



VILLAGE OF BELCARRA
CORPORATE POLICY NO. 210



Title: Short Term Rental Accommodation and Bed & Breakfast Accommodation

ISSUED BY: CAO	APPROVED BY: COUNCIL	DATE: JANUARY 27, 2020
REVISED BY: CAO	APPROVED BY: COUNCIL	DATE: MARCH 22, 2021
REVISED BY: CAO	APPROVED BY: COUNCIL	DATE: MAY 25, 2021

Purpose

1. The Policy outlined below describes how the Village will review Business Licence applications for a Short Term Rental Accommodation (STRA) and Bed & Breakfast Accommodation (B&B) home based businesses, to provide clarity for staff, Elected Officials, and property owners.

Policy

2. Application Process and Business Licensing

- 2.1. A STRA and / or B&B Use is a Home Based Business Use. All STRA and / or B&B Uses shall require a Business Licence issued by the Village. Business licences are valid for a one year period from January 1 to December 31. Licences must be renewed annually to remain valid. Licences issued after July 31 of a calendar year will be prorated at one half of the fee for the full year.
- 2.2. The decision to grant a Business Licence for STRA and / or B&B is delegated to the Chief Administrative Officer.
- 2.3. Applicants for a Business Licence for STRA and / or B&B will be required to provide a Land Title Office Title Certificate and provide a declaration that they will maintain the property as their principal residence while operating a STRA and / or B&B use on the property.
- 2.4. Applicants should identify which dwelling unit will be rented as STRA and / or B&B if there is more than one dwelling unit on the property.
- 2.5. Owners must provide the Village with proof of insurance for the intended use, including business general liability for a limit of not less than two million (\$2,000,000) dollars per occurrence with respect to third party liability claims for bodily injury, property damage, personal injury, or death with a specific rider acknowledging the use of all or part of the property as a STRA and / or B&B. Such insurance must stay in force and not be amended, cancelled or allowed to lapse during the term of the Business Licence.
- 2.6. Decisions regarding the granting of a Business Licence for a STRA and / or B&B will take into consideration the following:
 - 2.6.1. Complaint history regarding a STRA and / or B&B at the property;
 - 2.6.2. Previous bylaw infractions or violations of this policy at that address which is known to the Village;

- 2.6.3. Potential impact on neighbouring properties;
 - 2.6.4. Inspection by the Building Inspector
 - 2.6.5. Occupancy and safety considerations related to the property (e.g. is the dwelling unit or room proposed for STRA and / or B&B legally occupied);
 - 2.6.6. All other provisions of this policy; and
 - 2.6.7. All other provisions of related regulations, bylaws, and policies.
- 2.7. Fees shall be charged for a Business Licence pursuant to Schedule 3 of the Belcarra Fees and Charges Bylaw.

3. Location of Use

- 3.1. A Short Term Rental Accommodation and / or Bed & Breakfast Accommodation Use may be permitted in either the Principal Dwelling Unit or in an Accessory Dwelling Unit (either an Accessory Secondary Suite or Accessory Coach House), or in part of a unit (i.e. one or more bedrooms within a Dwelling Unit). For a typical lot, with a Single Family Residential Use and an Accessory Secondary Suite Use or Accessory Coach House Use, the STRA and / or B&B Use may be permitted in *either* the principal and secondary units, or part of either unit, but not in both.
- 3.2. For a property with two principal Dwelling Units, one STRA and / or B&B Use may be permitted per set of principal and accessory units (i.e. each set of principal / secondary units may have one STRA or B&B Use).

4. Owner Occupancy

- 4.1. The property used for Short Term Rental and / or Bed & Breakfast Accommodation must be the principal residence of the business operator. The business operator must also be the/an owner of the property.
- 4.2. The resident / owner is not required to be on the property while the property is being used for STRA.
- 4.3. A home may be rented as a Bed and Breakfast where up to three rooms in the house are rented to separate tenants on a short term basis. The owner must reside on site (in either the Principal or Accessory Dwelling) while the Bed and Breakfast is in operation if more than one separate booking is made at one time.
- 4.4. Four example scenarios are provided below:
- 1. Owner A lives on their property year round but plans to travel for a month. During this time Owner A rents out their home for Short Term Rental Accommodation Use.
 - 2. Owner B lives on their property year round but has unused bedrooms and plans to rent out a room in the Principal Dwelling unit from time-to-time. Owner B will share common space within their home with guests. Up to three rooms may be rented out under a single STRA booking (e.g. to a customer that requires two or three rooms for their family).
 - 3. Owner C has a coach house on their property and plans to list it year round for guests to stay on a short term basis. Owner C rents out their home for Short Term Rental Accommodation use.

4. Owner D has three spare bedrooms in their house and rents each spare bedroom out to separate tenants on a short term basis, as long as sufficient on-site parking is available. Owner D resides on the site while short term tenants are staying on their property. Owner D rents out bedrooms in their home for Bed & Breakfast use.

5. Length of Stay

- 5.1. Short Term Rental and / or Bed & Breakfast Accommodations are permitted for a maximum stay of 30 nights per stay.
- 5.2. The minimum length of stay is 2 nights.

6. Parking and Bylaw Compliance

- 6.1. A property used for STRA and / or B&B must comply with all other provisions of the Belcarra Zoning Bylaw.
- 6.2. Legal non conforming buildings may, at the discretion of the Village, be permitted to operate an STRA and / or B&B Use.
- 6.3. Parking shall be required as outlined in the Belcarra Zoning Bylaw.
- 6.4. All parking for STRA must be provided on the property (i.e. street parking may not be used to address parking requirements).
- 6.5. If adequate parking is not provided, the Village may decline to issue a Business Licence for a STRA and / or B&B.

7. Notification

- 7.1. Operators of STRA and / or B&B in the Belcarra must identify a contact who can be reached at any times (including evenings and nights) in the event of emergency.
- 7.2. The name and telephone number of the emergency contact shall be provided to the Village at the time of an application for a Business Licence. The Village shall be notified if the name or telephone number for the emergency contact changes.
- 7.3. The name and contact information for the owner and the emergency contact shall be mailed or otherwise delivered, by the applicant and at the expense of the applicant, to all properties abutting the subject property in any direction.
- 7.4. The Business Licence must be posted in the Dwelling Unit used for the STRA and / or B&B pursuant to Section 7 of the Business Licence Bylaw.
- 7.5. The Village of Belcarra Business Licence number must be posted in any advertising or listing of the STRA and / or B&B.

8. Noise and Nuisance

- 8.1. STRA and / or B&B operators shall be responsible for notifying their guests, in any listings, to respect the quiet, residential, and rural nature of the Village.
- 8.2. STRA and / or B&B operators shall be liable for any violation of the Belcarra Noise Bylaw.

9. Enforcement

- 9.1. This policy shall be enforced as provided under the Belcarra Zoning Bylaw, Noise Bylaw, Business Licensing Bylaw, or other regulations as applicable. For example, the Business Licence Bylaw, Section 14.5 states “anyone operating a Short Term Rental Accommodation (STRA) or Bed & Breakfast (B&B) without a valid Business License may be subject to a fine of up to \$1,000.00 at the discretion of the Village of Belcarra Chief Administrative Officer.”
- 9.2. Provisions of the Zoning Bylaw, Noise Bylaw, Business Licensing Bylaw, or other Village of Belcarra Bylaw shall take precedence over provisions of this policy.
- 9.3. Operators found to be not in compliance with this policy may have their Business Licences rescinded without refund, or may not have their Business Licence renewed, at the discretion of the Chief Administrative Officer.
- 9.4. The Village will take reasonable steps to investigate and evaluate contraventions of this Policy and other applicable Village regulations related to a Short Term Rental and / or Bed & Breakfast Accommodation on a complaint basis.