification of local contact person
- i) Maximum allowable occupancy should not exceed 10 guests*
- j) One advertising sign per parcel (1 m²)
- k) All parking shall be on-site and include the required number of spaces
- l) TUP issuance is subject to proof of adequate vacation rental and liability insurance (minimum of \$3 million in coverage)
- m) TUP issuance subject to registration of s.219 covenant
- n) STR should comply within all applicable regulations of the Agricultural Land Commission when located within the Agricultural Land Reserve

* new requirement

Draft STR TUP Policy (P-28)

Criteria (septic)

- Draft Policy:

The STR shall be serviced by a sewerage system that has been confirmed appropriate for the use intended by an Authorized Person.

- Staff have been working with a Registered On-Site and Wastewater Practitioner and received feedback from a local engineer, to develop consistent expectations that STR owner/operators must follow when requested to confirm appropriate septic.

Draft STR TUP Policy (P-28)

Septic Confirmation Expectations

The applicant is required to engage an Authorized Person to confirm:

1. That there is an existing septic system which has the required permits (since 1985) and is suitable for STR use (based on # of bedrooms guests etc). Any deficiencies of the system shall be specified.
2. If permits cannot be confirmed by the Authorized Person, the system must then conform to current sewerage regulations.

If any repairs or improvements are needed, they must be completed before the TUP will be issued.

Draft STR TUP Policy (P-28)

Bylaw Enforcement

Policy A-69 applies to the enforcement of CSRD Bylaws.

Bylaw Enforcement triages complaints and investigates based on the priorities established in Bylaw No. A-69.

STRs are currently classified as Class 2 concerns by Bylaw A-69 (violations that do not pose a hazard to persons, property or the environment).

Complaints regarding non-CSRD bylaw related issues (e.g., septic) will be forwarded to the applicable agency (e.g., Interior Health).

The CSRD may cancel a TUP prior to its expiry or the end of the 3-year term if conditions are not being met and warning have been provided.

Draft STR TUP Policy (P-28)

Financial Considerations

- TUP cost = \$1,150.00
- The Board could consider increasing the TUP application fee to better reflect the true processing costs (e.g., staff time, newspaper ads).
- Other Regional Districts charge \$2,000 for TUP applications considered by a Board (e.g., RDEK).

Draft STR TUP Policy (P-28)

Public Engagement

- Staff recommend that the Board endorse Policy P-28 at the November 21, 2024 Board meeting and direct staff to begin public engagement.
- Staff suggest engaging with the public by employing a survey on the “CSRD Connect” page
- This approach will enable staff to begin using the policy by next month which will assist with the current influx of STR TUP applications.

Principle Residence Requirement – option to opt-in

- The Province has implemented a principal residence requirement in some areas of the province which limits STRs to the host's principal residence, plus one secondary dwelling unit.
- Regional districts are exempt but can choose to "opt-in".
- Requests to opt-in must be submitted to the Province by March 31 of each year for the change to take effect November 1.
- Opting-in helps retain more long-term rental housing and can reduce the disruption of residential neighbourhoods.
- Based on feedback at the March 21, 2024 Board meeting P-28, does not propose that the CSRD opt in to the principal residence requirement.

Update on Provincial STR Information

- The Province expects to establish a STR registry by early 2025. All STRs must register. Further details are expected to be announced later this year.
- A “Notice and Takedown Process” was launched on May 1, 2024. Platforms must remove listings that do not comply with a local government business licence requirements.
- A STR Data Portal was launched on June 30, 2024. Access to the portal is currently only available to local governments with business licensing. The Province may open the port to governments without business licensing in the future.

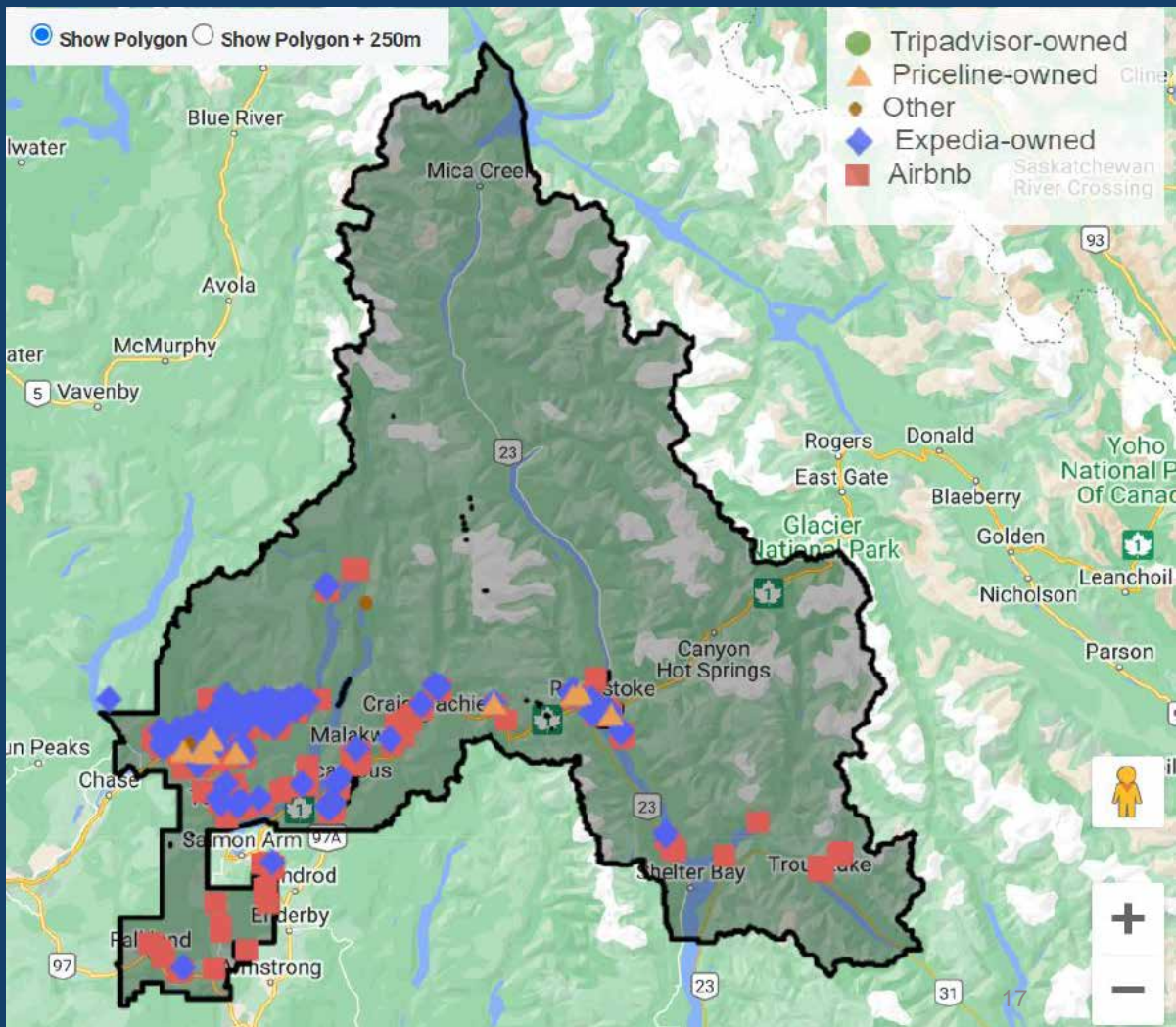
Update on CSRD STR Communication

- The CSRD's STR information webpage has been updated with the latest Provincial STR information and contact information.
- The webpage notes that the CSRD does not currently have a business licensing service.
- A dedicated webpage explaining TUPs for STRs has been added.
- Future website updates will be made as new Provincial information is obtained and as CSRD procedures for STR TUPs are fine-tuned.

Extent of STRs in the CSRD Electoral Areas

700 unique rental units
Area A

700 unique rental units
Areas B-G



Recommendation

THAT: the Committee of the Whole support in principle the draft Short-Term Rental (STR) Temporary Use Permit (TUP) Policy P-28 for consideration and endorsement at the November 21, 2024 Board Meeting.

Next Steps following CoW Support

- Board consideration of endorsement Policy P-28 at November 21, 2024 Board meeting.
- Staff initiate Public Engagement for Policy P-28.
- Following public engagement, update the policy as required and present to the Board again for consideration of amendments.
- Continue to update CSRD website with new CSRD and Provincial STR information.

Questions and Discussion