

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

**BYLAW NO. 2595, 2013**

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**A Bylaw to amend the Electoral Areas 'A', 'C', 'D', 'E', and 'F'  
Regional District of Okanagan-Similkameen  
Zoning and Official Community Plan Bylaws**

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The REGIONAL BOARD of the Regional District of Okanagan-Similkameen in open meeting assembled, ENACTS as follows:

Citation

1. This Bylaw may be cited for all purposes as the "Regional District of Okanagan-Similkameen Textual Amendments to Zoning and Official Community Plan Bylaws, Amendment Bylaw No. 2595, 2013."

Electoral Area 'A'

2. The "Electoral Area 'A' Official Community Plan Bylaw No. 2450, 2008" is amended by:
  - (i) adding the following as a new Section 8.6 under Section 8.0 (Residential):

**8.6 Vacation Rental Policies**

- .1 Supports the provision of paid accommodation for visitors through the short-term rental of residences provided that community and neighbourhood residential needs and other land use needs can be addressed.
- .2 Supports the use of a residence for short-term vacation rental where permitted by a Temporary Use Permit or rezoning. The Regional Board may use the following criteria to assess applications:
  - a) capability of accommodating on-site domestic water and sewage disposal;
  - b) mitigating measures such as screening and fencing;
  - c) provision of adequate off-street parking;

- d) confirmation that the structure proposed for use as a vacation rental meets a minimum standard for health and safety; and
  - e) benefits that such accommodation may provide to the community.
- (ii) adding the following as a new Section 16.2.4 under Section 16.0 (Temporary Use Permits):
  - .4 To consider allowing on-going short-term vacation rental uses on properties designated Residential through the issuance of Temporary Use Permits.
- (iii) adding the following as a new Section 16.3.6 under Section 16.0 (Temporary Use Permits), and renumbering any subsequent sections accordingly:
  - .6 In issuing a Temporary Use Permit for a short-term vacation rental, the Regional District may specify conditions, in addition to those listed under sub-section 16.3.5, including, but not limited to:
    - a) the provision of screening or fencing in order to address potential impacts or to address neighbour privacy issues;
    - b) the provision of the manager or owner's contact information, as well as a copy of any issued Temporary Use Permit, to each neighbour whose property is located within 100 metres of the subject property;
    - c) the availability or accessibility by telephone of the manager or owner;
    - d) the posting of the following information:
      - i) the location of property lines by way of a map;
      - ii) any applicable Regional District noise bylaws;
      - iii) measures to address water conservation;
      - iv) fire safety regulations;
      - v) storage and management of garbage;
      - vi) septic system care; and
      - vii) control of pets (if pets are permitted) in accordance with the applicable Regional District bylaw.
    - e) a maximum accommodation of ten (10) persons, with an aggregate occupancy of two (2) persons per bedroom within a dwelling unit when such dwelling unit is being occupied as a vacation rental;
    - f) the provision of one (1) parking space for each bedroom available for vacation rental use;
    - g) the prohibition of the use of recreational vehicles or camping on the property or any use of accessory buildings for vacation rental occupancy;

- h) confirmation from a qualified person that the building used for vacation rental meets a minimum standard for health and safety; and
- i) other requirements that the Regional District Board may consider appropriate.

3. The “Electoral Area ‘A’ Zoning Bylaw No. 2451, 2008” is amended by:

- (i) adding the following as a new Section 7.4.1 under Section 7.0 (General Regulations), and renumbering any subsequent sections accordingly:

.1 The use of land in contravention of the terms or conditions of a Temporary Use Permit that has been issued under Section 921 of the *Local Government Act* is prohibited.

### Electoral Area ‘C’

4. The “Electoral Area ‘C’ Official Community Plan Bylaw No. 2452, 2008” is amended by:

- (i) adding the following as a new Section 8.6 under Section 8.0 (Residential):

#### **8.6 Vacation Rental Policies**

- .1 Supports the provision of paid accommodation for visitors through the short-term rental of residences provided that community and neighbourhood residential needs and other land use needs can be addressed.
- .2 Supports the use of a residence for short-term vacation rental where permitted by a Temporary Use Permit or rezoning. The Regional Board may use the following criteria to assess applications:
  - a) capability of accommodating on-site domestic water and sewage disposal;
  - b) mitigating measures such as screening and fencing;
  - c) provision of adequate off-street parking;
  - d) confirmation that the structure proposed for use as a vacation rental meets a minimum standard for health and safety; and
  - e) benefits that such accommodation may provide to the community.

- (ii) adding the following as a new Section 16.2.4 under Section 16.0 (Temporary Use Permits):

- .4 To consider allowing on-going short-term vacation rental uses on properties designated Residential through the issuance of Temporary Use Permits.
- (iii) adding the following as a new Section 16.3.6 under Section 16.0 (Temporary Use Permits), and renumbering any subsequent sections accordingly:
- .6 In issuing a Temporary Use Permit for a short-term vacation rental, the Regional District may specify conditions, in addition to those listed under sub-section 16.3.5, including, but not limited to:
    - a) the provision of screening or fencing in order to address potential impacts or to address neighbour privacy issues;
    - b) the provision of the manager or owner's contact information, as well as a copy of any issued Temporary Use Permit, to each neighbour whose property is located within 100 metres of the subject property;
    - c) the availability or accessibility by telephone of the manager or owner;
    - d) the posting of the following information:
      - i) the location of property lines by way of a map;
      - ii) any applicable Regional District noise bylaws;
      - iii) measures to address water conservation;
      - iv) fire safety regulations;
      - v) storage and management of garbage;
      - vi) septic system care; and
      - vii) control of pets (if pets are permitted) in accordance with the applicable Regional District bylaw.
    - e) a maximum accommodation of ten (10) persons, with an aggregate occupancy of two (2) persons per bedroom within a dwelling unit when such dwelling unit is being occupied as a vacation rental;
    - f) the provision of one (1) parking space for each bedroom available for vacation rental use;
    - g) the prohibition of the use of recreational vehicles or camping on the property or any use of accessory buildings for vacation rental occupancy;
    - h) confirmation from a qualified person that the building used for vacation rental meets a minimum standard for health and safety; and
    - i) other requirements that the Regional District Board may consider appropriate.

5. The "Electoral Area 'C' Zoning Bylaw No. 2453, 2008" is amended by:

- (i) adding the following as a new Section 7.4.1 under Section 7.0 (General Regulations), and renumbering any subsequent sections accordingly:

- .1 The use of land in contravention of the terms or conditions of a Temporary Use Permit that has been issued under Section 921 of the *Local Government Act* is prohibited.

#### Electoral Area 'D-1'

- 6. The "Electoral Area 'D-1' Official Community Plan Bylaw No. 2456, 2008" is amended by:

- (i) adding the following as a new Section 10.6 under Section 10.0 (Residential):

#### **10.6 Vacation Rental Policies**

- .1 Supports the provision of paid accommodation for visitors through the short-term rental of residences provided that community and neighbourhood residential needs and other land use needs can be addressed.
    - .2 Supports the use of a residence for short-term vacation rental where permitted by a Temporary Use Permit or rezoning. The Regional Board may use the following criteria to assess applications:
      - a) capability of accommodating on-site domestic water and sewage disposal;
      - b) mitigating measures such as screening and fencing;
      - c) provision of adequate off-street parking;
      - d) confirmation that the structure proposed for use as a vacation rental meets a minimum standard for health and safety; and
      - e) benefits that such accommodation may provide to the community.

- (ii) adding the following as a new Section 18.2.4 under Section 18.0 (Temporary Use Permits):

- .4 To consider allowing on-going short-term vacation rental uses on properties designated Residential through the issuance of Temporary Use Permits.

- (iii) adding the following as a new Section 18.3.6 under Section 18.0 (Temporary Use Permits), and renumbering any subsequent sections accordingly:

- .6 In issuing a Temporary Use Permit for a short-term vacation rental, the Regional District may specify conditions, in addition to those listed under sub-section 18.3.5, including, but not limited to:
- a) the provision of screening or fencing in order to address potential impacts or to address neighbour privacy issues;
  - b) the provision of the manager or owner's contact information, as well as a copy of any issued Temporary Use Permit, to each neighbour whose property is located within 100 metres of the subject property;
  - c) the availability or accessibility by telephone of the manager or owner;
  - d) the posting of the following information:
    - i) the location of property lines by way of a map;
    - ii) any applicable Regional District noise bylaws;
    - iii) measures to address water conservation;
    - iv) fire safety regulations;
    - v) storage and management of garbage;
    - vi) septic system care; and
    - vii) control of pets (if pets are permitted) in accordance with the applicable Regional District bylaw.
  - e) a maximum accommodation of ten (10) persons, with an aggregate occupancy of two (2) persons per bedroom within a dwelling unit when such dwelling unit is being occupied as a vacation rental;
  - f) the provision of one (1) parking space for each bedroom available for vacation rental use;
  - g) the prohibition of the use of recreational vehicles or camping on the property or any use of accessory buildings for vacation rental occupancy;
  - h) confirmation from a qualified person that the building used for vacation rental meets a minimum standard for health and safety; and
  - i) other requirements that the Regional District Board may consider appropriate.

7. The "Electoral Area 'D-1' Zoning Bylaw No. 2457, 2008" is amended by:

- (i) adding the following as a new Section 7.4.1 under Section 7.0 (General Regulations), and renumbering any subsequent sections accordingly:

- .1 The use of land in contravention of the terms or conditions of a Temporary Use Permit that has been issued under Section 921 of the *Local Government Act* is prohibited.

## Electoral Area 'D-2'

8. The "Electoral Area 'D-2' Zoning Bylaw No. 2455, 2008" is amended by:
- (i) adding the following as a new Section 7.4.1 under Section 7.0 (General Regulations), and renumbering any subsequent sections accordingly:
    - .1 The use of land in contravention of the terms or conditions of a Temporary Use Permit that has been issued under Section 921 of the *Local Government Act* is prohibited.

## Electoral Area 'E'

9. The "Electoral Area 'E' Official Community Plan Bylaw No. 2458, 2008" is amended by:

- (i) adding the following after sub-section 11.5 under Section 1.0 (Residential):

### **11.6 Vacation Rental Policies**

- .1 Supports the provision of paid accommodation for visitors through the short-term rental of residences provided that community and neighbourhood residential needs and other land use needs can be addressed.
  - .2 Supports the use of a residence for short-term vacation rental where permitted by a Temporary Use Permit or rezoning. The Regional Board may use the following criteria to assess applications:
    - a) capability of accommodating on-site domestic water and sewage disposal;
    - b) mitigating measures such as screening and fencing;
    - c) provision of adequate off-street parking;
    - d) confirmation that the structure proposed for use as a vacation rental meets a minimum standard for health and safety; and
    - e) benefits that such accommodation may provide to the community.
- (ii) adding the following after Section 19.2.4 under Section 19.0 (Temporary Use Permits):
    - .4 To consider allowing on-going short-term vacation rental uses on properties designated Residential through the issuance of Temporary Use Permits.

- (iii) adding the following after as a new Section 19.3.6 under Section 19.0 (Temporary Use Permits), and renumbering any subsequent sections accordingly:

- .6 In issuing a Temporary Use Permit for a short-term vacation rental, the Regional District may specify conditions, in addition to those listed under sub-section 19.3.5, including, but not limited to:
- a) the provision of screening or fencing in order to address potential impacts or to address neighbour privacy issues;
  - b) the provision of the manager or owner's contact information, as well as a copy of any issued Temporary Use Permit, to each neighbour whose property is located within 100 metres of the subject property;
  - c) the availability or accessibility by telephone of the manager or owner;
  - d) the posting of the following information:
    - i) the location of property lines by way of a map;
    - ii) any applicable Regional District noise bylaws;
    - iii) measures to address water conservation;
    - iv) fire safety regulations;
    - v) storage and management of garbage;
    - vi) septic system care; and
    - vii) control of pets (if pets are permitted) in accordance with the applicable Regional District bylaw.
  - e) a maximum accommodation of ten (10) persons, with an aggregate occupancy of two (2) persons per bedroom within a dwelling unit when such dwelling unit is being occupied as a vacation rental;
  - f) the provision of one (1) parking space for each bedroom available for vacation rental use;
  - g) the prohibition of the use of recreational vehicles or camping on the property or any use of accessory buildings for vacation rental occupancy;
  - h) confirmation from a qualified person that the building used for vacation rental meets a minimum standard for health and safety; and
  - i) other requirements that the Regional District Board may consider appropriate.

10. The "Electoral Area 'E' Zoning Bylaw No. 2459, 2008" is amended by:

- (i) adding the following as a new Section 7.4.1 under Section 7.0 (General Regulations), and renumbering any subsequent sections accordingly:



- .3 The use of land in contravention of the terms or conditions of a Temporary Use Permit that has been issued under Section 921 of the *Local Government Act* is prohibited.

## Electoral Area 'F'

11. The "Electoral Area 'F' Official Community Plan Bylaw No. 2460, 2008" is amended by:

- (i) adding the following after sub-section 8.5 under Section 8.0 (Residential):

### **8.6 Vacation Rental Policies**

- .1 Supports the provision of paid accommodation for visitors through the short-term rental of residences provided that community and neighbourhood residential needs and other land use needs can be addressed.
- .2 Supports the use of a residence for short-term vacation rental where permitted by a Temporary Use Permit or rezoning. The Regional Board may use the following criteria to assess applications:
  - a) capability of accommodating on-site domestic water and sewage disposal;
  - b) mitigating measures such as screening and fencing;
  - c) provision of adequate off-street parking;
  - d) confirmation that the structure proposed for use as a vacation rental meets a minimum standard for health and safety; and
  - e) benefits that such accommodation may provide to the community.

- (ii) adding the following after Section 15.2.4 under Section 15.0 (Temporary Use Permits):

.4 To consider allowing on-going short-term vacation rental uses on properties designated Residential through the issuance of Temporary Use Permits.

- (iii) adding the following after as a new Section 15.3.6 under Section 15.0 (Temporary Use Permits), and renumbering any subsequent sections accordingly:

.6 In issuing a Temporary Use Permit for a short-term vacation rental, the Regional District may specify conditions, in addition to those listed under sub-section 15.3.5, including, but not limited to:

- a) the provision of screening or fencing in order to address potential impacts or to address neighbour privacy issues;
- b) the provision of the manager or owner's contact information, as well as a copy of any issued Temporary Use Permit, to each neighbour whose property is located within 100 metres of the subject property;
- c) the availability or accessibility by telephone of the manager or owner;
- d) the posting of the following information:
  - i) the location of property lines by way of a map;
  - ii) any applicable Regional District noise bylaws;
  - iii) measures to address water conservation;
  - iv) fire safety regulations;
  - v) storage and management of garbage;
  - vi) septic system care; and
  - vii) control of pets (if pets are permitted) in accordance with the applicable Regional District bylaw.
- e) a maximum accommodation of ten (10) persons, with an aggregate occupancy of two (2) persons per bedroom within a dwelling unit when such dwelling unit is being occupied as a vacation rental;
- f) the provision of one (1) parking space for each bedroom available for vacation rental use;
- g) the prohibition of the use of recreational vehicles or camping on the property or any use of accessory buildings for vacation rental occupancy;
- h) confirmation from a qualified person that the building used for vacation rental meets a minimum standard for health and safety; and
- i) other requirements that the Regional District Board may consider appropriate.

12. The "Electoral Area 'F' Zoning Bylaw No. 2461, 2008" is amended by:

- (i) adding the following as a new Section 7.4.1 under Section 7.0 (General Regulations), and renumbering any subsequent sections accordingly:

.1 The use of land in contravention of the terms or conditions of a Temporary Use Permit that has been issued under Section 921 of the *Local Government Act* is prohibited.

READ A FIRST TIME this 18<sup>th</sup> day of July, 2013.

READ A SECOND TIME this 18<sup>th</sup> day of July, 2013.

PUBLIC HEARING HELD on the 27<sup>th</sup> day of August, 2013, reconvened on the 28<sup>th</sup> day of August, 2013 and reconvened on the 29<sup>th</sup> day of August, 2013.

READ A THIRD TIME this 3<sup>rd</sup> day of October, 2013

APPROVED pursuant to Section 52(3) of the *Transportation Act* this 29<sup>th</sup> day of October, 2013.

APPROVED by the Minister of Community, Sport and Cultural Development this 12<sup>th</sup> day of February, 2014.

ADOPTED this 20<sup>th</sup> day of March, 2014.

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Board Chair

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Chief Administrative Officer