



VILLAGE OF HARRISON HOT SPRINGS

NOTICE OF MEETING AND MEETING AGENDA

COMMITTEE OF THE WHOLE

DATE: Monday, August 8, 2016
TIME: 10:00 a.m.
LOCATION: Council Chambers, Harrison Hot Springs

1. CALL TO ORDER

Meeting called to order by Mayor Facio

2. INTRODUCTION OF LATE ITEMS

3. APPROVAL OF AGENDA

4. ITEMS FOR DISCUSSION

- (a) Report of Deputy Financial Officer – July 25, 2016
Re: Proposed business licensing and zoning changes relating to short-term rental accommodation

Item 4(a)
Page 1

Recommendation:

THAT Council receives this report for consideration.

5. QUESTIONS FROM THE PUBLIC (pertaining to agenda items only)

6. RESOLUTION TO CLOSE THE MEETING

MOTION FOR CONSIDERATION

THAT the meeting be closed to the public, except for Council and senior staff and for the purpose of receiving and adopting Closed Meeting Minutes convened in accordance to Section 90 of the *Community Charter* and to consider matters pursuant to:

- (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of council, could reasonably be expected to harm the interests of the municipality if they were held in public



VILLAGE OF HARRISON HOT SPRINGS

REPORT TO COMMITTEE OF THE WHOLE

TO: Mayor and Council DATE: July 25, 2016

FROM: Tracey Jones
Deputy Financial Officer FILE: 4300-01

SUBJECT: Proposed business licensing and zoning changes relating to short-term rental accommodation

ISSUE:

Staff has been requested to research options for changes to the business licensing and zoning bylaws to address the issue of commercial short-term rental accommodation in residential properties. While it is not possible to legislate tenure, we can legislate issues of use through the business licensing and zoning bylaws.

BACKGROUND:

Currently Business License Bylaw No. 945 Division 1, 3 (d) states *"Notwithstanding the provision of the Bylaw, no Licence shall be required for the rental of a single family dwelling to five or fewer unrelated persons, or for the rental of fewer than five suites in a multi-family building."*

Consideration should be given to deleting the above and replacing it with the following:

Bed and Breakfast, Short Term Rental, Commercial Guest House or Inn

- a) No person shall operate a Bed and Breakfast, Short Term Rental, Commercial Guesthouse, Inn or any other form of room rental from a dwelling unit that rents rooms, suites or any other combination of rooms for temporary accommodation without
 - 1. A valid and subsisting Business license.
 - 2. A Fire inspection certificate from the local fire department
 - 3. A letter of authorization from the owner/occupant if different from the applicant
 - 4. Expressly being permitted within the designated zone

- b) No person shall operate a Bed and Breakfast, Short Term Rental, Commercial Guesthouse, Inn or any other form of room or unit rental from a dwelling unit that rents rooms, suites or any other combination of rooms for temporary accommodation unless they are resident on the property or have an on-site manager available and accessible by phone 24 hours a day, 7 days a week.
- c) No person shall operate a Bed and Breakfast, Short Term Rental, Commercial Guesthouse, Inn or any other form of room or unit rental from a dwelling unit that rents rooms, suites or any other combination of rooms for temporary or transient room rental, in any building or structure located on the property other than a dwelling.
- d) One off-street parking space will be provided for each sleeping unit available for short-term rental. Off-street parking will not exceed the current zoning limits for residential properties.
- e) No business located within the Village of Harrison Hot Springs, required to be licensed under this bylaw, shall advertise or promote the products and services of such business to the public through electronic media, print media, signage, internet or other means of promotion unless they are the holder of a valid business license issued pursuant to this bylaw.

The following should be considered when looking at possible changes to the existing bylaw:

Adding Definitions:

- **Accommodation – Temporary or Transient** – means a commercial use providing living or sleeping facilities for a short period of time, by the day or week, not exceeding thirty (30) days.
- **Dwelling** – means a set of rooms in a building used for a residential purpose occupied exclusively, unless other use expressly permitted in the designated zone, as a permanent domicile by one or more persons
- **Dwelling – Single Detached** – means a building consisting of one dwelling unit
- **Dwelling Unit** – means a suite of habitable rooms used or intended to be used for the residential accommodation of one family and containing only one set of cooking facilities
- **Inn** - means a building(s) or cottages(s) or a combination thereof available to the travelling public and containing a minimum of 4 and up to maximum of 10 sleeping units where meals may be provided.
- **Short Term rental** – means a commercial temporary or transient accommodation use located in a dwelling, of a duration less than thirty (30) days.
- **Sleeping Unit** – means one or more habitable rooms used for the lodging of person or persons where such unit contains no cooking facilities

Zoning Bylaw

There are currently no specifics within the zoning bylaw that directly address the use of a residential property in a commercial capacity as a short term rental. R2 zoning allows for Bed and Breakfast accommodation as an accessory use, and is the only residential zone that allows for secondary suites. C3 zoning allows Inns as primary use

When discussing zoning of short term rental operations the following should be considered:

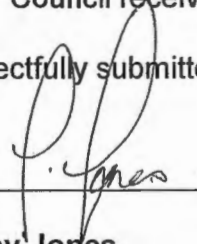
- Guest occupancy load per commercial Short Term Rental
 - Some jurisdictions have limited guest occupancy load to no more than 6 persons per short term commercial rental, others have it as a limit of 3 per sleeping unit
- Maximum number of sleeping units within the dwelling for short term rental operations
 - Some jurisdictions have limited the total number of sleeping units in a dwelling that can be used for short-term rental to a maximum of 3, others allow all legal sleeping units to be used
- No cooking facilities within the sleeping units
 - This prevents bedrooms from being used for anything other than sleeping
- If the dwelling has a secondary suite, should the secondary suite be able to be used as a short term rental
 - Some communities limit the use
- The operation will require a business license
- How many off-street parking spaces are required
 - Most communities require one per sleeping unit to a maximum of the zoning limits
- Whether a permanent resident must reside on the property or whether a on-site manager who is available 24/7 is sufficient
 - Most of the properties currently identified as short term rentals would not meet the first part of this requirement
- How many short term rentals are allowed per lot of land; ie can both sides of a duplex be used for short-term rental
 - We currently have identified properties where this is occurring
- Should short term rentals be allowed in any form of multiple dwelling building; ie townhome, apartment
 - Consideration of noise impact on close proximity neighbours

Should Council wish to pursue the licensing of short-term rentals then the zoning bylaw would need to be amended to identify which zones this use would be permissible in.

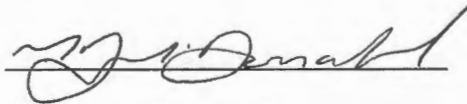
RECOMMENDATION:

THAT Council receives this report for consideration

Respectfully submitted;



Tracey Jones
Deputy Financial Officer

REVIEWED BY:

Madeline McDonald
Chief Administrative Officer