

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 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.

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, 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:

Short Term Rental	1 per Sleeping Unit to a max of 3, plus 2 for the Principal Dwelling Unit		
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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**;
 - ~~e.~~ 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. 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;
- e. in a commercial, have a maximum of eight **Sleeping Units** within any **Dwelling Unit** and a maximum of 16 guests within any **Dwelling Unit** at any one time;
- f. not change the residential character or external appearance of the **Single Detached Dwelling** or **Duplex**;
- g. not exceed one **Short Term Rental** per **Lot**;
- h. not be permitted on a **Lot** where a **Child Care, Home; Home Based Business Class 2;** or **Bed and Breakfast** use is operating
- i. not be permitted on a **Lot** where a **Detached Secondary Residential Dwelling** exists;
- j. be in accordance with Section 8 [*parking and loading regulations*];
- k. as a limited exception to the requirements set out in Sections 9.6.1(a) to (c) and (g), 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**.