

NOTICE OF PUBLIC HEARING – November 18, 2019

BYLAW 2317 - WHITE ROCK ZONING BYLAW, 2012, NO. 2000, AMENDMENT
(SHORT-TERM RENTAL UPDATE) BYLAW, 2019, NO. 2317



Documents:

Author	Document	Item #
Director of Planning and Development Services	July 22, 2019 Governance and Legislation Committee Corporate Report	R-1
	Note: This report was considered at the	
Director of Corporate Administration	Minute Extracts – Various	R-2

Written Submissions:

Author	Date Received	Resident?	Status	Item #
None to date.				

WHITE ROCK City News

BYLAW NO. 2317

NOTICE OF A PUBLIC HEARING - MONDAY, NOVEMBER 18, 2019

NOTICE is hereby given that the Council of the City of White Rock will hold a Public Hearing in the City Hall Council Chambers, 15322 Buena Vista Avenue, White Rock, BC, on **MONDAY, NOVEMBER 18, 2019 at 7:00 P.M.** in accordance with the *Local Government Act*. At the Public Hearing, all persons who deem their interest in property is affected by the proposed Bylaw shall be afforded an opportunity to be heard or to present written submissions reflecting matters contained in the proposed application that is the subject of the Public Hearing.

BYLAW 2317 - White Rock Zoning Bylaw, 2012, No. 2000, Amendment (Short-Term Rental Update) Bylaw, 2019, No. 2317

PURPOSE:

Bylaw 2317 proposes updates to the accessory vacation rental regulations in the City's Zoning Bylaw. A new defined term '**short term rental**' or '**accessory vacation rental**' would replace the current definition for 'vacation rental', and the 'short term rental' would be used throughout the rest of the Zoning Bylaw, as short term rental is more commonly used. The proposed regulations will require that the owner of a short term rental name a responsible person whose contact information must be displayed at the rental and who must be available to respond to inquiries from the City or guest within a two hour window, and that rental owners display their business license number in advertisements, which will assist in bylaw enforcement and for the travelling public to know if they are booking a legitimate rental. The regulations for accessory registered secondary suites will specify that these must be rented for longer than 30 day terms, as short term rentals are already noted as being for 30 days or less.

Further details regarding the application may be obtained from the City's Planning and Development Services Department at City Hall or by contacting (604) 541-2136 | planning@whiterockcity.ca.

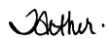
Should you have any comments or concerns you wish to convey to Council and you cannot attend the Public Hearing, please submit in writing to the **Corporate Administration Department** by 12:00 p.m. (noon), Monday, November 18, 2019. Please address the submissions to **Mayor and Council**, and forward your submissions by:

- mailing or delivering to the Corporate Administration Department at White Rock City Hall, 15322 Buena Vista Avenue, White Rock, BC V4B 1Y6; or
- e-mailing ClerksOffice@whiterockcity.ca with "**Bylaw 2317**" typed in the subject line.

Please Note: Correspondence that is the subject of a Public Hearing, Public Meeting, or other public processes will be included, in its entirety, in the public information package and will form part of the public record. Council shall not receive further submissions from the public or interested persons concerning the application after the Public Hearing meeting has concluded.

A copy of the proposed Bylaw and associated reports may be inspected in the Corporate Administration Office at White Rock City Hall, 15322 Buena Vista Avenue, White Rock, BC, from Wednesday, November 6, 2019 until Monday, November 18, 2019, between the hours of 8:30 a.m. to 4:30 p.m., excluding weekends and statutory holidays.

November 6, 2019



Tracey Arthur
Director of Corporate Administration

The Corporation of the CITY OF WHITE ROCK BYLAW 2317



A Bylaw to amend the
"White Rock Zoning Bylaw, 2012, No. 2000" as amended

The CITY COUNCIL of the Corporation of the City of White Rock, in open meeting assembled, ENACTS as follows:

1. That Schedule A - Text of the "White Rock Zoning Bylaw, 2012, No. 2000" be amended:

- (1) by deleting the existing definition for "accessory boarding use" in Section 3.3.1 in its entirety and replacing it with the following new definition:

"accessory boarding use" means the use of a room or rooms (similar to *sleeping units*) in a *dwelling unit* used for the accommodation of roomers and boarders for periods greater than 30 days with either private or shared sanitary facilities and without separate cooking facilities or equipment; this use shall not be permitted in conjunction with a *hotel, accessory bed & breakfast use, accessory registered secondary suite, short term rental, care facility, or any other similar commercial or institutional use.*

- (2) by deleting the existing definition for "vacation rental" in Section 3.3.1 in its entirety.
- (3) by adding the following new definition in Section 3.3.1 for "short term rental" in the correct alphabetical order.

"short term rental" or "accessory vacation rental" means the rental of a residential *dwelling unit* to short-term paying guests for periods not to exceed thirty (30) days.

- (4) by deleting the existing Section 5.5 in its entirety and replacing it with a new Section 5.5 as follows:

5.5 Accessory Registered Secondary Suite

5.5.1 An accessory registered secondary suite shall only be permitted in the RS, RE and RI zones, and shall:

- a) be accessory to a one-unit residential use only;
- b) be limited to one accessory registered secondary suite per lot;
- c) conform with the BC Building Code requirements and limited to a maximum of 90 square metres residential gross floor area and not more than two (2) bedrooms;
- d) provide one additional on-site parking space for occupants of the accessory registered secondary suite;
- e) be inspected and registered through the City's Secondary Suite Registration process; and
- f) only accommodate tenants for periods of thirty (30) days or greater.

- (5) by deleting the existing Section 5.8 in its entirety and replacing it with a new Section 5.8 as follows:

5.8 Short Term Rental

5.8.1 A *short term rental use* shall:

- a) only be operated from an *accessory registered secondary suite* that complies with all applicable BC Building Code requirements;
- b) only be operated by an *owner* (or immediate family member of the *owner*) of the subject property, where they are a full-time resident and occupant of the *one-unit residential use*. A tenant may not sublet the *accessory registered secondary suite* for this purpose;
- c) only be operated if the *owner* has designated a responsible person whose name and contact information is prominently displayed in the short term rental premises at all times when the short term rental is operated, who, at all times that the short-term rental is operated, has access to the premises and authority to make decisions in relation to the premises and the rental agreement, and who must be able to attend at the short-term rental premises within two hours of being requested to do so;
- d) install fire extinguishers, interconnected smoke and carbon monoxide alarms, and emergency lighting in hallways and egress points, to B.C. Building Code standards;
- e) not permit any structural alteration or addition that changes the residential character and form of the *principal building*;
- f) be limited to a maximum of two (2) *sleeping units* only;
- g) be limited to no more than four (4) adult guests at any given time;
- h) not be occupied by more than one booking or reservation at any given time;
- i) not have any exterior signage advertising the *short term rental use*;
- j) provide accessory off-street parking in accordance with the provisions of Section 4.14;
- k) not create any form or manner of nuisance for neighbouring properties, including but not limited to noise, light, traffic or on-street parking;
- l) have a valid business license, and display the business licence number in all advertising for the *short term rental*;
- m) only provide for the temporary accommodation of guests for periods not to exceed thirty (30) days.

- (6) by replacing the term “accessory vacation rental with “short term rental” in the Table of Contents and sections 4.14.1, 5.3.1.(3), 6.1.1(f), 6.2.1(e), 6.3.1(e), 6.1.1(f), 6.5.1(e), 6.5.1(e), 6.6.1(e), 6.7.1(e), 6.8.1(e), 6.9.1(f), and 7.39(1)(e).

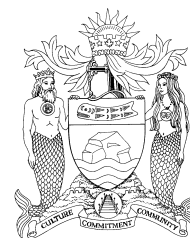
2. This Bylaw may be cited for all purposes as the "White Rock Zoning Bylaw, 2012, No. 2000, Amendment (Short-Term Rental Update) Bylaw, 2019, No. 2317".

RECEIVED FIRST READING on the	21 st	day of	October, 2019
RECEIVED SECOND READING on the	21 st	day of	October, 2019
PUBLIC HEARING held on the		day of	
RECEIVED THIRD READING on the		day of	
ADOPTED on the		day of	

Mayor

Director of Corporate Administration

THE CORPORATION OF THE CITY OF WHITE ROCK CORPORATE REPORT



DATE: July 22, 2019

TO: Governance and Legislation Committee

FROM: Carl Johannsen, Director of Planning and Development Services

SUBJECT: Proposed Updates: Vacation (Short Term) Rental Regulations

RECOMMENDATIONS

THAT the Governance and Legislation Committee:

1. Receive for information the corporate report dated July 22, 2019, from the Director of Planning and Development Services, titled “Proposed Updates: Vacation (Short Term) Rental Regulations”; and
 2. Direct staff to bring forward proposed amendments to the Zoning Bylaw, 2012, No. 2000 and Business Licence Bylaw, 1997, No. 1510 to Council, to add new vacation rental regulations as outlined in this corporate report and/or as directed by Committee.
-

EXECUTIVE SUMMARY

In January 2019 Council directed staff to bring forward a corporate report regarding potential updates to accessory vacation rental regulations (‘vacation’ or ‘short term’ rentals) in the City of White Rock’s Zoning Bylaw. This corporate report presents potential updates for Governance and Legislation Committee’s feedback and direction back to staff, including:

1. Updating the ‘Accessory Vacation Rental’ Zoning Bylaw definition to ‘short term rentals’;
2. Adding ‘Responsible Person’ and contact information clauses to improve rental property management and oversight;
3. Adding regulations clarifying the difference between long term and short term rentals;
4. Requiring vacation rental business licence numbers in on-line advertisements; and
5. Increasing Business Licence Fees for Vacation Rentals.

This corporate report also summarizes Bylaw enforcement activities regarding vacation rentals, and identifies ‘in progress’ initiatives that staff are undertaking to improve public awareness, and monitoring and enforcement of vacation rentals, including a proposed increase in fines.

BACKGROUND

At the January 28, 2019 Regular Council meeting, Council approved the following resolutions:
THAT Council:

- directs staff to prepare a corporate report with options on amending Section 5 of the City's Zoning Bylaw to address Short-Term Rentals in the City of White Rock and that staff use an aggregator, such as AirDNA, to ensure all properties listed for rent are identified in the search, and;

- authorizes the corporate report include options included in the newly adopted bylaw on short term rentals by the City of Victoria (requiring a responsible person must be identified to the City and they must be available to be onsite within two (2) hours if the owner of the owner is not present).

In response to these resolutions, this corporate report presents an overview of current City of White Rock regulations for Accessory Vacation Rentals ('vacation rentals' or 'short term rentals'), an update regarding the City's enforcement of vacation rental regulations, and proposed updates to the vacation rental regulations section in the City's Zoning Bylaw, for Committee's feedback and direction back to staff.

PAST PRACTICE / POLICY / LEGISLATION

Vacation Rentals: Zoning Bylaw and Business Licence Bylaw Regulations

The emergence of 'informal' or 'sharing economy' vacation rental platforms and tourist accommodation businesses (ie. AirBnB, VRBO) provides an opportunity to increase tourist accommodations in White Rock, given the low amount of hotel rooms in White Rock and the Semiahmoo Peninsula. This in turn can provide positive 'spinoff' effects for the local economy.

However, while it's important to support this new type of business, it should be regulated in a manner that minimizes impacts on neighbours, doesn't reduce the availability of rental stock (ie. rental apartments) in the City or result in the illegal use of land and buildings, or reduce the availability of parking in neighbourhoods.

Vacation rentals are thus regulated like other land uses and businesses in White Rock through the Zoning Bylaw and Business Licence Bylaw. The Zoning Bylaw only permits vacation rentals in registered, legal secondary suites within single family homes, for rental periods no longer than 30 days, and requires on-site parking for vacation rental units. Multi-family dwellings, such as apartments and townhouses, are not permitted to host vacation rentals (this differs from other cities, such as Vancouver, which permits vacation rentals in apartments). The Business Licence Bylaw also requires vacation rental businesses to have a business licence to operate, under the 'Bed and Breakfast' licence category.

Currently there are twenty-five business licenses issued for vacation rentals, seven building permit applications in process to legalize secondary suites for hosting vacation rentals, and two building permit applications to legalize secondary suites, for hosting vacation rentals, and are awaiting permit review.

Previous Zoning Bylaw Updates Regarding Vacation Rentals

Accessory vacation rental regulations were first added to the Zoning Bylaw (Section 5.8) in 2013. These regulations were updated in 2018, through the first phase of the Zoning Bylaw Update. The current Zoning Bylaw requirements for vacation rentals are as follows:

5.8 Accessory Vacation Rental

5.8.1 An accessory vacation rental use shall:

- a) only be operated from an *accessory registered secondary suite* that complies with all applicable BC Building Code requirements;
- b) only be operated by an *owner* (or family member of the owner) of the subject property, where they are a full-time resident and occupant of the *one-unit residential use*. A tenant may not sublet the *accessory registered secondary suite* for this purpose;
- c) install fire extinguishers, interconnected smoke and carbon monoxide alarms, and emergency lighting in hallways and egress points, to B.C. Building Code standards;
- d) not permit any structural alteration or addition that changes the residential character and form of the *principal building*;

- e) be limited to a maximum of two (2) *sleeping units* only;
- f) be limited to no more than four (4) adult guests at any given time;
- g) not be occupied by more than one booking or reservation at any given time;
- h) not have any exterior signage advertising the *accessory vacation rental use*;
- i) provide accessory off-street parking in accordance with the provisions of Section 4.14;
- j) not create any form or manner of nuisance for neighbouring properties, including but not limited to noise, light, traffic or on-street parking;
- k) have a valid business license;
- l) only provide for the temporary accommodation of any number of guests for periods not to exceed thirty (30) days.

Vacation Rentals: Bylaw Awareness and Enforcement, and Results to Date

While vacation rentals like Air BnB are permitted and regulated as legal uses in Metro Vancouver municipalities, many illegal and unlicensed vacation rentals also exist and are typically found on accessory vacation rental platform websites.

The City's Bylaw Enforcement Officers (BEOs) regularly monitor vacation rental website listings, involving multiple searches per week, to identify and curtail illegal vacation rentals in White Rock. The BEOs also respond to complaints regarding specific listings and properties. Staff note that a key component of on-line searching involves positively identifying illegal rentals that are actually in the City of White Rock and not Surrey, as many listings note 'White Rock' as their location, even though they are located in South Surrey.

When the BEOs come across an illegal vacation rental (operating as an unpermitted use and/or without a business licence), the BEOs:

- contact the individual operating the vacation rental;
- direct the individual to immediately stop operating the illegal vacation rental and remove the listing from the online vacation rental platform. Many of the unlicensed vacation rentals that the BEO's find do not meet Zoning and Building Bylaw regulations (ie. in an apartment/townhouse unit or unpermitted secondary suite), and must be discontinued; or
- if the rental is operating in a registered secondary suite (in a single family home), request the individual come into compliance by obtaining a vacation rental business licence; or
- if the rental is operating in an existing un-registered secondary suite, request the individual come into compliance by:
 - first updating and registering their suite as a legal use, by going through a building permit process to bring the secondary suite into compliance with the Building and Fire Code; and
 - then obtaining a valid vacation rental business licence.

As a result of BEO investigations of suspected illegal vacation rental listings and complaints, since 2017 115 of the listings and complaints reviewed were determined to be un-licensed rentals, and have been discontinued following BEO intervention. The remainder were found to have existing licences, be in the process of getting licences, or offering rentals longer than 30 days.

Emerging Approaches Regarding Accessory Vacation Rentals

Renting Non-primary Residences and Higher Business Licence Fees

The City of Victoria updated their Short-term Regulation Bylaw (Appendix A) in October 2018 to allow a two-tiered system that requires owners to pay business licence fees according to their residence status:

1. rentals involving a room or unit in a principal residence require a \$150 annual fee; and

2. rentals in non-principal residences, including investment properties and second homes, pay a \$1,500 annual fee.

As of June 2019, the City of Victoria has collected \$529,000 in business license fees from owners hosting legal vacation rentals. Victoria's two tiered approach is not recommended for White Rock, as it will likely result in rental units in strata buildings being used for short term rentals, which may in turn reduce the available long-term rental stock in the City.

Online Tracking Companies (ie. Air DNA)

In recent years vacation rental tracking companies, such as 'AirDNA', have emerged to help cities, property managers, tourism boards and investors track and analyze trends in short term rental markets worldwide. These tracking platforms can also be valuable for searching and identifying vacation rental listings, legal and illegal, in a particular area, which in turn could assist the City's Bylaw enforcement efforts.

Provincial Taxation of Short Term Vacation Rentals

In February 2018 the Province struck an agreement with AirBnB to collect up to eleven percent in taxes on short-term rentals. The taxes include the eight percent PST and, where applicable, a municipal and regional district tax (MRDT) of up to three percent on accommodations. The Province intends to use the PST portion (~\$16 million annually) to improve housing affordability.

Increased Fines for Hosting Illegal Vacation Rentals in Stratas

In July 2018 the Provincial *Strata Property Act* was amended to allow strata corporations to fine strata owners or residents up to \$1,000 a day for not complying with strata bylaw(s) limiting or banning short-term rentals.

DISCUSSION/ANALYSIS

Potential Updates to Vacation Rental Regulations

Based on the above context, in response to the April 8, 2019 Council resolution and following review of Victoria's vacation rental Bylaw and approaches in other cities, staff have prepared potential updates to White Rock's accessory vacation rental regulations. Staff seek Committee's feedback and direction on these potential updates, including which updates are to be brought forward to Council as proposed amendments to the Zoning and Business Licence Bylaws:

1. Updating Definitions in City Bylaws

Noting that 'short term rentals' is now a common term used to refer to 'Air BnBs' etc., renaming the current 'Accessory Vacation Rental' term to 'Short Term Rental' in the Zoning Bylaw and Business Licence Bylaw would help make the Bylaws more user-friendly, and allow for a clearer explanation of short term rental regulations through public awareness initiatives.

2. Adding Responsible Person and Contact Information Clauses

Section 5.8.1(b) of the Zoning Bylaw requires vacation rentals to be operated by the subject property's owner (legal property title holder), or a family member of the owner, and they must be a full time resident and occupant. This approach helps to ensure that the vacation rentals are closely managed by the person offering the rental. However, and following some of the City of Victoria's responsible person regulations, staff note that adding clauses requiring the designation of a 'responsible person' in the Zoning Bylaw would be beneficial to ensure continued close management of the vacation rental unit, if the owner is away on vacation or away from the home for any other reason. These clauses should also require that 1.) the responsible person is available to attend the short term rental unit within two hours of being requested to do so by the tenant or by City Bylaw staff, and that 2.) the contact information of the owner and the responsible person designate are prominently displayed within the short term rental unit.

3. Adding Regulations Regarding Long Term Rental Uses

As noted above, Section 5.8 specifies that licenced Accessory Vacation Rentals are to only provide rental accommodations for no more than 30 days. In order to provide clarity that legal secondary suites that do not have vacation rental licences are intended to provide long term rental accommodations over 30 days, Section 5.5 (Accessory Registered Secondary Suites) of the Zoning Bylaw should be updated to clearly state that suites are to provide rental accommodations for more than 30 days, unless the owner has a valid business licence for a vacation rental.

4. Requiring Vacation Rental Business Licence Numbers in Advertisements

Requiring owners with a valid vacation rental business licence to display their business licence number in advertisements would help in on-line monitoring and enforcement efforts. This approach can also help to identify illegal vacation rentals to the public, which could deter potential customers, generate more accurate bylaw violation complaints and motivate those hosting illegal vacation rentals to get their units properly licenced.

5. Increasing Business Licence Fees for Vacation Rentals

White Rock's business licencing fee for vacation rentals is \$150. Given the time and staff resources that vacation rental enforcement requires, staff recommend the business licencing fee be increased to \$250 or \$300 annually, with increased revenue being use to assist with enforcement.

Initiatives Already Underway

A number of initiatives monitoring illegal vacation rental activity and increasing awareness of and compliance with the City's bylaws are already underway, including:

- raising public awareness of the City's vacation rental regulations, through advertisements in the *Peace Arch News*, e-newsletters, the city's website and forthcoming brochures. This includes communicating what is permitted by the City's bylaws, how owners interested in hosting vacation rentals can do so in a way that complies with bylaws, and that staff are ready to help owners get the right permits and licences to do so; staff are also considering the creation on an on-line information page on the City's website, similar to the City of Vancouver's vacation rental information and application webpage: <https://vancouver.ca/doing-business/short-term-rentals.aspx>;
- increasing the amount of Bylaw Enforcement staff resources assigned to 'monitoring and compliance efforts', by hiring additional casual BEOs to undertake this work and assist with other Bylaw Enforcement duties;
- requiring the vacation rental business licence holders to display their business licence number in their on-line vacation rental advertisements; and
- increasing fines for bylaw violations, to act as a viable deterrent to illegal vacation rentals. New fines are proposed in a separate July 22, 2019 report to Governance and Legislation Committee, including \$500 for a first offence, \$1,000 for a second offence and \$2,000 for a third and subsequent offences. The current fine is \$150.

Potential Future Initiatives

Additional future initiatives related to vacation rentals could include:

- utilizing an on-line vacation rental tracking platform, such as AirDNA, to assist the BEOs in identifying and tracking illegal vacation rental activity. Although this may enable more time-efficient monitoring, staff note that new software purchases should include careful consideration of the software's costs and benefits prior to recommending purchase; and
- requiring business licencing for all rental units, short term and long term. This would help to encourage more secondary suites to be properly permitted and licenced, and enable for a more accurate count of the City's rental housing stock.

Next Steps

Pending Committee feedback and direction, staff recommend that Committee direct staff to prepare amendments to the Zoning Bylaw and Business Licence Bylaw, to incorporate the updates identified in this corporate report into these Bylaws.

BUDGET IMPLICATIONS

Administration of the proposed new vacation rental regulations can be undertaken with existing staff resources. Enforcement of on-line vacation rental listings and complaints can be accomplished using existing Bylaw Enforcement staff, augmented by additional casual BEOs funded through contingency.

Increased business licence fee and fine revenue can also be used to fund additional staff resources to monitor and enforce vacation rental activity, or fund monitoring software such as AirDNA.

OPTIONS

The Governance and Legislation Committee can:

1. Receive this corporate report as information and direct staff to bring forward amendments to the Zoning Bylaw, 2012, No. 2000 and Business Licence Bylaw, 1997, No. 1510, according to the content of this corporate report and/or Committee feedback and direction; or
2. Request that staff undertake further research and report back to Committee with an updated/modified approach, as directed by the Committee.

Staff recommends Option 1.

CONCLUSION

This corporate report presents an overview of current City of White Rock regulations for Accessory Vacation Rentals ('vacation rentals' or 'short term rentals'), an update regarding the City's enforcement of vacation rental regulations, and proposed updates to the vacation rental regulations section in the City's Zoning Bylaw and Business Licence Bylaw, for Committee's feedback and direction back to staff. Pending feedback and direction from Committee, staff recommend that Committee direct staff to bring forward proposed amendments to the Zoning and Business Licence Bylaw to a future Council meeting.

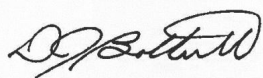
Respectfully submitted,



Carl Johannsen, MCIP, RPP
Director of Planning and Development Services

Comments from the Chief Administrative Officer:

I concur with the recommendations of this corporate report.



Dan Bottrill
Chief Administrative Officer

NO. 18-036

SHORT-TERM RENTAL REGULATION BYLAW
A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to provide for the regulation of short-term rentals including vacation rentals in operators' principal residences where permitted under the Zoning Regulation Bylaw No. 80-159 and where permitted pursuant to section 528 of the *Local Government Act*.

Contents

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Pursuant to its statutory powers, including section 8(6) of the *Community Charter*, the Council of The Corporation of the City of Victoria, in an open meeting assembled, enacts the following provisions:

Title

- 1 This Bylaw may be cited as the "Short-Term Rental Regulation Bylaw".

Definitions

- 2 In this Bylaw

"operator" means a person who rents out, or offers for rent, any premises for short-term rental but does not include a person who acts as an intermediary between the short-term rental tenant and the person who receives the rent;

"principal residence" means the usual place where an individual makes their home;

"responsible person" means a person designated by the operator as the primary contact under section 6.

"short-term rental" means the renting of a dwelling, or any part of it, for a period of less than 30 days and includes vacation rentals;

"strata corporation", "strata council", and "strata lot" have the same meaning as in the *Strata Property Act*.

Licence Required

- 3
 - (1) A person must not carry on business as a short-term rental operator unless the person holds a valid licence issued under the provisions of this Bylaw and the Business Licence Bylaw.
 - (2) A person applying for the issuance or renewal of a licence to operate a short-term rental must, in addition to meeting the requirements of the Business Licence Bylaw:
 - (a) make an application to the Licence Inspector on the form provided for that purpose;
 - (b) pay to the City the applicable licence fee prescribed under subsection (3);
 - (c) provide, in the form satisfactory to the Licence Inspector, evidence that:
 - (i) the person owns the premises where the short-term rental will be offered, or
 - (ii) the owner of the premises where the short-term rental will be offered has consented to their use as a short-term rental;
 - (d) if the premises where the short-term rental will be offered are located within a strata lot, provide a letter from the strata council confirming that provision of short-term rental does not contradict any bylaws of the strata corporation or applicable provisions of the Strata Property Act; and
 - (e) provide, in the form satisfactory to the Licence Inspector,
 - (i) evidence that the premises where the short-term rental will be offered are occupied by the operator as their principal residence; or
 - (ii) provide the name and contact information for the responsible person in relation to the short-term rental premises.
 - (3) The licence fee for purposes of subsection (2)(b) is:
 - (a) \$150 where the short-term rental is offered in the operator's principal residence; or
 - (b) \$1,500 for all short-term rentals that do not qualify under paragraph (a).

Power to Refuse a Licence

- 4 The Licence Inspector may refuse to issue a licence for a short-term rental if, in the opinion of the Licence Inspector,
 - (a) the applicant has failed to comply with section 3; or
 - (b) the short-term rental operation would contravene a City bylaw or another enactment.

Licence Number to be Included in Advertising

- 5 A person may offer to rent premises for rent as a short-term rental only if a valid business licence number is included in any advertising, listing, or promotion material that is intended to communicate availability of the premises for short-term rental.

Responsible Person

- 6 (1) A person may only operate a short-term rental in premises other than their principal residence if they designated a responsible person who, at all times that the short-term rental is operated, has access to the premises and authority to make decisions in relation to the premises and the rental agreement.
- (2) A person may only operate a short-term rental if they ensures that the name and contact information of the responsible person is prominently displayed in the short-term rental premises at all times when the short-term rental is operated.
- (3) The operator may be the responsible person except when subsection (5) applies.
- (4) The responsible person must be able to attend at the short-term rental premises within two hours of being requested to do so.
- (5) If a person who operates a short-term rental in their principal residence is going to be away during the term of the short-term rental, they must designate a responsible person and comply with this section.

Offences

- 7 (1) A person commits an offence and is subject to the penalties imposed by this Bylaw, the Ticket Bylaw and the Offence Act if that person
- (a) contravenes a provision of this Bylaw;
 - (b) consents to, allows, or permits an act or thing to be done contrary to this Bylaw; or
 - (c) neglects or refrains from doing anything required be a provision of this Bylaw.
- (2) Each instance that a contravention of a provision of this Bylaw occurs and each day that a contravention continues shall constitute a separate offence.

Penalties

- 8 A person found guilty of an offence under this Bylaw is subject to a fine of not less than \$100.00 and not more than \$10,000.00 for every instance that an offence occurs or each day that it continues.

Severability

- 9 If any provision or part of this Bylaw is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative in particular circumstances, it shall be severed from the Bylaw and the balance of the Bylaw, or its application in any circumstances, shall not be affected and shall continue to be in full force and effect.

Transition Provisions

- 10 (1) In the calendar year that this bylaw is adopted only, the fee payable under section 3 shall be prorated by 1/12 for each month in that year prior to the adoption of this bylaw, including the month the bylaw is adopted.
- (2) Any operator who, at the time of adoption of this bylaw, holds a valid licence for a short-term rental under the Business Licence Bylaw shall be credited with amount paid for that licence towards the fee payable under section 3.

Commencement

- 11 This bylaw comes into force on adoption.

READ A FIRST TIME the **22nd** day of **February** 2018

READ A SECOND TIME the **22nd** day of **February** 2018

READ A THIRD TIME the **22nd** day of **February** 2018

ADOPTED on the **8th** day of **March** 2018

“CHRIS COATES”
CITY CLERK

“LISA HELPS”
MAYOR

October 21, 2019 Regular Council meeting:

8.1.4 **BYLAW 2317 – WHITE ROCK ZONING BYLAW, 2012, NO. 2000, AMENDMENT (SHORT-TERM RENTAL UPDATE) BYLAW, 2019, NO. 2317**

Bylaw 2317 proposes changes to accessory vacation rental regulations to the City's Zoning Bylaw with respect to the City's enforcement, as well as general updates. This Bylaw was presented for consideration of first, second, and third reading.

In response to Council's questions, it was clarified that there is a limit to adults staying with the accessory vacation rentals; however, no limit for children.

2019-480 **It was MOVED and SECONDED**

THAT Council gives first, second and third reading to "*White Rock Zoning Bylaw, 2012, No. 2000, Amendment (Short-Term Rental Update) Bylaw, 2019, No. 2317*".

CARRIED

September 9, 2019 – Governance and Legislation Committee

This item was originally presented at the July 22, 2019 meeting but was deferred due to time constraints.

4. **PROPOSED UPDATES: VACATION (SHORT TERM) RENTAL REGULATIONS**

Corporate report dated July 22, 2019 from the Acting Director of Planning and Development Services titled "Proposed Updates: Vacation (Short Term) Rental Regulations".

Staff advised that concerns and complaints regarding unlicensed short-term vacation rentals may be forwarded to 604 541 2146 or they may email the City at bylaws@whiterockcity.ca

2019-G/L-108 **It was MOVED and SECONDED**

THAT the Governance and Legislation Committee:

1. Receives for information the corporate report dated July 22, 2019, from the Director of Planning and Development Services, titled "Proposed Updates: Vacation (Short Term) Rental Regulations"; and
2. Directs staff to bring forward proposed amendments to the Zoning Bylaw, 2012, No. 2000 and Business Licence Bylaw, 1997, No. 1510 to Council, to add new vacation rental regulations as outlined in this corporate report and/or as directed by Committee.

CARRIED