



Briefing Note

To: Mayor and Council (via CAO)
From: Phil Armstrong, MDS / Planner
Date: October 20, 2020
File: Bylaw 1436, 1437 and 1438

RE: Public consultation - short term rental bylaws.

SUMMARY OF ISSUE

The briefing note below summarizes the generally positive survey and analyzes comments received from the public during August 2020. Further staff is requesting direction for a public hearing on November 17th.

CAO COMMENTS

The survey results have garnered a number of interesting perspectives from the resident population on this matter and may help to inform Council's ongoing direction.

BACKGROUND

On July 21st, 2020 Council did pass first reading to the proposed OCP and zoning STR amendment bylaws as well as the Bed and Breakfast and short term rental regulations.

Further to this, staff were directed to plan and undertake a public and stakeholder check-in engagement process prior to second reading and then a subsequent formal public hearing.

DISCUSSION

The Town continued with its 'Consult' based approach to public engagement on this project. The IAP2 Public Participation Spectrum level defines 'Consult' level of engagement as a goal "to obtain public feedback on analysis, alternatives and/or decisions." This includes a commitment to "inform, listen to and acknowledge concerns, aspirations, and provide feedback on how public input influenced decisions."

This check-in, occurred in August 2020 and worked to achieve the following objective:
Obtain public and stakeholder feedback on the proposed STR regulations.

The information collected is intended to help guide Council.

The Town provided a few touch points to ensure inclusivity for many members of the community to provide input and learn about the policy. Feedback was collected in two ways:

1. **Online:** background information, open house boards (enclosed) and schedule, and a survey link were uploaded to golden.ca from **July 29 to August 31**.
 - a. **Direct email:** We sent out emails to previous focus group attendees as well as distributed information via Tourism Golden.
 - b. **Facebook:** We did five posts on Facebook and created a Facebook event for the Open House Check-in. Each Facebook post reached an average of almost 2,000 people and an average of 200 engagements on each post. The Facebook event reached over 1,300 people and received 16 responses.

- c. **Instagram:** We made two posts on Instagram and one Instagram story, reaching an average of 640 people per post and an average of almost 200 engagements per post.
- d. **Twitter:** We posted two threads on Twitter, reaching an average of 200 people per post.
- e. **Advertising:** Two ads were purchased in The Golden Star for the August 6 and 13 newspapers. A story also appeared in the September 3 newspaper highlighting the public engagement and next steps for the project.
- f. **Newsletter:** Public engagement opportunities were included in the July Town of Golden newsletter which is sent to 221 people and has an open rate of 75 per cent.
- g. There were a total of 160 responses to the survey.

2. **In-person:**

- a. A **meeting** with Tourism Golden and hoteliers occurred on August 17th. The Executive Director of Tourism Golden attended and owners/managers of three hotels.
- b. A **public open house** was held at the Senior's Centre on August 18th from 4:00 PM to 7:00 PM about twenty five people attended.

What we asked?

- 1. As someone interested in short term rentals, please identify which of the following category you fit into.
- 2. Where do you live?
- 3. Have you read the proposed bylaws and regulations provided below? (then links were provided in the survey to the respective bylaws).
- 4. After reviewing Council's bylaw drafting direction provided below, do you feel the proposed regulations meet Council's direction?
- 5. After reviewing the proposed bylaws and regulations, do you feel regulations work towards the following:
 - a. Protecting housing for residential use
 - b. Addressing concerns with nuisance issues. For example issues related to parking, noise partying in residential areas, etc.
 - c. Leveling the playing field with traditional accommodators
- 6. Is there anything missing from the proposed bylaws and regulations that you think should be included, and please tell us why?
- 7. Any other feedback related to short term rentals that you would like to provide?

What we heard?

Overall, the survey responses were positive and comments confirmed the proposed regulations:

- ✓ 57% of respondents felt the proposed regulations work towards protecting housing for residential use.
- ✓ 54% of respondents felt the proposed regulations work towards addressing concerns with nuisance issues. For example, issues related to parking, noise partying in residential areas, etc.
- ✓ 42% of respondents felt the proposed regulations work towards leveling the playing field with traditional accommodators (27.5% were neutral).

The survey results are enclosed, and respondents provided some well-considered feedback. An open ended comment summary is included below which also captures comments from the in person engagement sessions and letters received(the letters are enclosed).

The survey provided two opportunities to provide open ended comments, these being the following:

- Question 6: Is there anything missing from the proposed bylaws and regulations that you think should be included, and please tell us why? (68 Comments.)
- Question 7: Any other feedback related to short term rentals that you would like to provide? (74 Comments.)

After a thorough review of the comments some common themes emerged which are summarized below with analysis and actions based on feedback.

	Comment	#	Analysis	Action(s) based on Feedback
1.	Enforcement is important.	25 comments Submitted letter.	The Town of Golden intends to engage in active enforcement using an online compliance platform.	This has been a consistent message from the Town.
2.	The proposed bylaws should allow for the STR of multi-family and multi-family strata units.	16 comments Submitted letter implying opposition to this comment.	The exclusion of residentially zoned multi-family and strata units is a key pillar of the STR regs as it protects the most accessible long term rental stock in the community and smaller more attainable ownership housing stock.	No bylaw changes are proposed.
3.	STRs should be allowed in Detached Secondary Residential Dwellings (DSRDs ex. carriage houses / garden suites.	15 comments	A key aspect of the intent of the DSRD use was, and is, to create units for long term living or rental purposes and this is balanced with shading and privacy impacts to surrounding neighbours.	No bylaw changes are proposed.
4.	The proposed bylaws are too restrictive.	10 comments. Submitted letter.	Although vague in nature, these comments were most often related to assumed adverse effects on income generated from STRs and / or tourism if STRs are overly regulated.	No bylaw changes are proposed.
5.	STRs should not be restricted at all and / or only minimally.	8 comments.	See above.	No bylaw changes are proposed.

	Comment	#	Analysis	Action(s) based on Feedback
6.	We would like to STR our home and / or condo on an occasional basis for example while we are on vacation if we have a responsible person nearby. Why can't we?	6 comments	<p>In order for regulations to fairly and uniformly applied, clarity is key. Allowing that one could short term rent for say up to 14 days a year with a local offsite responsible person would add an additional category of regulations to monitor.</p> <p>Further, it would be contrary to the residential home based business model with an onsite presence to address any potential neighbourhood impacts.</p> <p>By also not allowing this we are guarding the visitor experience by promoting more “professional” full time operators rather than those that dabble.</p>	No bylaw changes are proposed.
7.	Why is Canyon Ridge treated differently?	5 comments	<p>This is historic to the how this neighbourhood was visioned in the Official Community Plan and at this point staff have left that potential vision in the OCP. If at a later date Council desires to allow the more “commercial type” STR in this area this could be addressed by a spot/site zoning bylaw amendment and not requiring a further OCP amendment as well. For example the developer of the Granite Heights Townhouse has expressed desires to allow her units to be short term rented without the permeant residence requirement.</p>	No bylaw changes are proposed.

	Comment	#	Analysis	Action(s) based on Feedback
8.	The proposed bylaws are not going to effectively increase long term rental stock or protect neighbourhoods.	5 comments	<p>Having a regulatory system in place that is proactively monitored and the permanent resident requirement will contribute to maintaining residential properties as long term housing stock as well as managing the growth of B&Bs and STRs. The Town did examine quotas, caps, lotteries and temporary use permits to more directly control numbers, but these systems are complicated and very administratively burdensome.</p> <p>In residential zones, the Town of Golden is proposing to limit B&Bs and STRs to only the R1, R1-S, R1-D, R2, R2-A, R5 and C5 zones i.e. not the R3, R4, R6 and R7. These latter zones were omitted as they typically contain more affordable / attainable housing options and there are often common spaces that are desired to feel safe i.e. shared hallways in apartment and condominiums.</p>	No bylaw changes are proposed.

	Comment	#	Analysis	Action(s) based on Feedback
9.	Entire houses should <u>not</u> be a short term rental.	5 comments	<p>The Town is proposing to only allow B&Bs and STRs to be operated by a permanent resident who is occupying the dwelling unit or lot while the use is occurring which will ensure the property is long term residential in nature.</p> <p>Note without this “permanent resident” requirement STRs are permitted in the C1, C2, and C3 zones and this is also proposed to expand to the C4 and C6 zones.</p>	No bylaw changes are proposed.
10.	The regulations need to be clearer.	5 comments	<p>In drafting bylaws, it is always desirable to have them be as easily understood as possible. That said, there is a technical aspect to bylaws that may be difficult for some members of the public to understand.</p> <p>The proposed STR bylaws have been adopted in some form or another by many municipalities with successes.</p>	Staff can assist in explaining the technical aspects of the STR bylaws and regulations are pleased to do so.
11.	STRs should be paying MRDT.	3 Verbals at hoteliers meeting	<p>The collection and remittance of the MRDT is required by the Province.</p> <p>The Airbnb online platform now provides for collections and remittance this tax.</p>	An amendment is being included in the regulations to require annual proof of registration with the Provincial Ministry of Finance as a way to ensure that taxes are being remitted or an affidavit that they have not opted out of the online platform remitting directly to the Province.

	Comment	#	Analysis	Action(s) based on Feedback
12.	There should be no permanent resident requirement.	3	The permanent resident requirement is a key component of assuring that residential areas continue to have full time residents and protect the housing stock and long term rental stock	No bylaw changes are proposed.
13.	STRs should not be allowed at all i.e. banned.	3 Verbals at hoteliers meeting	STRs are an expected and legitimate form of vacation and travel accommodation. With the appropriate regulations in place, the benefits of STRs can be realized while at the same time working towards protecting community character and rental stock. The bylaws do propose a ban of the short term rental of entire single detached dwellings, residentially zoned multi-family units and properties with DSRDs.	No bylaw changes are proposed
14.	STRs should be on water meters.	1	Universal metering is currently under consideration by Council as part of the budget process.	No bylaw changes are proposed
15.	A brochure educating the operator and guest should be included on the bylaws and neighbourliness.	Verbal at hotelier meeting.	This is a best practice and can include items such as a summary of STR regs, parking onsite, bear aware, noise, dog leash areas etc.	This will be worked on as the Town moves into the implementation phase.
16.	STRs should pay commercial property tax.	Verbal	This would further level the playing field, but could cause complications for other home based businesses.	Council could continue to advocate to the Province for this change.

	Comment	#	Analysis	Action(s) based on Feedback
17.	STRs should have appropriate insurance.	Verbal Letter submitted.	Without overcomplicating the licensing process, this item could be addressed.	On the application form it will ask "have you checked with insurance provider(s) if you are appropriately insured (this includes strata building insurance)?"

Overall, the survey comments provided some well-considered feedback from the public. Additionally, public sentiment regarding the proposed STR bylaws was generally positive.

Direction is sought to bring the bylaws back on November 3rd for second reading with the amendments discussed above and few other refinements based on legal review and then schedule a public hearing on November 17th.

IMPLICATIONS

Strategic

Strategic Priority – Short Term Rentals

Financial

Fees set to recover legal costs, cost associated with monitoring online platforms, and enforcement.

Administrative

Part of the MDS's work plan.

OPTIONS

1. Provide direction to schedule the public hearing
 - a. for November 17th at 1:15PM: or
 - b. for November 17th at 7:00PM.

After significant engagement in 2017/18 and then again recently as well as broad-based support for the regulations, it may, or may not, be a consideration of Council to hold the hearing in the evening which may allow a larger segment of the public to attend.

Respectfully Submitted,



Phil Armstrong MCIP, RPP
Manager of Development Services / Planner

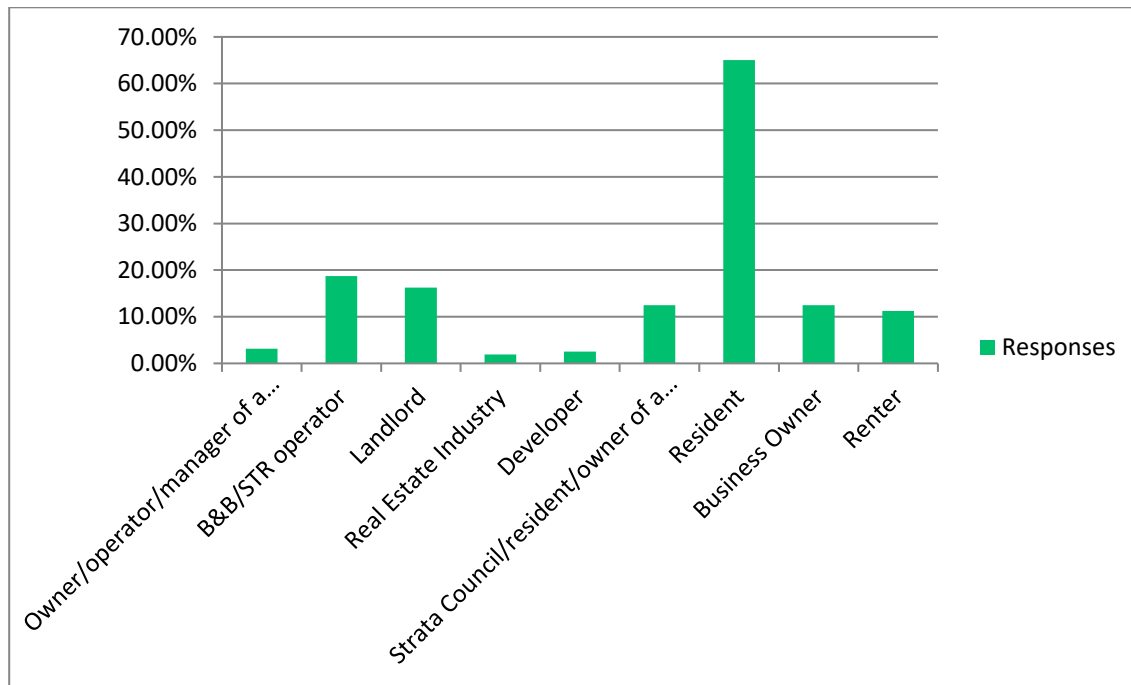
Enclosure:

- ✓ Survey results.
- ✓ Letters submitted Rocky Pointe strata and Stephanie Porter.
- ✓ Open house boards.
- ✓ SRC MDS 2020 07 22 STR Bylaws 1436, 1437, and 1438.
- ✓ Additional background: www.golden.ca/strs

Short Term Rental Check-in Engagement Results and Verbatim Comments – August 2020

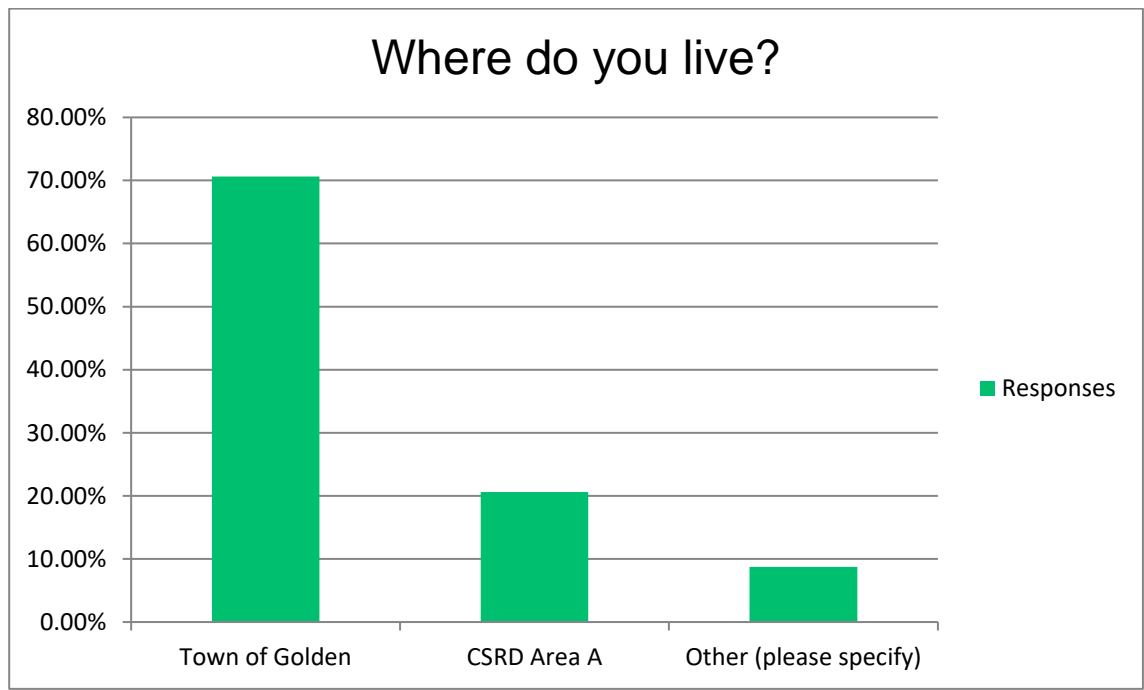
Question 1 - As someone interested in short term rentals, please identify which of the following category you fit into. Please select all that apply.

Answer Choices	Responses
Owner/operator/manager of a hotel/motel/ B&B license before 2016/hostel/campground	3.13%
B&B/STR operator	18.75%
Landlord	16.25%
Real Estate Industry	1.88%
Developer	2.50%
Strata Council/resident/owner of a unit in a multi-family development	12.50%
Resident	65.00%
Business Owner	12.50%
Renter	11.25%



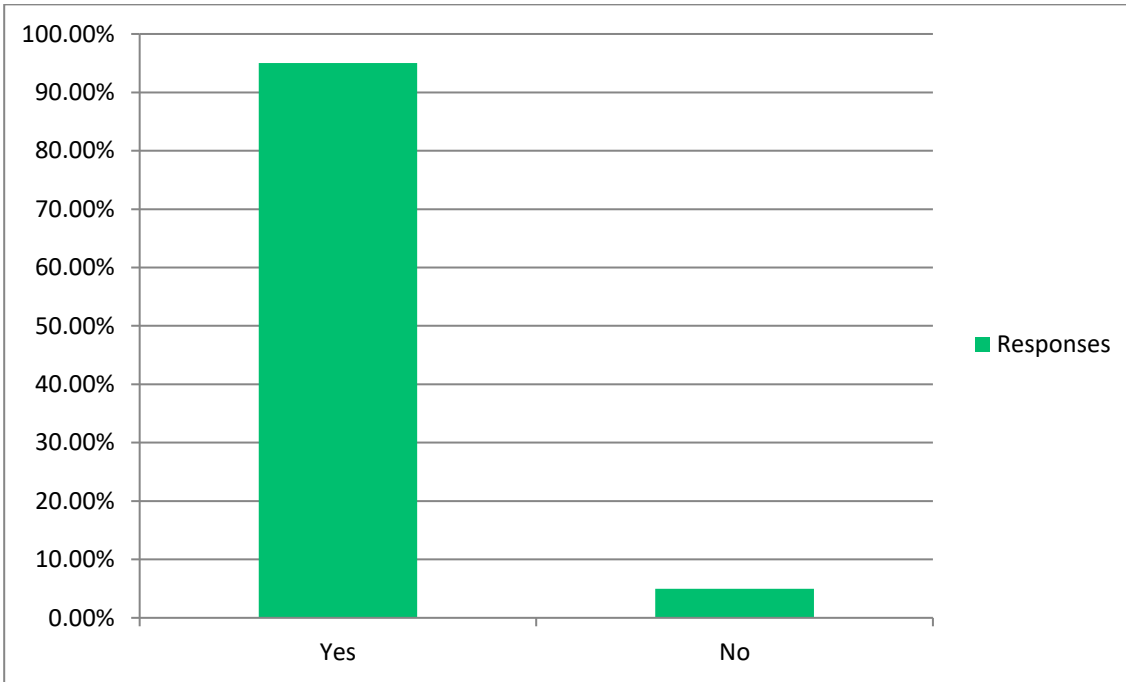
Question 2 - Where do you live?

Answer Choices	Responses
Town of Golden	70.63%
CSRD Area A	20.63%
Other (please specify)	8.75%
Other (please specify)	
Calgary AB & Golden BC	
Calgary	
Waterton	
Calgary	
Calgary	
Calgary	
Calgary	
Calgary	
Calgary	
Calgary	
Vancouver	
Calgary	
Half in Calgary Half in Golden	
Alberta	



Question 3 - Have you read the proposed bylaws and regulations provided below? (Link was provided in online survey.)

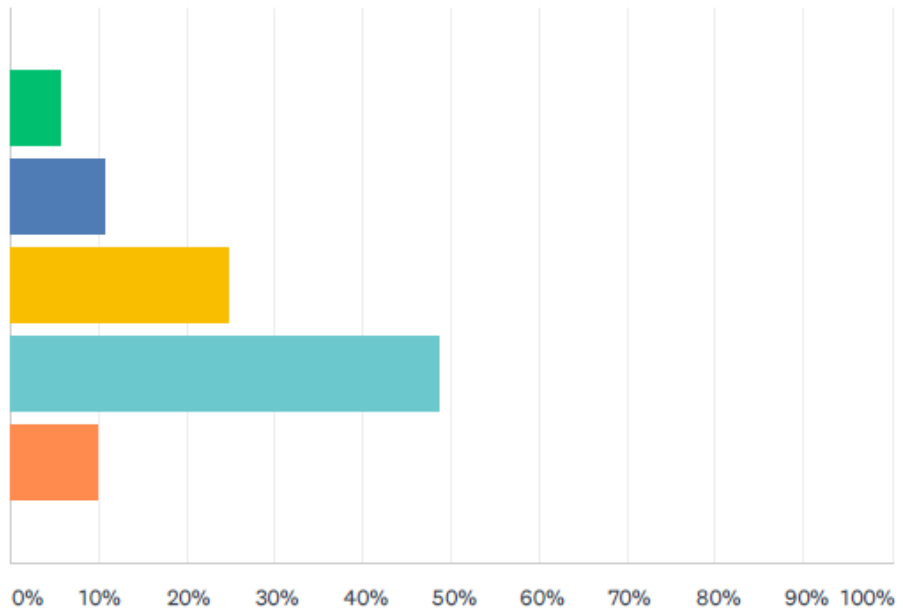
Answer Choices	Responses
Yes	95.00%
No	5.00%



Question 4 - After reviewing Council's bylaw drafting direction provided below, do you feel the proposed regulations meet Council's direction?

Do you feel the proposed regulations meet Council's direction?

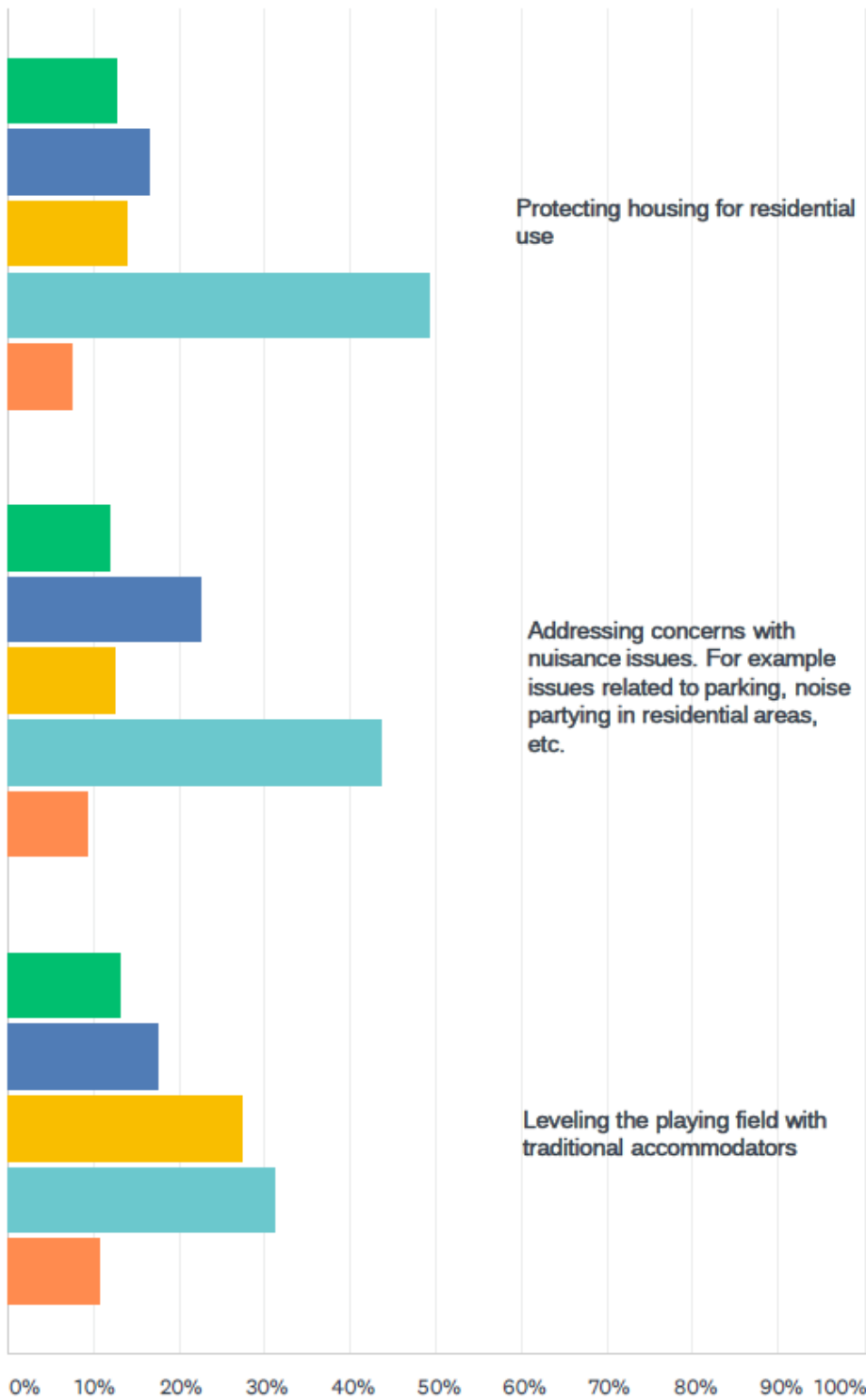
	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
	5.63%	10.63%	25.00%	48.75%	10.00%



■ Strongly Disagree
 ■ Disagree
 ■ Neutral
 ■ Agree
 ■ Strongly Agree

Question 5 - After reviewing the proposed bylaws and regulations, do you feel regulations work towards the following:

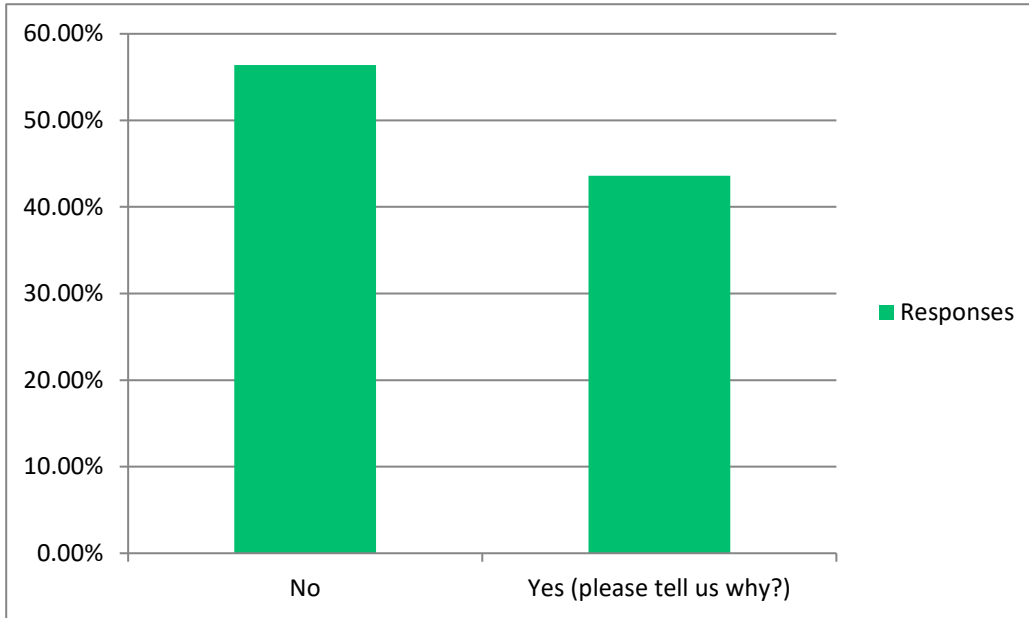
Do you feel the proposed regulations meet Council's direction?	Strongly Disagree		Disagree		Neutral		Agree		Strongly Agree	
	%	Count	%	Count	%	Count	%	Count	%	Count
Protecting housing for residential use	12.66%	20	16.46%	26	13.92%	22	49.37%	78	7.59%	12
Addressing concerns with nuisance issues. For example issues related to parking, noise partying in residential areas, etc.	11.88%	19	22.50%	36	12.50%	20	43.75%	70	9.38%	15
Leveling the playing field with traditional accommodators	13.13%	21	17.50%	28	27.50%	44	31.25%	50	10.63%	17



■ Strongly Disagree
 ■ Disagree
 ■ Neutral
 ■ Agree
 ■ Strongly Agree

Question 6 - Is there anything missing from the proposed bylaws and regulations that you think should be included, and please tell us why?

Answer Choices	Responses
No	56.41%
Yes (please tell us why?)	43.59%



We have a condominium unit that is occupied by us during the week. On weekends we have been airbnb'ing our unit. Your proposed bylaw does two things

prohibits visitors from bringing their tourist dollars to the town

eliminates our revenue from their visits to support us, including spending evenings out during the week at local restaurants for example.

It frees up NO rental ability as I understand longer term, rental is desired. In fact we own a second unit in the same building and it IS a long term rental unit and has been since we purchased it.

Unfortunately proposing limiting our small 8 unit condo building from supporting airbnb guests is ultimately detrimental to both the town and us.

Allow STRs and B&Bs when an individual owns more than one unit in a multi-family residential dwelling (such as a condominium) and rents one of the units long term.

An owner in a multi residential unit should be allowed to rent out their bedrooms as a means of supporting themselves & making ends meet. Stratas have bylaws & rules that must be adhered to and each strata should be able to determine the number of units that are allowed as STR's

<p>I am considering buying a property with a basement suite that I would like to rent out short term. The rules need to be clearer and specific. The life safety rules list some examples, but is that it? Will there be more? Will I need to renovate to meet any new requirements? Also, you referred to but didn't specify extra costs for water and sewer and waste. How is it fair that if two of us permanent residents have occasional short term renters we have to pay more for utilities than a home long term rented to 6+ full time residents? They would use more water than we would!</p>
<p>I am in agreement with the proposed bylaws and regulations, with one exception. I do not agree with the restriction prohibiting corporations owning short term rentals. How people structure ownership, and how they choose to use tax law should have nothing to do with the town. I believe this restriction will limit development in areas like Canyon Ridge, which is zoned multi-family, and make Golden far less competitive in that market.</p>
<p>While I agree that entire houses should not be STR'd I think an owner of a duplex or house with a secondary suite should be able to long term rent one side and short term the other. This protects the long term rental market and makes the more expensive houses with secondary suites more profitable to invest in. They should not have to reside in it as long as one side is long term and the other can then be short term rentals.</p> <p>I believe that utilities such as water should be metered however and not automatically charged extra. I can guarantee you that the family of 6 that lives beside the single person who STRs their basement suite for 1/2 the year uses more water than her and her STR guests.</p>
<p>I think that the following needs to be clarified: February 2018 Bylaw draft stated:</p> <p>"In the case of a fee simple duplex the owner can operate a B&B/STR only in the side where they reside/own."</p> <p>In the 'Proposed Zoning Bylaw Amendment' there is no mention of fee simple duplexes. Will this still be allowed?</p>
<p>I think this is overly restrictive on Golden residents. As long as someone lives here full time in their primary residence, and has a local resident acting as caretaker to prevent noise issues, they should be able to rent their place out when they go away for a vacation or the weekend. This does not take away from long term rentals, at all, as these homes are already in use by the resident.</p>
<p>I do not agree to limit STRs in multi family properties. I don't agree that it will meet the purposes of proposed bylaw.</p>
<p>I think that homeowners should be able to rent their houses without being present.</p>
<p>The town creates bylaws but doesn't enforce them. So they are useless without enforcement and it leaves the residents to feel the effects. Eliminate short term rentals in all residential neighbourhoods, let the hotels, vacation rentals in the ski resort area and the new developments downtown like OSO house the visitors. Bringing visitors into households at this time helps spread covid. No short term rentals should be allowed at this time. Allow for rentals with a minimum of 30 days in residential which allows for long term rentals.</p>
<p>Why do we have to pay massive property taxes and also fees for rentals if we are contributing to housing/lodging options to the community? I think there should be a tax incentive for offering long term housing, not a penalty!</p>

If the residences of Canyon Creek will be exempt from having the owner present while rented, similar to the proposed use for STR's in commercial zoning, yet they are not commercially zoned, this does not appear to be levelling the playing field, I think the same rules should apply to that neighbourhood too. When i asked a TOG staff member about this inconsistency, a clear answer was never given...indicating there was more work to be done there. I hope the TOG who aspires to "level the playing field" will take into consideration how one-sided this "optically" appears. Is it because that neighbourhood happens to have a lot of "out-of-province" or vacation ownership who is demanding this privilege or are they zoned differently? I hope more info will be made public on this particular inconsistency...

I feel that there needs to be more flexibility and availability of short term rentals to encourage and build upon tourism within Golden. I feel that by offering more short-term rentals, and therefore greater options for tourists, it will directly benefit the economy for the town and positively impact local businesses. With this in mind, I feel that property owners must be given the choice to rent short term and long term and therefore have proposed restrictions removed.

The Town of Golden holds so much potential for the future. There has been great development through the town for a number of years which makes it the place it is today. Unfortunately the development has not translated to areas of the town which includes the hotel industry. The Town of Golden quotes on their website that "Golden is a friendly and diverse community with warm and welcoming locals, it has plenty of room for tourists and visitors alike". Unfortunately if the hotel industry does not improve what they offer and the direction of the Town would be to deter STR's then it will find that the tourist population will be minimized. I believe for the Town to grow it must attract tourists, with updated facilities and amenities such as STR's. A classic example of this can be viewed from Banff and Canmore. These Towns draw in tourists and have seen vast growth and development of the Towns even in the midst of a pandemic. The more attractive the town makes this place for tourists, the more people will want to up route and live here. I and others believe this Town is a hidden gem and I understand the need for wanting to keep it small for the locals who live here, however the locals can profit the most from the future development of this Town.

This bylaw will devalue properties and have a negative impact on the future businesses and economy of the Town. The Town's responsibility is to support its residents and businesses and I believe it should completely reassess and reconsider its direction.

I believe that the proposed bylaws are too restrictive, given the changing demand for short term rentals, and I fear that they will either not be enforceable, or will have to be changed in a very short time. I think it is unrealistic to put sweeping restrictions in force, that will ultimately restrict tourism in Golden.

I feel that the questions you have asked are misleading. Question 5 asks if the proposed regulations meet Council's direction, which I would agree they do. However, you don't ask if Council's direction meets the needs of the community and the economy. I think that there is a huge risk to the economy and tourism in Golden by removing all these str's so quickly, in what appears to be an unplanned and unphased approach. The public engagement that seems to be happening is Council "pushing" their thoughts and plans on the community, not asking for their thoughts or suggestions. I agree that there is an issue with housing for residents and I agree that something needs to be done. But I don't see this change being driven by residents...it appears to be driven by a developer who has come to town and is charging "astronomical" process for housing options. I also find it very suspicious that this developer is advertising the sale of their places that they are "zoned correctly", when there have been no formal bylaws or changes put in place regarding str's. I also find it difficult to accept that str's are taking away from the business of the hoteliers. I don't deny that this is happening, but I would also argue that the hotels in Golden are less than acceptable, and I wouldn't stay at them if I didn't have to. I have stayed at places in Golden where there are holes in the walls, lights not working in my room, bugs in my room hot tubs and pools not heated and seen hair and bugs floating in hot tubs. That is completely unacceptable, and that is not at just one single hotel. As well, the needs and wants of society are changing. The traditional hotel is NOT what tourists want. They want to be able to cook on their own and enjoy space and time in Golden. If you are banking on hotels in Golden to provide a positive reputation or perception of Golden, I feel that this is a mistake. I run a beautiful condo str that I'm very proud of, and I feel that Golden would be proud of. But it is located in a R4 zoning. So moving forward, Golden will be missing out on a very clean and new rental to represent them abroad. As well, if there are other tourist and recreational opportunities growing in Golden (zip line), what is the accomodations plan to meet the needs of these users?

Pet regulations for users of B&B and STRs.

- Responsible Dog ownership is a contentious issue in Golden & Area A. ToG regulations for B&B / STR operators should have clauses to ensure pet responsibility from B&B and STR operators AND users/visitors.

I think short term rentals should be allowed anywhere in town however they should have to pay a annual fee to contribute to the city. I don't think Because you have a short term rental you are more subject to noise and more traffic. I think you can get that from a permanent resident.

I think that short term rentals should be allowed in all areas of town but they should have to pay a business license fee or short term rental tax to the town of Golden as any business would.

I'm not sure how to implement it but my neighbour runs an Airbnb (which doesn't meet any of the newly proposed regulstions) and we've had people using our belongings and wondering around our property. Perhaps a system to penalize these types of units

I see nothing that protects residential neighbourhood character, or affordable housing stock. If the resident complies with all the administrative, parking and life safety then every other house on the street could be an STR. What would be the impact on our neighbourhood character in that instance? Each room or suite offered as an STR is potentially one lost for the long term rental inventory. Density per block/neighbourhood and some mechanism to protect long-term rentals need to be included to address these issues.

<p>Regarding this point: Allow full dwelling units to be rented short term in commercial zones.</p> <p>As an owner of a duplex in a C2 zone, it is good to know that Council feels its appropriate for full dwelling units in commercial zones to be sued for short term rentals. I've read in at least one place that the full dwelling unit must be on the second floor, above a commercial space. I just want to be sure that this isn't the case for my property. My property is a residential style one-level home, which has been made into a legal duplex, and it is in a C2 zone. With no second floor, the dwelling units of the property are on the first floor.</p>
<p>I am developing a project on 10th Street in an R2 Zoning called The Works https://theworksgolden.ca/. This is similar to a 20 unit project being built in Revelsok which allows Short Term rentals in the units. This primarily caters to Sledders , mountain Bikers etc that currently is NOT being looked after by traditional hotel and Motel or even private providers.</p> <p>This is one of the reasons Sledders drive right past Golden from Alberta and go to Revelsok.</p> <p>I see no reason why this type of development would not be allowed here in Golden</p>
<p>I do not feel the bylaw and regulations are strong enough to avoid the issue that we are currently experiencing of single family homes being purchased and used by secondary residents for STRs.</p> <p>What will be done about STRs currently operating owned by individuals that do not have their permanent residence in Golden?</p>
<p>Short term rentals should not be allowed in our community. Just like revel stoke and Canmore and Banff Golden has a housing shortage. Renters like us are facing high rents and landlords are checking renters out to short term rent their units</p>
<p>It is unclear to me where the link is between regulating the STR 'industry' and maintaining rental stock in the town of Golden, and especially maintaining affordable accommodation. Is the rationale that charging roughly \$250 to someone who is using a unit to make \$10-25k annually is a deterrent? They are likely spending more than than monthly on cleaning fees (all spent locally in the labour market). Also, is there any idea of where the current units are located? This would seem like another deterrent, but many of the units that I know about are already located in R1-3 zones. Also, the restriction on DSRD's doesn't seem to hold much validation, and again the link is obtuse. What is the difference between the owner of a property being home when a unit is rented inside their house, than when a unit is rented on their property in their garage or carriage suite? Would they still not be present onsite to deal with noise/parking complaints?</p>
<p>Not sure why someone that has a carriage house or garden suite would not be allowed to have STR - this makes no sense</p>
<p>I feel that house owners wanting to rent their house while they travel should be allowed to do so (whether in the summer or winter) and should not pay extra taxes as there isn't an additional charge on the town. The Airbnb intent was exactly this originally, just a kind of house sharing. If we could add that people are allowed to rent their main residential property for a certain number of days per year, for example 60 days, I think it would be fair, would not take away from the housing market for long term renters and would allow house owners a certain freedom, not like property investors.</p>

<p>Having a duplex and allowing one side of both sides are owned by the same person and allowing one full side to be rented out is no different than renting out a detached unit on the same property i.e. carriage house. Where a carriage house is on the same property as the owner a duplex is on a separate property even if both are owned by one individual.</p>
<p>There are a large number of STR units which are secondary units (i.e. basement suite) in the homeowner's primary residence. These are the most affordable units for long terms renters who are not a family. While the proposed bylaws and regulations address many of this issues related to short term rentals, it does nothing to address the lack of affordable rental suites.</p> <p>It's great that stand alone houses will not be permitted for short term rental, however someone like myself, single, late 30's, is unable to rent a whole house due to the monthly rental rate. I am well passed the age of random roommates - if you can even secure one, and the lack of reasonable, affordable, rentals is still a huge problem in Golden. Most of the suites which would be suitable for affordable, long term rental, will still be rented out nightly on Airbnb under these regulations.</p>
<p>On street parking should be limited to one guest vehicle. RMI/Hotel tax should be charged by short term renters at a higher rate than hotels and b and b's and submitted appropriately. Once a property owner has identified themselves as an STR, properties should be put on a water meter and usage for the entire dwelling should be paid for monthly, regardless of use as a STR or not.</p>
<p>The proposed bylaws are not clear for CSRD Area A, will this not have to be implemented with the CSRD and not the Town of Golden?</p>
<p>I disagree with the owner occupation requirement of STRs. For many of us, renting out our home short term while away for work or extended family visit helps with making ends meet. As long as it's the owner's principal residence, and there is a responsible person/contact (e.g. property manager), it should be legal to STR one's home while the owners are away.</p>
<p>Condos should be allowed for short term rentals</p>
<p>Smaller rentals like carriage way houses or multi family apartments full an important niche rental. The current supply on the highway or on the hill is very expensive or away from the downtown golden we like to enjoy when visiting.</p>
<p>I am not sure why Short term rentals are not to be permitted: On a property with a detached secondary residential dwelling (carriage house or garden suite), if the principal residential dwelling is occupied during the short term rental (of the secondary residential dwelling) by the operator, and the owner must be present.</p>
<p>If I can't have the availability in AirBnb's I likely won't come to town. As staying in Golden is terrible hotels or expensive on the highway and way to much money on the hill. I want to be downtown and have the amenities of a house. If they are not allowed, I'll go to Revelstoke.</p>
<p>I don't see an issue with renting a carriage house or detached secondary suite of the owner in the main dwelling is present.</p>
<p>Perhaps a total limit to the number of STR licenses in Golden / and Area A on an annual basis would further help the issue? This is how some other similar communities such as Revelstoke are managing the issue.</p> <p>Also it is unclear why a detached dwelling on a property can not be eligible for STR licensing - if the owners are on the property it seems like an odd rule, slightly going against the main purpose of the regulations.</p>

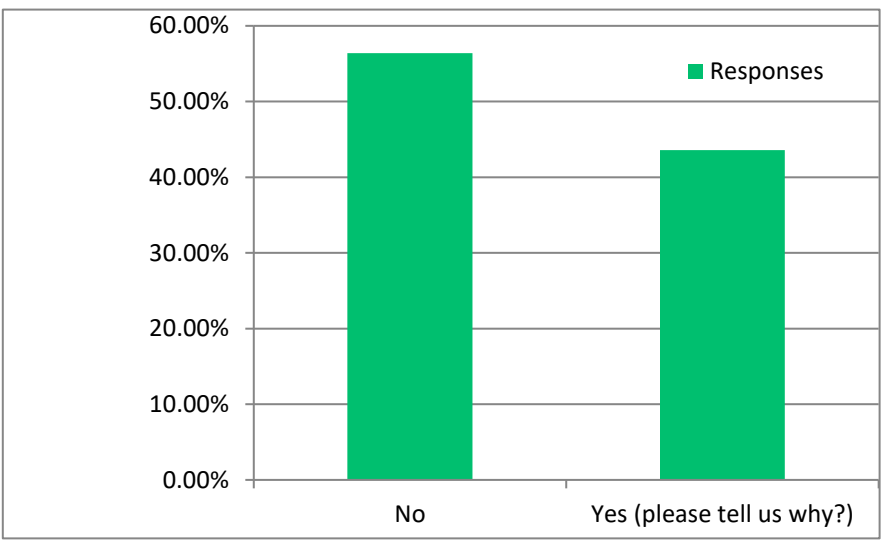
<p>As an owner of an STR, I Fully agree with licensing and regulations. I even tried to apply for a business license when I started my STR in 2019, but never received a response. I do not understand why an owner must be present on site; we've been operating our STR for nearly a year and never had an issue or a complaint. We employ many locals in the operation of our business and I see that imposing an owner present regulation will remove too many STR's and hurt local tourism business.</p>
<p>There needs to be sufficient parking for the owners and their guests (3 parking stalls) and one stall per rented room. There should be no off street parking!</p>
<p>Set up an entity for reporting STR abuses and problem houses.</p>
<p>I don't agree that a second dwelling (I.e. carriage house) or attached 2nd residence can't be rented out short term. This doesn't make sense to me.</p>
<ul style="list-style-type: none"> - Pay into the Tourism Golden accommodation tax. - Pay business/commercial rates for Town services - STR's and BnB's should not operate longer than 6 consecutive months and have at least 6 consecutive months available to general long term rental pool if it is a single detached dwelling or in-law suite.
<p>Bylaws should not be intended to "level the playing field with traditional accommodations". Traditional hotel/motel units are quickly falling out of demand. It is not up to the Town to moderate the business landscape. If a new business or way of doing business disrupts a traditional industry, it is up to the people in that industry to pivot to stay competitive. This is no business of the Town. If you're going to referee one sector, you better prepare to referee all sectors - and that would just be a terrible can of worms to open.</p> <p>Rental housing is affected by a variety of issues, not just STRs. This STR policy will not likely make much, if any, impact on the availability, quality, or affordability of rental housing in Golden.</p> <p>Enforcement of who is "living" in the STR to meet the Town's requirements sounds like a nightmare. And if it's not enforced, what's the point?</p> <p>I support STR bylaws, but I'm not convinced that this draft is the final solution. It could be part of it, and I look forward to seeing what fellow residents have to say.</p>
<p>Stop the changes and let people use their property as they deem fit. Enforce current bylaws around parking and noise if issues. I shouldn't be able to stop my neighbours from renting unused space in their house or detached dwelling. Doesn't effect neighbours they should be good regardless</p>
<p>How does one go about reporting anonymously a short term rental that is almost across the street from us where the owner does not live on the premises.</p>
<p>Removal of str license or b&b licence if there are repeated problems to neighbours - sanctions/penalties.</p>
<p>Planned and scheduled review of adopted bylaws to positively confirm they are working as intended.</p>
<p>Why not C1, or can a C1 buiding be changed to C5?</p>

<p>All STR's should pay commercial business taxes as they are using their property for a commercial business.</p> <p>This would make it fair.</p> <p>The same applies to the food trucks that are taking away from businesses that have a permanent building and pay so much more in taxes.</p>
<p>A clear and concise indication as to the penalty if you do not comply with the regulations. Otherwise people will just take no notice of any treat of action.</p>
<p>Does this regulation apply to Area A? not explicit to me from this survey. I assume as it is a town bi-law that it does not.</p>
<ul style="list-style-type: none"> - distinguish between a real B&B (where breakfast is offered) and those that are actually just STR's (like AirBnB where actually no breakfast is served). what does your regulation cover? - if operator is offering breakfast they must have and must prove they have a Food Hygiene license - nothing says commercial liability insurance is mandatory and must be shown to Town when buying business license to prove operating legally - I know it's a separate area, but would love to see Area A include these guidelines too - Feb 2018 suggestions said buildings would be checked by town fire officer - is this still happening? - cap the # of units in a new development that can be STR's eg Rocky Point condos, Oso
<p>The reason Airbnb started was so people could rent their home while they went on vacation. I think town should include a clause allowing for a limited amount of STR if it is the owners primary residence, as claimed on their taxes, say 30 days in a year.</p> <p>This would allow for residence to recoup cost of travelling, while not removing a unit from the rental market. This could also benefit town during busy travel weeks, freeing up hotel space, so the the hotels could keep gouging everyone, leveling the playing field as you say.</p>
<p>I don't feel that their is proper recourse to adjacent property owners for noise bylaw infractions, parking infractions and dealing with the negative aspects of densification. Specifically their should be a specified check in time of 9 pm in order that traffic is not occurring at all hours of the night. I also feel that it be mandatory that "the property owner" be present in the house and not a "designated" person. This is going to be an issue absolutely for certain....Nearby residents, should they have a complaint will not achieve the same satisfaction of complaining to the owner designate as they would with the registered property owner. I see this as a real shortfall to the proposal and a if approved as written will come back to haunt the TOG administration...</p>
<p>Carriage houses and garden suites on the property where the owner dwells should be included</p>
<p>Information re: by law enforcement and detailed fine breakdown for first/multiple offences</p>
<p>There should be a small sign in the front yard area that helps the home owners in the neighbourhood identify and be aware that there is a short term rental in the area.</p> <p>And you shouldn't stop home owner with secondary dwellings from using them for STRs. That seem like best kind of STR. It's should be there choice.</p>

<p>We should be working toward a goal to find a solution for short term rentals not to stop them. This will reduce the investors and decrease the property value. Golden already looks like it's stuck on old days and if we want to make Golden as next Canmore then this bylaws do not support that cause.</p>
<p>It's not clear why there is a limitation on STRs on a property with a carriage house.</p>
<p>License fees should be more to offset the costs arising from these bylaws. Water / utilities should be more for STR and safety inspection should be yearly.</p>
<p>I think it's unfair that as a condo owner who is a golden resident, that i would be unable to Airbnb my unit while I'm away on vacation whereas a person who owns a house has much more freedom to earn money off of their property.</p> <p>Level the playing field for all residents and owners, not just house owners and hotel owners.</p> <p>I pay taxes as well. I would purchase a business licence. I believe it would be fair to offer primary condo residents the option to operate a short term rental when they choose. Why should I be penalized for the type of dwelling I chose to purchase in Golden. I understand the need to prevent Calgary owners from reaping money off of condos while they live in Calgary and take away housing stock from locals. I think, however, that Golden residents who own and live in a condo unit should have the opportunity to rent their home as a short term vacation rental.</p> <p>It would help me out to rent my place out over Christmas vacation and once or twice over the summer while I'm away. The proposed bylaws do not support this. Meanwhile, residents with houses are able to commodify their basement suites all year, rather than contribute to a strong rental economy in Golden.</p>
<p>The blaeberry has become over run with air b&b's, With at least 2/3rds of them being owned and operated by people that only live and vacation here for a month a year. Building 3 houses and 4 cabins on every 5 acre lot has really Taken away from why a lot of us Local and working class folks are upset with the direction of the blaeberry. It's now over run with a bunch of air b&b'ers. Now the hard working , locals of golden cant even dream of buying a property in the blaeberry or rent for that matter. I think it has taken away from all the original bed and breakfasts that were doing it right. Yes if people live and occupy the house and rent a section out that's a bit better, but 3 or 4 houses and cabins and you live in Ontario, they need to be stopped. It's ruined the blaeberry. Where is all the extra poop going? Are they proper engineered septics? How about the short supply of water in blaeberry? We need to regulate it before it gets anymore out of hand. On top of it we have seen a increase in break and enters and the local residents are always on high alert.</p>
<p>Thx and glad we are finally taking steps on regulating this mess.</p>
<p>Based on the documents linked above, there of little said about parking. I think parking is one of the most significant nuisance issues in town, and I hope that off street parking for STR/B&B clients AND residents of the home is made very clear in by-law. Including repurposing (or not) of the town boulevard for parking.</p>
<p>am incentive for property owners to rent the type of units deccribed here to long term tenants, identified as people employed, attending school, or otherwise needing to reside in Golden. Perhaps the form of tax breaks, etc.</p> <p>likewise further incentivise those detached houses and other secondary structures, that can no longer be STR, for long term rental</p>

Question 7 - Is there anything missing from the proposed bylaws and regulations that you think should be included, and please tell us why?

Answer Choices	Responses
No	56.41%
Yes (please tell us why?)	43.59%



I believe consideration should be made to our specific situation - thank you.

This is not going to fix the problem of not having long term rentals!

See Canmore's model for increasing number of long term rentals -- not clamping down on existing businesses but rather building more housing where long term rentals are feasible.

Tourism will slow in Golden -- people do NOT want to stay in hotels, nor do they want to stay with a host. People want to stay in a private unit while touring Golden. Since the town of Golden is incredibly dependent on tourism, you'd think that this will be more important.

Allow Airbnb in multi family dwellings based on Strata bylaws

Lots of people depend on Airbnb income and can't rent out their spaces long term as they need them for visiting family members or other reasons. Please make it feasible to continue.

I feel that the proposed bylaws are overly restrictive and that the Town's direction gives up too much homeowner freedom for the benefit of traditional hotel operators. Their inability to adapt to a changing market should not be a burden shouldered by homeowners. Banning well managed STRs from secondary suites and multi-family buildings blatantly handcuffs Goldenites in the interests of corporate hotel chains.

How will this be enforced?

<p>My 'neutral' response to Leveling the playing field with traditional accommodators is because I think the fees suggested are exorbitant. If Hotels pay \$70 + \$3 per room a "level playing field" would be \$76 for a 2 bedroom STR. Unless you are planning to hire a dedicated bylaw officer for STR's there would be no additional cost to enforcing the bylaw.</p>
<p>I don't agree with putting restrictions on STR's and B&B's.</p>
<p>I have licensed B&B, which is my main source of 'retirement' income. Also rental house in another municipality. Rental house uses MUCH more water/sewage than suite guests/cleanup does (My utility bills are HUGE for rental house. Proposed license fees are WAY TOO HIGH - will discourage compliance. Motels/hotels have economy of scale to cover costs that B&B DO NOT. STR as B&B's contribute to local economy in same ways motels/hotels by increasing revenue in restaurants, stores (grocery, clothing, souvenirs, etc), tourist attractions (rafting, hiking, park visitors, etc), gas stations, and of course, operator revenues. I have had only 1 group of guests (3 people) get noisy (obviously drinking); they went uptown around 6 pm & returned to suite around 12 am...subdued. I have encountered a lot more noise in nearby residences on regular basis; I can only assume they are owned/or long term rentals. Most of the residences on this street park vehicles off-site...can be very difficult to navigate, especially if snowfall accumulates. Perhaps every address should provide a contact for any annoyance to neighboring property and RCMP!!! I pay all required taxes; municipal, provincial and federal (I report ALL my income) My B&B is advertised on Airbnb which collects & remits provincial hotel taxes. I pay extra for utilities. I pay extra for insurance. Leveling the playing field? I don't believe that is a fair assessment. Yes, STR's should be inspected & licensed, play by the rules. But the rules should not be designed to unduly punish the 'little' guy with the aim to help much larger commercial (hotels/motels) operations.</p>
<p>Less fees! It's already expensive enough to live and own property here!</p>
<p>I would like to know how you intend to "enforce" your new bylaws and collect fines when it comes to "out-of-province" offenders...can the TOG legally put a lean on someone's property if they refuse to comply?</p>
<p>My main concern with short term rentals from living next to one where the building owner is not present, is the ever present issue with intrusive noise at ALL hours, and garbage/debris landing on our property. We and our other neighbours have had to, on more than a few occasions, go to the STR at all hours of the night, and request silence. The proposal to require owner in residence is so important to us, and will be such a relief.</p>
<p>Short term rentals need to be considered as a positive movement to boosting the economy in Golden. Restricting the number of short term rentals will potentially affect the number of visitors to the town and in turn the profitability of local businesses.</p>
<p>I believe the Town should reconsider its direction as this does not consider the long term effect of the economy of the Town.</p>
<p>I think that council is taking a very limited view. Increasingly a certain segment of travellers is choosing to stay in short term rentals. Should those not be available in Golden, they will not choose a traditional type of accommodation, they will choose another town. Our economy depends upon tourism, and the Town must look out for all residents, not just the traditional hotel owners.</p>
<p>I think that this needs to be rolled out in a phased approach. I think the first step would be to ensure that all operators are licensed and inspected, but request that everyone become licensed, regardless of zoning. I also believe that if you want people to run a proper str and do a good job of representing our community to guests, you need to charge appropriately. If someone is truly running a professional str, they will have no problem paying a large amount for a business licence. I think \$1000 would be more than fair. By doing this, you will immediately lose the interest of some str's perhaps</p>

<p>that alone will even out your market. And if there is still not enough regulation, I would proposed that Condo boards/stratas have the ability to approve str's in their buildings. Not every condo board supports them and holds the proper insurance for them. This is a risk to the town as well. Overall, I see that changes are coming and we will become nimble to adjust. But I do think that swinging from one end of the spectrum to the other, so quickly, will actually be harmful to the economy in Golden. I believe that a slower more methodical approach would allow Council the opportunity to check back and course correct as it moves forward. By making such quick and rash changes, it leaves little room to go "backwards" to make changes. I would say that Council's reputation is also at risk.</p>
<p>Appoint a bylaw officer to ensure compliance with regulations.</p>
<p>STR in multi family buildings seems like the perfect place for an STR as there is already a larger concentration of people coming and going.</p> <p>If you drive around Golden and look at multi family living buildings it is immediately transparent as to which units are STR and which units are lived in as the the STR units are well kept and have attractive street appeal to the passerby.</p>
<p>I feel that short term rentals bring a rowdier crowd to residential areas, they are here to have fun and sometimes that doesn't correlate with working people. we've been woken up late at night in the middle of work weeks on multiple occasions from partying guests in our neighbors Airbnb. I strongly disagree with any of these being in residential areas. Stricter applications to Airbnb owners would likely weed out the more "loosely" ran units but it's still not a guarantee. I think we are on the right track as far as reducing and monitoring them but I'm a firm believer that this is what hotels/motels are for...</p>
<p>How can the fact that a person who owns a property as a secondary dwelling (and does NOT live on the property while renting it out as an air b and b) be enforced? I have a property 2 houses away that is continually used as a rental property and it is frequently loud late at night. I know the owner is not on site. What should I do?</p>
<p>Make sure that all of these requirements are monitored and enforced. Notify neighbors that the air B&B meets compliance. Egress windows are actually in place, parking is in place and that the renter is always onsite.</p>
<p>I understand the need to protect the housing market not having capacity for long term dwellings/rentals. I do believe this is a balance. I also don't feel that there is a need to level the playing field for hotels/traditional accommodations. They need to find a way to stay relevant in this new environment.</p>
<p>STRs are an issue in every community, but Golden is feeling the pinch in a big way. These need to be properly regulated but more importantly, enforcement will be a major part of the bylaw and regulations, which I feel has not been done so far.</p>
<p>It is no sense making bylaws that cannot be enforced (i.e. calling the RCMP about party noise is definitely overkill yet it would need some enforcement)</p>
<p>I really hope these bylaws will be enforced!</p>
<p>I would say that str licenses spoilt be revoked of neighbours are being constantly disturbed by guests as to protect residents that bought areas in residential areas that are now being in all purposes made into commercial areas.</p>
<p>Many people such as myself are outpriced in Golden's long term rental market. I have a full time, year round job as well as additional part time employment. I can still not afford to rent in Golden much longer. The job market and rate of pay does not match the cost of rental housing in Golden. I am considering leaving for a larger town because of this. Although the rental costs are still high, there are greater availability of jobs with better pay in other areas of BC. The cost of rental units in Golden severely outweighs the rate of pay for jobs located in town and surrounding area. Soon this will be a town of second home owners and individuals who work away.</p>

<p>If only Canyon Ridge is the acceptable place for STR's in the Town of Golden, the link between upper Pine Dr. and lower Pine Dr. should be closed. Many tourists speed down lower Pine Dr. at excessive speeds to reach their destination above in Canyon Ridge..</p>
<p>Short term rentals do not assist with the housing shortage for staffing problems with Kicking Horse Resort. I currently operate a STR as this is my vacation home therefore I will never rent this property out to a full time resident so I can continue to use my property when I chose on a part time basis. Because I am not a permanent resident our property taxes are almost 3 times more than if I were a full time resident. Due to our STM, our guests and ourselves support many business in the community of Golden.</p>
<p>Enforcement! We've been paying B&B licence and other fees, even through the pandemic when we chose not to have guests to protect us and the community. Most STRs don't pay either and there's zero enforcement. This is not fair.</p>
<p>It is too expensive to Stay on the hill and would not come to Golden if there were not available rentals in the town.</p>
<p>Limitations on the number of short term rental properties to ensure adequate long term rental accommodation for those working in the area.</p>
<p>It is unclear why a detached dwelling on a residential property cannot be eligible for STR licensing - if the owners are on the property in the primary residence it seems like an odd rule, slightly going against the main purpose of the regulations as one would think the owners on the property would help manage the clientele/noise/partying/overcrowded parking.</p>
<p>Additionally, many hotels support community causes such as sporting teams, etc. Will ToG apply part of the fees gained from all the purchases of STR towards community causes/events such as this as well? Or towards development of the proposed updated Rec Centre / Aquatic Centre?</p>
<p>I think each multi family dwelling/strata should be able to make the decision in its own bylaws. As someone who has lived in my unit, rented long term and rented STR, I can tell you I have had much more issues with the "partying" with people who are in town for the season. Plus I employ 2 people in town to manage and clean my STR when I am not there. Taking away the STR option would force guests to stay generally on the highway, the ugliest parts of town.</p>
<p>Golden is trying to market itself as a destination for tourists. What this does is completely limit the available options available to people visiting town. With the highway construction coming, transient workers are now going to snap up all the rentals in town, at higher rates, as they won't be able to short term AirBnb hardly anything. It creates the exact same problem. As someone who travels for work regularly, lives half in Golden and half in Calgary. I look for Airbnbs, if there aren't any, I just rent an apartment or house that my living allowance pays for anyways. So, instead of 1-3 months, the length of my contract, I'm usually forced into a 6 month lease with a landlord, which again, creates the issue of available local rentals. STR often offer the flexibility of traveling working renters to negotiate with landlords for that 1-3 months. For example, due to Covid, I was unable to use my condo in Golden from March - June. Luckily I still had it up on AirBnb, as that is where travelling workers go to look and found a tenant that has been in there since. Giving me a long term tenant, with secure insurance provided by AirBnb.</p>
<p>The town isn't going to have an influx of Aussies/kiwis for many many years, the demand on the less desirable rentals will be down. So, let's not push local tourists out to the highway and have that negative effect on the businesses that reside in the town centre.</p>

<p>I believe there needs to be more research and investigation into where STR rentals exist and how the owner present regulation will affect availability of STR's. Many of the hotels in Golden are run down, not an appealing place to stay, and are often "full". Our STR is brand new and we pride ourselves in offering a clean and affordable place to stay in a multi dwelling unit, where there is already much traffic coming and going. I believe that licensing and regulating units, leaving it up to stratas to manage is a more reasonable option.</p>
<p>Provide a discount of some type (perhaps utilities) for those who rent on a long term basis. It is tough being a landlord and sometimes it is just easier (and more economically feasible) to rent to people on a short term basis.</p>
<p>I think that the new bylaws will make AirBnb inaccessible to the towns most vulnerable. The people on disability that have converted their detached garage into a suite and the single moms just trying to make ends meet. Airbnb was never supposed to be for the wealthy. It was for people to be able to afford travel and to make extra money. By not allowing people to rent out their primary residence while they are on vacation is, many times, taking the affordability away from them and also the family that would have rented from them. The greed on all fronts is mind boggling and truly unfortunate.</p>
<p>STRs can completely ruin the character of a neighborhood. Requiring the owner of the property to live on site of STR should ameliorate Many of the noise and nuisance issues that other cities experience.</p>
<p>With Covid issues, we need to be concerned about physical distance. It seems the detached dwellings on the same property would be better for that then within the residences?</p>
<p>Due to the rigidity of the Residential Tenancy Act and its tendency to favour the renter - STRs are a no-brainer for landlords. They offer more protections, and way higher profits. It is silly to think that someone would choose to rent their u it out long term if they've had previous negative experiences with renters.</p> <p>We have also hit a tipping point for mortgage payments correlating to higher rents. People don't want to pay \$2,000+ per month for rent but that's what the landlord needs to cover their costs. If they rent it STR, they could make 2-3 times that amount. Why wouldn't we want our RESIDENTS to have that opportunity for income?</p> <p>Perhaps we look at "only residents (as per official gov't ID) can STR" their units.</p>
<p>Stop trying to decrease property values, no being able to rent out unused space may hamper some lower income people from being able to own their own homes.</p>
<p>This is a great step in the right direction! However, I think that there would be an opportunity to allow a long term tenant, rather than the owner, be on site/in the dwelling during the short term rental period. This may encourage property owners to find long term tenants and ease the burden of residents finding rental housing.</p>
<p>I think street parking should be allowed.</p>
<p>How does one go about reporting anonymously a short term rental that is across the street from us and the owner does not live on the premises?</p>
<p>Looks great :)</p>
<p>I agree that this bylaw or something similar is required to create a healthy balance of tourism vs long term housing for the town and Area A.</p>
<p>This has been going on far too long. It needs to be fair and factor in the amount that hotels contribute to town taxes.</p>
<p>I don't agree with Canyon Ridge being different from the rest of the town. As a resident there I have an executive home and didn't build there to be surrounded by different people every weekend etc. People who have no vested interest in our</p>

<p>subdivision and it's upkeep. We should be treated the same as the rest of town.</p>
<p>I think that it would be better to have anyone intending on having a STR in a home in a R1 zone to have to inform everyone on that street so they can object if they feel it necessary.</p>
<p>I fully support the controlling of STRs and B&B but I am concerned about the inclusion of certain regulations that appear to be arbitrary and not based on consistent rationale.</p> <p>It should be noted that STR use and long term rental are both commercial operations in a residential dwelling. It should also be noted that noise issues and property abuse is just as likely, or more likely, with long term renters and therefore bylaws should be treated equally when it comes to regulations and policing. Keep in mind that there are minimal deterrents to prevent problem renters yet STR's are often in well kept properties and under the management of businesses like AirBNB that rely upon reviews to self govern guests and hosts. People are motivated to not have their vacation cut short or be unable to book.</p> <p>With this in mind, why are we treating STRs like the problem and forcing them to be held to a higher standard than long term rentals?</p> <p>I disagree with Bylaw 1437, 2020 9.6 (b) that states a STR be permitted only when operated by a Permanent Resident residing in a Dwelling Unit on the Lot while the Short Term Rental use is occurring;</p> <p>Once again, to compare to a long term renter, we have police and a Bylaw officer to deal with issues. Why is a STR held to a different standard. This stops a resident from renting their house when they are away. A dwelling that normally wouldn't be available to rent; an additional dwelling in the pool; extra cash to subsidize one's vacation. There are already measures in place to deal with noise violations, etc.</p> <p>In the same theme, I disagree with having to be within a 2 hr response time.</p> <p>In Bylaw 1437, 2020 Sec 9.2.1 (h) it states "h. not be permitted on a Lot where a Detached Secondary Residential Dwelling exists. "</p> <p>Does this mean if you have a detached secondary residential dwelling, you can not rent a bedroom in your main residence? What is the logic there?</p> <p>This also prevents someone from building a detached secondary dwelling to use for STR. Why is this? STRs allow people to justify building carriage homes when they normally couldn't afford it. The addition of beds will only help the long term rental pool because there are simply more beds in town. Higher supply for STR means lower prices and less motivation for STR, therefore increasing options for Long term renters. This seems like an arbitrary regulation solely aimed at reducing STRs for no logical reason.</p> <p>Thanks for listening.</p>
<p>I don't agree with not being able to rent out a secondary dwelling on the same property such as a carriage house as long as the property owner is in residence in the other building</p>
<p>Why is town concerned so much with helping hotels/traditional accommodators? If they can't provide a quality product that people want to purchase maybe they should improve their product. \$300/night for a hotel room on the strip or \$150/night for a basement apartment in town, what would any sensible person choose, especially if they are travelling with a family. No wonder the hotel operators are lobbying town so</p>

hard, STR have made hotel owners realize the no longer have a monopoly and need to improve.

Adapt or fail, like every other business.

I am very upset with the Town of Golden for so blatantly favoring the hotel owners. Anyone that has spent anytime in Golden, knows that most hotel guest on the strip don't come into town. Why not encourage people to come into town?

I am also concerned why Canyons Ridge is being treated differently. Is it because it has higher assessed home values than other parts of town, meaning more revenue for the Town of Golden? I thought you wanted to "level the playing field"?

STR's should be allowed in multi unit dwellings. For one, that is how they were marketed. Second, many of them sit empty during the week, making it more pleasant for permanent residence in the building, than having full time neighbors.

Carriage houses and garden suites should be included

STRs should be regulated. I find the emphasis on leveling the playing field with traditional accommodation providers perplexing. They need to scale and adjust to a changing economy. I'm not sure that the fee structure for business licensing reflect the scale differences in a home based operation v. a large hotel.

It would be better to just ban them all.

They have ruined the town of Golden and the blueberry.

I think STRs should be allowed in multi unit buildings, if the owner lives in Golden/area A.

23 August, 2020

Town of Golden
810 9th Ave. South, Box 350
Golden, British Columbia V0A 1H0

Attention: Mayor Ron Oszust and Members of Council, Jon Wilsgard, Viv Thoss & Phil Armstrong

We are writing to you at the Town of Golden to express our concern regarding a lack of enforcement of the current zoning bylaws. We are the members of the Strata Board at Rocky Pointe on 5th Avenue South and we need your help. We recently renewed our property insurance and the company has specified that we are not covered if there are any short term rentals (specifically eCommerce style for profit rentals) operating at our complex. Our current Strata bylaws state that there are no restrictions on the types of rentals allowed at Rocky Pointe however we do have a bylaw that says that no owner shall use a strata lot for illegal purposes. We have attempted to amend our bylaws to restrict short term rentals however we need 75% majority vote and we have been unable to achieve that majority.

This puts our investments and personal liability at significant risk and it is a risk that the board is not willing to accept.

We at the Rocky Pointe Strata Board are requesting that you start enforcing your current bylaw regarding the operation of short term rentals in the R4 zoned area.

We can be contacted via email at rockypointestrata@gmail.com. We look forward to hearing your response.

Kind regards

Rocky Pointe Strata Board
410 5th Ave South
Golden, BC V0A 1H0

Stephanie Porter

22-400 5th Avenue South

Golden, BC V0A 1H0

250.439.8496 ms.stephanieporter@gmail.com

August 7, 2020

Att: Town Council RE: Bylaw 1424

Dear Mayor & Councillors

I had originally sent this letter on January 12th of this year but when I followed up with the town minutes I was unable to locate it. So, I am writing you again in regards to the impending Bylaw 1424 for short-term rentals in Golden. My name is Stephanie Porter, a third generation Goldenite. My Grandfather was born in a rail car down the valley, so I'm about as local as they come. As much as I love Golden and never want to leave, my husband and I have been on the verge of having to move away for some time now. I have been unable to find significant employment thus, we can't afford to live here, let alone do the things we want most in life.

Prior to the birth of my first child, I worked for Canadian Mountain Holidays Bugaboo Lodge from 2002-10, my background is in hospitality, specifically high end backcountry lodging. My husband works away to provide for our family, leaving me, for all intents and purposes, a single parent. Except, without any of the financial support that is given to actual single parents. I have struggled to find work for nearly a decade, since starting a family. Most jobs that pay enough to cover childcare expenses, usually requires overnight shift work. This is not an option for

someone in my situation, without the support of a partner at home. Cleaning Airbnb's kind of fell into my lap- I can bring my daughter with me when necessary-something that I can't do cleaning private residence or any other job, for that matter.

My client demographic is mainly single men, that work out of town. These individuals do not want to live with others at this particular stage of their lives, but need to have people in their residence regularly for insurance purposes. I keep an eye on things for them and clean the rentals between guests. While I whole heartedly agree with not allowing people to purchase properties for the sole purpose of STR, I don't feel it is fair for the town to regulate what a person does with their primary residence, so long as they get proper licensing and pay their share of taxes.

Besides the fact that hotels in Golden have become completely unaffordable for the average person (some upwards of \$300/night during the summer), people using Airbnb are looking for a more familial experience, something homier, where they can prepare and eat meals together, instead of a stark hotel room. In fact, a majority of the people that stay at Airbnb's I help with in the summer time are here to explore Banff but drive to Golden so that they can have the comfort of a home. By allowing short-term rentals Golden actually benefits from the tourism of Banff.

Between 2017 and 2018, Airbnb experienced a 40% increase in revenues. it is fair to say that this is what people are looking for and Airbnb isn't going anywhere anytime soon. If Golden wants to continue to benefit from short-term rentals, the town must allow residents to use their primary residence however they see fit.

Furthermore, according to Living Wage Canada, a single person must earn \$20.46/hr to live in Golden (more than Vancouver at \$19.50/hr), a family with 2 working parents must each earn \$15.92/hr (Columbia Valley average, Golden is likely higher)

<http://livingwagecanada.ca/index.php/living-wage-communities/british-columbia/>

http://www.livingwageforfamilies.ca/living_wage_rates

This wage does not include debt repayment, future savings for home ownership, recreation, entertainment or holiday costs. http://www.livingwageforfamilies.ca/what_is_living_wage

The average housekeeping position for hotels in Golden is \$14.79.

<https://ca.indeed.com/salaries/housekeeper-Salaries,-Golden-BC>

Average Airbnb housekeeper in Golden makes \$25-\$30/hr.

Airbnb was never meant for the wealthy. By imposing the restrictions that the town has proposed is taking away the opportunity from the very people that Airbnb was meant to serve. Allowing people to rent out their primary residence while they are away from home is the only way that IS NOT going to affect the rental inventory in Golden. It doesn't make any sense not to allow it.

Thank you for your time.

Sincerely,

Stephanie Porter



Town of Golden Short Term Rentals



Short Term Rental Regulations

Bed & Breakfast regulations created and implemented.	Staff present a discussion paper on the growing trend of short term rentals.	<ul style="list-style-type: none"> Town reinstates bylaw enforcement and ticketing in Golden. Staff engages Tourism Golden and its board. STR focus groups and online public engagement. 	Based on feedback, Council provided staff with direction for drafting bylaws related to STRs. Check out the Council direction board for details.	<ul style="list-style-type: none"> Direction to explore Temporary Use Permits and business license/regulation abandoned due to administrative burden. Staff and Tourism Golden engage Airbnb. Staff present a draft zoning bylaw for Council to review. 	Based on an application from the developer of OSO, Council approves a commercial zoning amendment, introducing STRs in C1, C2 and C3 zones.	WE ARE HERE	Council to consider feedback and second reading.	Public Hearing on STR bylaws and regulations.	Adoption of the STR bylaws and regulations.	
1990s and earlier	2016	2017	2018	2019	February 2020	July 2020	August 2020	October 2020	November 2020	December 2020

Timeline



Council gives first reading

Staff presented the proposed Short Term Rental bylaws and regulations on July 21. Council gave first reading and directed staff to move forward with an open house and online check-in on the short term rental package.



Check-in

- Online feedback form available from July 27 to August 31.
- Check back in with original focus group attendees, Tourism Golden and hotel accommodators.
- Open house check-in with the public on August 18.



Short Term Rental Regulations

Background

- Over the last few years, The Town of Golden has studied potential new rules for Short Term Rentals (STRs). STRs typically refer to the commercial rental of a private residence, such as a few rooms (a B&B) or an entire dwelling unit (a short term rental), for a period of less than 30 nights, for which the guest compensates the owner (or lessee) of the unit.
- STRs represent a globally sought and valid market for travellers. Times have changed and millions of people are looking for alternative accommodation experiences not offered by the traditional hotel model. In the last 8 years there has been a 47% increase in listings globally.
- Websites such as Airbnb and Vacation Rental by Owner (VRBO) as well as smart phones have made it easier to operate an STR. The Town is aware that over the last number of years many unlicensed STRs have started up in both the Town and even more numerous in Area A.
- Municipalities across Canada, and the world, have been facing the same situation and challenges as Golden, experiencing growth in STRs and needing to create bylaws and regulations to address this new sector.

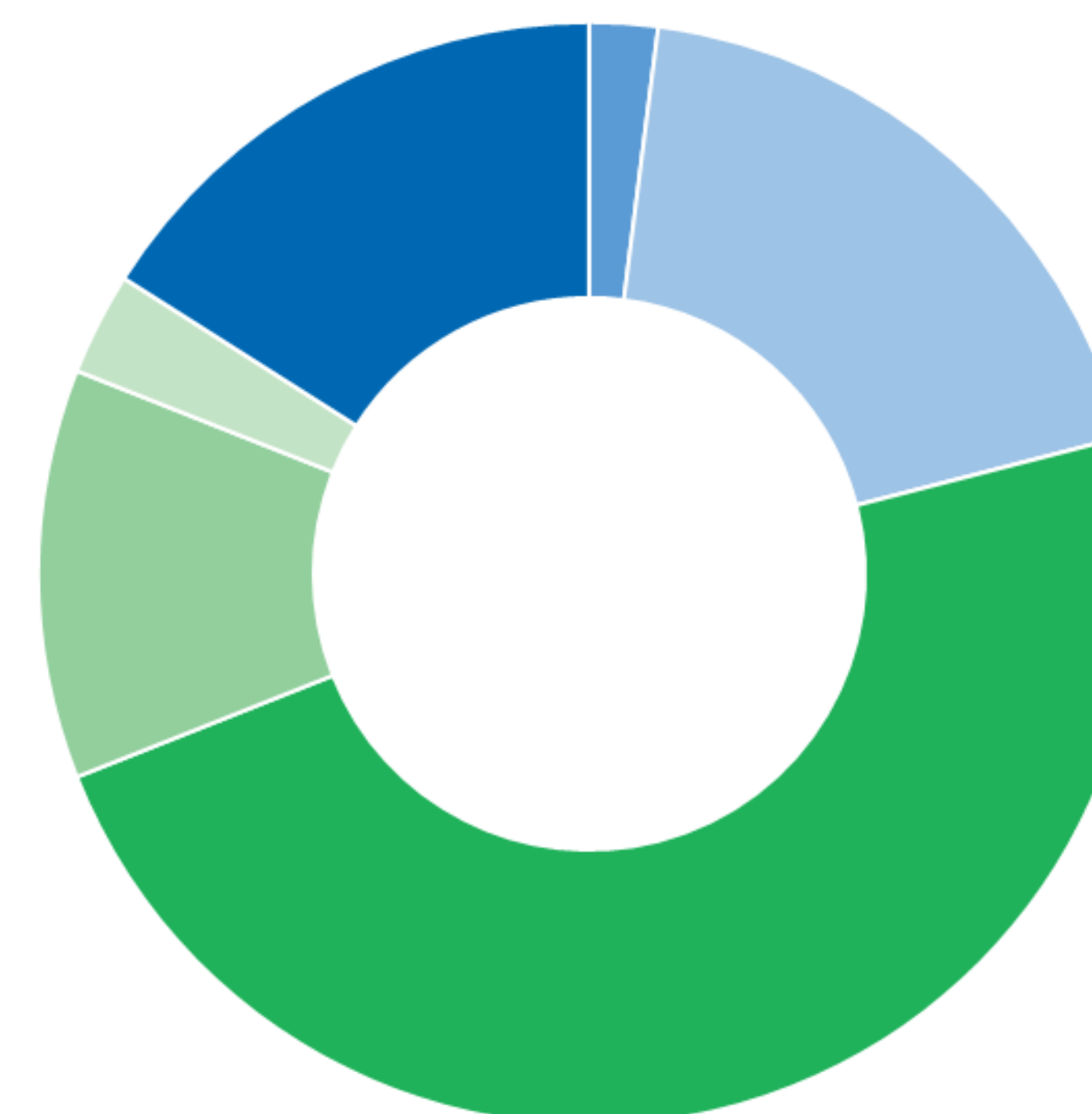
STR Statistics

This chart shows the number of STRs, in the Town of Golden and CSRD Area A, year over year.

Note that in 2020, only 32% of listings in the area are within the Town of Golden.

	Town	CSRD Area A
June 2016	54	184
Nov. 2017	81	212
July 2018	128	330
July 2019	175	513
July 2020	164	508

Rates for STRs located in the Town of Golden



Estimated operator revenues for 2020 in the Town of Golden



- \$0-\$50 (2%)
- \$50-\$100 (19%)
- \$100-\$200 (48%)
- \$200-\$400 (12%)
- \$400+ (3%)
- not provided (%16)
- \$0 (23%)
- \$5k-10k (26%)
- \$10k-\$25k (24%)
- \$25k + (0%)
- \$0k-\$5k (27%)

Source: Host Compliance



Short Term Rental Regulations

Community Challenges

- Increases cost of housing for some local residents and employees due to inflated real estate. Reduced supply increases housing prices both for rent and purchase.
- Impacts residential character and the feel of the neighbourhood (or challenge at building it).
- Increases neighbourhood noise and security concerns. Some visitors may treat every day/night like a weekend or Friday night.
- Creates unfair competition as some STRs may not be complying with tax requirements or health/safety codes.
- Reduces 'tax' revenue to pay for the local destination marketing organization (Tourism Golden) and Resort Municipality Initiative when STR operators evade tourism or other taxes.
- Increases parking overflow, traffic and snow clearing challenges.
- May increase the use of water, sewer and solid waste collection more than typical dwelling unit.

Community Benefits

- Allows some residents to earn additional income through STRs to offset housing costs or to help meet basic living needs and support.
- Promotes positive intermingling and cultural exchanges between visitors and residents.
- Contributes to local economy by allowing local residents, not just major businesses and commercial property owners, to earn income from visitors.
- Provides more accommodation options and prices for visitors, improving their experience and in many cases providing more authentic experiences and cultural exchanges.
- Increases development and job creation, as additional income streams may allow homeowners or investors to build more elaborate homes.
- Provides more efficient use of space within a building that may be underutilized (for example empty nesters renting vacant bedrooms).



Short Term Rental Regulations

Feedback and Public Engagement 2017-19

In the winter of 2017/18 the Town conducted an online survey with the general public receiving over 350 responses, as well as Focus Groups which included diverse stakeholders i.e. hotel/motel owner operators, licensed B&B operators, newer unlicensed STR/B&B operators, citizens concerns about rising housing prices, realtors/developers and residents of multi-family developments.

The following goal was presented to the focus group attendees:

Create a fairly regulated environment that supports a viable STR sector while meaningfully preserving housing stock for residential purposes.

What we heard:

- STRs are generally an expected accommodation and are supported, but that the playing field needs to be levelled.
- Housing market is affected. There was support for entire dwellings, but in residential areas via a primary resident home based model and not on properties with Detached Secondary Residential Dwellings (example: carriage houses).
- The shoulder seasons are difficult for STRs and hotels, especially budget motels.
- Other ideas: allow STRs in all areas of Town, include signage with contact information, and implement inspections and proactive enforcement.

**From the online survey of 355 respondents*

	Strongly Agree	Somewhat Agree	Somewhat disagree	Disagree	No opinion
They make it harder for people to find affordable, long term housing	185	104	20	37	9
They are an expected tourist accommodation offering that brings revenue to local shops, restaurants, etc.	136	130	42	34	10
They lead to an increase in the cost of housing	158	86	35	53	19
They create nuisances to neighbours (ex. noise, parking)	100	96	59	78	20



Short Term Rental Regulations




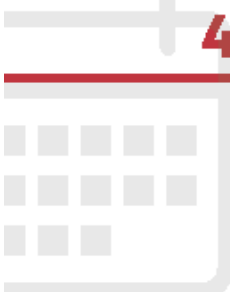




BC Hotel Association Recommendations & Response

In July of 2018, the Hotel Association of Canada, in partnership with the British Columbia Hotel Association published “A Framework for Canadian Regulators,” which examines the benefits and potential impacts of STRs including some recommendations.

The Town has been observant of these recommendations and has incorporated six of the eight recommendations into the proposed STR bylaws:

- ✓ **1.** All STRs must possess a valid business licence and pay the related fees. (“Registered”)
- ✓ **3.** Except in commercial zones, a principle resident must reside in any dwelling unit where an STR unit is located.
- ✓ **5.** All STRs will be inspected for life safety requirements.
- ✓ **6.** Similar to a hotel, STRs must keep a record of their guests, but for administrative purposes there is no reporting requirement, but this data will be available.
- ✓ **7.** All STRs are required by the Provincial Government to collect and remit the Municipal and Regional District Tax.
- ✓ **8.** The Town will be actively enforcing the STR bylaws through 3rd party monitoring of listings over many platforms.

Following a scan of the regulatory approaches taken in communities and cities around the world, the following 8 elements have consistently been applied:

- ✓ **1. HOST REGISTRATION AND FEES**

Requires that any property offered for home-renting be registered with the local government. For the benefit of hosts and municipalities, platform companies should facilitate the registration process. Along with the collection of an annual fee to recover costs, registration enables the monitoring and reporting of rental activity.
- ✓ **2. PLATFORM REGISTRATION AND FEES**

Require registration of the rental platform companies along with a significant annual fee and an ongoing fee for each booking. Rental platform companies must be prohibited from listing any property that is not properly registered.
- ✓ **3. PRINCIPAL RESIDENCE RESTRICTION**

Limits home-renting to a principal residence only. This prohibits the operation of ghost hotels and/or large scale commercial enterprises operating under the veil of home sharing. A significant issue remains in that short-term rentals are permitted in areas without proper zoning but with some limitations.
- ✓ **4. CAP ON USAGE**

Limits the number of days that a home can be rented through a home-renting platform. This helps to moderate the decline in available housing stock and the nuisance factors associated with the conversion of ordinary residences into commercial operations. Caps typically run from 30 to 180 days per year. Some condominium boards put the cap at zero days and some regulations require explicit approval from homeowner's associations before short-term rentals can be offered.
- ✓ **5. HEALTH AND SAFETY STANDARDS**

Regulations that require certain standards for safety (e.g. smoke detectors, fire extinguishers, pest control). This provides some minimal level of protection for guests.
- ✓ **6. REPORTING**

A requirement at the platform and host level to report to government on all home-renting activity. This includes mandating that platform companies issue annual information slips to hosts on rental income with a copy to government authorities.
- ✓ **7. TAXATION/LEVIES**

Special provisions at the platform level to conveniently collect and remit various taxes and/or levies on behalf of hosts. This creates a more level playing field with commercial operators and provides revenue to government to cover the costs of managing home sharing activity.
- ✓ **8. ENFORCEMENT/PENALTIES**

Mechanisms to ensure regulations are applied and enforced (e.g. confirm principal residence with a driver's license). Effective enforcement can only be achieved with reliable and timely reporting of activity from the platform. Penalties help to ensure the system is operating as intended through voluntary compliance.



Short Term Rental Regulations

Council Direction: February 2018

Following public engagement and focus groups, Council set the following Bylaw drafting direction in February 2018:

- ✗ Support for the proposed Temporary Use Permit and business license/regulation framework as a way to control the number of STRs in a particular area or on a particular street. (This direction was removed in April 2019 due to administrative burden).
- ✓ A short term rental (accommodation of 30 days or less) can occur in single detached dwelling or in a secondary suite as well as within a duplex.
- ✓ The single detached dwelling, duplex or ½ duplex, must be occupied during the short term rental by the operator, it must be the owner's principal dwelling, and the owner must be present. Council was also cognizant of neighbourhood impact and wanted the owner to be present to address potential noise, parking and other nuisances.
- ✓ A duplex or ½ duplex being operated as an STR must be on one title/one real estate entity:
 - If an owner owns both halves of the duplex, on one title, the owner can reside in one half of the duplex and operate an STR in the other.
 - In the case of a fee simple duplex the owner can operate a B&B/STR only in the side where they reside/own.
- ✓ Short term rentals are not to be permitted:
 - On a property with a detached secondary residential dwelling (carriage house or garden suite);
 - Within a unit in a multi-family residential development.
- ✓ Prior to approval, an initial life-safety inspection is to be conducted by the building official then inspections every three years.
- ✓ Requirements such as signage posting requirements, requiring the license number to be posted in advertisements/websites and no advertising without a business license will also be implemented for efficient enforcement purposes.
- ✓ Council is comfortable with the on-site (off-street) parking requirements of two parking stalls per single detached dwelling and one additional stall for each bedroom operated as a B&B/STR up to three bedrooms.
- ✓ There was no support for seasonal operators paying reduced licensing or water/sewer fees
- ✓ Allow full dwelling units to be rented short term in commercial zones (without a permanent resident requirement).

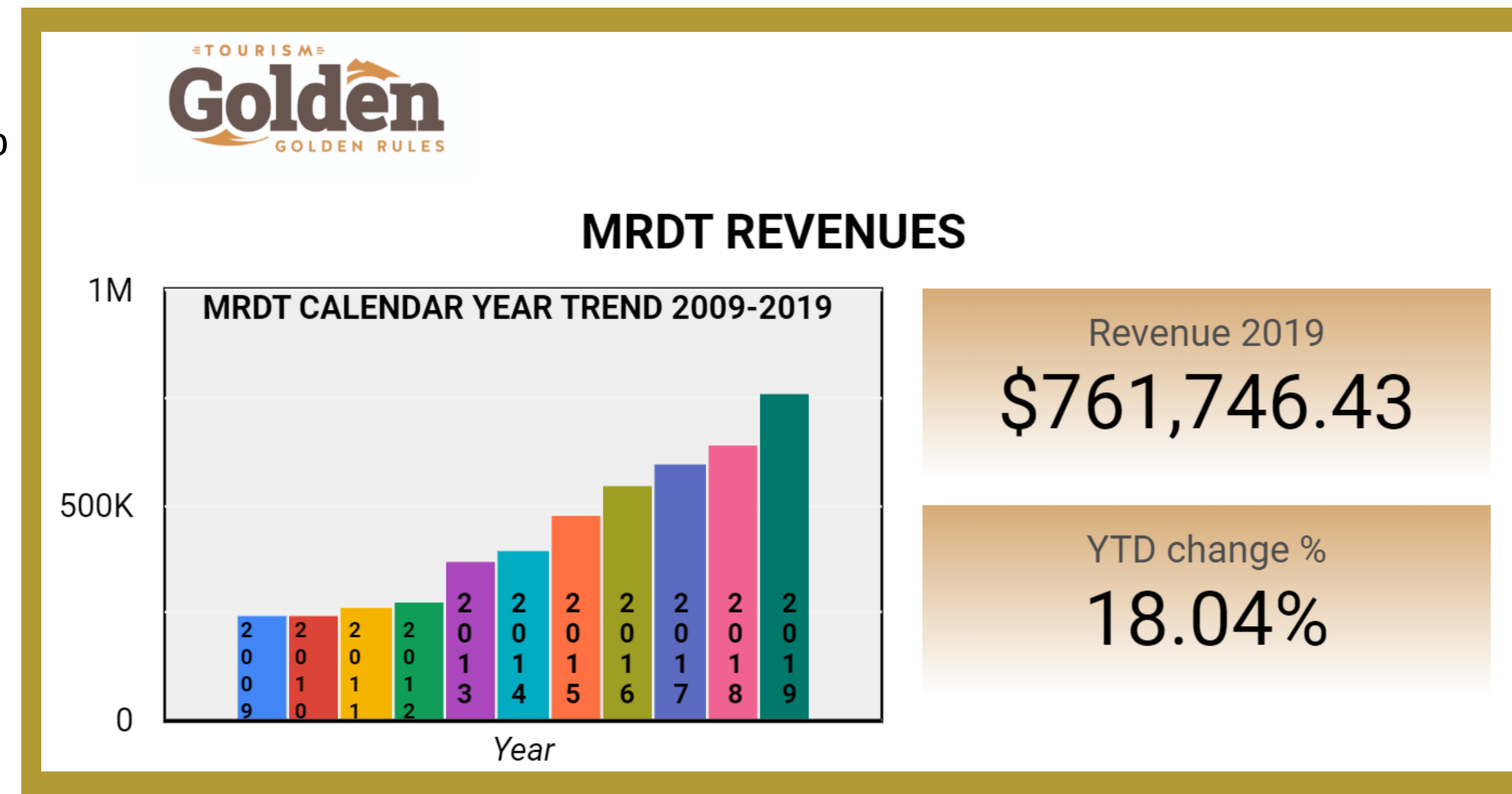


Short Term Rental Regulations

Levelling the playing field

- ✓ The Town has increased its water and sewer rates for bed and breakfasts.
- ✓ Council has played a role in advocating to the Provincial government, that like traditional accommodators, B&B and STR operators should pay higher property taxes and contribute to the Municipal and Regional District Tax (MRDT). Effective October 1, 2018, anyone who operates via an online accommodation platform (OAP) must now collect and remit MRDT as well as Provincial Sales Tax (PST).
 - The MRDT rate for Golden is collected at 2%, which funds in part Tourism Golden.
 - As per Tourism Golden's 2019 Key Performance Indicators, MRDT collected in 2019 was \$761,746.43.
 - Core traditional accommodators registered with the Province: \$652,547; and
 - 1st full year of OAP: \$135,498
 - note there are Provincial admin fees of \$26,280
 - STRs may represent up to 17% of the MRDT revenues collected in Golden and Area A.
 - The COVID-19 pandemic will affect these stats for 2020.

✗ It should be noted that property tax classes fall under the jurisdiction of the Provincial Government (BC Assessment).





Short Term Rental Regulations

Proposed Bylaw Amendments to the Official Community Plan(OCP): The Vision

The purpose of the OCP amendment bylaw is to affirm the vision that in residential areas bed and breakfasts (B&B) and short term rentals (STRs) are based on the home-based business philosophy.

Current OCP:

Prohibit - vacation rentals in new and existing residential areas and encourage vacation rentals in commercial areas. Canyon Ridge subdivision will be the only residential area where vacation rentals will be considered, subject to, design considerations which lessen the potential impact on adjacent existing neighbourhoods.

Proposed amendment:

“Prohibit the rental of entire homes in residential areas as short term rentals and rather, allow short term rentals in new and existing residential areas similar to a home based business. Also, allow short term rentals in commercial areas above a commercial ground floor use. Canyon Ridge subdivision will be the only residential area where short term rentals will be considered, subject to, design considerations which lessen the potential impact on adjacent existing neighbourhoods.



Short Term Rental Regulations

Proposed Zoning Bylaw Amendment

The following would be permitted in residential zones:

- ✓ A permanent resident may operate a B&B within a single detached dwelling.
- ✓ A permanent resident may operate a STR within a single detached dwelling with a secondary suite, if they live in the other suite.
- ✓ Within a single titled duplex a permanent resident can either live in one half and operate a B&B or live in one half and operate a STR from the other half.
- ✓ All are subject to the permanent resident residing on the property and occupying their residence for commercial STR/B&B use with up to three bedrooms.

The following would be prohibited in residential zones:

- ✗ A B&B or STR must not be on a property that contains a Detached Secondary Residential Dwelling (DSRD ex. carriage house). An B&B/STR must be within the principal building.
- ✗ Rental of an entire single detached dwelling.
- ✗ A B&B/STR in a multi-family residential building or in a manufactured home zone.

In early 2020, after receiving an application from the developer of OSO, Council voted in favour of amending the Zoning Bylaw to allow STRs to operate without a permanent resident present above the ground floor in the C1, C2 and C3 commercial zones.

- ✓ After hearing from the hotel association, short term rentals are proposed to be expanded to also include the C4 and C6 zones.

Definitions

Bed and Breakfast (B&B):

The commercial use of a Dwelling Unit to provide temporary accommodation in the form of Sleeping Units (bedrooms) in the dwelling unit to the traveling public.

Short Term Rental (STR):

The commercial use of a Dwelling Unit to provide temporary accommodation to the traveling public.



Short Term Rental Regulations

Proposed New STR Business Regulations

Some of the key proposed regulations include:

- That the owner of an STR in a residential zone cannot be a corporation or a society.
- That marketing must include the business license number and number of approved bedrooms.
- Signage requirements.
- A requirement for a “responsible person” for the guest, neighbours, Town, and the RCMP to contact if there is an issue and a requirement of a two hour response time.
- A requirement to notify neighbours that B&B or STR is being operated and to provide the contact for the responsible person.
- All STR units must be inspected to ensure life safety requirements, such as smoke detectors, egress windows and fire extinguishers, are present and operational.
- Building code compliance and facilitate periodic inspections.
- Keeping of a registry of guest and maintenance staff.
- Ensure all required onsite parking stalls are clear of any debris, unlicensed vehicles or snow by 10 am each day and available for active use by the residents of the dwelling unit on the property and occupants of the short term rental.



Short Term Rental Regulations

Proposed New STR Business Regulations: Licence Fees

Fees have been set based on cost recovery of a licensing regime, responsiveness of the “responsible person,” inspection requirements, recovering third party online monitoring costs, and reflective of other licence rates. Currently B&B operators pay \$70 like most businesses in Town. An 80 unit motel/hotel pays \$240 (\$70 plus \$3 a room). In order to further level the playing field fees are proposed at:

(a) The Bed and Breakfast Licence: the rental of up to three sleeping units in the operator’s permanent residence:

- 1 sleeping unit \$125
- 2 sleeping units \$175
- 3 sleeping units \$225

(b) Short Term Rental Licence - Accessory Use(residential): where the short-term rental use is an Accessory Use and is offered in a residential zone in a building which includes the operator’s permanent residence and the operator is present during the occupancy of the unit:

- 1 bedroom \$175
- 2 bedrooms \$225
- 3 bedrooms \$275

(c) Short Term Rental Licence - Commercial Licence:

- 1 bedroom \$200
- 2 bedrooms \$250
- 3 bedrooms \$300



Short Term Rental Regulations

Recap

The goal of these regulations is to work towards leveling the playing field, protecting Golden's residential housing stock, and addressing the total number of B&Bs and STRs by:

- Having higher licence rates and a regulatory system in place that is proactively monitored.
- Proposing limits in residential zones by limiting B&Bs and STRs to only the R1, R1-S, R1-D, R2, R2-A, R5 and C5 zones i.e. not the R3, R4, R6 and R7. These latter zones will be omitted as they typically contain more affordable/attainable housing options and often contain common spaces that are desired to feel safe i.e. shared hallways in apartment and condominiums.
- Introducing the permanent resident requirement, built on the home-based business model, to prohibit the use of entire single detached dwellings as STRs to ensure a long term residential component is maintained.





Short Term Rental Regulations

Next Steps

Adoption Process:

Council to consider feedback and second reading.	Public Hearing on STR bylaws and regulations.	Adoption of the STR bylaws and regulations.
October 2020	November 2020	December 2020

Active Enforcement:

- In order for regulations to be effective, active education and enforcement will be pursued once a suitable framework and process under the bylaw notice system is established.
- The Town will be using a third party online software platform which actively monitors all STR listing platforms (over 125 platforms) for listing within Golden Town limits.
- In observance of enforcement staff resources, the regulatory regime has been designed in such a way so that as much enforcement as possible may be done “on the desktop.” For example, any and all STR listings in the Town of Golden must display a valid business licence number. This will quickly identify any non-compliant listings.
- An amendment to the bylaw notice and adjudication bylaw will occur assigning fines to each of these regulations, this will form the teeth of the Town’s regulatory framework following complaint drive and proactive enforcement.



Staff Report

DEVELOPMENT SERVICES DEPARTMENT

To: Council

From: Phil Armstrong, MDS/Planner

Subject: Short Term Rentals Report 10

File: Bylaw 1436, 1437 and 1438

Date: 2020 07 21

RECOMMENDATIONS

THAT per the July 21, 2020 Staff Report *Short Term Rentals*, from the Manager of Development Services, Council consider PASSING first reading to:

1. *Town of Golden Official Community Plan Amendment Bylaw No. 1436, 2020 – short term rentals – residential - commercial*
2. *Town of Golden Zoning Amendment Bylaw No. 1437, 2020 – short term rentals – residential - commercial*
3. *Town of Golden Bed and Breakfast and Short Term Rental Regulation Bylaw No. 14338, 2020*

AND THAT staff BE DIRECTED to plan and undertake a public and stakeholder engagement process prior to second reading.

CAO COMMENTS

I support the recommendation.

BACKGROUND

- ✓ The Town of Golden has studied potential new rules for Short Term Rentals (STRs), often referred to as Bed and Breakfasts (B&Bs), Airbnbs, vacation rentals, and even home sharing. STRs typically refer to the commercial rental of a private residence whether a few rooms (a B&B) or an entire house (a short term rental), for a period of less than 30 nights, for which the guest compensates the owner (or lessee) of the unit.
- ✓ Staff and Council began discussing this topic in the summer of 2016. In the winter of 2017/2018 public consultation occurred including focus groups with diverse stakeholders and a detailed survey.
- ✓ We have heard from Tourism Golden, the Chamber of Commerce, members of the business community, existing B&B operators and new Airbnb operators as well as community stakeholders at large that this is an important issue and we have been listening.
- ✓ Due to the sheer magnitude of the issue, competing work priorities, staff levels and a desire to learn from other communities, it has taken until now to bring the three regulatory bylaws forward. Golden has benefited from the learning of other municipalities, including updated iterations of their bylaws based on recent case law.
- ✓ In November 2019, staff brought forward the zoning amendment bylaw for Council review and Council directed the bylaw come back for first reading and the scheduling of an open house. Immediately following staff became aware of complications affecting the intent of the OSO development and in order to facilitate continued progress on that development Council considered and adopted *Town of Golden Zoning Amendment Bylaw No. 1424, 2019 – short term rentals – commercial* earlier this year.

- ✓ Please refer to for additional background: www.golden.ca/strs

DISCUSSION

Enclosed with this report are three bylaws:

1. *Town of Golden Official Community Plan Amendment Bylaw No. 1436, 2020 – short term rentals – residential – commercial;*
2. *Town of Golden Zoning Amendment Bylaw No.1437, 2020 – short term rentals – residential – commercial; and*
3. *Town of Golden Bed and Breakfast and Short Term Rental Regulation Bylaw No. 1438, 2020.*

OCP

The purpose of the OCP amendment bylaw is to affirm the vision that in residential areas bed and breakfasts (B&B) and short term rentals (STRs) are based on the home based business philosophy. The bylaw is enclosed for review.

Zoning

The zoning amendment bylaw outlines the permitted uses (B&B and STRs) and where each use can occur. A bed and breakfast is defined as commercially providing temporary accommodation of bedrooms within a dwelling unit to the traveling public. The operator must continue to reside in the unit. Whereas a short term rental means the commercial use of a dwelling unit to provide accommodation to the traveling public.

There are associated regulations such as in low density residential zones that a “permanent resident” is required to operate a B&B or STR and said person must be present for the duration of the rentals. An STR may be within the principal building and a B&B or an STR may not on a property that contains a Detached Secondary Residential Dwelling (DSRD ex. carriage house). This still meets the intent of keeping the property as long term residential and similar to an accessory home based business. These uses are only permitted in the low density zones i.e. not multi-family or manufactured homes.

Previously with OSO Council allowed dwelling units in the C1, C2 and C3 zones above the ground floor commercial to be operated as an STR without the “permanent resident” requirements. Based on feedback from hoteliers and Tourism Golden this has been expanded in proposed bylaw 1446 to include the C4 (the corridor) and C6 zones (Golden View Road) although staff have planning based reservations about encouraging non-employee type housing on the corridor with the heavy long haul trucking use/idling, high traffic, lack of residential amenities, but it is felt that existing, experienced accommodators may seek opportunities to test drive different accommodation models and thereby as proposed, introducing the STR use may facilitate some renewal and innovation to the area. In the case of the C6 zones, these view lots may be very well suited to accommodation and dwelling units.

The proposed amendment bylaw also includes amendments to the secondary residential dwelling and home based regulations to be in compliance with the above as well as removing caps on suite size to be consistent with Q4 2019 updates to the building code.

For ease of reading along with the amendment bylaw, also enclosed with this report is as a tracked change version of Section 9 -Specific Use Regulations of the zoning bylaw.

B&B and STR Regulations

The purpose of this bylaw is to outline the regulatory regime including application requirements such as:

- ✓ Self-evaluation safety audit and attestation form;

- ✓ Floor plan and parking plan to be submitted to the Town and displayed within the unit.

Regulations including:

- ✓ That the owner of an STR in a residential zone cannot be corporation or a society.
- ✓ That marketing must include the business license number and number of approved bedrooms.
- ✓ Signage requirements.
- ✓ A requirement for a “responsible person” for the guest, neighbours, Town, the RCMP to contact if there is an issue and a requirement of a two hour response time.
- ✓ A requirement to notify neighbours that B&B or STR is being operated and to provide the contact for the responsible person.
- ✓ Code compliance.
- ✓ Facilitate periodic inspections.
- ✓ Keeping of a registry of guest and maintenance staff.
- ✓ Ensure all required onsite parking stalls are clear of any debris, unlicensed vehicles or snow by 10 am each day and available for active use by the residents of the dwelling unit on the property and occupants of the short term rental.
- ✓ A reiteration of no short term rental of properties with detached secondary residential dwelling or within a detached secondary residential dwelling, vehicle, tent, or accessory building or structure.

Fines

An amendment to the bylaw notice and adjudication bylaw will occur assigning fines to each of these regulations, this will form the teeth of the Town’s regulatory framework following complaint drive and proactive enforcement.

Fees

Currently a bed and breakfast licence fee regardless of the number of sleeping units is set at **\$70**. Proposed are the following B&B rates:

- 1 sleeping unit **\$125**
- 2 sleeping unit **\$175**
- 3 sleeping unit **\$225**

A motel/hotel pays a minimum license fee of \$70 plus \$3 per room. This equates to an 80 room motel/hotel paying \$240. Proposed for residential short term rentals are the following rates:

- 1 bedrooms **\$175**
- 2 bedrooms **\$225**
- 3 bedrooms **\$275**

Proposed for commercial short term rentals are the following rates:

- 1 bedrooms **\$200**
- 2 bedrooms **\$250**
- 3 bedrooms **\$300**

These fees have been set based on proximity of the responsible person, additional inspection requirements based on size of the premise, recovering third party online platform monitoring costs, enforcement and to be reflective of other license rates. The fees and are subject to change as the business license bylaw is modernized for example to eventually include a inflation factor.

Public consultation and stakeholder check-in

In working with the communication official the following is proposed, subject to Council consideration. A check in with Golden Tourism and the accommodation stakeholders and focus group attendees by distributing a check in survey. This survey would also be open to the public. Followed by an open house proposed for August 18th.

In closing, Staff is supportive of the proposed bylaws and is recommending proceeding with first readings.

IMPLICATIONS

Strategic	Strategic Priority – Short Term Rentals
Financial	Fees set to recover legal costs, cost associated with monitoring online platforms, and enforcement.
Administrative	Part of the MDS's work plan.

OPTIONS

1. Council considers giving first reading to:
 - a. *Town of Golden Official Community Plan Amendment Bylaw No. 1436, 2020 – short term rentals – residential – commercial;*
 - b. *Town of Golden Zoning Amendment Bylaw No.1437, 2020 – short term rentals – residential – commercial;*
 - c. *Town of Golden Bed and Breakfast and Short Term Rental Regulation Bylaw No. 1438, 2020.*

And direct staff to undergo a public open house and online check-in on the short term rental package.

2. Council selects another course of action.

Respectfully Submitted,



Phil Armstrong MCIP, RPP
Manager of Development Services / Planner

Enclosure:

- ✓ Bylaws 1436, 1437, and 1438.
- ✓ Track changed version of proposed zoning bylaw section 9.
- ✓ Draft FAQ
- ✓ additional background: www.golden.ca/strs



BYLAW RATIONALE STATEMENT

Town of Golden OCP Amendment Bylaw No. 1436, 2020 – short term rentals residential - commercial

The purpose of this bylaw is to amend the OCP to modernize the language around vacation rentals, bed and breakfasts and short term rentals.

TOWN OF GOLDEN
BYLAW NUMBER 1436, 2020
OCP BYLAW AMENDMENT

A Bylaw to amend the “*Town of Golden Official Community Plan Bylaw No. 1222, 2008.*”

The Council of the Town of Golden, in open meeting assembled, **HEREBY ENACTS AS FOLLOWS:**

1. CITATION

This Bylaw may be cited for all purposes as the “*Town of Golden OCP Amendment Bylaw No. 1436, 2020– short term rentals residential-commercial.*”

2. TEXT AMENDMENT

- a. That the term “vacation rental” be replaced with “short term rental”.
- b. That Part II “THE VISION AND GUIDING PRINCIPLES” section 2 “Residential Development” Policy 2 replace the following:
“Prohibit - vacation rentals in new and existing residential areas and encourage - vacation rentals in commercial areas. Canyon Ridge subdivision will be the only residential area where -vacation rentals will be considered, subject to, design considerations which lessen the potential impact on adjacent existing neighbourhoods.

With:

*“Prohibit the rental of entire homes in residential areas as short term rentals and rather, allow short term rentals in new and existing residential areas similar to a home based business. Also, allow short term rentals in commercial areas above a commercial ground floor use. Canyon Ridge subdivision will be the only residential area where —short term rentals will be **considered**, subject to, design considerations which lessen the potential impact on adjacent existing neighbourhoods.*

3. SEVERABILITY

If any portion of this bylaw is found invalid by a court of competent jurisdiction, the invalid portion is severed without effect on the remaining portions of the bylaw.

READ A FIRST TIME THIS DAY OF , 2020.
PUBLIC HEARING ON THIS DAY OF , 2020.
READ A SECOND TIME THIS DAY OF , 2020.
READ A THIRD TIME THIS DAY OF , 2020.
ADOPTED THIS DAY OF , 2020.

MAYOR

CORPORATE OFFICER



BYLAW RATIONALE STATEMENT

Town of Golden Zoning Amendment Bylaw No. 1437 short term rentals residential-commercial

The purpose of this bylaw is to amend the Zoning Bylaw to update Section 9 Specific Use Regulations including home based business, secondary residential dwellings, and primarily to introduce the use of short term rental to residential areas.

TOWN OF GOLDEN

BYLAW NUMBER 1437, 2020 ZONING BYLAW AMENDMENT

A Bylaw to amend the “Town of Golden Zoning Bylaw No. 1294, 2011”

NOW THEREFORE the Council of the Town of Golden, in open meeting, enacts as follows:

1. Name

The name of this bylaw for citation purposes is “Town of Golden Zoning Amendment Bylaw No. 1437, 2020 short term rentals residential-commercial.”

2. Amendments

“Town of Golden Zoning Bylaw No. 1294, 2011” is amended as follows:

a) “Section 4 Definitions” by replacing the existing definition in section 4.3 with the following:

“Bed and Breakfast” means the commercial use of a Single Detached Dwelling by a **Permanent Resident** of the **Dwelling Unit** to provide temporary accommodation in the form of **Sleeping Units** in the **Dwelling Unit** to the travelling public, while the operator continues to reside in the **Dwelling Unit**, and where the room rate may include meals.

b) “Section 4 Definitions” by adding the following definitions in section 4.3 in alphabetical order:

“Permanent Resident” means, in respect of any **Dwelling Unit** or **Lot**, a person who normally resides in a **Dwelling Unit** or on the **Lot** as their permanent residence, and for these purposes a person cannot normally reside at more than one location within the Town.

c) “Section 8 Parking and Loading Regulations” by adding to “Table 8-1 Minimum Parking Requirements” the following after the **Single Detached Dwelling** Use:

Short Term Rental in a Single Detached Dwelling or ½ Duplex	1 per Sleeping Unit to a max of 3, plus 2 for the Principal Dwelling Unit		
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d) Section 9.2 “Bed and Breakfast” by replacing sections 9.2.1(a), (b) and (c) with the following:

a. be an **Accessory Use** within a **Single Detached Dwelling** or a **Duplex**;

b. be permitted only when operated by a **Permanent Resident** residing in the **Dwelling Unit** while the **Bed and Breakfast** use is occurring;

- c. be permitted only where a **Residential Use** occupied by a **Permanent Resident** is occurring in the **Dwelling Unit** in which the **Bed and Breakfast** use is occurring;
- e) Section 9.2 “**Bed and Breakfast**” by replacing section 9.2.1(g) with the following:
 - g. not be permitted on a Lot where a **Child Care, Home; Home Based Business Class 2; or Short Term Rental** use is operating;
- f) Section 9.2 “**Bed and Breakfast**” by adding a new section 9.2.1(h) with the following and changing the subsequent letters accordingly:
 - h. not be permitted on a Lot where a **Detached Secondary Residential Dwelling** exists.
- g) Section 9.4 “**Home Based Business**” by replacing section 9.4.1(d) with the following:
 - d. be permitted only when operated by a **Permanent Resident** residing in the **Dwelling Unit** while the Home Based Business use is occurring;
- h) Section 9.5 “**Secondary Residential Dwellings**” by deleting section 9.5.1(c), 9.5.2(a), and (c) and changing the subsequent letters accordingly.
- i) Section 9.5 “**Secondary Residential Dwellings by replacing section 9.5.2(d)** with the following:
 - d. have a maximum of three bedrooms; and
- j) By adding in “Section 9.6.1 Short Term Rentals the following subsections and renumbering the existing subsections.

9.6 Short Term Rentals

1) Short Term Rentals shall:

- a. be an **Accessory Use** within a **Single Detached Dwelling** or a **Duplex** on a single titled **Lot**;
- b. be permitted only when operated by a **Permanent Resident** residing in a **Dwelling Unit** on the **Lot** while the **Short Term Rental** use is occurring;
- c. be permitted only where a **Residential Use** occupied by a **Permanent Resident** is occurring in a **Dwelling Unit** on the **Lot** other than the **Dwelling Unit** in which the **Short Term Rental** use is occurring;
- d. not change the residential character or external appearance of the **Single Detached Dwelling** or **Duplex**;
- e. not exceed one **Short Term Rental** per **Lot**;

- f. not be permitted on a Lot where a **Child Care, Home; Home Based Business Class 2;** or **Bed and Breakfast** use is operating
 - g. not be permitted on a Lot where a **Detached Secondary Residential Dwelling** exists;
 - h. in a residential zone, have a maximum of three **Sleeping Units** within any Dwelling Unit and a maximum of 6 guests within any **Dwelling Unit** at any one time;
 - i. be in accordance with Section 8 [*parking and loading regulations*];
- k) Replace this clause in the section 9.6.1, which states:
*a lawful **Dwelling Unit** in the C1, C2, and C3 zones may be used for **Short Term Rental** use when the **Dwelling Unit** is not occupied for **Residential Use**.*

With the following:

*As a limited exception to the requirements set out in Sections 9.6.1(a) to (g), a lawful Dwelling Unit in the C1, C2, C3, C4 and C6 zones may be used for Short Term Rental use when the **Dwelling Unit** is not occupied for **Residential Us***

- l) By adding “**Short Term Rental**” as an **Accessory Use** in the following zones:
Schedule B Single Detached Residential - R1
Schedule C Single Detached With Secondary Residential - R1S
Schedule D Flexible Residential - R1D
Schedule E Twin Residential - R2
Schedule F Twin Residential Sensitive -R2A
Schedule I Residential Reserve - R5
Schedule P Transitional Commercial - C5
- m) By adding “**Dwelling Unit**” and “**Short Term Rental**” as **Permitted Use** in the following zones:
Schedule O Highway Corridor Commercial - C4
Schedule M Mixed-Use Commercial - C6
- n) By adding the following to Schedule O Highway Corridor Commercial – C4 and Schedule M Mixed-Use Commercial –C6:

Dwelling Units are restricted to **Second Storey** or higher. The **First Storey** shall be used for commercial **Uses**.

Entrances to **Dwelling Units** are to be separate and distinct from commercial entrances and shall be accessible at ground level and may provide access to more than one and may provide access to more than one **Dwelling Unit**.

Each **Dwelling Unit** shall have a minimum of 5 m² of **Private Open Area**.

3. Severability

If any portion of this bylaw is found invalid by a court of competent jurisdiction, the invalid portion is severed without effect on the remaining portions of the bylaw.

READ A FIRST TIME THIS DAY OF , 2019.

PUBLIC HEARING ON THIS DAY OF , 2020.

READ A SECOND TIME THIS DAY OF , 2020.

READ A THIRD TIME THIS DAY OF , 2020.

ADOPTED THIS DAY OF , 2020.



BYLAW RATIONALE STATEMENT

Town of Golden Bed and Breakfast and Short Term Rental Bylaw No. 1438, 2020

The purpose of this bylaw is to create a licensing process and regulations around bed and breakfasts and short term rentals.

TOWN OF GOLDEN

BYLAW NO. XXXX, 2020

Town of Golden Bed and Breakfast and Short Term Rental Bylaw No.1438, 2020

NOW THEREFORE the Council of the Town of Golden, in open meeting assembled, enacts as follows:

PART 1 Citation

- 1.1 This bylaw may be cited as "*Town of Golden Bed and Breakfast and Short Term Rental Regulation Bylaw No .1438, 2020.*"

PART 2 Interpretation

- 2.1 Definitions:

“**Accessory use**” has the same definition described within the Zoning Bylaw.

“**Building Official**” as appointed by the Town of Golden.

“**Bylaw Enforcement Officer**” as appointed by the Town of Golden, or any Peace Officer or Police Officer.

“**Council**” means the Council of the Town of Golden.

“**Detached Secondary Residential Dwelling**” has the same definition described within the Zoning Bylaw.

“**Licence Inspector**” means the **Building Official, Bylaw Enforcement Officer** or the Manager of Development Services, RCMP, or Fire Department.

“**Marketing**” means to offer for sale, promote, canvass, solicit, advertise, book, arrange or facilitate a rental, and includes placing, posting or erecting advertisements physically or online, but does not include the mere provision of a neutral space or location for such marketing activities in newspapers, bulletin boards or online.

“**Operator**” means a person who rents out, or offers for rent, any premises for short-term rental premise but does not include a person who acts as an intermediary between the short-term rental tenant and the person who receives the rent.

“**Premises**” means an area of land, including a lot or parcel of land with or without buildings.

“**Permanent resident**” has the same definition described within the Zoning Bylaw. This bylaw also refers to the **permanent residence**.

“**Responsible person**” means a person designated by an operator as the primary contact for the **short-term rental premise**.

“**Short-term rental**” has the same definition described within the Zoning Bylaw.

“**Short-term rental premise**” means a **premises** where the Zoning Bylaw allows the use of the **dwelling unit** as a short term rental or a **bed and breakfast** pursuant other enactments.

“**Sleeping unit**” has the same definition described within the Zoning Bylaw.

“**strata corporation**”, “strata council”, and “strata lot” have the same meaning as in the Strata Property Act.

“**Zoning Bylaw**” means the Town of Golden Zoning Bylaw 1294, 2011; as amended or replaced from time to time.

PART 3 Licensing Period

- 3.1 Each licence issued under this Bylaw shall commence on January 1 of the year in which it is issued and terminate on December 31 of the same year, unless earlier renewed for the following calendar year by submission of a complete licence renewal form and payment of the annual licence fee prior to January 15 of the following year.

PART 4 PRO-RATING OF LICENCE FEE FIRST YEAR ONLY

- 4.1 The licence fees described in this Bylaw may be reduced by half after July 1 for an operator who becomes liable to be licenced after January 1 in a year, during that operator's first year of operation only.

PART 5 LICENCE REQUIRED

- 5.1 A person must not carry on business as an operator unless the person holds a valid licence issued under the provisions of this Bylaw and other **Town of Golden** bylaws.
- 5.2 A person applying for the issuance or renewal of a licence to operate a **short-term rental premise** must, in addition to meeting the requirements of the **Zoning Bylaw** and this \Bylaw:
- (a) make an application to the **Licence Inspector** on the form provided for that purpose;
 - (b) pay to the **Town** the applicable licence fee prescribed;
 - (c) provide, in the form satisfactory to the Licence Inspector, evidence that:
 - (i) the operator owns the **premises** where the **short-term rental premise** will be offered, or
 - (ii) the owner of the **premises** where the **short-term rental premise** will be offered has consented to this use of the premises;
 - (d) when the **premises** where the **short-term rental premise** is offered is located within a strata lot, provide a letter from the strata council confirming that use of the premises for **short-term rental premise** does not contradict any bylaws of the strata corporation or applicable provisions of the Strata Property Act;
 - (e) when the **premises** where the **short-term rental premise** is offered is located in a zone where **short-term rental premise** is only permitted as an **accessory use**, provide in the form satisfactory to the **Licence Inspector**, evidence that the **premises** where the **short-term rental premise** will be offered is occupied by the operator as their **permanent residence**;
 - (i) Items may include items such as claim of home owner grant, voter registration, filing of income taxes, British Columbia driver's licence, British Columbia Medical Services Plan, and British Columbia Identification Card
 - (f) when the **short-term rental premise** is a **principal use**, provide the name and contact information for the **responsible person**;
 - (g) submit a self-evaluation safety audit and attestation form provided for that purpose;
 - (h) provide a floor plan of the **premises** upon which the **short-term rental premise** is to be conducted, identifying the location of smoke alarms and carbon monoxide alarms, fire extinguishers, fire exits, each sleeping unit, the types of bed in each sleeping unit, and the location of any sofa beds;
 - (i) provide a parking plan which complies with the parking requirements of the **Zoning Bylaw**; and
 - (j) provide any other information the **Licence Inspector** may require for the purposes of ensuring compliance with the Town's bylaws and other enactments.

- 5.3 The licence fee is:
- (a) The **Bed and Breakfast Licence**: the rental of up to three sleeping units in the operator's **permanent residence**:
 - (i) 1 sleeping unit **\$125**
 - (ii) 2 sleeping unit **\$175**
 - (iii) 3 sleeping unit **\$225**
 - (b) **Short Term Rental Licence - Accessory Use**: where the short-term rental use is an **Accessory Use** and is offered in a residential zone in a building which includes the operator's **permanent residence** and the operator is present during the occupancy of the unit: \$;
 - (i) 1 bedrooms **\$175**
 - (ii) 2 bedrooms **\$225**
 - (iii) 3 bedrooms **\$275**
 - (c) **Short Term Rental Licence - Commercial Licence**: for all short-term rentals that do not qualify under subsection a. or b. :
 - (i) 1 bedrooms **\$200**
 - (ii) 2 bedrooms **\$250**
 - (iii) 3 bedrooms **\$300**
- 5.4 If a person submits a licence application for which additional information, documentation, inspection or compliance is required by the **Licence Inspector**, the person shall supply all required information and documentation within 30 days of the request made by the **Licence Inspector**, after which time the application may be refused and a new application for a licence required.
- 5.5 Where the **short-term rental premise** is an **accessory use**, the **operator** may not be a corporation or society.

PART 6 LICENCE INSPECTOR POWERS

- 6.1 **Council hereby authorizes the Licence Inspector to:**
- (a) grant, refuse, suspend and cancel licences under this Bylaw;
 - (b) suspend, cancel or refuse to issue licences in accordance with subsection 6.2;
 - (c) impose conditions on a licence at the time of issuance, renewal, or suspension for the purposes of ensuring compliance with all applicable enactments pertaining to the business;
 - (d) enter at all reasonable time, on any property that is subject to the regulation of this Bylaw in order to inspect and ascertain whether such regulations are being observed; and
 - (e) prepare, from time to time, forms to be used for the purpose of making applications under this Bylaw, including, but not limited to a form of licence application, information sheet, and licence transfer application.
- 6.2 In addition to Council's powers under section 60 of the *Community Charter* and the Licence Inspector's powers under other bylaws, the **Licence Inspector** may refuse to grant, suspend, cancel, revoke, or not renew a licence for a short-term rental if, in the opinion of the Licence Inspector:

- (a) the applicant for the licence has failed to comply with section 5; the short-term rental a in question would or does contravene a Town bylaw or another enactment;
 - (b) the applicant for the licence or the operator has provided false information to the Licence Inspector; or
 - (c) the operator of the **short-term rental** is not in compliance with the conditions of this Bylaw or of the licence. When a Licence Inspector suspends, cancels or refuses to issue or renew a licence, the Licence Inspector will provide the applicant for the licence or the operator with a formal letter outlining the reason(s) for the refusal.
- 6.3 An applicant for a licence or an operator may request that Council reconsider a decision of the **Licence Inspector** under subsection 6.2 by delivering a request in writing to the Coporate Officer within 30 days of the Licence Inspector’s decision being sent.
- 6.4 No person shall offer, or continue through marketing to advertise or provide any short-term rental pursuant to their licence during a period of suspension of that licence.

PART 7 MARKETING

- 7.1 The operator of a short-term rental premise must ensure that any **marketing**, publication, listing or promotional material includes the licence number of a valid licence issued for that premises under this Bylaw as well as the approved sleeping unit count.

PART 8 RESPONSIBLE PERSON

- 8.1 An operator who operates a short-term rental premise on a property with their **permanent residence** is the responsible person for that short-term rental premise.
- 8.2 An operator who operates a commercially zoned **short-term rental premises** on a property other than a property containing their **permanent residence** must designate a responsible person as part of their licence application, and must ensure the responsible person has access to the licenced premises and authority to make decisions in relation to the premises and the rental agreement, at all times that the **short-term rental premise** is operated.
- 8.3 The **operator** must ensure that the name and contact information of the **responsible person** is prominently displayed in the **short-term rental premise** at all times while the **short-term rental** is operated as well as on the sign posted on the property.
- 8.4 The **responsible person** must attend at the bed and breakfast or short-term rental within two hours of being requested by the Licence Inspector, Town official, RCMP, Fire Department, operator or a short-term rental tenant to do so.

PART 9 CONDITIONS OF LICENCE

- 9.1 An operator of a short-term rental must:
- (a) operate a **short-term rental premise** only on a licenced premises;
 - (b) operate only one **short-term rental premise** per property;
 - (c) notify neighboring property owners on all adjacent sides of the licenced premises that a **short-term rental premise** is being operated thereupon, and provide the contact information for the operator or responsible person to such neighbours;
 - (d) display the licence inside the entry way to the **short-term rental premise**;
 - (e) display in each approved **sleeping unit**, and in the entryway of the of the **short-term rental premise**, a floor plan identifying the location of smoke alarms and carbon monoxide alarms, fire extinguishers, fire exits, each approved sleeping unit, the types of bed in each **sleeping unit**, and the location of any sofa beds;
 - (f) display the responsible person’s contact information inside the entry way of the **short-term rental premise**;

- (g) Have a sign posted on the subject property visible from outside the unit in the case of **single detached dwelling** or **duplex** visible from the street, which contains, the name of the short term rental business and contact info for the **operator** or **responsible person**;
- (h) ensure the **operator** or **responsible person** is available for contact 24 hours a day during periods when the **short-term rental premise** is rented to **short-term rental** occupants, and responds to any nuisance complaint within 2 hours of notification;
- (i) notify the **Licence Inspector** within 24 hours of a change in contact information for an operator or **responsible person** and update signage both in and outside the unit and the neighbours described in subsection (c);
- (j) hold a separate licence for each premises that it operates;
- (k) comply with all applicable requirements in the Zoning Bylaw, the Building Bylaw, the BC Building Code, the BC Fire Code, and related enactments;
- (l) cooperate and ensure cooperation of responsible person with **Town officials, Licence Inspector, RCMP, Bylaw Enforcement Officer, Health Authorities** and other officials during investigation of any complaint associated with the **short-term rental premise**;
- (m) facilitate periodic inspections of the **short-term rental premise** and property as requested and conducted by the **Licence Inspector** and the Fire Department.
- (n) ensure that the **short-term rental** property is compliance with the Town's bylaw regarding signage;
- (o) keep a written registry of all guests that are staying or have stayed on the **premises** as well as cleaning/maintenance personnel. and make this registry readily available to the **Licence Inspector** or Health Officials upon request; and
- (p) submit an annual self-evaluation safety audit and attestation in the form provided for that purpose by the **Licence Inspector**; and
- (q) ensure no more than one booking is permitted within the **short-term rental premise** at one time.
- (r) Ensure all required onsite parking stalls are clear of any debris, unlicensed vehicles or snow by 10 am each day and available for active use by the residents of the dwelling unit on the property and occupants of the **short-term rental premise**.

9.2 An operator of a short-term rental must not:

- (a) rent out any **sleeping units** or provide any temporary sleeping accommodation within a principal building on a property with a **detached secondary residential dwelling** or within a **detached secondary residential dwelling**, vehicle, tent, or accessory building or structure; or
- (b) allow to be used as **sleeping units**, any rooms that are not approved and identified on the licence application for that premises as **sleeping units**.

PART 10 PENALTIES

10.1 Every person who violates any of the provisions of this Bylaw or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this Bylaw or who does any act which violates any of the provisions of this Bylaw, shall be guilty of an offence against this Bylaw.

10.2 Every person who commits an offence against this Bylaw shall be liable upon summary conviction to a fine not exceeding \$10,000 for every instance that an offence occurs or each day that it continues. Any penalty imposed pursuant to this Bylaw shall be in addition to, and not in substitution for, any other penalty or remedy imposed pursuant to any other applicable statute, law or legislation.

10.3 Each day that a violation is of this Bylaw is caused or allowed to continue constitutes a separate offence.

PART 11 DUTY OF ADMINISTRATION

11.1 The intent of this Bylaw is to set standards in the general public interest, and not to impose a duty on the Town, its employees, **Licence Inspector, Building Official, Town Official or Bylaw Enforcement Officer** to enforce its provisions and:

- (a) a failure to administer or enforce its provisions or the incomplete or inadequate administration or enforcement of its provisions is not to give rise to a cause of action in favor of any person; and
- (b) the grant of any approval or permission or issuance of any permit is not a representation, warranty or statement of compliance with the Bylaw and the issuance thereof in error is not to give rise to a cause of action.

PART 12 SEVERABILITY

12.1 If a portion of this Bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this Bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

PART 13 TRANSITION PROVISIONS

13.1 In 2021, any operator who, at the time of adoption of this Bylaw, holds a valid licence for a bed and breakfast under the Trade Licence Bylaw shall transition to complying with this bylaw.

PART 14 EFFECTIVE DATE

14.1 This Bylaw comes into full force and effect and is binding on all persons as from the date of adoption.

READ A FIRST TIME THIS	DAY OF	, 2020.
READ A SECOND TIME THIS	DAY OF	, 2020.
READ A THIRD TIME THIS	DAY OF	, 2020.
ADOPTED THIS	DAY OF	, 2020.

MAYOR

CORPORATE OFFICER

Disclaimer: The following is an explanatory tracked changed document to accompany the draft proposed short term rental zoning amendment bylaw. This document was created for convenience only and is not the official or legal version, and should not be used in place of referring to the amendment bylaw.

Existing definition to be replaced with:

~~“Bed and Breakfast” means an Accessory Use on a Lot with a Single Detached Dwelling providing temporary accommodation in the form of Sleeping Units to the travelling public where the room rate may include meals. This type of accommodation rents out on a short term basis to a maximum of 7 days.~~ “Bed and Breakfast” means the commercial use of a Dwelling Unit by a Permanent Resident of the Dwelling Unit to provide temporary accommodation in the form of Sleeping Units in the Dwelling Unit to the travelling public, while the operator continues to reside in the Dwelling Unit, and where the room rate may include meals.

New definitions:

“Permanent Resident” means, in respect of any Dwelling Unit or Lot, a person who normally resides in a Dwelling Unit or on the Lot as their permanent residence, and for these purposes a person cannot normally reside at more than one location within the Town.

“Residential Use” means the use of a building or a part thereof as a Dwelling Unit by persons as a fixed place of abode and as their primary residence from which they are absent only as a part of a domestic routine including, without limitation, work and vacations.

“Short Term Rental” means the commercial use of a Dwelling Unit to provide temporary accommodation to the traveling public.

Additional parking requirement:

<u>Short Term Rental in a Single Detached Dwelling or ½ Duplex</u>	<u>1 per Sleeping Unit to a max of 3, plus 2 for the Principal Dwelling Unit</u>		
<u>Short Term Rental in C1, C2, C3 zone</u>	<u>1 per Dwelling Unit</u>		

Section 9 Specific Use Regulations

9.1 Application

- 1) The following Specific Use Regulations shall apply to all **Development**.

- 2) Where these regulations may be in conflict with any zone specific regulations [*schedules B through CC*] or General Development Regulations, these Specific Use Regulations shall take precedence.

9.2 Bed and Breakfast

- 1) **Bed and Breakfasts** shall:

- a. be an **Accessory Use** within a **Single Detached Dwelling or a Duplex**;
- b. ~~be operated by the owner of the property~~ be permitted only when operated by a Permanent Resident residing in the Dwelling Unit while the Bed and Breakfast use is occurring;
- c. ~~require the owner of the Bed and Breakfast to reside in the Single Detached Dwelling~~ be permitted only where a Residential Use occupied by a Permanent Resident is occurring in the Dwelling Unit in which the Bed and Breakfast use is occurring;
- d. in a residential **Zone**, have up to three **Sleeping Units** for guests with a maximum of two guests per **Sleeping Unit** for a maximum of 6 guests;
- e. in a commercial **Zone** have up to eight **Sleeping Units** for guests with a maximum of two guests per **Sleeping Unit** for a maximum of 16 guests;
- f. not change the residential character or external appearance of the **Single Detached Dwelling**;
- g. ~~not be allowed in conjunction with any other Accessory Use, except for a Home Based Business Class One~~ not be permitted on a Lot where a Child Care, Home; Home Based Business Class 2; or Short Term Rental use is operating;
- h. not be permitted on a Lot where a Detached Secondary Residential Dwelling exists
- ~~h.i.~~ be permitted one Sign in accordance with the *Sign Bylaw*;
- ~~h.j.~~ be in accordance with Section 8 [*parking and loading regulations*].

9.3 Child Care

- 1) A **Child Care, Home** shall:
 - a. be an **Accessory Use** in either a **Single Detached Dwelling** or **Accessory Building**;
 - b. not be allowed in conjunction with any other **Accessory Use** except for a **Home Based Business Class One**; and
 - c. provide parking in accordance with section 8 [*parking and loading regulation*].

9.4 Home Based Business

- 1) All **Home Based Businesses** shall:
 - a. be an **Accessory Use**;

- b. not exceed two **Home Based Businesses** per Lot;
 - c. not involve the **Outdoor Storage** of any materials used or produced by the business;
 - d. only be operated by the resident of the Dwelling Unit be permitted only when operated by a **Permanent Resident** residing in the **Dwelling Unit** while the **Home Based Business** use is occurring;
 - e. not involve any exterior structural change for the purpose of accommodating the business;
 - f. have a maximum of one commercial vehicle, up to 5600kg gross vehicle weight rating;
 - g. not produce nuisance from noise, vibration, smoke, dust, odors, heat, glare, electrical or radio disturbance and at no time will the privacy and enjoyment of **Adjacent** dwellings be adversely affected;
- 2) In addition to the provisions of Section 9 [*subsection 9.4.1: home based business*] **Home Based Businesses Class One** shall:
- a. have all business activity wholly conducted within a **Dwelling Unit**;
 - b. not generate client visits to the site from which the **Business** is being operated;
 - c. not be permitted a sign;
 - d. not occupy more than 30% of the **Net Floor Area** of the **Dwelling Unit** up to a maximum area of 20 m²; and
- 3) In addition to the provisions of Section 9 [*subsection 9.4.1: home based business*] **Home Based Businesses Class Two** shall:
- a. not exceed one **Home Based Businesses Class Two** per Lot;
 - b. have all business activity wholly conducted within a **Dwelling Unit** or **Accessory Building**;
 - c. have up to one nonresident employee;
 - d. have a maximum of five clients per day;
 - e. when an **Accessory Building** is used in addition to the **Dwelling Unit**, in no case shall the combined **Net Floor Area** used for the **Business** exceed 50 m²;
 - f. not involve **Retail** sales or display of products not produced on the premises, except for products incidental to the **Business** or mail order sales, telephone or internet sales, or goods which the client does not enter the premises to inspect or pick up;
 - g. be permitted one **Sign** 0.25m² in size which shall be located on the **Dwelling Unit** or **Accessory Building**; and
 - h. provide parking in accordance with Section 8 [*parking and loading regulations*].

9.5 Secondary Residential Dwellings

- 1) **Secondary Residential Dwellings**, including both **Secondary Suites** and **Secondary Detached Dwellings**, shall:
 - a. be an **Accessory Use**;
 - b. not exceed one **Secondary Residential Dwellings** per **Lot**;
 - ~~c. be permitted on a **Lot** where a registered owner is residing in the **Principal Dwelling Unit** or the **Secondary Residential Dwelling**;~~
 - ~~d.c.~~ constitute a single real estate entity with the **Principle Building** and not be subdivided as either a fee simple or strata **Lot**;
 - ~~e.d.~~ provide parking in accordance with Section 8 [*parking and loading regulations*]; and
- 2) In addition to the provisions of Section 9 [*subsection 9.5.1: secondary residential dwellings*] **Secondary Suites** shall:
 - ~~a. have a minimum **Gross Floor Area** of 37 m² and a maximum **Gross Floor Area** of the lesser of 65 m² or 40% of the total **Gross Floor Area** of the **Principal Dwelling Unit**;~~
 - ~~b.a.~~ have a minimum of 30 m² of a **Private Open Area** providing 15 m² for both the **Principal Dwelling Unit** and the **Secondary Suite**;
 - ~~c. have a separate entrance accessed from a common indoor landing or directly from the outside;~~
 - ~~d.b.~~ have a maximum of ~~two~~ three bedrooms; and
 - ~~e.c.~~ be integrated with the **Principal Dwelling Unit** as to maintain the residential character.
- 3) In addition to the provisions of Section 9 [*subsection 9.5.1: secondary residential dwellings*] **Detached Secondary Residential Dwellings**, including either a **Coach House** or **Garden Suite**, shall:
 - a. not be on a **Lot** less than 600 m²;
 - b. reflect the form, materials and architectural style of the **Principal Building**;
 - c. have all, **Porches**, **Decks** and amenity spaces facing the **Front Lot Line**;
 - d. provide path access between the **Principal Building** and **Detached Secondary Residential Dwelling** ;
 - e. be sited a minimum distance of 4.0 m from the **Principal Building**; and
 - f. be in accordance with Section 6 [*subsection 6.2: accessory buildings and structures*].

9.6 Short Term Rentals

- 1) Short Term Rentals shall:

- a. be an **Accessory Use** within a **Single Detached Dwelling** or a **Duplex** on a single titled **Lot**;
- b. be permitted only when operated by a **Permanent Resident** residing in a **Dwelling Unit** on the **Lot** while the **Short Term Rental** use is occurring;
- c. be permitted only where a **Residential Use** occupied by a **Permanent Resident** is occurring in a **Dwelling Unit** on the **Lot** other than the **Dwelling Unit** in which the **Short Term Rental** use is occurring;
- d. not change the residential character or external appearance of the **Single Detached Dwelling** or **Duplex**;
- e. not exceed one **Short Term Rental** per **Lot**;
- f. not be permitted on a Lot where a **Child Care, Home; Home Based Business Class 2; or Bed and Breakfast** use is operating
- g. not be permitted on a Lot where a **Detached Secondary Residential Dwelling** exists;
- h. in a residential zone, have a maximum of three **Sleeping Units** within any **Dwelling Unit** and a maximum of 6 guests within any **Dwelling Unit** at any one time;
- a-i. As a limited exception to the requirements set forth ~~out~~ in Sections 9.6.1(a) to (g), a lawful **Dwelling Unit** in the **C1, C2, C3, C4 and C6** zones may be used for **Short Term Rental** use when the **Dwelling Unit** is not occupied for **Residential Use**.
- b-j. in a commercial zone, utilize a maximum of 3 **Sleeping Units** within any **Dwelling Unit** and a maximum of 8 guests within any **Dwelling Unit** at any one time;
- e-k. be in accordance with Section 8 [*parking and loading regulations*];

**DRAFT Preliminary
Bed and Breakfast & Short Term Rental
Frequently Asked Questions (FAQs)**



1. Do I need a business license for a bed and breakfast (B&B) and a short term rental (STR)?
 - Yes, the Town of Golden recognizes the benefits that short-term rentals can provide, from secondary income for residents to increased tourism. That said, regulatory fairness is essential. Traditional accommodators are required to comply with municipal bylaws by obtaining business licenses and undergoing safety inspections, as well as paying commercial property taxes, income, sales, and tourism taxes. The Town has an interest in providing a fair market, enforcing council approved land-use regulations, that building codes are followed, and working to protect neighbourhood integrity. Currently there are numerous unlicensed accommodation providers in the Town and the Town of Golden intends to move forward to ensure compliance.

2. Is there a control on the total number of B&Bs and STRs within the Town of Golden?
 - Having a regulatory system in place that is proactively monitored and the permanent resident requirements will contribute to maintaining residential properties as long term housing stock as well as managing the growth of B&Bs and STRs. The Town did examine quotas, caps, lotteries and temporary use permits to more directly control numbers, but these systems are complicated and very administratively burdensome.
 - In residential zones, the Town of Golden is proposing to limit B&Bs and STRs to only the R1, R1-S, R1-D, R2, R2-A, R5 and C5 zones i.e. not the R3, R4, R6 and R7. These latter zones will be omitted as they typically contain more affordable / attainable housing options and there are often common spaces that are desired to feel safe i.e. shared hallways in apartment and condominiums.
 - The Town is proposing to only allow a B&Bs and STRs to be operated by a permanent resident who is occupying the dwelling unit or lot while the use is occurring which will ensure the property is long term residential in nature. Note without this “permanent resident” requirement STRs are permitted in the C1, C2, and C3 zones and this is also proposed to expand to the C4 and C6 zones.

3. What is the difference between a B&B and a STR and what will the inspection involve?
 - A bed and breakfast is the rental of sleeping rooms to provide temporary accommodation to the traveling public within a single detached dwelling or half duplex occupied by a permanent resident.
 - The inspection will examine some of the following life safety items: smoke and CO alarms, hand/guard rails, egress from sleeping rooms, range hood/bathroom exhaust, fire extinguishers, exits etc.

- In a residential zone, a short term rental is renting a dwelling unit (i.e. its own kitchen) to provide temporary accommodation to the traveling public where another dwelling unit within the building is occupied by a permanent resident.
 - The inspection will involve the same items as a B&B as well as a secondary suite occupancy permit, verifying for life safety deficiencies and a review of building code Part 9 section 9.37 etc.
4. What if I don't get a business license?
 - More details will follow on the enforcement strategy, but at first there will be a voluntary compliance period and education and then daily fines of up to \$500 could be implemented.
 5. I am a renter, can I operate a B&B or a proposed STR?
 - Yes, as long as you are the permanent resident in the dwelling unit or on the lot, except a lot with a Detached Secondary Residential Dwelling Unit (carriage house or garden suite). Please make sure you have your landlord's permission.
 6. Where it is proposed that I can operate a B&B or STR?
 - R1, R1-S, R1-D, R2, R2-A, R5 and C5 zones
 - In the C1, C2 and C3 commercial zoned dwelling units you can currently operate a short term rental without the permanent resident requirement and this is proposed to expand to the C4 and C6 zones.
 7. I live in a residentially zoned multiple dwelling (ex. apartment, condominium, townhouse, mobile homes, and most manufactured homes) can I apply for a B&B or STR?
 - These units are often more affordable and attainable as well they have shared spaces, hallways, live in close proximity i.e. noise / safety and therefore they have been excluded from the proposed regulations.
 8. Why don't "Airbnb" listings have to pay commercial property tax?
 - Property tax assessment is outside of a municipality's authority. BC Assessment is responsible for assessing the tax required of each property in the province. Although there are nuances to this, provincial regulations have a four unit or less basis before a property is split classified residential/commercial.
 9. Do sales taxes need to be remitted to senior government?
 - Yes.
 10. Does my standard homeowner's or tenant's insurance policy cover me as a host?
 - This varies case-by-case. You are strongly advised to consult with a licensed insurance broker. Canadian media reports indicate that many residential insurance policies are void if commercial activities like short-term renting take place. This includes both property damage and liability insurance.
 11. Can I have guests in my B&B or STR if I am out of town?
 - The proposed bylaws' intent is that the operator is also occupying the dwelling unit or building in residential areas during the rental period.

12. Can I have other accessory uses if I have a bed and breakfast or a proposed short term rental?

Home based business 1 - no client visits	Yes
Home based business 2 – up to five clients a day	No
Home child care	No
Detached Secondary Residential Dwelling	No

13. How much parking do I need to provide?

Single Detached Dwelling	Two
Bed and Breakfast	Two plus 1 per B&B room
Proposed Short Term Rental	Two plus 1 per STR room
Secondary Suite long term residential use	Two plus 1 per the suite

14. Do I have to pay more for Water and Sewer fees?

- Yes, fees are based on number of sleeping units.

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