

VILLAGE OF RADIUM HOT SPRINGS

Short Term Rental Policy #3 2021.

Definition:

“Short term rental” or “STR” means the commercial accommodation of guests in a private residence, which could include a room, apartment, secondary suite, or house, on a temporary basis, this being 30 consecutive days or less.

Policy Statement:

The Village of Radium Hot Springs (the ‘Village’) will regulate short term rental accommodations, to allow property owners to conduct STRs, provided the necessary approval has been obtained and all Municipal regulations, are adhered to. The Village will reserve the right to reconsider a system of limiting the number of STR permits issued to individuals or corporate entities, including the total number of STR permits issued, at a future date. The Village sees the benefit in having all stakeholders working together to achieve effective regulation and compliance for STR operations.

Objectives and Actions:

Objective #1: Ensuring that STRs are well managed.

Actions and Requirements:

- Requiring a short term rental permit (“STR Permit”) for each individual residential unit undertaking STRs (the permit fee will apply to each individual STR unit).
- Requiring the use of a point of contact and alternate to resolve problems (the owner of a principle residence operating an STR qualifies as the local point of contact).
- Requiring maintenance of a registry of STR guests in alignment with Provincial Health Orders, as required.
- Recognition that strata corporations may regulate STR operations separately and independently, or may request that the Village implement the Village’s STR permit system within their respective strata’s, on their behalf.

Objective #2: Ensuring that guest safety requirements are met.

Actions and Requirements:

- Reserving inspection rights regarding STR Permit applications and enforcement.

- Requiring a self-evaluation safety audit and attestation form.
- Guest safety requirements shall include posted directions for egress, posted occupant load requirements, fire extinguishers, smoke alarm systems, and CO2 alarm systems where gas appliances are present.
- Limiting the approved adult occupant load to two individuals per bedroom.

Objective #3: To improve the alignment of standards for accommodators.

Actions and Requirements:

- Requiring guest safety requirements for all operators.
- Requiring an effective property management system for private STR operators.
- Requiring STR Permits for private STR units.
- Maintaining a registry of short term rental properties, available to the Ministry of Finance, to support the Provincial collection of MRDT, and PST taxes.

Objective #4: Facilitating 'good neighbour' relations and behavior from STR operations.

Actions and Requirements:

- Requiring minimum published and posted onsite parking and maintenance standards.
- Requiring one parking space for every two bedrooms.
- Requiring notification of the immediately adjacent property owners in fee simple neighbourhoods, while encouraging strata corporations to adopt a similar notification process for their owners.
- Requiring minimum response times for complaints.

Proposed STR Regulations and Permit Fees:

1. Allow short term rentals to occur in the 'R1 – Single Family Residential', 'R2 – Two Family Residential', 'R - 3 Multiple Family Residential', 'C – 1 Highway Commercial', 'C – 2 Pedestrian Commercial / Residential', and 'C – 3 Tourist Recreation Commercial' zoning areas, subject to strata corporation approval. Short term rentals are only permitted in a residence in the 'C – 4 Recreational Vehicle Park' zone, not in a recreational vehicle.
2. STR Permit applications from individuals or corporate entities for more than one property shall be approved by Council resolution.
3. Require properties to have their STR Permit number and property management contact information posted on the inside of the STR unit.
4. Require STR units to post Village and strata STR information material, as well as the onsite parking and maintenance requirements, within each unit.
5. Require the STR Permit number to be posted on all online listings.

6. Require that the point of contact or alternate be available to receive inquiries or complaints on a 24 hour basis.
7. Require that the point of contact or alternate be available to respond to noise complaints, originating from the Village, RCMP or public, within a 30 minute time period.
8. STR properties subject to three violations within a one-year period may have their STR permit revoked or suspended for a one-year period. Council will reserve the right to revoke a STR Permit, at any time, should the circumstances, in their opinion, warrant revocation.
9. The initial STR Permit Fee will be \$250, and the subsequent annually fee will be \$150. These fees will apply to each separate STR property. When the ownership of an STR property changes, an STR Permit update will be required. The STR Permit update fee will be \$100. These fees may be subject to future changes if the costs of providing administration and enforcement of STRs changes.
10. Strata Corporations have the following options to regulate STR units and STR operations:
 - Complete self-regulation by the strata corporation;
 - Regulation under the Village STR Permit Bylaw, or;
 - Imposition of an STR ban under the *Strata Property Act*.

If a strata corporation chooses to self-regulate STRs, Village permits and fees will not apply.

Proposed Enforcement Regime:

1. Enforcement of regulations for STR properties with permits:
 - Upon receipt of a written complaint, investigation by the Bylaw Enforcement Officer, to determine if a violation occurred. If yes, issuance of a letter of violation.
 - After hours enforcement of disturbances of the peace to be handled by the RCMP.
2. The following behaviour may result in violation notices:
 - Excessive noise and disturbance.
 - Parking violations.
 - Failure to adhere to the guest safety requirements.
 - Failure to meet the requirements of the Short Term Rental Permitting Bylaw.
 - Failure to meet the 30 minute response upon noise complaint time limit.
3. Operation of a short-term rental property without a STR Permit:
 - Investigation of property owners who are operating without a Permit will be based upon a written complaint received from a property owner or strata corporation representative.
 - The Village Council will decide upon the appropriate response, on a case by case basis, taking into consideration factors such as staffing, financial capacity and the sufficiency of evidence to warrant legal action.