



City of Richmond

Report to Committee

To: General Purposes Committee **Date:** January 26, 2017

From: John McGowan **File:** 03-0900-01/2017-Vol
 General Manager, Law and Community Safety 01
 Cecilia Achiam
 Director, Administration and Compliance

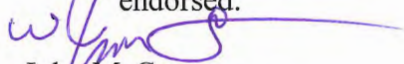
Re: **Short-Term Rental Regulations**


Staff Recommendation

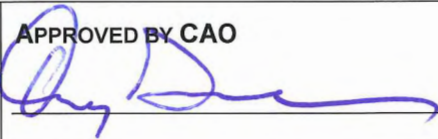
That in respect to the regulation of short-term rentals and the enforcement of such regulation:

1. Richmond Zoning Bylaw No. 8500, Amendment Bylaw, 9647 be introduced and given first reading; and
2. That:
 - a. Business Regulation Bylaw No. 7538, Amendment Bylaw No. 9649;
 - b. Business Licence Bylaw No. 7360, Amendment Bylaw No. 9650;
 - c. Municipal Ticket Information Authorization Bylaw No. 7321, Amendment Bylaw No. 9651; and
 - d. Consolidated Fees Bylaw No. 8636, Amendment Bylaw No. 9652
 each be introduced and given first, second and third readings.

3. That the proposed communication plan described in Attachment 3 of this report be endorsed.


 John McGowan
 General Manager, Law and Community Safety
 (604-276-4104)


 Cecilia Achiam
 Director, Administration and Compliance
 (604-276-4122)

REPORT CONCURRENCE		
ROUTED TO: Affordable Housing Community Bylaws Fire Rescue Law Building Approvals Development Applications Policy Planning	CONCURRENCE	
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REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE	INITIALS DW	APPROVED BY CAO 

Staff Report

Origin

This report addresses the resolutions from Council on January 9, 2017:

- 1. That the matter be referred back to staff for analysis on the implementation of Option 2 (Prohibition of all short-term rentals as defined in the staff report titled "Regulation of Short-Term Rentals" dated November 29, 2016), and that staff report back with all appropriate bylaw amendments and information including a proposed enforcement program;*
- 2. That staff review the current rules governing Bed and Breakfast operations in Richmond and provide an analysis including the current number of Bed and Breakfast operations in Richmond; and*
- 3. That staff recommend a process for public consultation for Council's consideration on the proposed program, bylaw amendments, and information in response to the staff referral given in Parts (1) and (2) of this resolution.*

Analysis

A previous staff report titled "Regulation of Short-Term Rental Units", dated November 29, 2016 from the City Solicitor and Chief Licence Inspector (the "previous report") provided detailed analysis on regulations and enforcement in respect to short-term rental units in Richmond. The report presented three short-term options for consideration and at the Council meeting on January 9, 2017, Council endorsed "Option 2" (Prohibition of all short-term rentals), as described in the previous report.

1. Proposed Bylaw Amendments to achieve Option 2 (Prohibition of all short-term rentals)

The existing regulations in the Richmond Zoning Bylaw (bed and breakfast ("B&B") and boarding and lodging regulations in particular) combined with the requirement for a business licence in the Business Licence and Business Regulation Bylaws currently act to restrict short-term rentals. However, unlike many other jurisdictions, short-term rentals, being rentals of less than 30 days (except for B&Bs, boarding and lodging, approved hotels, motels, agri-tourist accommodation, community care facilities and dormitories), are not explicitly prohibited. Consequently, in order to implement "Option 2", staff recommend bylaw amendments that;

1. Provide an explicit prohibition of short-term rentals (except for the most common types currently allowed such as B&Bs and boarding and lodging) and remove agri-tourist accommodation from the Agriculture (AG1) zone;
2. Change the existing B&B regulations; and
3. Increase fines for non-compliance.

Table 1 provides a description of the Zoning Bylaw amendments being proposed to provide an explicit prohibition on short term rentals (except for B&Bs, boarding and lodging, approved hotels, motels, agri-tourist accommodation, community care facilities and dormitories). This

includes a number of proposed amendments that will align zoning regulations with Council direction to limit short-term rentals.

Table 1 – Zoning Bylaw Amendments

Change	Rationale
Add explicit prohibition of Short-term Rental (less than 30 days) of Dwelling Units	All short-term rental explicitly prohibited except for B&Bs, boarding and lodging, approved hotels, motels, agri-tourist accommodation, community care facilities and dormitories
Remove Agri-tourist accommodation as a permitted use in the Agriculture (AG1) zone	This type of short-term rental is not considered an appropriate out-right use but could be considered on a site by site basis.
All B&B operations limited to 3 rooms	Current bylaw includes exceptions for Agricultural Zone (AG1) and for site specific London Landing zone (ZS11)

For example, this report proposes removing agri-tourist accommodation as an out-right permitted use in the Agriculture Zone and that it be considered through site specific rezoning applications only. Agri-tourist accommodation is a permitted farm use in the Agricultural Land Reserve (“ALR”) but the Agricultural Land Commission (“ALC”) legislation permits the City to regulate or prohibit the use. Given that this use may be interpreted to be similar in nature to a hotel, staff believe that any proposals for agri-tourist accommodation should be considered through a site specific rezoning. This will ensure that proposals are consistent with the intended smaller-scale operation of such uses in the ALR. Site specific rezoning applications would allow the details of the agricultural operation and the proposed agri-tourist accommodation activity to be considered by Council and the public through the statutory rezoning process.

The changes proposed to the Zoning bylaw will also eliminate the exceptions that allow some areas of the City to provide 4, instead of 3, B&B rooms per home. Currently, homes in the ALR and in London Landing are permitted 4 B&B rooms. Reducing this to 3 will align with the City wide regulations.

The proposed amendments do not propose changing regulations related to boarders or lodgers. The current zoning bylaw allows 2 boarders/lodgers and this typically includes international students on home stay programs or cultural and sports exchanges. There are also no changes proposed to the status of secondary suites. Secondary suites are currently not eligible to be B&B’s and the new regulations further clarify that they are not permitted to be rented out on a short term basis.

Table 2 provides a summary of how the existing B&B regulations are proposed to be enhanced. In most cases, it is proposed that the the current regulatory regime remain unchanged, but there are several proposed additional requirements including requiring owner consent and neighbourhood notification. These proposals will strengthen the B&B regulations, especially

considering the growth and increased interest in short-term rentals. These changes also modernize the bylaws and respond to the public input received in writing and from the delegations at the January 9, 2017 Council meeting.

Table 2 – Existing and Proposed B&B Requirements

Bed and Breakfast Regulations	Existing Requirement	Proposed Future Requirement
Business Licence required	√	√
Must comply with zoning, building, fire and other City bylaws	√	√
No cooking facilities in guest rooms	√	√
Minimum size of guest rooms	√	√
One parking stall per guest room required	√	√
Signage permitted	√	√
Must be operator's Primary Residence	Yes, but Residence is not defined	Principal Residence now specifically defined and new rules added
Owner consent required	No	Required
In Dwelling with Boarding and Lodging	Not permitted	Not permitted
In Dwelling with Secondary Suite	Not permitted	Not permitted
Same site as Coach House/Granny Flats	Not specified	Not permitted
No more than 4 guest rooms in the ALR (2 guests each)	√	Removed -Harmonize with other residential zones
No more than 3 guest rooms in all residential zones where B&B are permitted	√	Reduce the max. no. of guest room in ALR from 4 to 3 to harmonize requirements in all residential zones
Notice of operations to neighbours as condition of licence	No	Required

In order to make these changes, amendments are proposed to the Zoning, Business Regulation, Business License, and Municipal Ticket Information Authorization. This report also proposes changes to the Consolidated Fees Bylaw but only to create a separate category for the fee. The licence fee for a B&B remains at \$162.

Along with amendments that provide specific prohibitions and enhancements to the B&B licensing regulations, this report also recommends new penalties and increases to fines. The new penalties will give enforcement and licence officers more options to deal with illegal operations, including those either refusing to be licenced or those proceeding with activities not permitted in any licencing or land use scheme. The increased fines relate both to illegal operations and to licenced B&B's not operating within the regulations. A summary of the bylaw amendments and increased fines is shown in Table 3.

Table 3 –Proposed New Penalties and Increased Fines

Type of Fine	Penalty (can be applied for each day the offense occurs)	Current Fine	Proposed Fine
Issued as a Municipal Ticket	For a licenced B&B – Failure to maintain Fire Evacuation Plan	\$250	\$1,000
	For a licenced B&B – No access to Guest Register	\$250	\$1,000
	For a licenced B&B – Premises not operator’s Principal Residence	\$250	\$1,000
	Rentals for 30 days without a Licence	N/A	\$1,000
	For any B&B – excess guest rooms	\$250	\$1,000
	For any B&B – excess guest capacity	\$250	\$1,000
	For any B&B – excess guest room capacity	\$250	\$1,000
Imposed through prosecution in Court	Conviction for an Offence under the Business Regulation Bylaw	\$2,000	\$10,000
	Conviction for an Offence under the Business Licence Bylaw	\$2,000	\$10,000

2. Proposed Enforcement Program to Address Un-licenced Short-Term Rentals

In the previous report, a search on numerous websites identified approximately 1,600 short-term rental listings in the Richmond area. Further research is being conducted to define the scope of the issue, eliminate duplication of listings and to potentially identify other advertising sites for short-term rentals.

As noted in the previous report, enforcement in other jurisdictions has proven to be very difficult. A collaborative approach working with the principal booking platforms may provide

the ability for the City to ensure that prospective hosts are aware of the local rules and requirements for listing their property.

Community Bylaws will be the lead department. Support will be provided by Business Licensing, Richmond Fire Rescue, and Building Inspections. This will provide a broad scope of authority to manage and investigate short-term rental properties found to be in contravention of current and amended municipal bylaws. Compliance will be achieved through an integrated graduated enforcement program. The first step in the process is to mail out warning letters to all identified properties to ensure they are aware of the Bylaw requirements governing short-term rentals. That will be followed up by conducting an inspection of the property (both scheduled and unscheduled). Non-compliance will result in the issuance of Municipal Ticket Informations and other fines. The final step in the process would be a prosecution against property owners who remain in contravention.

Bylaw staff are currently researching and identifying properties currently listed on short-term rental web sites. They are also developing a matrix to prioritize the identified properties and are actively managing the most egregious cases at this time. Other home owners who are not properly licensed to offer short-term rental accommodation will be contacted both in person and in writing and provided with information on the licensing requirements. This notice will also direct them to cease operations immediately or until such time as they are in compliance.

To allow for a proactive rather than a reactive approach, Community Bylaws has redeployed three existing resources to immediately address those illegal short-term rental operations which have been identified as having a significant impact on the community. These residences have recently been inspected or have been scheduled for inspections in the near future. The City has also undertaken a hiring process to employ four additional temporary bylaw enforcement officers to address the short-term rental issues in Richmond. This additional staff is expected to be in place by the end of February 2017.

Community Bylaws will conduct an assessment of the impact of these enforcement initiatives and report back to the General Purposes Committee in six months.

3. Current Bed and Breakfast options in Richmond

There are currently 19 B&Bs in the City of Richmond (Attachment 1) that have been licenced according to the requirements in the Business Licence and Business Regulation Bylaws. In addition to the requirements in the Bylaws, the B&B's are provided with the City of Richmond Bed & Breakfast Information Package (Attachment 2). This package provides information on application requirements and expectations for lawful operations and is available in print at City Hall and on the City's website¹.

Eighteen of the licenced B&B's are operating in good standing as Licencing staff have received complaints about only one current operation. Staff are currently investigating the complaint and

¹ http://www.richmond.ca/_shared/assets/bedandbreakfastinfopackage30758.pdf

any recommendation for licence suspension or cancellation will be brought back to Council for consideration.

Consultation

This report proposes changes to the existing regulations governing B&B operations, including new rules and increased fines for non-compliance. While agri-tourist accommodation is proposed to be removed as a permitted use from the Agriculture (AG1) zone, the use will continue to be defined so that site-specific rezoning applications may be considered by Council. There are no increases proposed to the existing licence fees and no new types of short-term of licences being proposed. Collectively, changes to these bylaws will require public notification and a public hearing.

As to the proposed amendment to the Richmond Zoning Bylaw, should Council endorse and grant first reading to the proposed Zoning Amendment Bylaw, then it will be forwarded to the next Public Hearing (anticipated to be March 20, 2017). Public notification for the Public Hearing, including notification in the newspaper, will be provided as required under the Local Government Act. The public will have an opportunity to comment at the Public Hearing on the proposed Zoning Amendment Bylaw prior to final consideration of the amendment.

The process for amendments to the Business Licence, Business Regulation, Municipal Ticket Information Authorization and Consolidated Fees bylaws (collectively, the "Amendment Bylaws") requires public notification prior to final consideration. Should the General Purposes Committee endorse the proposed Amendment Bylaws, and if Council grants bylaw readings in accordance with the Community Charter, the public will be given notice and the opportunity to make representations to Council prior to final adoption.

In addition to the statutory requirements for a public hearing and public notification, it will be important to notify the public of the changes, including those currently operating or impacted by any type of short-term rentals. The communications plan in Attachment 3 provides a summary of actions and deliverables that will be implemented should Council adopt the proposed changes in this report.

If the new regulations are adopted by Council, staff will also monitor the implementation of the changes and provide an update to Council on the progress, public feedback, long term impacts on budgets and other programs and further recommendations for enhancements in June, 2017.

Financial Impact

The temporary full time bylaw enforcement officers will initially be funded from within the existing bylaws budget. The investigation and enforcement costs will be monitored and should additional funding be required to support ongoing operations, a report will be prepared for Council's consideration. Operational impacts due to Staff re-deployment will be mitigated by drawing upon experienced temporary staff to backfill required positions.

Conclusion

The proposed changes to various bylaws outlined in this report provide practical regulations that are simple to understand and comply with. The clarity of regulations would enhance enforcement, which, together with the increased penalties would provide further deterrent for non-compliance.



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Daniel McKenna
Acting Senior Manager, Comm Safety
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- Att. 1: Current Licenced B&B in Richmond
2: City of Richmond Bed & Breakfast Information Package
3: Communications Plan

Attachment 1

List of Licenced Bed and Breakfast Operations on Richmond as of January 1, 2017

<u>Business Name</u>	<u>Business Address</u>
Best Home Inn	10660 Westminster Hwy
Chestnut Tree B & B	2280 Douglas Crescent
The Seabreeze Guest House	3111 Springside Place
The Stone Hedge B & B	5511 Cathay Rd
Pacific B & B	7700 Bates Rd
Stay At Dejavu	5771 Laurelwood Court
Mei Xue B and B	6471 Goldsmith Dr
lodgingrbc.com	10020 No 4 Rd
Lido (Vancouver) Travel & Hotel	7711 Belair Dr
WenXin House	6011 Alta
Richmond B & B	6311 Danube
Huan Xin Home Inn	7571 Eperson Rd
Jiezhong's BnB	10231 Severn Dr
Feng Lu House	8328 Bowcock Rd
Algae Fresh Rental	3080 River Rd
Happy Star Home Hotel	10351 Finlayson Dr
Canyatt	4475 Steveston Hwy
Freida's Bed & Breakfast	10631 Odlin Rd
Seahurst House	11631 Seahurst Road

CITY OF RICHMOND

BED AND BREAKFAST ESTABLISHMENT CODE OF CONDUCT

The City of Richmond expects the operators of Bed and Breakfast establishments permitted in residential zones to respect the residential character of their neighbourhoods. In addition to complying with all requirements of the Zoning Bylaw and the Business Regulation Bylaw that are applicable to such establishments, which are attached, Tourism B.C.'s Approved Accommodation requirements, and any special conditions attached to their Bed and Breakfast business licence, the City expects operators to adhere to the following Code of Conduct. In the event that the City receives complaints regarding the operation of a Bed and Breakfast establishment that indicate a failure to adhere to this Code of Conduct, the operator may be required to show cause why their business licence should not be suspended or revoked, or the Licence Inspector may refuse to renew the business licence.

No Residential Dwelling Alterations

With the exception of the small exterior signage permitted by the zoning regulations, no alterations should be made to the exterior of a residential dwelling indicating that it operates as a bed and breakfast establishment.

Noise

The operation of a bed and breakfast establishment should not produce noise detectable beyond the boundary of the premises, that would be in excess of that associated with an ordinary residential use. Operators may wish to consult the noise regulations in the City's Public Protection Health Bylaw, available on the City's website:

http://www.richmond.ca/_shared/assets/Bylaw_6989_12140924694.pdf

Traffic and Parking

Operators should be aware that some of the most common complaints regarding bed and breakfast operations in residential neighbourhoods are associated with guest parking and traffic. Complying with City parking and traffic regulations and using on-site parking spaces will eliminate many potential complaints. Operators should ensure that they bring these regulations and amenities to the attention of guests upon check-in.

Privacy of Neighbours

The use of outdoor spaces such as patios, terraces and gardens by bed and breakfast guests can affect the privacy of neighbours. Such areas should be located, oriented and screened so as to minimize their impact on neighbouring properties. Operators should also manage check-in and checkout times to minimize the impact of this activity on the neighbourhood.

Dealing with Complaints

If approached by neighbours with complaints regarding their bed and breakfast establishment, operators should attempt to resolve the complaint on the basis that residents of residential neighbourhoods have a legitimate expectation of privacy and normal residential amenity, with which the operation of a bed and breakfast operation in the neighbourhood is not intended to significantly interfere. Records of such complaints, and how the operator has dealt with them, should be retained for reference in the event that the City is requested to become involved in the matter.

CITY OF RICHMOND ZONING BYLAW 8500

“Bed and breakfast” means the commercial accommodation of guests for periods of 30 days or less, in a single detached housing dwelling unit in accordance with section 5.5 of this bylaw.

5.5 Bed and Breakfast

- 5.5.1 A bed and breakfast use is permitted only in a single detached housing dwelling unit.
- 5.5.2 A bed and breakfast use is not permitted in a single detached housing dwelling unit or on a lot that contains a secondary suite or a boarding, lodging, agri-tourist accommodation, minor community care facility or child care home business use.
- 5.5.3 A bed and breakfast use may be operated only by a person who resides in the single detached housing dwelling unit.
- 5.5.4 No facilities or equipment used for the preparation of food shall be installed or provided in a room used for bed and breakfast guest accommodation.
- 5.5.5 A bed and breakfast use is limited to a maximum of three guest rooms unless otherwise provided in this bylaw.
- 5.5.6 A room used for bed and breakfast guest accommodation shall not be equipped, furnished or used to provide accommodation for more than two guests.
- 5.5.7 A room used for bed and breakfast guest accommodation shall have a floor area of not less than 9.75 m².
- 5.5.8 One fascia sign with maximum dimensions of 0.3 m by 0.6 m is permitted on each premises used for a bed and breakfast use, unless otherwise provided in this bylaw.
- 5.5.9 A vehicle parking space provided in respect of a guest room may be provided in a tandem arrangement with another such parking space or a space required in respect of the residential use of the building.

Effective September 30, 2011:

Bed and Breakfast Establishments will be required to provide one on site parking space for each **guest** room.

CITY OF RICHMOND BUSINESS REGULATION BYLAW 7538

22.1. **Bed and Breakfast Establishments** shall be subject to the following regulations:

- 22.1.1. the operator must prepare a fire safety plan showing the location of exits, fire extinguishers and smoke detectors, install and maintain the fire safety equipment, and post a copy of the fire safety plan in each guest room;
- 22.1.2. the operator must permit the City's Licence Inspector to inspect the operator's guest register maintained pursuant to the *Hotel Guest Registration Act* to determine whether the applicable zoning bylaw restrictions on the number of guests permitted in the premises are being complied with; and
- 22.1.3. the operator must not provide or install any equipment or facilities used for the preparation of food in any room used for guest accommodation.

Effective September 30, 2011:

Bed and Breakfast Establishment operators must obtain and maintain "Approved Accommodation" status from Tourism British Columbia

Communication Plan: Short-term Rentals

Purpose:

Disseminate the proposed changes using a wide range of communication tools to increase understand of and compliance with the regulations:

Highlight of Proposed Communication Plan:

Communication Tool	Timing
Question and answer guide for frontline staff	<ul style="list-style-type: none"> • Immediately following Council granting first reading • Immediately following adoption of new bylaws
News release to be issued immediately following Council's decision	<ul style="list-style-type: none"> • Immediately following Council granting first reading • Immediately following adoption of new bylaws
Print advertisements in the local community paper and ethnic newspapers	<ul style="list-style-type: none"> • Standard advertisement for Public Hearing • After adoption of new bylaws
Prepared letter/email for distribution to residents operating legal B&Bs	<ul style="list-style-type: none"> • Acknowledge legal operations and provide them with additional regulations for annual renewal
First and second notices to residents hosting unlicensed short-term rentals	<ul style="list-style-type: none"> • In co-ordination with Bylaw Enforcement to notify illegal short-term rental operators on bylaw changes and invitation to submit for approval for those who fit the criteria
Updated brochure to explain the changes to the bylaw and related requirements	<ul style="list-style-type: none"> • Immediately following adoption of new bylaws
Web page and social media content	<ul style="list-style-type: none"> • Immediately following Council granting first reading • Immediately following adoption of new bylaws
Prepared letter/email to send to stakeholders such as AirBnB and Expedia	<ul style="list-style-type: none"> • After adoption of bylaws to invite cooperation from these companies to only host legally approved short-term rentals on their websites



**Richmond Zoning Bylaw No. 8500
Amendment Bylaw No. 9647**

The Council of the City of Richmond, in open meeting assembled, enacts as follows:

1. Richmond Zoning Bylaw No. 8500, as amended, is further amended at Section 3.4:
 - a. by deleting and replacing the definition of **Agri-tourist accommodation** with the following:

“Agri-tourist accommodation means accommodation for an **agri-tourist operation** on a farm, limited to 10 sleeping units in total of seasonal campsites, seasonal cabins or the short-term use of **bedrooms.**”
 - b. by adding the following definition after the definition of **“open space”**:

“Operator means the person who operates the **bed and breakfast.**”; and
 - c. by adding the following definition after the definition of **“premises”**:

“Principal residence means a **dwelling** in which an **operator** ordinarily resides. A person can only have one **principal residence.**”.
2. Richmond Zoning Bylaw No. 8500, as amended, is further amended at Section 5.5:
 - a. by deleting subsection 5.5.2 and replacing it with the following:

“5.5.2. A **bed and breakfast use is not permitted in a **single detached housing dwelling unit** or on a lot that contains a **secondary suite**, a **granny flat**, or a **coach house**, or a boarding and lodging, **minor community care facility**, **agri-tourist accommodation**, or **child care home business use.**”;**
 - b. by deleting subsection 5.5.3 and replacing it with the following:

“5.5.3. A **bed and breakfast use is permitted only in a **single detached housing dwelling unit** that is the **principal residence** of the **operator.**”; and**
 - c. by inserting the following as a new subsection 5.5.5A. following 5.5.5.:

“5.5.5A. **Bed and breakfast use of a **single detached housing dwelling unit** is limited to accommodation of a maximum of 6 **guests** at one time.”.**

3. Richmond Zoning Bylaw No. 8500, as amended, is further amended by adding the following after Section 5.19 as new Section 5.20:

“5.20 Short Term Rental of Dwelling Units

5.20.1 No person shall use or permit to be used any **dwelling unit**, or portion thereof, for accommodation for a period of less than thirty (30) days unless such **dwelling unit** forms part of a **hotel** or a **motel**, or is used for **boarding and lodging, agri-tourist accommodation, community care facility, dormitory, or bed and breakfast use** in compliance with all applicable bylaws.”

4. Richmond Zoning Bylaw No. 8500, as amended, is further amended:

a. at section 14.1.3 by deleting **“agri-tourist accommodation”**;

b. at section 14.1.11.4 by deleting section 14.1.11.4 and replacing it with the following:

“4. *Intentionally deleted.*”; and

c. at section 15.11.11.1 by deleting section 15.11.11.1 and replacing it with the following:

“1. *Intentionally deleted.*”.

5. This Bylaw is cited as **“Richmond Zoning Bylaw No. 8500, Amendment Bylaw No. 9647”**.

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED



MAYOR

CORPORATE OFFICER



**Business Licence Bylaw No. 7360,
Amendment Bylaw No. 9650**

The Council of the City of Richmond enacts as follows:

1. **Business Licence Bylaw No. 7360**, as amended, is further amended by deleting Section 2.4.1 and replacing it with the following:

“2.4.1 Every **Bed & Breakfast Establishment applicant** must at the time of application:

- (a) certify that they reside in the premises as their **principal residence** and provide proof that the premises are the **applicant’s principal residence**. To demonstrate that the premises is their **principal residence**, an **applicant** must be able to produce copies of the **applicant’s** government issued picture identification showing the **applicant’s** address as the premises, and copies of either one or both of the following:
 - (i) a tax assessment for the current year for the lot upon which the premises are constructed showing the **applicant** as payor, or
 - (ii) a utility bill (electricity, district energy, gas, or telephone) issued within the previous 3 months for the premises showing the **applicant** as payor, or
 - (iii) such other evidence as required by the **City** from time to time;
- (b) provide proof that the owner of the premises has consented to the use of the premises as a **bed & breakfast establishment** by providing one of the following, as applicable:
 - (i) if the **applicant** is an owner of the premises, a copy of legal title to the premises showing the **applicant** as an owner in fee simple or leasehold, or
 - (ii) if the **applicant** is not an owner of the premises, a copy of legal title to the premises identifying the owner and a declaration from the owner of the premises certifying that use of the premises as a **short-term rental** is permitted; and
- (c) provide a copy of the guest register format to be used in the recording of guests stays under the *Hotel Guest Registration Act* (British Columbia).
- (d) prepare a notification letter that:

- (i) describes the operation and the number of bedrooms that will be rented to overnight guests; and
 - (ii) includes information on how to contact the operator by phone;
 - (e) mail or deliver the notification letter to all residents and owners of residential dwellings (i) abutting or across the street from the premises, or (ii) within a 50 metre radius of the premises, whichever is greater;
 - (f) provide a copy of the notification letter and a list with the addresses of all persons that received the notification letter;
 - (g) provide a copy of the fire evacuation plan required by the **Business Regulation Bylaw**;
 - (h) provide floor plans, drawn to scale, of the entire floor area of each level of the residence, indicating the use of each room of the residence and clearly identifying the guest rooms to be used in the **bed & breakfast establishment**; and
 - (i) provide a property site plan showing:
 - (i) the location and dimension of the driveway identifying vehicle parking spaces for residences and guests for each guest room;
 - (ii) the location of the residence on the property with setbacks indicated from all property lines;
 - (iii) landscaping and open areas as required by the **Zoning Bylaw**;
 - (iv) signage size and placement as permitted by the **Zoning Bylaw**; and
 - (j) pay the required annual bed & breakfast business licence fee specified in the Consolidated Fee Bylaw No. 8636 for the Bed & Breakfast Use category of this bylaw.”.
2. **Business Licence Bylaw No. 7360**, as amended, is further amended at Part 3 by adding the following as a new Section 3.7A following the Section 3.7:

“**3.7A BED & BREAKFAST USE CATEGORY** means the use of premises or facilities as **Bed & Breakfast Establishments**, as permitted by this bylaw, the **Business Regulation Bylaw**, and the **Zoning Bylaw**.”.

3. **Business Licence Bylaw No. 7360**, as amended, is further amended at Part 5 by deleting Section 5.1 and replacing it with the following:

“5.1 Any **licencee**, operator, or any other **person** who:

- (a) violates or contravenes any provision of this bylaw or a **licence** issued hereunder, or who causes or allows any provision of this bylaw or a **licence** issued hereunder to be violated or contravened; or
- (b) fails to comply with any of the provisions of this bylaw or a **licence** issued hereunder; or
- (c) neglects or refrains from doing anything required under the provisions of this bylaw, or a **licence** issued hereunder, or the **Business Regulation Bylaw**; or
- (d) fails to maintain the standard of qualification required for the issuing of a **licence** under this bylaw; or
- (e) makes any false or misleading statement,

commits an offence and upon conviction shall be liable to a fine of not more than Ten Thousand Dollars (\$10,000.00), in addition to the costs of the prosecution, and where the offence is a continuing one, each day that the offence is continued shall constitute a separate offence, and may result in the suspension, cancellation or revocation of the **licence** in question.”.

4. **Business Licence Bylaw No. 7360**, as amended, is further amended at Part 5 by deleting Section 5.3 and replacing it with the following:

“5.3 Every **licencee** must comply with the requirements of this, or any other bylaw of the **City**, which governs or regulates the **business** for which such **licence** was granted, must comply with any requirements imposed by the **Medical Health Officer**, and must comply with all applicable statutes, regulations, rules, codes and orders of all federal or provincial authorities having jurisdiction of such **business**, and any **person** failing to comply with the requirements of this Part commits an offence and, upon conviction, is liable for the penalties specified.”.

5. **Business Licence Bylaw No. 7360**, as amended, is further amended at Section 7.1 by adding the following as the definition of “**principal residence**” in alphabetical order:

“**Principal Residence** means a principal residence as defined in the **City’s zoning bylaw**.”.

6. This Bylaw is cited as **“Business Licence Bylaw No. 7360, Amendment Bylaw No. 9650** and is effective _____, 2017.

FIRST READING

SECOND READING

THIRD READING

ADOPTED

MAYOR

CORPORATE OFFICER

CITY OF RICHMOND
APPROVED for content by originating Division <i>[Signature]</i>
APPROVED for legality by Solicitor <i>[Signature]</i>



**Business Regulation Bylaw No. 7538,
Amendment Bylaw No. 9649**

The Council of the City of Richmond enacts as follows:

1. **Business Regulation Bylaw No. 7538**, as amended, is further amended by deleting Part 22 and replacing it with the following:

**“PART TWENTY-TWO: BED & BREAKFAST ESTABLISHMENT
REGULATIONS**

- 22.1. Without first obtaining a **licence** to do so, persons must not provide guests with **residential rental accommodation** for rental periods of less than 30 days.
- 22.2 **Bed and Breakfast Establishments** shall be subject to the following regulations:
 - 22.2.1. the premises must be the **operator’s principal residence**;
 - 22.2.2. the **operator** must permit the **City’s Licence Inspector** to inspect the operator’s guest register maintained pursuant to the *Hotel Guest Registration Act* to determine whether the applicable zoning bylaw restrictions on the number of guests permitted in the premises are being complied with;
 - 22.2.3. the **operator** must prepare a fire evacuation plan showing the location of exits, fire extinguishers and smoke detectors, install and maintain the fire safety equipment, and post a copy of the fire evacuation plan in each bedroom used for guest accommodation; and
 - 22.2.4. the **operator** must not provide or install any equipment or facilities used for the preparation of food in any bedroom or sleeping unit used for guest accommodation.”
2. **Business Regulation Bylaw No. 7538**, as amended, is further amended at Part 23 by deleting Section 23.1 and replacing it with the following:
 - “23.1 Any **licencee, operator**, or any other person who:
 - (a) violates or contravenes any provision of this bylaw, or who causes or allows any provision of this bylaw to be violated or contravened; or
 - (b) fails to comply with any of the provisions of this bylaw; or

- (c) neglects or refrains from doing anything required under the provisions of this bylaw or the **Business Licence Bylaw**; or
- (d) fails to maintain the standard of qualification required for the issuing of a **licence**; or
- (e) makes any false or misleading statement,

commits an offence and upon conviction shall be liable to a fine of not more than Ten Thousand Dollars (\$10,000.00), in addition to the costs of the prosecution, and where the offence is a continuing one, each day that the offence is continued shall constitute a separate offence.”.

3. **Business Regulation Bylaw No. 7538**, as amended, is further amended at Section 26.1 by:

- (a) adding the following as the definition of “**boarding and lodging**” in alphabetical order:

“**boarding and lodging** means **boarding and lodging** as defined in the City’s zoning bylaw.”;

- (b) adding the following as the definition of “**community care facility**” in alphabetical order:

“**community care facility** means a **community care facility** as defined in the City’s zoning bylaw.”;

- (c) adding the following as the definition of “**dormitory**” in alphabetical order:

“**dormitory** means a **dormitory** as defined in the City’s zoning bylaw.”;

- (d) adding the following as the definition of “**dwelling**” in alphabetical order:

“**dwelling** means a dwelling as defined in the City’s zoning bylaw.”;

- (e) adding the following as the definition of “**hotel**” in alphabetical order:

“**hotel** means a hotel as defined in the City’s zoning bylaw.”;

- (f) adding the following as the definition of “**motel**” in alphabetical order:

“**motel** means a motel as defined in the City’s zoning bylaw.”;

- (g) adding the following as the definition of “**principal residence**” in alphabetical order:

“**principal residence** means a principal residence as defined in the City’s zoning bylaw.”;

- (h) adding the following as the definition of “**residential rental accommodation**” in alphabetical order:

“**residential rental accommodation** means the accommodation of guests in all or a portion of a **dwelling**, with or without food service, but excludes accommodation that is a **boarding and lodging, community care facility, or dormitory.**”;

- 4. This Bylaw is cited as “**Business Regulation Bylaw No. 7538, Amendment Bylaw No. 9649,**” and is effective _____, 201__.

FIRST READING

SECOND READING

THIRD READING

ADOPTED

MAYOR

CORPORATE OFFICER

CITY OF RICHMOND
APPROVED for content by originating Division <i>Ch</i>
APPROVED for legality by Solicitor <i>JA</i>



Municipal Ticket Information Authorization Bylaw No. 7321, Amendment Bylaw No. 9651

The Council of the City of Richmond enacts as follows:

- 1. Municipal Ticket Information Authorization Bylaw No. 7321, as amended, is further amended at Section 2.1 by deleting the definition of Bylaw Enforcement Officer and replacing it with the following:

“BYLAW ENFORCEMENT OFFICER means an employee of the City, appointed to the job position or title of bylaw enforcement officer, or acting in another capacity, on behalf of the City for the purpose of the enforcement of one or more of the City bylaws.”

- 2. Municipal Ticket Information Authorization Bylaw No. 7321, as amended, is further amended at Schedule B 3 by deleting the following portion of Schedule B 3:

SCHEDULE B 3

BUSINESS REGULATION BYLAW NO. 7538

Table with 3 columns: Column 1 (Offence), Column 2 (Section), Column 3 (Fine). Rows include: Failure to maintain Fire Evacuation Plan (22.1.1, \$250), No access to Guest Register (22.1.2, \$250), Food preparation in room used for guest accommodation (22.1.3, \$250), Failure to maintain Approved Accommodation Status (22.1.4, \$250).

- 3. Municipal Ticket Information Authorization Bylaw No. 7321, as amended, is further amended at Schedule B 3 by adding the following to the end of Schedule B 3:

SCHEDULE B 3

BUSINESS REGULATION BYLAW NO. 7538

Table with 3 columns: Column 1 (Offence), Column 2 (Section), Column 3 (Fine). Rows include: Rentals for less than 30 days without licence (22.1, \$1000), Premises not operator’s principal residence (22.2.1, \$1000), No access to Guest Register (22.2.2, \$1000).

Failure to maintain Fire Evacuation Plan	22.2.3	\$1000
Food preparation in room used for guest accommodation	22.2.4	\$250

4. **Municipal Ticket Information Authorization Bylaw No. 7321**, as amended, is further amended at Schedule B 17 by deleting Schedule B 17 and replacing it with the following:

SCHEDULE B 17

ZONING BYLAW NO. 8500

Column 1 Offence	Column 2 Section	Column 3 Fine
Bed and Breakfast – stay exceeding 30 days	1.4.2	\$250
Parking or storing large commercial vehicle shipping container	3.5.3	\$100
Parking or storing large commercial vehicle	3.5.4	\$100
Bed and Breakfast - not operator’s principal residence	5.5.3	\$1000
Bed and Breakfast - excess guest rooms	5.5.5	\$1000
Bed and Breakfast - excess guest capacity	5.5.5A	\$1000
Bed and Breakfast - excess guest room capacity	5.5.6	\$1000
Bed and Breakfast - excess signage	5.5.8	\$250
Dwellings – rentals for less than 30 days	5.20.1	\$1000
Failure to maintain required parking spaces	7.7.1	\$250

5. This Bylaw is cited as “**Municipal Ticket Information Authorization Bylaw No. 7321, Amendment Bylaw No. 9651**”, and is effective _____, 2017.

FIRST READING

SECOND READING

THIRD READING

ADOPTED

CITY OF RICHMOND
APPROVED for content by originating dept.
APPROVED for legality by Solicitor

MAYOR

CORPORATE OFFICER



CONSOLIDATED FEES BYLAW NO. 8636, AMENDMENT BYLAW NO. 9652

The Council of the City of Richmond enacts as follows:

- 1. The Consolidated Fees Bylaw No. 8636, as amended, is further amended by adding the Business Licence Bylaw No. 7360, Bed & Breakfast Use Table set out in Schedule A to this Bylaw following the Business Licence Bylaw No. 7360, Residential Use Table forming part of SCHEDULE – BUSINESS LICENCE to Consolidated Fees Bylaw No. 8636.
2. This Bylaw is cited as "Consolidated Fees Bylaw No. 8636, Amendment Bylaw No. 9652", and is effective _____, 2017.

FIRST READING

SECOND READING

THIRD READING

ADOPTED

Four horizontal lines for signatures corresponding to the reading stages.

Approval stamp: CITY OF RICHMOND, APPROVED for content by originating dept. (with signature), APPROVED for legality by Solicitor (with signature).

MAYOR

CORPORATE OFFICER

**Business Licence Bylaw No. 7360
Bed & Breakfast Use**

Description	Fee
Bed & Breakfast Business Licence	\$162.00