



## REPORT FOR DECISION

**Report Date: February 21, 2024**

**Meeting Date: February 27, 2024**

**TO: Mayor and Council**

**FROM: Andrew Young, MCIP, RPP  
Chief Administrative Officer, and  
Rory Hromadnik, Director of Development Services**

**SUBJECT: Consequential Bylaw Amendments to support Business Licencing Bylaw No. 1647, 2023**

### RECOMMENDATIONS:

#### BE IT RESOLVED THAT COUNCIL:

1. Gives first and second readings to:
  - a. Official Community Plan Bylaw No. 1495, 2015, Amendment Bylaw No. 1653, 2024; and
  - b. Zoning Bylaw No. 1145, 2002, Amendment Bylaw No. 1654, 2024;
2. Directs that a Public Hearing be held to provide opportunity for persons who consider they may be affected by the bylaws described above – namely Official Community Plan Bylaw No. 1495, 2015, Amendment Bylaw No. 1653, 2024; and Zoning Bylaw No. 1145, 2002, Amendment Bylaw No. 1654, 2024 – to make representations to the District of Invermere Council before adoption of these bylaws;
3. Gives first, second, and third readings to:
  - a. Ticket Information Utilization Bylaw No. 1130, 2002, Amendment Bylaw No. 1655, 2024; and
  - b. Development Approvals Procedures Bylaw No. 1624, 2022, Amendment Bylaw No. 1656, 2024.

#### CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:

*The District's CAO supports the recommendations.*

#### PURPOSE:

To present consequential bylaw amendments to support Business Licencing Bylaw No. 1647, 2023 and the management of Short-Term Rental Accommodation Units (STRs) in the District of Invermere.

#### COUNCIL'S STRATEGIC PRIORITIES ALIGNMENT:

*Preparation and consideration of this report is consistent with Council's Strategic Priorities – which were revised and adopted in January 2024.*

**BACKGROUND and COMMENTS:**

Since the Fall 2021, Invermere Council has received many reports and background information regarding the operation of Short-Term Rental Accommodation Units (STRs) in Invermere, as well as potential options to help regulate them. In the Fall 2023, after considering different regulatory approaches as well as public input, Invermere Council gave direction to District staff to employ two approaches to regulate STRs; the first being business licences to help regulate STRs where Invermere's Zoning Bylaw permits them, the second being Temporary Use Permits (TUPs) combined with business licences to regulate STR operations in Invermere's single-family residential and low-density residential areas. Otherwise STR operations are not permitted in Invermere's single-family residential and low-density residential areas.

**Recent Directions:**

On December 20, 2023 Invermere Council gave first and second readings to a new Business Licencing Bylaw that includes provisions to regulate the operation of STRs (Bylaw No. 1647, 2023). Council directed too that public notices be posted in the January 4, 2024; January 11, 2024; and January 18, 2024 editions of the Columbia Valley Pioneer newspaper pursuant to sections 59(2) and 59(3) of the Community Charter to provide opportunity for persons who consider they are affected by the bylaw to make representations to Council before adoption of Business Licencing Bylaw No. 1647, 2023. A News Release concerning proposed Business Licencing Bylaw No. 1647, 2023 and Timeline were also issued. Invermere Council received written comments concerning Business Licencing Bylaw No. 1647, 2023 before the Regular Council meeting held on January 23, 2024. In addition, Invermere Council received written and oral comments regarding the Bylaw during the Regular Council meeting held on January 23, 2024. Subsequently Invermere Council gave third reading to Business Licencing Bylaw No. 1647, 2023 at that meeting.

Furthermore, amendments to the District's Official Community Plan (OCP) and Zoning Bylaw have been prepared to also help regulate the operation of STRs in Invermere based on the following direction from Council:

- Not more than eight guests will be allowed to stay in an STR at any time.
- Not more than four bedrooms, and not more than two persons per bedroom, will be allowed in an STR.
- Not more than one business licence or TUP will be issued per STR owner.
- Noise monitoring system will be a licencing requirement for each STR unit.
- 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.
- Off-site parking (i.e., parking of guests' vehicles on the street) will not be permitted.
- No outdoor pool/s will be allowed in any STR operation unless permitted by TUP.

A copy of the proposed Official Community Plan and Zoning Bylaw amendments, which also include some related administrative amendments, are attached to this report (Attachments #1 and #2).

In addition, Invermere Council directed that a set of escalating fines be established to help regulate STR operations and address Business Licence Bylaw and TUP offences. Council also directed that the District look to streamline the application and approval process for STR applications including TUP applications in part by delegating additional authority to District staff. For Council's reference, proposed amendments to the District's Ticket Information Utilization Bylaw that update the fines that may be applied for offences of the District's Business Licencing Bylaw including offences related to the operation of STRs are included in Attachment #3 to this report<sup>1</sup>. Similarly, proposed amendments to the District's Development Approvals Procedures Bylaw related to the proposed delegation of authority to District staff are included in Attachment #4 to this report.

#### **FINANCIAL, POLICY & ORGANIZATIONAL IMPLICATIONS:**

There are no immediate financial, policy, or organizational implications for the District arising from this report. However, subject to Council's direction and future decisions respecting the regulation of STRs in Invermere, monies to support additional Bylaw Enforcement services and legal services may be required to help enforce the District's bylaws. It is recommended that any fines established by the District to help regulate STRs in Invermere be large enough to offset related Bylaw Enforcement work and costs, as well as discourage illegal STR operations in Invermere. Lastly, an updated bylaw adoption and implementation timeline is attached to this report (Attachment #5).

#### **ALTERNATIVES:**

As alternatives to the recommendation/s in this report, Invermere Council could select one or more of the following:

1. Receives this report and refer these matters to a Committee of the Whole meeting for further review and discussion.
2. Receives this report and take no further action on this matter (not recommended).

#### **SUMMARY & COMMENTS:**

Strong support has been shown in the Invermere community for regulating the operation of Short-Term Rental Accommodation Units (STRs) in the District of Invermere. It is recommended that the District continues to pursue the regulation of STRs in Invermere through proposed Business Licensing Bylaw (Bylaw No. 1647, 2023) and the employment of Temporary User Permits (TUPs) where warranted, as previously directed by Council. And finally, to implement that direction, it is recommended that Council support the proposed bylaws attached to this report.

**Prepared by: Andrew Young, MCIP, RPP**  
**Chief Administrative Officer**

**Rory Hromadnik, RPF**  
**Director of Development Services**

#### **Attachments:**

1. Official Community Plan Bylaw No. 1495, 2015, Amendment Bylaw No. 1653, 2024
2. Zoning Bylaw No. 1145, 2002, Amendment Bylaw No. 1654, 2024
3. Ticket Information Utilization Bylaw No. 1130, 2002, Amendment Bylaw No. 1655, 2024
4. Development Approvals Procedures Bylaw No. 1624, 2022, Amendment Bylaw No. 1656, 2024
5. Anticipated Timeline - Proposed Business Licencing Bylaw Adoption & Implementation Process

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<sup>1</sup> If the municipality seeks to impose a fine exceeding \$3,000 it must submit a long form ticket to the BC Supreme Court.