



City of Revelstoke

P.O. Box 170, Revelstoke, British Columbia V0E 2S0
revelstoke.ca

Vacation Rentals: Re-Zoning Application Information:

1. Requires a completed Re-zoning Application (see attached)
2. Requires a drawing of the lot, structure (house/building), the interior layout, where the Vacation Rental rooms will be located, entry, exits etc.
3. Requires location of legal parking spaces, (up to 2 in the front of the house), the rest in the rear, side of house (not on grass) or laneway parking. Additionally garage or carport parking as well (do not count in the 2 spots in the front). The driveway access at the point of city right-of-way must not be more than 6m long. A legal parking spot is 5.5m in length and 2.6m width.
4. \$1500.00 non-refundable payment to be made at time of application
5. \$500.00 non-refundable for Newspaper ads advertising the Re-Zoning application, payment to be made at time of application.
6. \$15.00 Title Search is applicable
7. If approved, rentals are limited to 120 rental nights, per year
8. If approved a Vacation Rental Business Licence (if operating a rental) is required. \$200 annually plus \$5.00 per bedroom.

Optional (but recommended)

1. Support of neighbors within 100 meters of proposed re-zoning address, not a requirement but strongly recommended – this may be in a form of discussion, letters or signatures.

If you have any further questions, contact the Development Services office.

Ph: 250-837-3637

E-Mail: development@revelstoke.ca

DEVELOPMENT
SERVICES

(250) 837-3637
development@revelstoke.ca

PUBLIC WORKS

(250) 837-2001
works@revelstoke.ca

FINANCE

(250) 837-2161
finance@revelstoke.ca

FIRE RESCUE
SERVICES

(250) 837-2884
fire@revelstoke.ca

PARKS, RECREATION
& CULTURE

(250) 837-9351
prc@revelstoke.ca

CORPORATE
ADMINISTRATION

(250) 837-2911
admin@revelstoke.ca

COMMUNITY
ECONOMIC DEVELOPMENT

(250) 837-5345
ced@revelstoke.ca



City of Revelstoke

Council Report

File No.: 3360-20, ZON 2014-07

To: His Worship Mayor McKee and Members of City Council
From: Dean Strachan, MCIP, RPP
Manager of Development Services
Date: September 6, 2016
Subject: Vacation Rentals Update

RECOMMENDATION:

1. THAT the Vacation Rental - Community Consultation Summary be received.
2. THAT the Council direction on Bylaw Enforcement for unlicensed Vacation Rentals be amended from a complaint only program to an active enforcement program beginning September 30, 2016.
3. THAT Staff continue to engage in discussions with the Revelstoke Accommodation Association on the opportunity for membership and contribution from Vacation Rentals towards community marketing initiatives.
4. THAT Council approve a policy level maximum for Vacation Rental in existing neighbourhoods in the City at one-hundred and twenty-five (125) bedrooms with a maximum occupancy of two hundred and fifty (250) people.
5. THAT Staff review the policy level maximum number of Vacation Rental Bedrooms and report to Council in June, 2017.

CAO Comments:

Approved for Council consideration. AC

Background:

Vacation Rental regulations were added to the Zoning Bylaw on July 22, 2014. At that time Staff were requested to provide an update on the implementation of the Vacation Rental regulations after one year.

The following definition for Vacation Rental from the Zoning Bylaw No. 1264 includes limiting regulations for the use:



City of Revelstoke

Council Report

Vacation Rental – means the licensed use of a residential single detached dwelling or a licensed secondary suite as temporary lodging (less than 30 days at any one time) for paying guests. Vacation Rental use is restricted to a total of no more than 120 days per calendar year. The maximum occupancy shall be calculated based on two adults per licensed bedroom with a total maximum occupancy of eight people. No signage shall be permitted. The property owner is to provide a contact number for themselves or a representative located within the City and available 24 hours a day. The contact number is to appear on the Business License posted in the Vacation Rental Unit.

Zoning Bylaw No. 1264 also provides the following vehicle parking requirements:

Vacation Rental parking requirement is one parking space per licensed bedroom within the Vacation Rental unit up to a maximum of four parking spaces. No more than two parking spaces are permitted within the front yard area. The property owner is to request that Vacation Rental guests park all vehicles within the allocated parking areas on the property.

The annual Business License fee for Vacation Rental units is \$200.00 plus \$5.00 per licensed bedroom. The owner would require a Business License, which would require an inspection of the subject property by the Fire Department and the Chief Building Official as a part of the Business License Application review process.

At their meeting of February 24, 2015 Council passed the following resolution:

THAT staff be instructed to proceed with Bylaw Enforcement action on Vacation Rental properties only if a public complaint related to Vacation Rental use is received.

At their meeting of September 29, 2015 Council received a Vacation Rental – Implementation Report from Staff and passed the following resolution:

THAT Council receive the Vacation Rental - Implementation Update Report for their information.

AND THAT Staff be requested to continue to monitor the implementation of the Vacation Rental regulations through the 2015/2016 winter season and provide a further update report in June 2016.

At their meeting of June 14, 2016 Council passed the following resolutions:

1. **THAT** the community be engaged in consultation on Vacation Rentals and be invited to make written submissions to the City from June 20, 2016 to July 20, 2016.

AND THAT community notification through local media, social media and City website of the opportunity for input to Council on Vacation Rentals be undertaken throughout the consultation period.



City of Revelstoke

Council Report

- AND THAT** the results of the community consultation including submissions and input referred by the City in 2016 be compiled and reported to Council following the close of the consultation period.
2. **THAT** in preparation for a potential change in direction on Bylaw Enforcement for Vacation Rentals from a complaint only program to an active enforcement program following completion of the public consultation period Staff undertake the following:
 - a. Identification of illegal Vacation Rentals operating in the City;
 - b. Identification of a date for potential active enforcement program to begin;
 - c. Identification of Illegal Vacation Rental properties advertising accommodation for more than eight people as these could be made a higher priority for enforcement; and
 - d. Develop a communication plan including community notification through local media, social media and City website of change in enforcement direction, how to apply to legalize and who to contact if you have a concern or complaint about an illegal Vacation Rental.
 3. **THAT** Staff engage in discussion with the Revelstoke Accommodation Association on the opportunity for membership and contribution from Vacation Rentals towards community marketing initiatives.
 4. **THAT** Staff research and develop a recommendation to Council on a maximum number of Vacation Rentals in the City.
 5. **THAT** Staff continue to monitor the efforts of the Provincial Government and other communities on Vacation Rentals.
 6. **THAT** Staff prepare and make available a welcome guide for owners and operators of Vacation Rentals to give to renting customers outlining the City Bylaw regulations and encouraging respectful behavior during their visit to our community.

During the 2013/2014 winter season prior to adoption of Vacation Rental regulations the number of Vacation Rental complaints received by the City for the season was ten. During the 2014/2015 winter season the number of complaints received was one. This past winter season four Vacation Rental complaints were received by the City. It should be noted that three Vacation Rental complaints included multiple complaints and multiple complainants. It is further noted that one complaint was in relation to a licensed Vacation Rental. Two complaints resulted in applications to legalize, both were denied by Council following Public Hearings.

To date we have received twenty-one applications from property owners wishing to rezone to the Vacation Rental subzone. Ten applications were approved, three applications were denied following the Public Hearing, one application was withdrawn, one application was placed on hold by the owner, and six applications remain in progress. The ten approved properties have a total of thirty-four bedrooms of Vacation Rental accommodation with a maximum number of sixty-eight people. The six applications in progress include a potential total of seventeen bedrooms with a maximum number of thirty-four people. If the six applications in progress are



City of Revelstoke

Council Report

approved the total number of approved Vacation Rental accommodation bedrooms would be fifty-one with a maximum number of one hundred and two people.

To date we have also received nine letters from property owners stating they have ceased Vacation Rental operations. There were also seven properties that were initially identified as Vacation Rental properties that due to Zoning were able to be licensed as commercial operations.

There is a portion of the tourist accommodation market that is looking specifically for Vacation Rental accommodation. This market is not likely to find desired accommodation in the community if a Vacation Rental home is not available, they will instead look to alternate resort destinations where this form of accommodation is available. The percentage of the tourism market seeking this type of accommodation is estimated at approximately 5%. This percentage of market if applied to the number of people that can be accommodated in all forms in Revelstoke resulted in the proposed number of one hundred and twenty-five bedrooms with a maximum of two hundred and fifty people. If all Vacation Rental rezoning applications in progress are combined with the total already approved as noted there would be fifty-one bedrooms with a maximum total of one hundred and two people meaning application would only be accepted for a further seventy-four bedrooms for a maximum of one hundred and forty-eight people.

The estimates of the number of Vacation Rentals actively operating in the community was at approximately sixty in September 2015, it is estimated that the number increased to approximately one hundred within the City during the winter season. The estimated number of illegal Vacation Rental bedrooms within the City is approximately three hundred.

The estimated number of illegal Vacation Rental accommodation bedrooms operating in existing residential neighbourhoods in the City is greater than the maximum proposed. This would mean that Vacation Rentals that are enforced upon would have an option to legalize at this time, however, in the future if the maximum is reached they would have no other option than to cease operation unless Council amended the policy level maximum number of bedrooms or persons

The community consultation resulted in thirty-nine submissions (see Figure 1). The formal consultation period was from June 20, 2016 – July 20, 2016, however, as per Council's June 14, 2016 resolution input received back to January 1, 2016 was also included. The opportunity for input was advertised on the City website, in social media and through a press release.

Options / discussion:

The issues around taxation continue to be reviewed by the Province, as per Council's June 14, 2016 resolution Staff will continue to monitor and report to Council as decisions are made by the Province and/or when new information becomes available.

At their meeting of June 28, 2016 Council approved the following resolution to be forwarded to the Union of British Columbia Municipalities (UBCM):

Collection of PST and MRDT (in participating areas) on Short-term Accommodation



City of Revelstoke

Council Report

WHEREAS the explosive growth in short-term accommodation rentals in BC communities facilitated by online booking platforms (such as AirBnb, VRBO, etc.) impacts the availability and price of housing for long-term rentals and purchasers;

AND WHEREAS the majority of short-term accommodation rentals offered by online booking platforms do not collect or remit PST and MRDT (where applicable) and thereby enjoy a further tax advantage over traditional short-term accommodation providers (hotels and motels);

THEREFORE BE IT RESOLVED that UBCM request the Provincial Government to ensure tax fairness and a level playing field by collecting all applicable taxes (PST and where applicable MRDT) on short-term accommodation rentals offered by online booking platforms and other means.

Currently Staff are only taking Bylaw Enforcement action on Vacation Rentals when there is a complaint from the community. As the bylaw regulations for legalizing Vacation Rentals have been in place for two years it is likely that those wanting to apply have applied. The remaining illegal Vacation Rentals may require some additional action in order to either apply to legalize their operation or provide a letter indicating that they have ceased their operation. If Bylaw Enforcement is shifted to a more proactive program it would add additional pressure on illegal Vacation Rentals to legalize. Additional resources in Development Services would be required to identify and review potential illegal Vacation Rentals. Additional resources in Bylaw Enforcement would be required for ticketing for those who do not respond or comply. Ticketing for operating without use contrary to the Zoning Bylaw under the Municipal Ticket Information Bylaw carries a fine of \$1,000.00 fine.

Some illegal Vacation Rentals are advertising accommodation for more than ten people which presents Building Code life safety issues. For this reason these Vacation Rentals would be given a higher priority for enforcement.

In order to give people the opportunity to apply to legalize their Vacation Rental a date of September 30, 2016 has been established to begin enforcement. We would notify identified illegal Vacation Rentals by letter and also provide notification through the media, City website and social media to offer operators which we may not yet have identified the opportunity to apply to come into compliance by that date.

The Revelstoke Accommodation Association (RAA) and others have expressed concern that Vacation Rentals do not contribute to the funding for marketing of the community, however, benefit from those efforts. They also have concerns about tax fairness and an un-level playing field. Staff met with the RAA and requested their consideration of establishing a method for Vacation Rentals to begin contributing to community marketing. Representatives indicated further discussion amongst the members was required and we would meet again once those discussions had taken place.

To date a study or source that identifies the percentage of the accommodation market that is seeking Vacation Rentals has not been clearly identified, hence the 5% estimate is not



City of Revelstoke

Council Report

grounded in solid data. We have reached out to the Thompson Okanagan and Kootenay Rockies regional tourism marketing associations and the Province with the hope additional data may be available as this issue remains a discussion topic across BC. In order to move forward, staff utilized 5% as the percentage of accommodation market that is seeking Vacation Rentals. It is further recommended that the Vacation Rental maximums be reviewed in June, 2017 with additional accommodation market information and changes in the total number of accommodation units with the community.

Communities all over North America are struggling with how to regulate, license and tax Vacation Rentals. The Province is reviewing this topic and it is hoped new that the Province will begin enforcing their taxation legislation in the near future that will begin to ensure Vacation Rentals are more equally contributing in comparison with commercial accommodation. Staff would continue to monitor the activity around Vacation Rentals.

A sample guide pamphlet from Palm Springs was presented to the Economic Development Commission and to Council. The idea of a welcome guide for visitors on what the rules, regulations and expectations of the community are would likely be a useful tool. It is recommended that Staff develop a pamphlet for Revelstoke which would be made available to Vacation Rental operators, Visitor Information Centre and on-line.

Council may wish to provide direction to Staff other than the recommended direction.

Council may wish to establish additional and/or alternate policy or enforcement priorities and/or procedures than those recommended by Staff.

Council may wish to establish a maximum number of Vacation Rental bedrooms other than the recommendation from Staff.

Council may wish to seek additional community consultation.

Financial / Risk Implications:

Financial and risk implications are anticipated from the proposed recommendations as additional Staff resources will be allocated to Bylaw Enforcement on Vacation Rentals. The actions required in 2016 are not anticipated to impact the current budget, however, additional resources may be sought for 2017 and would be brought forward through the budgeting process.

Others Consulted:

To date we have received recommendations, letters, submissions and input from members of the community, City Committees, City Staff, Chamber of Commerce and the Revelstoke Accommodation Association. Public comment submissions received in 2016 were included in the Community Consultation Summary.

Attachments:



City of Revelstoke

Council Report

Figure 1 – Vacation Rental - Community Consultation Summary

Respectfully submitted,

**Dean Strachan, MCIP, RPP
Manager of Development Services**

 <p>City of Revelstoke Box 170, 216 Mackenzie Ave Revelstoke, BC V0E 2S0 Ph: (250) 837-3637 Fax: (250) 837-3632 development@revelstoke.ca www.revelstoke.ca</p>	<h1 style="color: red;">REZONING APPLICATION</h1>	For Official Use Only File Number: _____ Date of Application: _____ Application Accepted by: _____ Roll Number: _____

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Location	Civic Address:	
Legal Description	Lot:	Plan:

Registered Owner	Name:		Phone:
	Mailing Address:		Fax:
	City:		Cell Phone:
	Postal Code:	e-mail:	

Applicant and/or Agent	Name:		Phone:
	Mailing Address:		Cell Phone:
	City:		Fax:
	Postal Code:	e-mail:	

OCP Designation:		Current Zoning:		Proposed Zoning:	
Property Rezoning Only	<input type="checkbox"/> YES <input type="checkbox"/> NO	Zoning Bylaw Text Amendment Only	<input type="checkbox"/> YES <input type="checkbox"/> NO	Both Rezoning and Text Amendment	<input type="checkbox"/> YES <input type="checkbox"/> NO

Development Description	

Application Checklist			
Appoint. of Agent (Schedule 3)	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	Conforms to OCP	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Title Search (<30 days old)	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	Conforms to Zoning Bylaw	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
One set of plans (8.5x11 or 11x17)	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	Conforms to Subdivision Dev. & Serv. Bylaw	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Plan of Existing Zoning	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	Property Affected by ALR	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Plan of Proposed Zoning	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	Property Affected by Heritage Designation	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
Fees Included (\$1500)	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	Property Affected by Environmental Issues	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

N/A is Not Applicable

Applicant Name: _____ Applicant Signature: _____
 (please print clearly)



City of Revelstoke
 Box 170, 216 Mackenzie Ave
 Revelstoke, BC
 V0E 2S0
 Ph: (250) 837-3637
 Fax: (250) 837-3632
 development@revelstoke.ca
 www.revelstoke.ca

Schedule 3 Appointment of Agent

Location of Work	Civic Address:	
Legal Description	Lot:	Plan:

Registered Owner	Name:		Phone:
	Address:		Fax:
	City:		Cell Phone:
	Postal Code:	e-mail:	
Agent	Name:		Phone:
	Address:		Fax:
	City:		Cell Phone:
	Postal Code:	e-mail:	

I am the owner of the above referenced property and hereby authorize the above noted agent to represent met in an application for the following:

Please List Types of Applications	
Application Type	Application No.

I hereby authorize the above noted agent to act on our behalf in all manners relating to the above noted applications. Any and all acts carried out by the agent on our behalf shall have the same effect as acts of our own.

Date: _____

Owner's Signature: _____