

POLICY NAME:	Short-Term Rental Interim Temporary Use Permit Policy		
APPROVING AUTHORITY:	<input checked="" type="checkbox"/> Legislative (Council approved)	<input type="checkbox"/> Administrative (CAO approved)	
ISSUED BY:	Director of Community Planning	DATE APPROVED:	19-01-2021
		NEXT REVIEW DATE:	01-01-2025
		DATE LAST AMENDED:	14-02-2023

PURPOSE

This interim policy provides direction to the public, applicants, and staff evaluating and processing Temporary Use Permit (TUP) applications regarding the operation of Short-Term Rental (STR) in Dwelling Units outside of those permitted by Zoning Bylaw 2200, 2011. TUPs for STR operations aim to support the local tourism sector that relies on a diversity of visitor accommodations in the community, and to provide ongoing support during the global COVID-19 pandemic and recovery period.

DEFINITIONS

ACCESSORY DWELLING UNIT (ADU) means a dwelling unit that is ancillary to- and detached from- the principal dwelling unit and is located either above an accessory building or at grade. Includes, but is not limited to, coach houses, carriage houses, and laneway houses.

DIRECTOR means the person appointed by the chief administrative officer for the District as the Director of Community Planning and includes any person temporarily appointed or designated to act in their place during their absence.

PRINCIPAL RESIDENCE means the dwelling unit where an individual lives for a minimum of nine months* in a calendar year and conducts their daily affairs, including, without limitation, paying bills and receiving mail, and is the dwelling unit with the residential address used on documentation related to billing, identification, taxation and insurance purposes, including, without limitation, income tax returns, Medical Services Plan documentation, driver's licenses, personal identification, and vehicle registration. For the purpose of operating a short-term rental accommodation, a person cannot have more than one principal residence.

**Note this differs from the District of Squamish STR business bylaw residency requirement of 5 months per calendar year.*

SECONDARY SUITE means a second, self-contained dwelling unit with private access, its own kitchen and bathroom, and located within a principal dwelling unit.

SHORT-TERM RENTAL ACOMMODATION (STR) means an accessory use of a dwelling unit, or any portion of it, for temporary commercial accommodation by transient paying guests for a period of less than 30 days and includes vacation rentals and bed and breakfasts, but is not a home occupation and does not include tourist accommodation.

SHORT-TERM RENTAL ACCOMMODATION OPERATOR means a person who rents out, or offers for rent, a dwelling unit on the property containing their principal residence, for short-term rental accommodation or otherwise carries on the business of providing short-term rental accommodation.

POLICY

Temporary Use Permits (TUPs) allow a use of land, on a temporary basis, not otherwise permitted in the Zoning Bylaw 2200, 2011. As outlined in the Official Community Plan Bylaw 2500, 2017, TUPs may be issued within any land designation. TUPs specific to STR use will be considered in accordance with this supplemental interim policy.

Scope

This policy applies to all new TUP applications and renewals as of the approval (as amended) date of this policy and until such time District Council revises or rescinds the policy.

TUP Unit Cap

A maximum total of **30** TUPs for STR use will be issued by the District. Once the maximum is reached, no additional permits above the maximum TUP unit cap will be issued, until such time as this policy is re-evaluated by the District, including an evaluation of the STR regulation effectiveness, accommodation inventory (# licenses by type and geography), accommodation sector dynamics, and the community's housing context. *Where an issued TUP and STR business licence for non-principal residence is withdrawn, the licence account will be closed, which will create space for and allow issuance of the next TUP and non-principal STR licence, up to the 30-unit cap.*

Term + Renewals

STR TUPs will be issued for a term of **3 years**. Any subsequent use of the dwelling unit for STRs beyond the term shall be prohibited unless the Owner applies for renewal and receives a TUP extension. TUPs may be renewed once for a term of up to 3 years, per legislation. Renewals will be subject to review of this policy and evaluation of the application per the criteria detailed herein. Existing permit holders may begin the renewal process within 60 days before the permit expiry to ensure they are able to take advance bookings. Upon final

expiry of the TUP, non-principal residence operators will need to rezone the property for tourist accommodation in order to short-term rent.

TUP Evaluation Criteria

Evaluation of TUPs for STR will firstly consider the following minimum requirements:

1. TUPs will only be considered for STR Accommodation Operators who live full time (a minimum of nine months in a calendar year) on the subject property, either in the Principal Residence or in the Secondary Suite or ADU. The Operator can be the owner or the renter of the subject property (renter with landlord or owner permission).
2. TUPs will only be considered where there will be no more than 1 STR operating in a dwelling unit on the subject property (e.g. the host cannot operate 2 or more STRs on the property in more than 1 dwelling unit on the property).
3. TUPs will only be considered for properties that do not contain a Residential Child Care Facility (cannot operate an STR if operating a daycare on site).
4. At a minimum, the parking shall meet the minimum STR off-street parking requirement of 1 space for every 2 bedrooms used for STR accommodation. Note the maximum number of STR parking spaces permitted on-site is 3.

Staff will further consider and rate applications according to the following evaluation criteria (see evaluation matrix in Attachment A):

5. STR rental review rating (applicable to pre-existing STRs) denoting the STR operator's review rating (typically out of 5 star rating).
6. Previous history of complaints, any issued warnings or fines regarding STRs at the property, and responses to the TUP application received from neighbours.
7. The number of STR business licenses or TUPs already issued in the neighbourhood, to avoid clustering of multiple STRs within close proximity of each other, as well as within the general neighbourhood.
8. The size and orientation of the dwelling unit; the parcel; and the location of the dwelling unit and outdoor spaces in relation to neighbouring properties, to avoid potential nuisance, noise, or other impacts upon the neighbouring properties. Consideration will also be

given to avoiding further aggravation of specific, known neighbourhood issues (such as chronic parking issues).

9. The impact of vehicle access and parking upon the property in relation to local roads and neighbouring properties.

TUP Conditions

TUPs considered for approval will contain the following minimum conditions:

10. Dwelling Units that received a Building Permit fee exemption for construction of a Secondary Suite or ADU (for Building Permits issued between January 20, 2016 and January 31, 2019) will only be issued a TUP if the full amount of applicable Building Permit fees is paid to the District in accordance with the Fees and Charges Bylaw 2012, 2007.
11. Applicants must apply for and receive a business license within 4 weeks of TUP issuance and meet STR Licensing requirements of Business License Bylaw 2455, 2016, as amended.
12. Dwelling Units for STR use must otherwise fully comply with the District's Secondary Suite and ADU regulations.
13. The TUP will be terminated upon the sale or transfer of the property title.
14. The TUP may be revoked by the District where a permit holder violates the terms and conditions of the permit, or in the case of multiple egregious complaints respecting the STR use of the property, egregiousness of complaints to be reviewed and confirmed by the District prior to consideration of TUP revocation.

PROCEDURES

Open Intake for TUP Applications

Subject to Council approval of this policy, TUP applications will be accepted on an ongoing basis until such time that the STR TUP cap of 30 issued TUPs is reached. Where the cap is full, incoming STR applications will be held and numerically assigned once space opens up. Additional call windows will be at staff's discretion to reach the unit cap or at Council's direction to increase the unit cap.

Application Fees

TUP application and renewal fees will apply as per the Fees and Charges Bylaw 2012, 2007 (as amended).

Evaluation + TUP Application Short-listing

An initial evaluation of the TUP applications will be completed by staff based on the minimum requirements. Delegated TUP applications that meet the minimum requirements will be short-listed and further evaluated. Applications that do not meet the minimum requirements will be refused. .

TUP Review and Evaluation

Applications will be assessed and ranked against the TUP Evaluation Criteria (Attachment A). There may be site-specific or case-by-case circumstances that may influence application evaluation above or beyond the TUP Evaluation Criteria; staff may exercise discretion in these cases.

Public Notification + Comment Period

TUP applications will follow the District's *Development and Project Communications Policy* for land development applications including posting applications to the District's Development and Project Showcase and posting a 60cm x 90cm Development Sign on the property. Where the District considers issuing a TUP, notice will be given to all neighbouring property owners and residents within 100m and published in the local newspaper (as per the *Local Government Act* and the Land Development Procedures Bylaw 2632, 2018). The public is provided a 2-week period for comment.

TUP Delegation + Permit Consideration

TUPs for STR of non-principal residence dwelling units are delegated for Director approval per the Land Development Procedures Bylaw 2632, 2018. Applications meeting the minimum requirements and evaluation criteria will be recommended for issuance of a TUP.

Opportunity for Reconsideration of Decision

Pursuant to the *Local Government Act*, an applicant may apply to have Council reconsider a delegated decision of the Director to issue, amend or refuse a TUP. A person requesting that Council reconsider a decision of the Director must, within ten (10) business days of being notified in writing of the decision of the Director, give notice in writing to the Corporate Officer. See District of Squamish Land Development Procedures Bylaw 2632.

RESPONSIBILITY Community Planning and Sustainability (Planning Department)
Bylaw Enforcement

Policy

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REFERENCES

1. Land Development Procedures Bylaw 2632, 2018
2. Zoning Bylaw 2200, 2011
3. Business License Bylaw 2455, 2016
4. Fees and Charges Bylaw 2012, 2007
5. Development and Project Communication Policy D08A-01

ATTACHMENTS

- A. TUP Evaluation Matrix

DISTRIBUTION

Online Policy Library

RECORD OF AMENDMENTS	DATE AMENDED	SUMMARY OF AMENDMENT(S)
	February 14 2023	<ol style="list-style-type: none">1. Maintain 30 unit cap for issued TUPs; clarified that when a TUP expires, or is withdrawn, a new space will be opened up to the next TUP applicant.2. Extend TUP term from 2 to 3 years.3. Allow open intake (year-round) of TUP applications.4. Removed condition requiring applicants to demonstrate STR minimum 100-night rental.

Policy

Short-Term Rental Interim Temporary Use Permit Policy

Short-term Rental Interim Temporary Use Permit Policy - Attachment A

EVALUATION MATRIX

ELIGIBILITY		TUP1	TUP2	TUP3	TUP4...
Full Time Residency? >9 months per year	Y/N				
Max 1 STR per Property	Y/N				
Child Care Facility, Residential	Y/N				
BP Fee Exemption? (Requires repayment if so)	Y/N				
EVALUATION CRITERIA	Weighting				
STR Review Rating (for existing only)	5				
STR Complaint History	10				
Clustering Avoidance	25				
Parking Provision	25				
Dwelling Characteristics	15				
Neighbourhood Inputs	20				
Total (Maximum Point Potential)	100	0.0	0.0	0.0	0.0
HIGHEST VALUES = TOP RANKINGS					

Evaluation Guide	
STR Review Rating (5pts)	
Current rating out of 5	between 0 and 5
Complaint History (10 pts)	
No history of STR related complaints	10
History of any STR-related complaint(s)	0
Clustering Avoidance (25 pts)	
0 STRs within 100 m	25
1-2 STRs within 100 m	20
3-4 STRs within 100 m	10
>5 STRs within 100 m	0
On-Site Parking Provision (25 pts)	
Additional space provision beyond min requirements (+stall)	25
Min Compliance per STR Zoning Regulations	10
Not in Compliance with STR Zoning Regulations	0
Dwelling Characteristics (15 pts total available - check all that apply)	
Orientation of STR unit on property with clear entry from street	5
Setback compliance with respect to principal and accessory unit where applicable?	5
Placement + screening of STR outdoor areas/amenities (visual, acoustic) to reduce impact to adjacent properties	5
Neighbourhood Inputs (20 pts)	
No STR concerns; support	20
Some STR concerns; non-support	10
Major STR concerns (multiple comments)	0