

# DISTRICT OF INVERMERE BYLAW NO. 1653, 2024

## A Bylaw to Amend "Official Community Plan Bylaw No. 1495, 2015"

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**WHEREAS** pursuant to the Local Government Act, Council may, by bylaw, amend the Official Community Plan;

**AND WHEREAS** the Council deems it desirable to amend the District of Invermere "*Official Community Plan Bylaw No. 1495, 2015*", as amended;

**NOW THEREFORE** the Council of the District of Invermere, in open meeting assembled, enacts as follows:

1. This Bylaw may be cited as "*Official Community Plan Bylaw No. 1495, 2015, Amendment Bylaw No. 1653, 2024.*"
2. Chapter 2: Goals, Objectives & Policies of the Official Community Plan is hereby amended by adding the following sub-section:

**"2.24 Temporary Use Permits for Short-Term Rental Accommodation Units**  
*The intent of this sub-section and its provisions is to provide guidance and direction to the public and the District of Invermere (the District) when considering Temporary Use Permit (TUP) applications for Short-Term Rental Accommodation Units (STRs). For clarity, pursuant to Sections 492 and 493 of the Local Government Act, municipalities are authorized to consider the issuance of Temporary Use Permits, provided the Official Community Plan (or Zoning Bylaw) designates areas where temporary uses may be allowed and specifies the general conditions regarding the issuance of temporary use permits in those areas.*

*In the District of Invermere STR TUPs are intended for use where the District's Official Community Plan (Bylaw No. 1495, 2015, as amended) or Zoning Bylaw No. 1145, 2002, as amended, do not otherwise allow STRs; for example, Invermere's single-family residential and low-density residential areas. The District's preference for managing STRs in these areas, where it is appropriate, is with TUPs.*

*An STR TUP is a way to allow residents and residential property owners to use their property to participate in the tourism economy. Tourism is an important part of Invermere's economy and provides residents and visitors with amenities and services that help support the broader economy of the Columbia Valley. While the majority of STR operators are responsible and provide accommodation that is safe and does not cause nuisance to neighbours, STR regulations allow the District to respond*

accordingly should concerns arise. It is the requirement of the TUP holder to fulfill the terms of the TUP and adhere with all other District bylaws and policies. Should a TUP holder fail to adhere with those requirements they may face enforcement action including fines and even cancelation of the TUP.

The following provisions establish the conditions to be considered by District staff when reviewing delegated STR TUP applications and when considering issuing, amending, or refusing to issue an STR TUP. Please note, applicants who wish to apply for an STR TUP that seeks uses beyond those delegated to staff to authorize may apply for an STR TUP requesting direct consideration by Invermere Council.

**CONDITIONS:**

1. A business licence is required to operate an STR including those STRs authorized by a TUP.
2. Not more than eight guests will be allowed to stay in an STR at any time.
3. Not more than four bedrooms, and not more than two persons per bedroom, will be allowed in an STR.
4. Not more than one TUP or business licence will be issued per STR owner, meaning only one TUP or business licence will be issued for an approved STR operation per STR owner. An STR owner therefore shall not be issued an additional TUP or business licence for any other STR operation.
5. Building exterior noise monitoring system will be a licencing requirement for each STR unit.
6. One dedicated off-street parking stall must be provided on-site for 1-4 guests in an STR, and two dedicated off-street parking stalls must be provided for 5-8 guests in the STR.
7. Off-site parking (i.e., parking of guests' vehicles on the street) will not be permitted.
8. No outdoor pool/s will be allowed in any STR operation unless permitted by TUP.
9. No tent, boat, motor vehicle, camper, trailer, or recreational vehicle may be used as an STR.
10. Ensure that the Short-Term Rental Accommodation Unit and Premises is in compliance with the District's bylaws regarding signage.
11. A person seeking a STR TUP must do the following to the satisfaction of the District of Invermere:
  - a. If the Premises where the Short-Term Rental Accommodation Unit will be located is in a Strata titled property or development pursuant to the Strata Property Act, the applicant must provide confirmation from the Strata Corporation that the Dwelling Unit may be used for Short-Term Rental Accommodation purposes under the bylaws of the Strata Corporation;
  - b. provide a completed Self-Evaluation Safety Audit & Attestation form at the time of making the application.

- c. *provide a floor plan at the entry ways to the Short-Term Rental Accommodation Unit identifying the location of smoke alarms and carbon monoxide alarms, fire extinguishers, fire exits, each Habitable Room, and the types of bed in each Habitable Room, including the location of any sofa beds;*
  - d. *state the maximum number of Guests that will be allowed at any given time in the Short-Term Rental Accommodation Unit;*
  - e. *specify the name and contact information for three Responsible Persons will be available for contact 24-hours a day during periods when the Short-Term Rental Accommodation Unit is occupied by Guests to respond to requests as follows:*
    - i. *within 30 minutes of a telephone call or leaving of a voicemail message, personal contact, or sending of a text message or email by a person designated by the District of Invermere in the event of a complaint or concerns about activities at a Short-Term Rental Accommodation Unit for which the Responsible Person has been designated in a Business Licence;*
    - ii. *within 30 minutes of a telephone call or leaving of a voicemail message, personal contact, or the sending of a text message, or email by a Guest who is staying in the Short-Term Rental Accommodation Unit.*
  - f. *provide any other information that may be required for the purposes of ensuring compliance with the District's bylaws and other enactments.*
12. *At the time of making the application, pay to the District the applicable application fee and business licencing fee.*

***TUP Term and Potential Renewal***

*If the District issues a TUP for an STR operation then a term limit shall apply of not greater than three years with an opportunity to renew the STR TUP for a term of not greater than an additional three years. While the renewal of an STR TUP should be simpler than the initial application and review process, the renewal of the permit is not guaranteed.*

***Enforcement***

*Should an STR operator fail to adhere to the District of Invermere's bylaws, policies, and/or the conditions and requirements applicable to an issued STR TUP then the District may undertake enforcement action up to and including fines, impose further conditions, or cancel the STR TUP.*

***Reconsideration by District of Invermere Council***

*Pursuant to the Local Government Act, an applicant may apply to have the District of Invermere Council reconsider a delegated decision of staff to issue, amend or refuse an STR TUP. A person requesting that the District of Invermere Council reconsider a*

*decision of staff must, within 30 business days of being notified in writing of staff's decision, give notice to the District's Corporate Officer in writing."*

- 3. If any Part, Chapter, Division, section, subsection, paragraph, sentence, clause, phrase, or map of this Bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder.
- 4. That the Mayor and Chief Administrative Officer are hereby empowered to do all things necessary to give effect to this bylaw.

Read a First Time this 27<sup>th</sup> day of February, 2024

Read a Second Time this 27<sup>th</sup> day of February, 2024  
Second Reading Rescinded this 12<sup>th</sup> day of March, 2024.  
Read a Second Time as Amended this 12<sup>th</sup> day of March, 2024.

A Public Hearing was held on this            day of            , 2024

Read a Third Time this            day of            , 2024

**ADOPTED** this            day of            , 2024

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chief Administrative Officer

Certified a true copy of Bylaw No. 1653, 2024

this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Corporate Officer