

Fact Sheet

Regional District of Okanagan-Similkameen

Vacation Rental Temporary Use Permits in Electoral Area “E”

The issue:

- There are many active Temporary Use Permits (TUPs) and pending TUP applications for Vacation Rentals in Electoral Area “E”.
- Concerns have been raised about the impacts of vacation rentals on housing affordability, availability of year-round rental accommodation, and neighbourhood character.

Temporary Use Permit Policies:

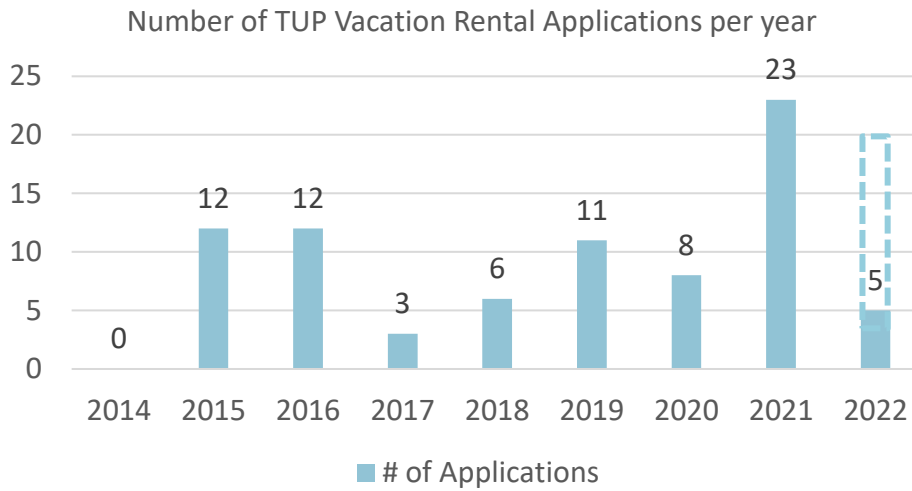
- Vacation rentals are a prohibited use in all zones within Electoral Area “E”. To allow a vacation rental use, a property owner must obtain the approval of the Regional District Board through the issuance of a TUP.
- When submitting a TUP application, the property owner must meet several criteria, such as proving the water and sewerage on-site has capacity for the use, providing screening or fencing to help block nuisances for neighbours, providing one (1) off-street parking space per bedroom, and applying for a health and safety inspection to ensure the dwelling meets the building code.
- The property owner can apply for any size of property; however, the policy supports a maximum of two (2) people per bedroom up to a maximum of five (5) bedrooms.
- The property owner can apply for any length of operations; however, the policy supports a maximum operational season of six (6) months, typically April 1 to September 30 or May 1 to October 31. This allows for residential use of the property for the remainder of the year.
- The Board Policy supports approving an initial vacation rental TUP application for one full season, up to a maximum of eighteen (18) months. Subsequent application(s) to renew the TUP are reviewed with consideration of the first season of operation.
- If a vacation rental use is approved, the RDOS provides all neighbours within 100 metres of the property with the property manager and bylaw enforcement officer’s contact information in case there are any complaints or issues.
- The property owner must display vacation rental rules in the rental, including the noise bylaw, location of the property lines, and general property care like water conservation, septic system use, fire safety, garbage storage, and control of pets.

Public Engagement Process for a TUP Application:

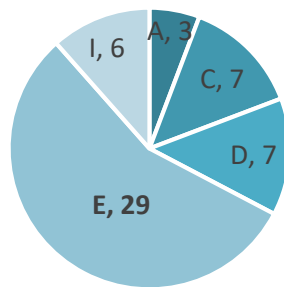
- Once a property owner has applied for a vacation rental TUP, the application moves through the administrative process. There are several opportunities for notification and input as follows:
 1. Before the application is submitted, the property owner must display a development sign that is clearly visible from the road. This sign must indicate the proposal and how to contact the RDOS for further information.
 2. RDOS staff upload the application details, draft permit, and feedback form to the Regional District's website (www.rdos.bc.ca). These are kept up to date and publicly available.
 3. In consultation with the applicant and Area Director, a Public Information Meeting (PIM) is scheduled. A PIM is typically scheduled on the same night as the Advisory Planning Commission (APC) meeting in which the application is to be reviewed.
 - i. Prior to a PIM, RDOS staff notify the community with the following:
 1. Mail details on the application, how to attend the Public Information Meeting, and how to provide feedback to all neighbours within a 100 metre radius
 2. Post newspaper and electronic news ads
 3. Send notification to neighbours using VoyentAlert!
 4. Post a notification on the RDOS Facebook page
 5. Update the application web page
 - ii. At the PIM, anyone in the community is welcome to attend to ask questions and make comments. All community members in attendance are encouraged to submit written feedback, which will be included in the board report and agenda.
 - iii. At the APC meeting, a group of Board-appointed volunteers from your community consider the application and make a recommendation to the Regional District Board whether to approve or deny the application from their community context.
 4. At least 20 working days before RDOS Board consideration of the application, RDOS staff send additional notifications as follows:
 - i. Mail all neighbours within a 100 metre radius details on the application, how to attend the RDOS Board meeting, and the deadline to provide feedback.
 - ii. Post newspaper and electronic news ads
 - iii. Send notification to neighbours using VoyentAlert!
 - iv. Post a notification to the RDOS Facebook page
 - v. Update the application webpage
 5. All written feedback is published as representations in the RDOS Board agenda to be considered in the Board decision.
 6. If an application has received written representations opposing the proposal, or if the APC recommends denial, then the application will be on the general agenda, rather than the consent agenda. This means it is given more time and discussion during the Board meeting as an individual item, where everything on the consent agenda is approved as a batch.

Current Temporary Use Permit Statistics:

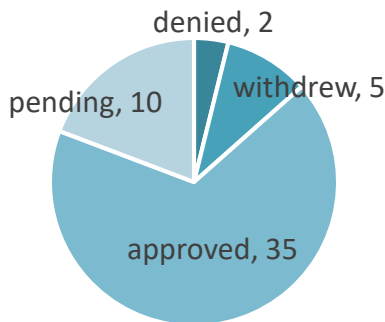
- Since the Vacation Rental policies were adopted in 2014, there have been approximately **80 TUP applications** in RDOS Electoral Areas (specifically in Areas “A”, “C”, “D”, “E”, and “I”).
- 2022 is on track to receive at least 20 applications.



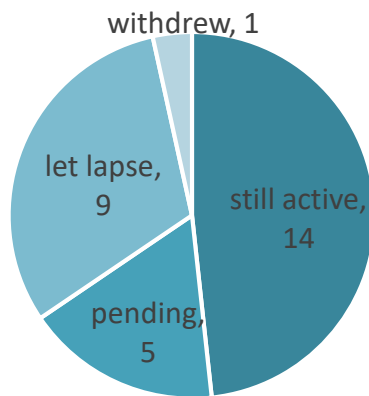
- These 80 applications represent **52 unique properties**, some with multiple applications due to renewal.
- The locations of these 52 properties are distributed throughout Electoral Areas “A”, “C”, “D”, “E”, and “I” as follows:



- The decisions for the first application at the 52 properties were distributed between approval, denial, withdrawn (meaning the applicant did not want to move forward), and pending (meaning the application has not yet been considered by the Board), as follows:



- Specifically in Electoral Area “E”, there have been **29 properties** that have applied for a TUP since 2014. The current status of the TUP on these properties are as follows:



Vacation Rental vs. Bed and Breakfast

- The zoning bylaw considers “vacation rentals” to be different from a “bed and breakfast (B&B)” and establishes different definitions and criteria for each.
- B&Bs are permitted in almost all zones in which “single detached dwellings” are permitted, while vacation rentals are prohibited in all zones with the exception of the residential zones at Apex Mountain Resort in Electoral Area “I”.
- A summary of the current differences between vacation rentals and bed and breakfasts is below:

| Vacation Rental | Bed and Breakfast |
|---|---|
| Regular resident of the dwelling unit must be absent, but may be in another dwelling unit on site | Regular resident of the dwelling unit must be present |
| Can be any permitted dwelling unit (i.e. principal, accessory, secondary suite) | Must be the principal dwelling unit with a regular resident |
| Guests prepare own meals | Guests provided with breakfast by the regular resident of the dwelling unit |
| Maximum ten (10) guests | Maximum (8) guests |
| Maximum five (5) bedrooms | Maximum four (4) bedrooms |
| One (1) parking spot per bedroom | One (1) parking spot per bedroom |
| Maximum 30 day stay | Maximum 30 day stay |

Bylaw Enforcement and Noise Complaint Process

- If a nuisance arises with an unpermitted vacation rental or a permitted vacation rental, you can submit a bylaw enforcement complaint.
- You can call the bylaw enforcement officer 24/7 about noise complaints at 250-492-0911.
 - When you report a noise complaint, please inform the officer that the property is a vacation rental.
- You can submit a written bylaw complaint form about other vacation rental issues on the RDOS website: www.rdos.bc.ca (<https://www.rdos.bc.ca/assets/BYLAW-ENFORCEMENT/Complaint-Forms/Land-Use-Complaint-Form.pdf>)

Bylaw Enforcement Statistics in Electoral Area “E”

- Since January 2020, the RDOS has initiated ten (10) Vacation rental enforcement investigations within Electoral Area “E”.
 - Seven (7) resulted in submission of Temporary Use Permit applications (five currently active),
 - Two (2) were found to be in compliance.
 - One (1) remains as an active enforcement action.
- Since January 2020, there has been one complaint of a loud party.

Next Steps

- The Electoral Area “E” Official Community Plan (OCP) review is currently in progress. This OCP can recommend a region-wide vacation rental review be initiated. The process can also help establish community-specific policies; for example, vacation rentals may be supported in one neighbourhood, but not another. However, the OCP cannot make changes to the vacation rental policy and process overall, since this applies to the entire region.
- The RDOS Board is considering a notice of motion to conduct a vacation rental review. The RDOS Board will determine whether this is a priority project, and if so, determine a schedule, budget, and resources to complete it.
- The RDOS Board cannot place a moratorium on people’s ability to apply for a TUP. However, the RDOS Board can change the vacation rental policy regarding the types of applications that may be approved or denied.

Sharing your input:

- If you have further questions specific to Electoral Area “E”, please visit [RDOS Regional Connections](https://rdosregionalconnections.ca) (<https://rdosregionalconnections.ca>)
- Please send feedback on the current process to Danielle DeVries, Planner I, who is compiling comments for a potential vacation rental review: ddevries@rdos.bc.ca
- Written feedback on TUP applications can be sent for RDOS Board consideration can be sent via regular mail, dropped off in-person, or sent via email: planning@rdos.bc.ca

For further information on current vacation rental policies, please visit Planning Services on the Development Services web page at www.rdos.bc.ca (<https://www.rdos.bc.ca/development-services/planning/what-we-do/>) or call 250-492-0237 (toll free 1-877-610-3737).