

## STRs: Summary of District of Invermere's Proposed Regulatory Approach compared with Radium Hot Springs, RDEK

Local Government	Invermere, District of	Invermere, District of (DOI)	Radium Hot Springs (RHS), Village of	Regional District of East Kootenay (RDEK)
<b>Short-Term Rentals - Summary of Approaches</b>				
Approach / Characteristics	<b>Business Licencing (PROPOSED Primary approach)</b>	<b>Temporary Use Permit - TUP (PROPOSED Secondary - Alternate approach)</b>	<b>Business Licencing (Established approach)</b>	<b>Temporary Use Permit (TUP)</b>
Status	Proposed amendments to DOI Business Licencing Bylaw	TUPs supported under OCP	Established by RHS Bylaw No 466, 2021 and amended by BL 470, 2022	RDEK Board adopted STR policy on July 14, 2023
Occupancy	To be determined (TBD). <u>DOI Council has discussed setting a maximum occupancy of 10 persons (Adults) in an STR operation.</u> It is suggested that five bedrooms be the maximum number allowed in an STR in the R-2 or R-2 zones.	To be determined (TBD) as a TUP is intended to address situations that may not conform with the DOI Zoning Bylaw or other bylaws.	Adult Occupancy is stated on the STR Business Licence in bold letters and numbers	RDEK Board set the maximum number of guests for overnight accommodation in an STR as follows: <u>maximum of 10 guests.</u> Anyone wishing to apply for a higher number needs the RDEK Board's approval.
Multiple Units / licencing	Operator must hold a separate Business Licence for each STR operation. DOI Council is considering setting a limit of one business licence per STR owner.	Operator must hold a separate Business Licence for each STR operation. DOI Council is considering setting a limit of one business licence per STR owner.	STR business licences in the R 1 - Single Family Residential and R 2 - Two Family Residential zones shall be limited to one licence per individual or corporate property owner, regardless of the number of properties owned.	Operator must hold a separate TUP for each dwelling unit intended for STR operation.
Complaint Response Time	30 minute response time to STR operation complaints originating from the municipality, RCMP, or the public.	30 minute response time to STR operation complaints originating from the municipality, RCMP, or the public.	30 minute response time to STR operation complaints from the 24 emergency contact person or management company (i.e., noise) originating from the municipality, RCMP, or the public.	TUP requires STR owner contact information and availability to respond by telephone 24 hours a day and 7 days a week.

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Key Contacts and Contact information	Licensee must display name and telephone number of Responsible Person inside the STR entry way. Must also provide primary, secondary, and tertiary contact information to DOI as backup.	Licensee must display name and telephone number of Responsible Person inside the STR entry way. Must also provide primary, secondary, and tertiary contact information to DOI as backup.	Licensee must display in a conspicuous place the name and telephone number of the contact person available to provide guest services to the STR 24 hours per day, also, 24 hour emergency contact person or management company.	Must display name and contact information for the STR manager, owner, or other designated contact, in a visible place within the STR unit and also provide it to property owners/residents within 25 m surrounding the property.
Safety Audit - Annualized	Self-Evaluation Audit and Attestation form required at time of business license application and annually at time of renewal (may include verification review by designated DOI staff)	Self-Evaluation Audit and Attestation form required at time of business license application and annually at time of renewal (may include verification review by designated DOI staff)	Self-Evaluation Audit and Attestation form required at time of business license application and annually at time of renewal signed by all property owners listed on the BC Land Registry	Confirmation provided in writing to the RDEK that the STR addresses the safety of occupants adequately (which may include verification review by an RDEK Building Inspector).
Application / Renewal Fee	\$250.00 for DOI STR business licence application review fee. This fee is not prorated and is non refundable whether the licence is approved or not. Subject to approval of the STR business licence application an annual Business Licence fee of \$150.00 is due and payable. The business licence and fee must be renewed and paid for annually.	\$1,000 for TUP application (plus cost of advertising). Subject to issuance of the TUP an DOI Business Licence is required, annual fee \$150.	\$250.00 for STR business review fee. This fee is not prorated and is non refundable whether the licence is approved or not. Subject to approval of the STR business licence application an annual Business Licence fee of \$150.00 is due and payable. That fee is reduced to \$100 if the STR business licence application is received after June 30th by a new property owner or new STR business, not if STR has been operating illegally prior to the June 30th date.	\$1,000 for TUP applications that are handled by delegated staff only; and \$2,000 for TUP applications that are considered by RDEK Board (to be formalized in future bylaw). TUPs are valid for up to 3 years. An application for a one-time renewal of the TUP may be made for a further 3 years.

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Strata Corporation Approval	Must provide confirmation from the Strata Corporation that the STR usage is permitted	Not expected to occur, but if so the applicant must provide confirmation from the Strata Corporation that the STR usage is permitted	STR operations within Strata Titled properties or units require written, signed Strata Corporation approval letter from the applicable Strata Board. Strata approval must accompany the STR application and the number of assigned parking spots allocated to the STR applicant on strata complex property	STR TUP applicant must provide an affidavit to RDEK staff acknowledging that the subject property has no covenants on title or strata bylaws restricting the property from being used for STR purposes.
Display of Licence / Permit details	Licensee must post a copy of the Business Licence in the STR Entry way. The license must display the license number, and the maximum number of guests permitted in the STR.	Licensee must post a copy of the Business Licence in the STR Entry way. The license must display the license number, and the maximum number of guests permitted in the STR.	Licensee must post a copy of the Business Licence in a conspicuous place in the premises. The licence must display the licence number of the business. All marketing materials need to indicate the business licence number.	RDEK is not empowered to issue Business Licences
Parking Plan	Provide a parking plan that complies with the parking requirements of the DOI's Zoning Bylaw. For guidance, it is suggested the number of parking stalls required in an STR should equal the number of bedrooms in the STR less one parking stall (e.g., 4 bedrooms requires 3 parking stalls).	Provide a parking plan that complies with the parking requirements of the DOI's Zoning Bylaw. For guidance, it is suggested the number of parking stalls required in an STR should equal the number of bedrooms in the STR less one parking stall (e.g., 4 bedrooms requires 3 parking stalls).	No specific parking plan requirement identified in Bylaws 466 or 470; however, all properties have been built with appropriate parking on property or strata complex property, Bylaw 466 states that parking notices may be issued in response to parking violations.	Must provide off-street parking for the STR as follows: one off-street parking space for 1-4 guests; two parking spaces for 5-8 guests; and three parking spaces for 8-14 guests. <u>These are in addition to the minimum requirements required for a property by zoning.</u>

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Non-Dwelling Units	No tent, boat, motor vehicle, camper, trailer, or recreational vehicle may be used as a Short-Term Rental Accommodation Unit.	No tent, boat, motor vehicle, camper, trailer, or recreational vehicle may be used as a Short-Term Rental Accommodation Unit.	STRs are only permitted in a residence in the C-4 Recreational Vehicle Park zone, not in a recreational vehicle.	STR TUPS will not be issued for a boat, cabin, lock off unit, park model trailer, recreational vehicle, tent, or yurt.
Neighbourliness	STR Operator must provide neighbours living within 25 m of the property with up to date contact information to help ensure prompt attention to complaints. STR operator may be required to provide a response plan detailing how concerns and complaints will be addressed.	STR Operator must provide neighbours living within 25 m of the property with up to date contact information to help ensure prompt attention to complaints. STR operator may be required to provide a response plan detailing how concerns and complaints will be addressed.	Business licence bylaw states that all other municipal bylaws must be followed, Ex: noise, parking etc	STR Operator must provide neighbours living within 25 m of the property with up to date contact information to help ensure prompt attention to complaints. STR operator may be required to provide a response plan detailing how concerns and complaints will be addressed.
Security Deposit / Bonding	Nothing required at this time other than the \$250.00 initial non refundable review fee	Nothing required at this time other than the \$250.00 initial non refundable review fee	Nothing required at this time other than the \$250.00 initial non refundable review fee	\$1,500 performance bond to ensure compliance with conditions of the STR TUP.
Floor Plan - identifying location of smoke alarms, fire exits etc.	Must be posted in STR Entry Ways	Must be posted in STR Entry Ways	Guest safety requirements include posting directions for egress, posted occupant load requirements, fire extinguishers, smoke alarm systems, and CO alarm systems where gas appliances are present. These requirements are to the satisfaction of the Bylaw Enforcement Officer.	A floor/fire safety plan detailing the home layout and safety features must be provided.

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Other Restrictions	TBD - for example, should there be restrictions on the operation of hot-tubs, pools, and fire pits? Should there be a limitation on the number of STRs permitted within a geographical area ? What about mandatory noise monitoring of the STR ?	TBD - for example, should there be restrictions on the operation of hot-tubs, pools, and fire pits? Should there be a limitation on the number of STRs permitted within a geographical area ? What about mandatory noise monitoring of the STR ?	A business licence holder needs to follow all other pertaining municipal bylaws and codes	RDEK may include specific conditions in the STR TUP, for example: buildings and area to be used, hours of use, form and character of site development, environmental protection, screening and fencing requirements, etc.
Inspection/s	Must allow inspections of the STR as requested by designated person (e.g., DOI Fire Chief, Bylaw Enforcement Officer, etc.)	Must allow inspections of the STR as requested by designated person (e.g., DOI Fire Chief, Bylaw Enforcement Officer, etc.)	RHS has the right to inspect the STR business premises upon application for a license, or for verification of information purposes, or for Bylaw Enforcement purposes.	Inspection/s by RDEK staff of the STR may take place to verify compliance with the TUP terms and conditions, and to follow up on complaints.
Bylaw Enforcement - Existing or Proposed Provisions	Proposed amendments to the DOI's MTI Bylaw to establish a set of escalating fines based on the following Bylaw Enforcement activity: 1. Friendly Letter and a \$50 fine 2. Cautionary Letter and a \$500 fine 3. Probationary Letter and a \$2000 fine 4. Letter terminating Licence & \$5000 fine 5. Referral Letter to Provincial Court, and \$5000 fine; note Court Action may result in much larger fine	Proposed amendments to the DOI's MTI Bylaw to establish a set of escalating fines based on the following Bylaw Enforcement activity: 1. Friendly Letter and a \$50 fine 2. Cautionary Letter and a \$500 fine 3. Probationary Letter and a \$2000 fine 4. Letter terminating Licence & \$5000 fine 5. Referral Letter to Provincial Court, and \$5000 fine; note Court action may result in much larger fine	A person who carries on a short term rental business without holding a valid licence for that business, breaches any term or condition of their licence, or violates any provision of Bylaw No. 466 (as amended) commits an offence of the bylaw, and is liable to a fine or penalty of up to \$10,000 for each offence. STR premises that are subject to three bylaw violations in a one-year period may have their licence revoked or suspended for a one-year period. RHS Council reserves the right to revoke a licence, at any time, should the circumstances, in their opinion, warrant revocation. Some examples of potential violations include excessive noise, parking violations, and failure to adhere to guest safety requirements.	Should an STR operator fail to adhere to the RDEK's policies or the specific requirements set out in an STR TUP the RDEK may undertake enforcement action up to and including fines, impose further conditions, or cancel the STR TUP

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Process and Timelines	<p>Provided the Zoning of the property allows STR use, and subject to compliance with the DOI's other applicable bylaws, the application process for a STR operation business licence is simple. The business licence might be issued in as little as 3 weeks, subject to any required inspections. Provided the Zoning allows the use then public advertising / input from neighbouring property owners and/or residents/tenants is not required.</p>	<p>Where a proposed STR operation is unable to satisfy the District's Zoning Bylaw requirements (e.g., required number of parking stalls, etc.) then the property owner/agent can apply for a Temporary Use Permit (TUP). The applicant must also provide a self-evaluation safety audit &amp; attestation form stating that the accommodation is safe to use. Applying for a TUP is straight forward; however, the application is subject to public notification and comment requirements, potentially including posting of signage. The application process may take 2-4 months to complete. Delegation of TUP approval to DOI staff may help shorten the process timeline but this is not certain. TUP applicants may ask Council to reconsider a decision made by DOI staff to reject a proposal; if so that may add time to the application process.</p>	<p>Provided the zoning of the property allows STR use, strata approval is submitted (if applicable) and subject to compliance with RHS's other applicable bylaws, the application process for a STR business licence is simple. The business licence might be issued in as little as a few days if all information on the STR business licence application is proven correct during the review, undertaken by the approving business licence officer. However, if not proven correct (i.e., 24-hour contact is not local), it could take an extended period of time until all information needed is proven and/or subject to any required inspections, if required. Also, provided the zoning allows the operating of a STR, then public advertising / input from neighbouring property owners and/or residents/tenants is not required.</p>	<p><u>please describe the anticipated Process and Timelines for the TUP</u></p>

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Process and Timelines - continued			All complaints are investigated by the Bylaw Officer and become part of the STR Business licence file. We work on a 3-strike rule, then it goes to Council to determine if the licence should be cancelled. Annually, STR business licence application needs to be reapplied for and the approval process starts over (this is because 24-hour contacts and other info could change).	