

March 2023

In order to implement a regulatory process for Short Term Rentals (STR) within the Regional District of East Kootenay (RDEK) what types of dwelling units or homes are eligible to be issued a permit and under what conditions or considerations must be determined. The intention of the RDEK in regulating STRs is not to prohibit them, but to identify criteria under which a permit can be issued and requirements for their operation. The Criteria have been drafted in consideration of the feedback received through the earlier consultation and engagement processes. As part of the implementation process, the final Criteria will be adopted by the RDEK Board of Directors as a Short Term Rental Temporary Use Permit (STR TUP) Policy. This policy in conjunction with the Development Applications Bylaw will guide the process for making, processing and issuing the new STR TUPs.

Draft Criteria

The two types of Criteria below will be utilized by RDEK staff as a checklist when applications are being processed and considered for issuance of the STR Temporary Use Permit (TUP).

- **Mandatory Criteria** – will apply to all STR TUP applicants.
- **Discretionary Criteria** – will be considered by staff as conditions following the consultation process for each STR TUP. These criteria may be applied as a condition of the permit if there are property specific considerations for an individual application.

General applications that meet the criteria will be considered for authorization by a RDEK staff member who has been delegated the responsibility. Applications that do not meet the criteria may be referred to the RDEK Board of Directors for a decision on whether or not to approve the STR TUP.

STR TUPs will be in effect for a maximum of three (3) years and may be renewed once for another three year term. The inclusion of discretionary criteria not identified at the original time of issuance or any new criteria established by the RDEK may be considered at the time of STR TUP renewal.

In addition to the criteria identified below, STR Operators as a condition of all STR TUPs will be required to provide the following information to short term rental guests related to:

- i) RDEK Noise Control Regulation Bylaw
 - ii) measures to address water conservation
 - iii) fire safety regulations
 - iv) storage and management of garbage and recycling
 - v) on-site septic system care (if applicable)
 - vi) RDEK Dog Control Regulation Bylaw (Electoral Areas F & G only)
 - vii) RDEK Sale of Fireworks Regulation Bylaw
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An application for a short term rental temporary use permit will be considered in relation to the following **mandatory criteria**:

- a) The short term rental use must not alter the residential appearance of the dwelling unit.
- b) Provision to accommodate off-street parking in accordance with the following:

Number of Bedrooms	Minimum Number of Off-Street Parking Spaces
Studio, 1, 2 or 3	Two
4	Three
5	Four

- c) Identification of a manager, owner or other designated local contact who will be available by telephone at all times when the short term rental is in use. The name and contact information must be provided in the application and must be posted along with the STR TUP in a visible place within the residence. The contact person must consent in writing to the disclosure of their contact information by the RDEK as part of the application process.
- d) An Occupancy Permit for the dwelling unit must have been issued by the RDEK.
- e) A STR TUP must be located within a single family dwelling, duplex, accessory dwelling unit or multiple family dwelling unit. STR TUPs will not be issued for a recreational vehicle, park model trailer, yurt, tent, boat or lock off unit.
- f) A STR TUP will not be issued for a dwelling that contains more than five (5) bedrooms.
- g) Maximum overnight accommodation within the dwelling unit is 10 (ten) persons.
- h) Where a strata bylaw is applicable, the applicant must provide confirmation that short term rental of the dwelling unit is in compliance with the applicable strata bylaws.

Discretionary criteria on an application specific basis, subject to public feedback from the notification process or on a property specific basis:

- a) The STR TUP may prohibit outdoor fires.
- b) The provision of screening or fencing to address potential impacts or to address neighboring privacy issues.
- c) The contact information for the designated local contact person must be distributed to property owners directly adjacent to the short term rental property.
- d) The posting of a security deposit or to ensure compliance with conditions of the permit.
- e) If the proposed STR is located on a property identified as containing an environmentally sensitive area, the temporary use permit will require that the applicant provide information to renters indicating the location of the sensitive areas and information on how to avoid impacting those areas.