

# THE CORPORATION OF THE DISTRICT OF SUMMERLAND

## BYLAW NUMBER 2021-048

### A BYLAW TO AMEND 'ZONING BYLAW NUMBER 2000-450' (Short Term Rentals)

The Municipal Council of the Corporation of the District of Summerland, in open meeting assembled, enacts as follows:

1. Schedule "A" of "District of Summerland Zoning Bylaw Number 2000-450", as amended, is hereby further amended as follows:
  - a. In Section 2 Definitions, the definition for "Bed & Breakfast" is deleted and the following new definitions are added:

*Primary Residence* means the *dwelling* unit that a person resides in for the majority of the year and declares for legal purposes as their principal home. For the purposes of this bylaw, a person cannot have more than one Primary Residence within the District of Summerland.

*Short-Term Rental* means the use of a *dwelling* unit for the temporary accommodation (less than 28 consecutive days) of the travelling public for remuneration. Specific Use regulations for *Short-Term Rentals* are in Section 7.2.

- b. Section 7 Specific Use Regulations be amended by deleting section 7.2 Bed & Breakfast Homes in its entirety and replacing as follows:

#### **"7.2 Short-Term Rental:**

7.2.1 Every *Short-Term Rental* use shall comply with the following regulations:

- a) only one (1) *Dwelling* on a *Lot* may be used or occupied for *Short-Term Rentals* in any calendar year.
- b) a *Short-Term Rental* use is only permitted on a *Lot* with a *Primary Residence*.
- c) a *Short-Term Rental* use is only permitted in the following types of dwellings: a *Single Detached Dwelling*, *Secondary Suite*, *Carriage House*, *Manufactured Housing – Type 1*, or *Manufactured Housing – Type 2*.
- d) a *Short-Term Rental* shall be either the rental of sleeping units that are part of a *Primary Residence* in which common areas are shared with the primary resident, or the rental of an entire *dwelling unit* that is not a

*Primary Residence;*

- e) the *Short-Term Rental* shall be operated by a person residing in and occupying the *Primary Residence* on the *lot*. For clarity, the *Primary Residence* may be within a principal or accessory dwelling.
- f) Notwithstanding Section 7.2.1(e), for the short term rental of an entire *dwelling unit* that is not a *Primary Residence*, a *Short-Term Rental* may be operated by a licenced property management company provided the *Short Term Rental* use complies with all other provisions of this bylaw;
- g) no more than four (4) *Bedrooms* in a *Dwelling* shall be used for *Short-Term Rentals*;
- h) the maximum number of *Short-Term Rental* guests shall be eight (8); and
- i) a *Bedroom* that includes a *Kitchen* must not be used for *Short-Term Rentals*.

c. Section 6 Parking & Loading Regulations is amended as follows:

- (1) Table 6.1: Parking & Loading Schedule is amended by deleting the following row:

Bed & Breakfast Homes	1 per 2 guestrooms	NIL
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- (1) Table 6.1: Parking & Loading Schedule is further amended by adding the following row in alphabetical order:

Short-Term Rental	1 stall in addition to parking requirements for <i>dwellings</i>	NIL
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d. Section 7.8.1(c) is amended by deleting 7.8.1(c) and replacing with:

- (c) The *Group Home-Minor* is not operated in conjunction with an approved *Short-Term Rental*, a *Secondary Suite*, a *Carriage House* or an approved *Child Care Centre*;

e. Section 7.10 Temporary Use Permit Areas be amended by deleting 7.10.2 in its entirety.

f. Section 8.1 A1 Agricultural Small Acreage Zone be amended as follows:

- (1) by deleting “*Bed & Breakfast Home*’ as a permitted accessory use in 8.1.3 Accessory Uses
- (2) by adding “*Short-Term Rental*, subject to Section 7.2” as a permitted accessory use in 8.1.3 Accessory Uses to the list in alphabetical order and renumbering the list accordingly

g. Section 8.2 A2 Agricultural Large Acreage Zone be amended as follows:

- (1) by deleting “*Bed & Breakfast Home*’ as a permitted accessory use in 8.2.3 Accessory Uses

- (2) by adding “*Short-Term Rental*, subject to Section 7.2” as a permitted accessory use in 8.2.3 Accessory Uses to the list in alphabetical order and renumbering the list accordingly
- h. Section 9.1 CR1 Country Residential Zone be amended as follows:
  - (1) by deleting “Bed & Breakfast Home’ as a permitted accessory use in 9.1.3 Accessory Uses
  - (2) by adding “*Short-Term Rental*, subject to Section 7.2” as a permitted accessory use in 9.1.3 Accessory Uses to the list in alphabetical order and renumbering the list accordingly
- i. Section 10.1 RSD1 Residential Medium Lot Zone be amended as follows:
  - (1) by deleting “Bed & Breakfast Home’ as a permitted accessory use in 10.1.3 Accessory Uses
  - (2) by adding “*Short-Term Rental*, subject to Section 7.2” as a permitted accessory use in 10.1.3 Accessory Uses to the list in alphabetical order and renumbering the list accordingly
- j. Section 10.2 RSD1(i) Residential Single Detached Intensive Zone be amended as follows:
  - (1) by deleting “Bed & Breakfast Home’ as a permitted accessory use in 10.2.3 Accessory Uses
  - (2) by adding “*Short-Term Rental*, subject to Section 7.2” as a permitted accessory use in 10.2.3 Accessory Uses to the list in alphabetical order and renumbering the list accordingly
- k. Section 10.3 RSD2 Residential Large Lot Zone be amended as follows:
  - (1) by deleting “Bed & Breakfast Home’ as a permitted accessory use in 10.3.3 Accessory Uses
  - (2) by adding “*Short-Term Rental*, subject to Section 7.2” as a permitted accessory use in 10.3.3 Accessory Uses to the list in alphabetical order and renumbering the list accordingly
- l. Section 10.4 RSD3 Residential Estate Lot Zone be amended as follows:
  - (1) by deleting “Bed & Breakfast Home’ as a permitted accessory use in 10.4.3 Accessory Uses
  - (2) by adding “*Short-Term Rental*, subject to Section 7.2” as a permitted accessory use in 10.4.3 Accessory Uses to the list in alphabetical order and renumbering the list accordingly
- m. Section 10.5 RDH Residential Duplex Housing Zone be amended as follows:
  - (1) by deleting “Bed & Breakfast Home’ as a permitted accessory use in 10.5.3 Accessory Uses
  - (2) by adding “*Short-Term Rental*, subject to Section 7.2” as a permitted

accessory use in 10.5.3 Accessory Uses to the list in alphabetical order and renumbering the list accordingly

- n. In Section 10.7 RSH Residential Strata Housing Zone, *Short Term Rental*, subject to Section 7.2” is added to 10.7.3 Accessory Uses
- 2. This bylaw may be cited as "Zoning Bylaw Amendment (Short Term Rentals) Bylaw No. 2021-048”

Read a first and second time this \_\_ day of \_\_\_\_, 2021.

Public Hearing held this \_\_ day of \_\_\_\_, 2022.

Read a third time this \_\_ day of \_\_\_\_, 2022.

Approved pursuant to section 52(3)(a) of the *Transportation Act* this \_\_ day of \_\_\_\_, 2022.

for Minister of Transportation and Infrastructure

Adopted by the Municipal Council of the Corporation of the District of Summerland this day of , 2022.

\_\_\_\_\_  
Mayor

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Corporate Officer