



General Purposes Committee

**Anderson Room, City Hall
6911 No. 3 Road**

**Tuesday, January 3, 2017
4:00 p.m.**

Pg. # ITEM

MINUTES

- GP-4** *Motion to adopt the **minutes** of the meeting of the General Purposes Committee held on December 19, 2016.*



COUNCILLOR LINDA McPHAIL

1. **BRITANNIA HERITAGE SHIPYARD SOCIETY REQUEST
REGARDING MARITIME FESTIVAL 2017**
(File Ref. No.)

GP-7

See Page GP-7 for full report



CHIEF ADMINISTRATOR'S OFFICE

2. **SISTER CITY ADVISORY COMMITTEE TWO YEAR ACTIVITY
PLAN (2017-2018)**
(File Ref. No. 01-0100-30-SCIT1-01) (REDMS No. 5240198)

GP-9

See Page GP-9 for full report

Designated Speaker: Amarjeet Rattan

STAFF RECOMMENDATION

- (1) *That the report titled “Sister City Advisory Committee Two Year Activity Plan (2017-2018)”, dated December 7, 2016, from the Director of Intergovernmental Relations, be approved; and*
- (2) *That the 2017-2018 Sister City Advisory Committee Program Activity budget of \$56,500 be funded from the Rate Stabilization Account and included in the 5 Year Financial Plan (2017-2021).*



FINANCE AND CORPORATE SERVICES DIVISION

3. **BUSINESS LICENCE BYLAW 7360, AMENDMENT BYLAW 9632**
(File Ref. No. 12-8275-02) (REDMS No. 5247383)

GP-15

See Page GP-15 for full report

Designated Speaker: Carli Edwards

STAFF RECOMMENDATION

That Business Licence Bylaw No. 7360, Amendment Bylaw 9632, which increases the maximum number of Class A Taxicabs to 112 and Class N Taxicabs to 44, be given first, second and third readings.



LAW AND COMMUNITY SAFETY DIVISION

4. **REGULATION OF SHORT-TERM RENTAL UNITS**
(File Ref. No. 08-4430-03-12) (REDMS No. 5221655 v. 15)

CS-40

See Page CS-40 for full report

Designated Speakers: Doug Long and Carli Edwards

STAFF RECOMMENDATION

- (1) *That the regulation of short-term rental units as set-out in the staff report from the City Solicitor and Chief Licence Inspector titled “Regulation of Short-Term Rental Units”, dated November 29, 2016, be endorsed in principle for the purpose of public consultation;*

- (2) *That the public consultation process set-out in the staff report be approved; and*
- (3) *That staff be directed to engage with the Province of British Columbia to discuss regulatory changes to the Provincial Sales Tax and Municipal and Regional District Tax in regards to accommodation providers and report back to Council as part of the one-year review of the City's proposed short-term rental regulation.*

☐

ADJOURNMENT

☐



General Purposes Committee

Date: Monday, December 19, 2016

Place: Anderson Room
Richmond City Hall

Present: Mayor Malcolm D. Brodie, Chair
Councillor Chak Au
Councillor Derek Dang
Councillor Carol Day
Councillor Ken Johnston
Councillor Alexa Loo
Councillor Bill McNulty
Councillor Linda McPhail
Councillor Harold Steves

Call to Order: The Chair called the meeting to order at 4:00 p.m.

AGENDA ADDITION

It was moved and seconded

That the agenda be amended, by adding Short-Term Rentals as Item No 2A.

CARRIED

MINUTES

It was moved and seconded

That the minutes of the meeting of the General Purposes Committee held on December 5, 2016, be adopted as circulated.

CARRIED

General Purposes Committee
Monday, December 19, 2016

FINANCE AND CORPORATE SERVICES DIVISION

1. BUSINESS REGULATION BYLAW NO. 7538, AMENDMENT BYLAW NO. 9639 TO UPDATE SCHEDULE A, LIST OF AMUSEMENT CENTRES

(File Ref. No. 12-8275-06) (REDMS No. 5203711 v. 2)

It was moved and seconded

That Business Regulation Bylaw No. 7538, Amendment Bylaw No. 9639 be given first, second, and third readings.

CARRIED

COMMUNITY SERVICES DIVISION

2. CANADA 150 COMMEMORATIVE PAINTING AND MURAL

(File Ref. No. 11-7000-09-20-231) (REDMS No. 5241317 v. 2)

Council considered the acquisition of a commissioned painting by artist John M. Horton, and the subsequent reproduction of the painting as an outdoor wall mural, as part of the Canada 150 Celebrations Public Art Plan.

In response to Council's queries, Eric Fiss, Public Art Planner, commented on: a permanent location for the wall mural (likely in Steveston); discussions with the artist on the painting's subject matter; and funding allocated for the painting and the mural.

It was confirmed that emerging artists, with the appropriate ability and interest, would be invited to apply to assist the artist and professional muralists in reproducing the commissioned painting as an outdoor wall mural. After City staff have reviewed the artist's conceptual sketches, Council will be informed by memo regarding the final concept approved.

It was moved and seconded

- (1) That the staff report titled, "Canada 150 Commemorative Painting and Mural," dated November 28, 2016, from the Director of Arts, Culture and Heritage Services, be endorsed in support of Canada 150 celebrations and major event programming in 2017;*
- (2) That \$50,000 be allocated to commission a John M. Horton painting from the Council Provision; and*
- (3) That the \$50,000 expenditure for the cost of the artwork proposed to be funded from the Council Provision be included in the 5 Year Financial Plan (2017-2021).*

CARRIED

General Purposes Committee
Monday, December 19, 2016

2A. SHORT-TERM RENTALS

In response to Council's query, staff confirmed that a report on short-term rentals would likely be presented at the January 3, 2017 General Purposes Committee meeting.

ADJOURNMENT

It was moved and seconded

That the meeting adjourn (4:07 p.m.).

CARRIED

Certified a true and correct copy of the Minutes of the meeting of the General Purposes Committee of the Council of the City of Richmond held on Monday, December 19, 2016.

Mayor Malcolm D. Brodie
Chair

Carrie Peacock
Recording Secretary

Subject:

FW: Letter from Board to Richmond 150

From: McPhail,Linda

Sent: Tuesday, 6 December 2016 3:18 PM

To: Ann Phelps; Steves,Harold; McNulty,Bill

Cc: Bowley-Cowan,Dee; Loren Slye; Weber,David; Steves,Harold; McNulty,Bill

Subject: Re: Letter from Board to Richmond 150

Hi Anne - I am replying on behalf of the Canada 150 Steering Committee. We are in receipt of your letter and after discussion advise you that the recommendation you reference was a decision made by the General Purposes committee on Feb. 1, 2016 and then by Council on Feb. 9, 2016.

As such, the committee feels your letter should be directed to the City Clerk's office so that it can be added to a future General Purposes agenda for discussion. You will be notified of the date of the committee meeting so that you can attend.

I have cc'd David Weber, Director, City Clerk's Office this email.

Thank you - Linda McPhail

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: Ann Phelps <ann@dragonboatbc.ca>

Date: 2016-12-06 9:15 AM (GMT-08:00)

To: "Steves,Harold" <hsteves@richmond.ca>, "McNulty,Bill" <BMcNulty@richmond.ca>, "McPhail,Linda" <LMcPhail@richmond.ca>

Cc: "Bowley-Cowan,Dee" <DBowley@richmond.ca>, Loren Slye <slye49@gmail.com>

Subject: Re: Letter from Board to Richmond 150

Dear Councillor McPhail, Councillor McNulty, and Councillor Steves, please see attached letter for your Richmond150 Meeting today.

Regards,
Ann Phelps

Regards,

Ann Phelps
General Manager

Canadian International Dragon Boat Festival Society

ann@dragonboatbc.ca

778-386-4248

Richmond 150 Committee
City of Richmond
6911 No. 3 Road
Richmond BC V6Y 2C1

December 5, 2016

Dear Councilor McPhail, Councilor McNulty, and Councilor Steves,

Re: Maritime Festival

It is our understanding that there has been \$180,000 earmarked for wooden boat activities in 2017. More specifically we refer to the staff recommendation dated January 19, 2016, file 11-7400-01/2016, that states the following:

Richmond Maritime Festival

- a) Expand the festival to incorporate a wooden boat display as a core component of the festival;
- b) Change the name of the event to the "Richmond Maritime & Wooden Boat Festival";
- c) Heritage Shipyard Society (BHSS) to coordinate a wooden boat feature zone on the Britannia docks;
- d) In partnership with BHSS, staff would recruit and coordinate maritime theme demonstrations;
- e) In recognition for their involvement, BHSS would be recognized as a presenting partner for the wooden boat zone, and
- f) Explore the feasibility of creating a stand-alone wooden boat festival as part of the Canada 150 program.

As the local expert on wooden boats we propose that rather than hiring a for-profit event company for 2017, the Committee appoint Britannia Heritage Shipyard Society as the producer of the wooden boat activities for Richmond 150, and award the \$180,000.00 to the Society as well. We believe that appointing our non-profit society and charity would ensure the above goals were met, and would further strategic directions as set in the approved new strategic plan for Britannia Heritage Shipyard, dated June 2014.

According to the Strategic Plan, City Leaders included the following as key components in planning for the use of any City public asset:

- Encourage the development of community volunteer programs and strategies that build a broad, knowledgeable and keen volunteer base, and provide positive and meaningful opportunities for volunteers to utilize their talents while helping to provide important services to the community.
- Work with other levels of government and community organizations including community centres and non-profits to promote and increase cultural activities and programs.
- Promote existing cultural resources and activities to increase public awareness, enhance

The Board of Directors of Britannia Heritage Shipyard Society is committed to building capacity, encouraging volunteerism within our membership and the greater community, expanding public activities, and becoming a valuable community partner to the City of Richmond and its inhabitants. As the presenter of the Wooden Boat Festival, BHSS would build capacity beyond present levels, and become an important partner in future arts and culture events in Richmond.

We hope you will give serious consideration to our proposal.

Yours truly,



ps Loren Slye
Chair
Britannia Heritage Shipyard Society



City of Richmond

Report to Committee

To: General Purposes Committee
From: Amarjeet S. Rattan
Director, Intergovernmental Relations and
Protocol Unit

Date: December 7, 2016
File: 01-0100-30-SCIT1-
01/2016-Vol 01

Re: Sister City Advisory Committee Two Year Activity Plan (2017-2018)

Staff Recommendation

- 1) That the report titled "Sister City Advisory Committee Two Year Activity Plan (2017-2018)", dated December 7, 2016, from the Director of Intergovernmental Relations, be approved.
- 2) That the 2017-2018 Sister City Advisory Committee Program Activity budget of \$56,500 be funded from the Rate Stabilization Account and included in the 5 Year Financial Plan (2017-2021).

Amarjeet S. Rattan
Director, Intergovernmental Relations and Protocol Unit
(604-247-4686)

Att. 1

| REPORT CONCURRENCE | | |
|--|---|---|
| ROUTED TO: Finance Department | CONCURRENCE <input checked="" type="checkbox"/> | CONCURRENCE OF GENERAL MANAGER |
| REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE | INITIALS: DW | APPROVED BY CAO |

Staff Report

Origin

The Richmond Sister City Advisory Committee (SCAC) currently has a Three Year Activity Plan (2014-2016) which concludes on December 31, 2016. As Council terms are now four years, the SCAC will provide four year plans to align with Council terms starting in 2019. In the meantime a two year interim plan (2017-2018) is being provided with this report.

Findings of Fact

The City of Richmond has enjoyed a sister city relationship with Pierrefonds, Quebec since 1967 and Wakayama, Japan since 1973. The City of Richmond formed a friendship city relationship with Qingdao, China in 2008 and a Sister City relationship with Xiamen, China in 2012.

The Sister City Committee Advisory Committee (SCAC) completed a very active 2014-2016 program which was supported with a Program Activity Budget of \$220,000 and the annual Sister City Program (SCP) Administration Operating Budget of \$11,000. Some of the SCAC activities during this period included:

- (2014) SCAC members and Richmond Chamber of Commerce representatives hosted the China International Fair for Investment and Trade (CIFIT) delegation from Xiamen.
- (2014-2015) The SCAC partnered with the Wakayama Sister City Affiliation Committee on the production of book to commemorate 40th Anniversary
- (2015) Supported the Richmond Youth Honour Choir gala visit to Japan
- (2015) SCAC Electronic Information Display unveiled at City Hall, showcasing various SCAC activities and providing information on Richmond's sister/friendship cities.
- (2016) Hosted the Wakayama Official Delegation visit to Richmond
- (2016) Organized the inaugural Sister City Youth Table Tennis Tournament
- (2016) SCAC and Richmond School Board hosted the Xiamen Sports Delegation visit to Richmond

Analysis

The next two year plan (2017-2018) offers many opportunities to further develop and strengthen our Sister/Friendship City relationships through official visits and student, sport and cultural exchanges.

2017-2018 Goals and Focus of the SCAC

In accordance with the SCP Objectives, the primary focus for the proposed SCAC base program activities with our sister cities and friendship cities will be to foster activities with the Richmond community and its sister/friendship cities in projects and youth exchanges that promote cultural awareness and joint learning opportunities.

The proposed SCAC 2017-2018 Program Activity Budget is \$56,500, along with the annual SCP Administration Operating Budget of \$11,000. This proposed activity budget was recently endorsed by the SCAC for presentation to Council. (**Attachment 1**)

Sister/Friendship City Anniversary Milestones

The SCAC is proposing an allocation of \$10,000 to be used in commemorating some or all of the following anniversary milestones:

Pierrefonds – 2017 will be the 50th Anniversary

Wakayama – 2018 will be the 45th Anniversary

Xiamen – 2017 will be 5th Anniversary

Qingdao – 2018 will be 10th Year Anniversary

Pierrefonds

This is Richmond's longest Sister City relationship, and our 45th Anniversary was marked by photo and painting gift exchanges in 2012. In 2002 the City of Pierrefonds ceased to be a separate municipality and instead became a borough of Montreal. The SCAC initiated discussions in 2016 with the new Mayor, as to their interest in retaining and developing an active Sister City relationship. The SCAC reported that there appeared to be no interest from Pierrefonds to plan future activities with Richmond and this is reflected in the attached 2017-2018 program activities and budget.

Wakayama

The City, through the SCAC, has contributed financially each year to support the very successful annual Wakayama/Richmond student exchange program. This is proposed to continue for the 2017-2018 period with an annual contribution of \$7,000. In addition the SCAC is proposing to provide \$7,000 to support the Steveston Judo Club who will be sending a group of 25 students to Wakayama in 2018.

Xiamen and Qingdao

One of the challenges in nurturing the relatively new China relationships is the emphasis of their government officials to initiate business related activities, as opposed to community and educational type of activities. For this reason, the SCAC plans to foster more youth related sport and cultural exchange initiatives to allow community relationships to develop.

The SCAC wishes to continue an annual Sister-Friendship Cities Youth Table Tennis Tournament. The two day tournament was first held at the Richmond Olympic Oval in 2016. The SCAC invited teams from Qingdao and Xiamen to send high school students to Richmond to compete with our local students. The SCAC is in discussion with Qingdao to be the 2017 host for this tournament. The SCAC is proposing an annual contribution of \$8,000 for this event, with Richmond hosting each alternate year.

The SCAC is also proposing to allocate \$2,500 in 2018 to invite artists from Xiamen to come to Richmond and host a multicultural exchange with our local artists. Xiamen has many famous artists and the SCAC would like to invite some of them to meet with our local artists for a cultural exchange and create artwork to display in an exhibition at a local community center.

Annual Salmon Festival and Canada Day Parade

Each year the SCAC organizes community members to join them in marching in the Canada Day Parade. The SCAC is proposing an annual allocation of \$1,500 towards the cost of flags, banners and t-shirts that are used for this event.

Financial Impact

The SCP has had an annual Administration Operating Budget of \$11,000, which is part of the City's annual base budget. The 2017-2018 Administration Operating Budget remains at \$11,000 annually.

The SCAC 2014-2016 Program Activity Budget of \$220,000 was funded from surplus from the 2013 budget. The proposed 2017-2018 SCAC Program Activity budget is \$56,500. The 2017-2018 Program Activity budget of \$56,500 is proposed to be funded from the Rate Stabilization Account and included in the 5 Year Financial Plan (2017-2021).

Conclusion

The Sister City Program is a valued and long-standing City initiative. The program is supported by the Sister City Advisory Committee, a dedicated group of community volunteers who are very committed to achieving the SCP goals. The approval of the 2017-2018 Two Year Plan will set clear direction for the Sister City Advisory Committee to maintain robust and meaningful Sister and Friendship City relationships.



Amarjeet S. Rattan
Director, Intergovernmental Relations and Protocol Unit
(604-247-4686)

AR:ar

Att. 1: Two Year (2017-2018) Activity Plan Budget

Sister City Advisory Committee Two year (2017 – 2018) Activity Plan Budget

The Sister City Committee Advisory Committee (SCAC) completed a very active 2014-2016 program which was supported with an activity budget of \$220, 00. Some of the activities during this period included:

- (2014) SCAC members and Richmond Chamber of Commerce representatives hosted the China International Fair for Investment and Trade (CIFIT) delegation from Xiamen.
- (2014-2015) The SCAC partnered with the Wakayama Sister City Affiliation Committee on the production of book to commemorate 40th Anniversary
- (2015) Supported the Richmond Youth Honour Choir gala visit to Japan
- (2015) SCAC Electronic Information Display unveiled at City Hall, showcasing various SCAC activities and providing information on Richmond's sister/friendship cities.
- (2016) Hosted the Wakayama Official Delegation visit to Richmond
- (2016) Organized the inaugural Sister City Youth Table Tennis Tournament
- (2016) SCAC and Richmond School Board hosted the Xiamen Sports Delegation visit to Richmond

The next two year (2017 – 2018) offers many opportunities to further develop and strengthen our Sister/Friendship City relationships through official visits, student, sport and cultural exchanges.

An activity budget allocation of \$56,500 is proposed for this period. The following sections provide budget information for engagement activities that the SCAC plans to carry out for 2017-2018.

Richmond Sister City Advisory Committee Two Year (2017 -2018) Program Activity Budget

SUMMARY OF 2017 – 2018 SCAC PROGRAM ACTIVITY BUDGET

| | <u>Pierrefonds</u> | <u>Wakayama</u> | <u>Xiamen</u> | <u>Qingdao</u> | |
|--------------|--------------------|--------------------|--------------------|-------------------|---------------------------|
| 2017 | \$500.00 | \$7,500.00 | \$4,500.00 | \$4,500.00 | |
| 2018 | \$500.00 | \$14,500.00 | \$7,000.00 | \$4,500.00 | |
| Subtotal | \$1,000.00 | \$22,000.00 | \$11,500.00 | \$9,000.00 | |
| TOTAL | | | | | <u>\$43,500.00</u> |

SCAC SPECIAL ACTIVITY BUDGET:

| | |
|---|---------------------------|
| Sister/Friendship City Anniversary Milestone Commemorations | \$10,000.00 |
| SCAC Canada Day Parade Participation – (\$1,500 per year) | \$ 3,000.00 |
| <u>TOTAL</u> | <u>\$13,000.00</u> |

TOTAL 2017 – 2018 SCAC PROGRAM ACITIVITY BUDGET **\$56,500.00**

SISTER CITY PROGRAM ADMINISTRATION:

2 years @ \$11,000.00 per year

\$22,000.00**2017 – 2018 SCAC PROGRAM ACTIVITY BUDGET****PIERREFONDS, QUEBEC**

| | <u>2017</u> | <u>2018</u> | |
|--|--------------------|--------------------|-------------------|
| Annual City to City Recognition Exchange | \$500.00 | \$500.00 | |
| TOTAL (Pierrefonds 2017 to 2018) | | | \$1,000.00 |

WAKAYAMA, JAPAN

| | <u>2017</u> | <u>2018</u> | |
|--|--------------------|--------------------|--------------------|
| Annual School Exchange Program | \$7,000.00 | \$7,000.00 | |
| Steveston Judo Club Visit to Wakayama | | \$7,000.00 | |
| Annual City to City Recognition Exchange | \$ 500.00 | \$500.00 | |
| Subtotal | \$7,500.00 | \$14,500.00 | |
| TOTAL (Wakayama 2017 to 2018) | | | \$22,000.00 |

XIAMEN, CHINA

| | <u>2017</u> | <u>2018</u> | |
|--|--------------------|--------------------|--------------------|
| Youth Table Tennis Tournament | \$4,000.00 | \$4,000.00 | |
| Summer Youth Art Competition | | \$2,500.00 | |
| Annual City to City Recognition Exchange | \$ 500.00 | \$ 500.00 | |
| Subtotal | \$4,500.00 | \$7,000.00 | |
| TOTAL (Xiamen 2017 to 2018) | | | \$11,500.00 |

QINGDAO, CHINA

| | <u>2017</u> | <u>2018</u> | |
|--|--------------------|--------------------|-------------------|
| Youth Table Tennis Tournament | \$4,000.00 | \$4,000.00 | |
| Annual City to City Recognition Exchange | \$ 500.00 | \$ 500.00 | |
| Subtotal | \$4,500.00 | \$4,500.00 | |
| TOTAL (Qingdao 2017 to 2018) | | | \$9,000.00 |



City of Richmond

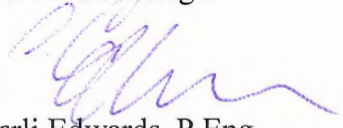
Report to Committee

To: General Purposes Committee
From: Carli Edwards, P.Eng.
Manager, Customer Services and Licensing
Re: **Business Licence Bylaw 7360**
Amendment Bylaw 9632

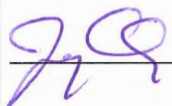

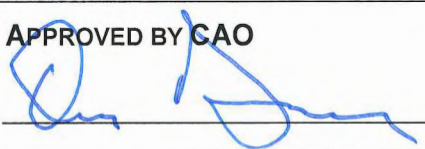
Date: December 2, 2016
File: 12-8275-02/2016-Vol
01

Staff Recommendation

That Business Licence Bylaw No. 7360, Amendment Bylaw 9632, which increases the maximum number of Class A Taxicabs to 112 and Class N Taxicabs to 44, be given first, second and third readings.


Carli Edwards, P.Eng
Manager, Customer Services and Licensing
(604-276-4136)

Att. 2

| REPORT CONCURRENCE | | |
|--|---|--|
| ROUTED TO: | CONCURRENCE | CONCURRENCE OF GENERAL MANAGER |
| Law Transportation | <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> |  for <u>A. NAZARETH</u> |
| REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE | INITIALS:  | APPROVED BY CAO  |

Staff Report

Origin

Business Licence Bylaw No. 7360 establishes the maximum number of taxicabs permitted to be operated and licenced by Richmond based companies within the jurisdiction of the City, excluding the Vancouver International Airport (YVR). Further regulations dealing with taxicabs in Richmond are covered under Vehicle for Hire Regulation Bylaw No. 6900.

This report deals with an application submitted to the Passenger Transportation Board (PTB) by Garden City Cabs of Richmond Ltd., (GCCRL) to add 9 new additional vehicles to their fleet. On November 28, 2016 the PTB made the following decision on the application:

Granting 4 additional vehicles – “3 conventional and 1 accessible taxis are approved”

In light of the decision made by the PTB and at the request of GCCRL, staff propose Amendment Bylaw 9632, to increase the number of taxicabs permitted under Business Licence Bylaw No. 7360. This will allow the additional vehicles that were approved by the PTB to be licenced by the City of Richmond.

The Community Charter and Council Policy 9311, requires that the public are provided an opportunity to provide written or oral submissions by those persons who consider themselves effected by the proposed bylaw. Notification requirements are reasonably satisfied if the adoption of the proposed bylaw is advertised once each week for two consecutive weeks in a newspaper that is distributed in Richmond. A time period of at least two weeks is provided from the date of the second required advertising for persons to make submissions before the bylaw may be adopted. This policy will be followed before the final adoption of this bylaw.

Analysis

Taxicabs are also licenced by the PTB and provincially regulated under the Passenger Transportation Act. The City looks to the review and diligence carried out by the PTB in the determination of the demand for additional PTB taxicab licences.

In August of 2016, GCCRL submitted an application to the PTB for an additional 9 taxicab vehicles - 7 conventional taxis and 2 wheelchair accessible taxis. In their review of the application the PTB takes into consideration, among other criteria, that:

- a) *There is a public need for the service the applicant proposed to provide under any special authorization;*
- b) *The applicant is fit and proper to provide the service and is able to provide the service; and*
- c) *The application, if granted would promote sound economic conditions in the passenger transportation business in British Columbia.*

The PTB also reviewed 3 submissions on the application from the following organizations:

- BC Taxi Association (BCTA)
- Kimber Cabs Ltd. (KCL)
- Richmond Cabs Ltd. (RCL)

In order to support their application, GCCRL presented census data that shows a population increase of approximately 19% from 2006 to 2015. With a current population of 213,891, Richmond is projected to increase to 280,000 people by 2041.

The PTB also reviewed information that reflected:

- Richmond supports approximately 120,000 jobs in various sectors;
- Statistics for Vancouver International Airport (YVR) in 2015 show that approximately 20 million passengers were served;
- Hotel rooms in Richmond account for 19% of the Metro Vancouver region available rooms.

On November 28, 2016, the PTB determined that GCCRL had provided sufficient information and evidence to demonstrate a need for an additional 4 vehicles (3 Class A conventional taxicabs and 1 Class N Accessible Taxicab), rather than the 9 that were requested. The PTB determined this represents approximately 2.6% increase in the overall taxi fleet capacity in Richmond.

The Applicant forwarded the decision to City of Richmond Licence Department on November 29, 2016, requesting approval and licencing of the 4 additional cabs. (Attachment 1).

As the City is generally supportive of increasing the number of taxis to meet growing demand of the community and noting no recent public complaints were received by the City regarding the services of GCCRL, staff have no objection to granting the approved additional licenses.

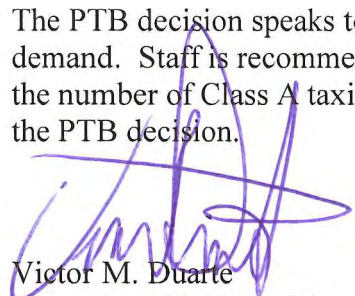
If approved by Council, GCCRL would be licensed to operate 23 Class A conventional taxicabs and 13 Class N accessible taxicabs. The addition of one new Class N unit should enhance service to passengers with disabilities while the three additional Class A taxicabs should free up taxicabs for all passengers. In their decision, the PTB notes that the increase "would promote sound economic conditions in the passenger transportation business in British Columbia." The full decision is attached to this report (Attachment 2).

Financial Impact

The Business Licence Fee for GCCRL will be reassessed to accommodate the additional 4 Vehicles for Hire, which will result in an increase of revenue of \$504.

Conclusion

The PTB decision speaks to the increasing population of Richmond and an increase in taxi demand. Staff is recommending an amendment to Business Licence Bylaw No. 7360 to increase the number of Class A taxicabs by 3 vehicles and Class N taxicabs by 1 vehicle, consistent with the PTB decision.



Victor M. Duarte
Supervisor, Business Licence
(604-276-4389)

VMD:vmd

December 2, 2016

- 4 -

- Att. 1: Applicants email requesting bylaw amendment
- 2: PTB Licence Application Decision



Business Licence Bylaw 7360, Amendment Bylaw 9632

The Council of the City of Richmond enacts as follows:

1. Business Licence Bylaw No. 7360, as amended, is further amended by deleting subsections 2.1.27.3 (a) and (b) and substituting the following:
 - (a) for use as Class A taxicabs is 112; and
 - (b) for use as Class N taxicabs is 44.
2. This Bylaw is cited as **"Business Licence Bylaw 7360, Amendment Bylaw 9632"**.

FIRST READING

SECOND READING

THIRD READING

ADOPTED

MAYOR

CORPORATE OFFICER

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

Attachment 1

Duarte,Victor

From: Parmjit Randhawa <parmjit1699@gmail.com>
Sent: November 29, 2016 08:57
To: Duarte,Victor
Subject: Fwd: AV241-16 Garden City Cabs of Richmond Ltd.
Attachments: transmittal ltr.docx; ATT00001.htm; AV241-16 Decision.pdf; ATT00002.htm

Hello Victor

As we discussed on phone I am sending you the P.T Board decision which award 4 more Cabs to Garden City Cabs Of Richmond. I request you we wants to bring these new cabs on Road ASAP. So, as we discussed please talk to your staff and city clerk to amend the bylaw if required. If you needs any more information please call me on my cellphone or email.Thanks

Have A Great Day
Parmjit S Randhawa
Garden City Cabs of Richmond
604-728-0123

Sent from my iPhone

Begin forwarded message:

From: Hafiz Khan <hrkhangcc@gmail.com>
Date: November 28, 2016 at 10:23:25 AM PST
To: Amrik Purewal <bilgaa@hotmail.com>, Sam Hundal <hundal_sam@hotmail.com>, Parmjit Randhawa <parmjit1699@gmail.com>, joewahlla <joewahlla@gmail.com>, Joey Walia <joey@gardencitycabsrichmond.com>
Subject: Fwd: AV241-16 Garden City Cabs of Richmond Ltd.

----- Forwarded message -----

From: **General Manager** <gm@gardencitycabsrichmond.com>
Date: Mon, Nov 28, 2016 at 10:19 AM
Subject: Fwd: AV241-16 Garden City Cabs of Richmond Ltd.
To: Hafiz Khan <hrkhangcc@gmail.com>

----- Forwarded Message -----

Subject: AV241-16 Garden City Cabs of Richmond Ltd.
Date: Mon, 28 Nov 2016 17:23:22 +0000
From: Morris, Jane TRAN:EX <Jane.Morris@gov.bc.ca>
To: 'gm@gardencitycabsrichmond.com' <gm@gardencitycabsrichmond.com>
CC: Passenger Transportation Br, TRAN:EX <PassengerTransportationBr@gov.bc.ca>

Hello;

Please find attached the Board's decision on the above application. If you require a hard copy of the decision, please contact our office.

Thank you,


Jane

Jane Morris

Research and Administrative Coordinator

Passenger Transportation Board

Ph: 250.953-3777 || Fax 250-953-3788

 Please consider the environment before printing this email.

Licence Application Decision

Taxi – Additional Vehicles

| | | | |
|--|---|--|-----------------------------------|
| Application # | AV241-16 | Applicant | Garden City Cabs of Richmond Ltd. |
| Trade Name (s) | Garden City Cabs | | |
| Principals | HUNDAL, Surinderjit S. RANDHAWA, Paramjit S. | PUREWAL, Amrik S. WAHLLA, Joginder S. | |
| Address | 148-2633 Viking Way, Richmond, BC V5V 3B6 | | |
| Current Licence | Special Authorization for passenger directed vehicles. PT Licence 71373 | | |
| Application Summary | Additional Vehicles – Taxi Add 9 vehicles (7 conventional and 2 accessible). This will increase the maximum fleet size to 41 vehicles (27 conventional and 14 accessible). | | |
| Date Published in Weekly Bulletin | August 17, 2016 | | |
| Submitters (and representatives) | <ul style="list-style-type: none"> • BC Taxi Association • Richmond Cabs Ltd. (McLachlan Brown Anderson, W. McLachlan, Barrister & Solicitor) • Kimber Cabs Ltd. | | |
| Board Decision | 3 conventional and 1 accessible taxis are approved. | | |
| Decision Date | November 28, 2016 | | |
| Panel Chair | William Bell | | |

I. Introduction

This is an application from Garden City Cabs of Richmond Ltd. (GCCRL) that holds passenger transportation (PT) licence # 71373 and is located in Richmond, B.C. GCCRL is applying to add 9 vehicles: 7 conventional taxis and 2 wheelchair accessible taxis (WATs). These additions, if approved, would increase the maximum fleet size of GCCRL from 32 to 41 vehicles, comprised of 27 conventional and 14 accessible taxis.

II. Background

GCCRL was incorporated on May 18, 2007. Following a public hearing, the Board approved application 1623-07 and published its decision on June 18, 2008. The Board approved a maximum fleet size of 30 taxis, 18 conventional taxis and 12 WATs. GCCRL's PT licence stipulates that the transportation of passengers may only originate from within the City of Richmond, excluding the Vancouver International Airport (YVR). On its licence, GCCRL has return and limited reverse trip authority. These terms and conditions provide GCCRL with limited authority to pick up passengers at YVR.

Subsequent Applications

- In the fall of 2009, GCCRL made an application (141-09) to install flip seats in its 12 WATs. This application was approved and the decision published October 28, 2009. GCCRL made a further application (20-10) in February 2010 seeking an amendment of the originating area for Service 1 by adding YVR. The application was refused and the decision published April 21, 2010.
- In May 2013 GCCRL again made an application (109-13) to amend its Service 1 by adding YVR and also 9 vehicles; 4 conventional taxis to serve the City of Richmond and 5 WATs to serve YVR. This application was approved in part and the decision published October 2, 2013. The Board approved 2 conventional taxis to serve the City of Richmond. The Board confirmed this decision after reconsideration. The reconsideration decision was published February 26, 2014.
- In August, 2014, GCCRL made an application (216-14) to amend its licence and to add a new service specific to YVR as an originating area using 5 additional WATS to serve it. The Board refused this application and published its decision on November 26, 2014.

Supporting Material

In support of the current application, GCCRL provided the following documents.

| | |
|--|-------------------------|
| PDV vehicle proposal | Financial information |
| Service Area | Public need indicators |
| Public Explanation | Municipal notice |
| Disclosure of Unlawful Activity and Bankruptcy | Accessible service plan |

| | |
|----------------------|-----------|
| Business Plan Update | Taxi Data |
|----------------------|-----------|

On October 28, 2016 I, through Board staff, requested additional details on spreadsheet data and specific WAT response time data. I also sought clarification from the applicant on response time service targets and overall WAT trip volumes. The results of these inquiries are considered below in my analysis of public need.

III. Relevant Legislation

Division 3 of the *Passenger Transportation Act* (the "Act") applies to this application. The Act requires the Registrar of Passenger Transportation to forward applications for Special Authorization licences to the Passenger Transportation Board (Board). Section 28(1) of the Act says that the Board may approve the application, if the Board considers that:

- (a) there is a public need for the service the applicant proposed to provide under any special authorization.
- (b) the applicant is a fit and proper person to provide that service and is capable of providing that service, and
- (c) the application, if granted, would promote sound economic conditions in the passenger transportation business in British Columbia.

I will consider each of these points in making my decision.

IV. Rationale and Submissions

(a) Applicant's Rationale

GCCRL claims its customers are experiencing higher than usual waiting times. The addition of taxis will reduce the waiting times resulting in better service.

(b) Submissions & Applicant's Response

There were 3 submissions on this application from the following:

- BC Taxi Association (BCTA)
- Kimber Cabs Ltd. (KCL)
- Richmond Cabs Ltd. (RCL) (W. McLachlan – counsel)

Both KCL and RCL operate in Richmond, may originate passengers at YVR and have specific vehicles licensed by the Vancouver International Airport Authority (VIAA). GCCRL's PT licence excludes picking up passengers at YVR. Information on the PT licences authorities of these companies as well as VIAA licences is outlined in Chart 1 below.

Chart 1: Authorities of RCL, KCL and GCCRL

| Taxi Company | Trade Name | PT Licence # | Total Vehicles | WATs* | Flip Seats | Originating area | Licenses issued by VIAA |
|-----------------------------------|------------------|--------------|----------------|-------|------------|---|-------------------------|
| Richmond Cabs Ltd. | Richmond Taxi | 70391 | 98 | 11 | 11 | Any point in the City of Richmond, including the Vancouver International Airport | 74 |
| Kimber Cabs Ltd. | Kimber Cabs | 70458 | 22 | 20 | 12 | Any point in the City of Richmond | 18 |
| Garden City Cabs of Richmond Ltd. | Garden City Cabs | 71373 | 32 | 12 | 12 | Points within the City of Richmond, excluding the Vancouver International Airport | n/a |
| | | | 152 | 43 | 35 | | 92 |

*WATs – Wheelchair Accessible taxis

General themes in the submissions include.

- Taxis in the region are providing taxi services in a timely manner.
- GCCRL often “parks” its fleet, thus limiting the number of vehicles available to serve the public. Both KCL and RCL provided documentation claiming to support these allegations:
 - (a) KCL’s manager observed, documented and submitted a list of GCCRL taxis, including vehicle numbers, parked for various shift periods between July 29 -August 29, 2016.
 - (b) RCL included video and photographs, with dates and time and vehicle numbers, it took between April 1, 2016 to August 19, 2016. These were GCCRL vehicles parked on Viking Way. RCL claims that vehicles were not

out of service for any mechanical reason and that up to 12 of the 32 vehicle GCCRL fleet is parked at any given time. RCL suggested that GCCRL will not be able to produce driver timesheets for these times.

- Further, KCL alleges that many GCCRL's taxis are lined up at the River Rock Casino.
- Flooding the market with additional taxis will have a negative impact and not promote sound economic conditions. The only business GCCRL can pursue will be that taken away from other providers in the area.

RCL raised specific issues related to:

- GCCRL's fitness, including an ability to sustain contract obligations;
- GCCRL's ability to serve all of Richmond.
- Information provided to customers on GCCRL's dispatch app.

The applicant made the following comments in response to the submissions:

- Supporting evidence in the applications shows there are taxi shortages and excessive wait times in Richmond. An addition of 9 taxis to the 152 taxis licensed for Richmond is only a 5.9% overall increase in vehicles.
- GCCRL's fleet utilization has increased from 86% in 2013 to 95% and 96% respectively for 2014 and 2015. GCCRL provided evidence to refute the claims of RCL and KCL regarding "parking" of vehicles. The applicant hires drivers to operate its taxis and these drivers change shifts at various times of the day.
- KCL and RCL operate most of their fleets at YVR depriving Richmond of needed conventional and accessible taxi service.
- GCCRL responded to comments about its coverage in Richmond, availability of drivers' records and its dispatch app.

The Board gives more weight to submissions that back up general claims with facts or details. I have considered the submissions and the responses in my review of this application.

V. Reasons

- (a) *Is there a public need for the service that the applicant proposes to provide under special authorization?*

Taxi companies who want more vehicles are expected to show that there is a public need for more taxis. Companies are expected to show why their current fleet is not large enough to handle more trips and why they need a specific number and type of vehicles for which they have applied. The Board wants to be satisfied that there is a reasonable connection between the number and type of vehicles requested and public need. Applicants should explain why other taxis in the area are not meeting the public need.

Trend data or information may show that a need exists. This type of information may be found in dispatch records concerning trip volumes, response times and fleet utilization.

With regard to the latter, applicants should give the Board information on the scheduling of vehicles in their fleet. How many taxis are in use per day, per shift? They should explain any variations in fleet usage.

Applicants may also include such documentation as financial statements, new contracts, support letters and other material.

GCCRL included in their application the following documentation in support of public need:

1. Population and Economic Growth for Richmond, B.C.

- Census data from the City of Richmond's Policy Planning Division show population increases of approximately 19% from 2006 to 2015. The population as of 2015 was just over 213,891 people. The growth from 2013 to 2015 represents an approximate 4% Increase. Projections estimate a population of 280,000 by 2041.
- Also included were statistics on:

-
- jobs and industry in Richmond, which supports about 120,000 jobs in various economic sectors and is a leading centre in the region for the high-tech industry.
 - YVR statistics for 2015 showing it served 20 million passengers;
 - hotels and hotel rooms in Richmond, indicating that it represents 19% of Metro Vancouver's bed base.

2. Taxis to Population Ratios:

The applicant reports that there is about 1 taxi for every 1,400 residents in Richmond. It suggests tourism and related travel growth require significantly more taxis to meet the demand.

3. Financial Information

- Financial statements show revenues for the 3 year period 2013-2015 having increased by 18.6%.

4. Supporting Letters

- Assistant General Manager, River Rock Casino, June 9, 2016, indicates that the casino has an exclusive agreement with GCCRL because of its service quality; however its smaller feet size often prevents it from being able to handle the volume of guests requiring taxi service.
- General Manager, Sheraton Vancouver Airport Hotel, representing 3 Larco Hotel properties in Richmond, September 14, 2016 reports that the agreement between GCCRL and the Larco had to be terminated 3 months after the start date as it became clear the GCCRL fleet size was not large enough to meet the hotels' demands.

5. Taxi User Survey-Business Community

GCCRL included a survey it conducted with 28 Richmond businesses, of which a little more than 50% were tourism-related. The remainder included a mix of businesses as well as the City of Richmond. Each survey document was 1 page and included names and contact

information. The survey asked a series of questions about taxi services in the Richmond area, concerning the participant's use of taxis and wait times. The major findings of the survey were:

- The average waiting time expressed was approximately 20 minutes.
- The longest wait time experienced in the past 6 months averaged between 30-60 minutes.
- Business operators and, more specifically, the hospitality industry noted that the lack of timely taxi services affects their business and customer experiences negatively.
- A significant proportion of respondents indicated that they experience wait times of 30 minutes or more during rush hours, but also at other times of the day.
- Most of the respondents indicated a willingness to wait between 10 and 20 minutes for a taxi before they make other arrangements.

6. Public Taxi User Survey

GCCRL commissioned a management consultant to conduct a "Public Taxi User Survey". It involved 83 people that were interviewed within the GCCRL service area between June 1 and July 13, 2016. The survey was distributed through GCCRL drivers who were instructed to present it to their clientele in order to capture the opinion of taxi users. Non-taxi users were excluded from the survey as their opinion would not be the result of direct experience.

The survey was designed to solicit public opinion in the City of Richmond in relation to the public need for additional taxis. The report by the consultant indicates that the survey provides a snapshot relative to customer needs, expectations and insufficiencies in present service levels. Survey questions were designed without prejudice to any taxi company and results were not balanced for user segments and hot spots. The focus of the survey was on the reliability of taxi and other transportation services in the community as a whole, based

on the experiences of those who commonly use them. The consultant indicates that the survey's confidence level is 90%.

The highlights of the survey are:

- The majority of respondents use taxi service between 5 and 10 times per month and the majority who are high frequency transit or taxi users feel that public transit is not adequate for their needs. Taxi service is preferred because of the convenience factor, but the public expects to get this consistently within about 10-15 minutes.
- 51% of the participants use taxi service for entertainment and leisure. Taxi use to and from work makes up 38% while people needing taxis for medical reasons is 28%.
- Average waiting times experienced by taxi users (73%) range between 15 and 20 minutes. Waiting times experienced over the past 6 months by customers at 30 minutes is 42% and over 30 minutes is 37%.
- 55% and 32% expect to have a taxi arrive at their door within 10 and 15 minutes respectively before they make other arrangements. Few are willing to wait more than 20 minutes.

7. Service Standards and Operational Data

With respect to response time service standards the applicant indicates that for overall conventional taxi service its service target is to respond within 10 minutes 90% of the time. For customers requesting a WAT service which it considers a priority: 95% to 100% of customers should wait no more than 10-15 minutes respectively.

Operational Data

The applicant provided examples of raw data to allow verification of its summarized use of Board spreadsheets. The spreadsheets yielded the following results below:

a. Total Fleet

- Overall trip volumes have increased by approximately 16.5% from 2013 to 2015. Of these trips, 73% are flagged trips and 26% are dispatch trips. The increase in flag trips and dispatch trips is 19.9% and 8.5% respectively.
- Overall fleet utilization reported has increased by 11.4% between 2013 and 2015 to a utilization rate of 96%. The applicant reports that the 4% not utilized can be attributed to downtime for repairs, drivers' days off or drivers' urgent personal business. Further, the data that came with the Board's investigation indicates that sedans in the GCCR fleet are used, on average, more hours per day

To refute claims by submitters about "parking vehicles", GCCRL provided detailed information about the relevant vehicles from its dispatch system for the period April 1, 2016 to August 19, 2016. The data supplied shows that the GCCRL vehicles in question were, in the majority, used for 2 shift operations based on the fact that its drivers change shifts at various times of the day at the GCCRL office and were awaiting shift changes. GCCRL also reports that its' fleet does not have 5 car numbers as reported by RCL.

- Average response (wait) times have increased by 10.4% from 8.6 to 9.5 minutes—almost a minute. The average response time is 12.2 minutes and has increased by 2.1 % over the period 2013-2015. More specifically, the response times were 12.2 minutes for 90% of trips in 2015, up from 12.0 minutes for 90% of the trips in 2013. The applicant notes that as calls increase at certain times such as in the morning and evening rush hours or closing of entertainment facilities, the variable arrival rate increases substantially on Thursdays, Fridays and Saturdays and bottlenecks form resulting in waiting times that can rapidly increase to 30 minutes. On Saturday night wait times of up to 60 minutes is not unusual. In such cases, it can take 1 hour to clear a backlog of trips.

Wheelchair Accessible Taxis (WATs)

-
- WAT trips represent 3.4% of dispatched trips for 2015. Overall, this is about 0.9% of GCCR's trips. The spreadsheet data indicates an overall WAT trip volume increase in wheelchair van requests from 2013 to 2015.
 - The applicant was asked to provide response time data for its WATs trip volume data above. The data provided covered only 4 months September-December 2015 and shows on a monthly average basis 44% of the trips exceeded 15 minutes.

8. Applicant's Rationale for Added Vehicles

To explain its request and calculation for the 9 additional taxis the applicant noted the following:

- A business volume increase of 16.5% would mean an additional 5.3 taxis are required to satisfy immediate demand.
- GCCRL projects a business volume increase of 10% over 2016 and 2017 and that in planning for the future it calculates an additional 3.2 taxis for these years.
- The overall numbers were rounded to 9 taxis (7 conventional and 2 WATs)

Board Analysis and Findings

The growth in overall population numbers provided some correlation between this information and the demand for taxis in the areas the applicant proposes to serve. However, the indices of growth specific to the elderly demographic were absent and would have been helpful to reflect and support service demands concerning this group served by GCCRL. I accorded this information some weight.

The 2 letters of support, while limited, provided some corroboration that GCCRL's trip volume increases with its current fleet has produced a public need for additional capacity. However, I note there was a total absence of support from organizations and/or users concerning service issues associated with WATs and the need for additional capacity to

provide timely on-demand services for customers with mobility or other challenges. I assigned the letters little weight.

I found the statistical information on economics and ratios of little relevance to public need. Employment statistics are not useful indicators of public need for a taxi service. The Board does not generally rely on "taxi to population" ratios to determine public need as other factors may affect need for a new service. There was nothing compelling in the ratios to support other indices or evidence of public need. I assigned them little weight. I also observe that WATs as a percentage of the total taxi fleets in Richmond is at 28% and this distribution represents one of the highest in the province.

The applicant indicates the fleets of KCL and RCL operate most of their fleets at YVR depriving Richmond of needed conventional and accessible taxi service, but no evidence was provided to corroborate this claim.

I accord the Public Taxi User Survey very little weight. The survey methodology included the distribution of the survey through GCCRL drivers who selected their taxi user clientele to complete the survey. The intent of this survey was to capture a broad public opinion on taxi market conditions in Richmond as a whole. I find the results generic and unreliable in reflecting and corroborating a public need and specific increase to the GCCRL fleet. I assigned it little weight. However, this survey is offset to some degree by the GCCRL Taxi User Survey - Business Community in Richmond that corroborated and supported the applicant's spreadsheet evidence concerning wait times and which I assigned more weight.

I found the operational data reliable and assigned it moderate weight. The data over a 3 year period indicates growing trip volumes and increased wait times for conventional taxi services. That said, I note that flag trip volumes represent approximately 71% of overall trip volumes and the applicant points out that flags represent those trips from its taxi stands. The fleet utilization data provided by the Board spreadsheets does suggest a strong use of overall capacity at 96% for 2015.

The data April 1, 2016-August 19, 2016 provided to dispute submitter claims of under-utilization of fleet, as well as data provided in response to a Board investigation persuade me that the applicant's operating model includes full and portions of shifts. As a result, this can leave idle periods for certain vehicles and may diminish its claim of utilization to some extent. Nonetheless, overall I am persuaded when viewing the trip volume and wait time

indicators together with that of fleet utilization that GCCRL has some service management challenges with its current fleet capacity.

Although WAT trips represent only 0.9% of overall trips 44% of these trips are in excess of 15 minutes. All the applicant's WATs have flip seats and, therefore, are dual use vehicles. The applicant applied for additional WATs and the Board encourages taxi companies to make WATs available to communities.

The financial information provided shows supports a growing taxi business over the 3 year period 2013-2015.

I find the applicant has provided sufficient information and evidence to demonstrate a public need for vehicles 4 vehicles: 3 conventional taxis and 1 WAT, with flip seats,

(b) Is the applicant a fit and proper person to provide that service and is the applicant capable of providing that service?

The Board looks at fitness in two parts:

- (i) is the applicant a "fit and proper person" to provide the proposed service; and
- (ii) is the applicant capable of providing that service?

GCCRL has a National Safety Code rating that is satisfactory -unaudited. The required disclosure forms were completed with no discrepancies. The letter of support dated June 9, 2016 from the Assistant General Manager; River Rock Casino provided a testimony to the service quality provided by GCCRL.

I note in July 2016 the Registrar of Passenger Transportation imposed an administrative fine on GCCRL operating outside of authorized area. As the Board has previously stated, administrative penalties may not be in and of themselves a barrier to the approval of applications.

The application included a Business Plan with Financial Statements including and Income Statement Reconstruction and Adjustments for the historic period 2013-2015 and a projection period 2016-2020, a Balance Sheet for the year ending April 30, 2016 and detailed Monthly Cash Flow Projections for 3 years (2016-2018).

The application also included an Accessible Service Plan as at July 2016. The plan included vehicle usage data between 2013 and 2015, service hours, driver training, priority dispatch, policies and procedures.

All of the information supplied is sufficient to satisfy me that GCCRL is both fit and proper and capable of providing the service requested in this application.

(c) *Would the application, if granted, promote sound economic conditions in the passenger transportation business in British Columbia?*

The Board looks at the "economic conditions" issue from a wide-ranging view. The economic conditions of the "transportation business in British Columbia" are considered ahead of the economic and financial interests of an individual applicant or operator. The Board supports healthy competition. The Board discourages competition that could unduly harm existing service providers.


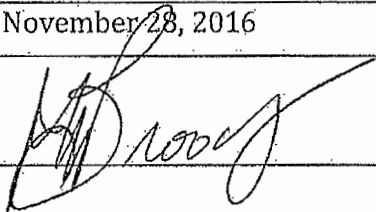
The granting of 4 taxis represents an approximate 2.6% increase in overall taxi fleet capacity in Richmond. This should not cause any undue disruption or harm to the other taxi providers. I am convinced the marketplace has the capacity to absorb the expanded taxi fleet and will provide the public with an improved reliability and convenience in taxi services. I further note that the submitters did not provide operational data to support their claims of timely service in Richmond.

I find that the approval of this application would promote sound economic conditions in the taxi transportation business in Richmond, B.C.

VI. Conclusion


For the reasons above, this application is approved in part as set out in this decision.

I establish the activation requirements and the terms and conditions of licence that are attached to this decision as Appendix I. These form an integral part of the decision.

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| Signature of Panel Chair: |  |
| Date: | November 28, 2016 |
| Entered & Sealed by the Director: |  |

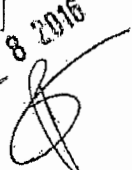
Garden City Cabs of Richmond Ltd.
Appendix I

| | |
|------------------------------------|---|
| Approval of application may expire | <ol style="list-style-type: none"> 1. The licensee must activate the additional vehicles approved in this decision within 6 months of the date of this decision. 2. Any additional vehicles that have not been activated within 6 months of the date of this decision are no longer approved and the maximum fleet size of the licensee is reduced accordingly. 3. The Passenger Transportation Board may vary the requirements set out in 1 above, if circumstances warrant it. 4. If an applicant needs more time to activate its vehicles, then the applicant must make a request to the Board before the end of the 6 month activation period. <p>(Note: "activate" means that the applicant has submitted the documents required to obtain a Special Authorization Vehicle Identifier to the Registrar of Passenger Transportation.)</p> |
| Notice to Registrar | <p>The Registrar must not, without direction from the Board, issue the applicant any additional special authorization vehicle identifiers if the applicant has not activated the vehicles within 6 months of the date of this decision.</p> <p>(Note: activated means that the applicant has submitted to the Registrar of Passenger Transportation the documents required to obtain a Special Authorization Vehicle Identifier.)</p> |
| Special Authorization: | Passenger Directed Vehicle (PDV) |
| Terms & Conditions: | |
| Maximum Fleet Size: | 36 motor vehicles of which a maximum of 23 may be conventional taxis. All other vehicles are accessible taxis. |
| Vehicle Mix Requirements: | At all times, the licensee must operate a fleet of vehicles with where the mix of vehicles is at a <u>minimum</u> ratio of 3 to 1 conventional taxis to accessible taxis. |
| Minimum Operating Requirement: | Licensees must ensure that accessible taxi service is available to passengers throughout a 24 hour day in a reasonable manner and that accessible taxi availability is, at a minimum, proportionate to conventional taxi availability. |
| Flip Seat Authorization: | Passengers may be seated in moveable "flip seats" or "let down seats" that are installed behind the driver in accordance with Division 10.07(5) of the Motor Vehicle Act Regulations. |
| Service Priority Limitation: | Persons with mobility aids who require an accessible taxi for transportation purposes are priority clients for the dispatch of accessible taxis. The licensee must at all times use a dispatch and reservation system that dispatches accessible taxis on a priority basis to clients who have a need for accessible vehicles. |

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| Specialty Vehicles: | The accessible taxis must be operated in accordance with the <i>Motor Vehicle Act Regulations</i> including Division 10 (<i>motor carriers</i>) and Division 44 (<i>mobility aid accessible taxi standards</i>), as amended from time to time, and in accordance with any other applicable equipment regulations and standards. |
| Eco-Friendly Taxis: | Any additional conventional taxis approved for this licence on or after May 16, 2007 and for which a passenger transportation identifier is issued, must be operated as "eco-friendly taxis" as defined by Board Policy Guidelines in effect at the time the vehicle is issued a passenger transportation identifier. |
| Vehicle Capacity: | A driver and not less than 2 and not more than 7 passengers. |
| Service 1: | <i>The following terms and conditions apply to Service 1.</i> |
| Originating Area: | Transportation of passengers may only originate from points within the City of Richmond, excluding the Vancouver International Airport. |
| Destination Area: | Transportation of passengers may terminate at any point in British Columbia and beyond the British Columbia border when engaged in an extra-provincial undertaking. |
| Return Trips: | The same passengers may only be returned from where their <i>return trip</i> terminates in the <i>destination area</i> to any point within the <i>originating area</i> when the <i>return trip</i> is arranged by the time the originating trip terminates. |
| Reverse Trips: | Transportation of passengers may only originate from the <i>destination area</i> when the transportation terminates within the <i>originating area</i> and the cost of the <i>reverse trip</i> is billed to an active account held by the licence holder that was established before the trip was arranged. |
| Express Authorizations: | <p>(i) Vehicles must be equipped with a meter that calculates fares on a time and distance basis.</p> <p>(ii) Vehicles may be equipped with a top light.</p> <p>(iii) The operator of the vehicle may, from within the originating area only, pick up passengers who hail or flag the motor vehicle from the street.</p> |
| Taxi Bill of Rights: | <p>a) A Taxi Bill of Rights issued by the Ministry of Transportation ("Taxi Bill of Rights") must be affixed to an interior rear-seat, side window of each taxicab operated under the licence.</p> <p>b) The Taxi Bill of Rights must at all times be displayed in an upright position with the complete text intact and visible to passengers.</p> <p>c) Licensees may only display a current Taxi Bill of Rights.</p> |
| Taxi Cameras & Meters: | Licensees must install taxi camera equipment and taxi meters, including taxi soft meters, in compliance with applicable rules, standards and orders of the Passenger Transportation Board. |
| Taxi Identification Code: | Each vehicle operated by the licensee must have a unique taxi identification code (TIC) affixed to the inside and outside of the vehicles in a manner that complies with applicable rules, specifications and orders of the Passenger Transportation Board. |

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| Transfer of a licence: | This special authorization may not be assigned or transferred except with the approval of the Board pursuant to section 30 of the Passenger Transportation Act. |
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NOV 28 2016




City of Richmond

Report to Committee

To: General Purposes Committee
From: Doug Long, City Solicitor
Carli Edwards, Chief Licence Inspector
Re: Regulation of Short-Term Rental Units

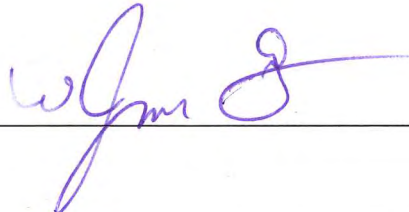

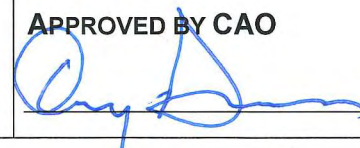
Date: November 29, 2016
File: 08-4430-03-12

Staff Recommendation

1. That the regulation of short-term rental units as set-out in the staff report from the City Solicitor and Chief Licence Inspector titled "Regulation of Short-Term Rental Units", dated November 29, 2016, be endorsed in principle for the purpose of public consultation;
2. That the public consultation process set-out in the staff report be approved; and
3. That staff be directed to engage with the Province of British Columbia to discuss regulatory changes to the Provincial Sales Tax and Municipal and Regional District Tax in regards to accommodation providers and report back to Council as part of the one-year review of the City's proposed short-term rental regulation.

Doug Long
City Solicitor
(604-276-4339)

Carli Edwards
Chief Licence Inspector
(604-276-4136)

| REPORT CONCURRENCE | | |
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| ROUTED TO: Economic Development Affordable Housing Community Bylaws Fire Rescue Building Approvals Development Applications Policy Planning Transportation | CONCURRENCE <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> | CONCURRENCE OF GENERAL MANAGER (ACTING)  |
| REVIEWED BY THE SENIOR MANAGEMENT TEAM | INITIALS:  | APPROVED BY CAO  |

Staff Report

Origin

This report responds to the following referral from the closed General Purposes meeting held on November 7, 2016:

That staff explore options on regulation and enforcement in respect to daily property rentals in Richmond.

This report supports Council's 2014-2018 Term Goal #3 - A Well Planned Community:

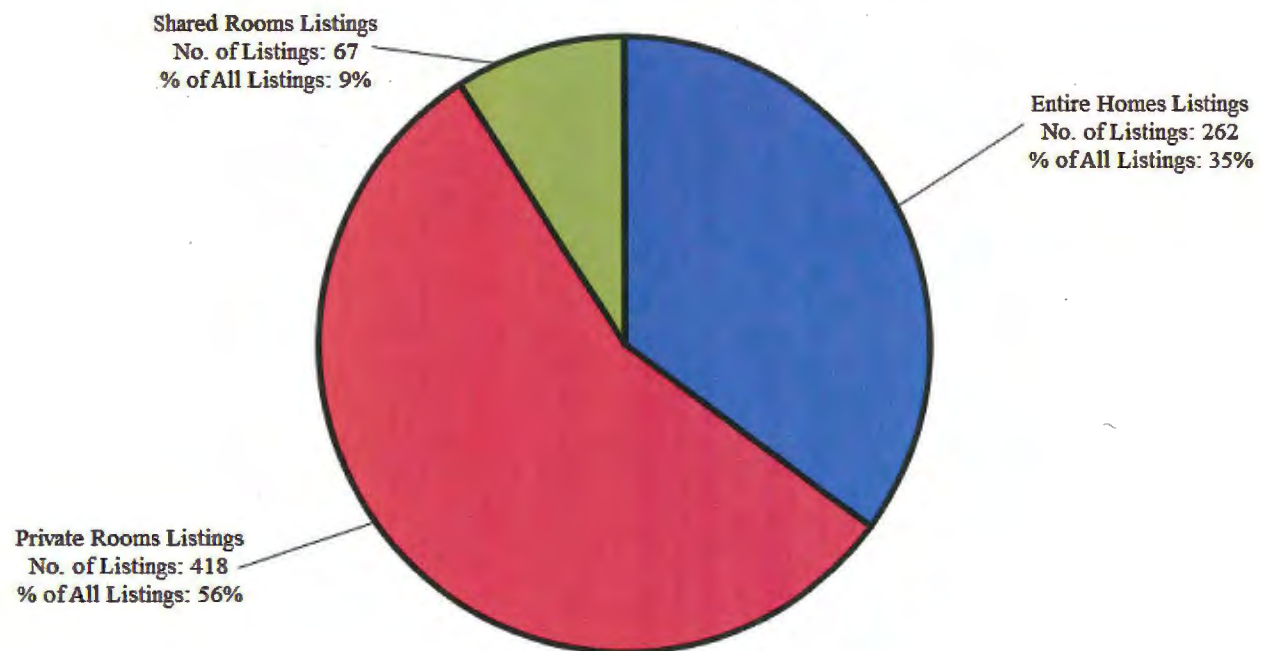
Adhere to effective planning and growth management practices to maintain and enhance the livability, sustainability and desirability of our City and its neighbourhoods, and to ensure the results match the intentions of our policies and bylaws.

Findings of Fact

Short-Term Rental Listings

Short-term rental units in Richmond are listed online on numerous websites which include Airbnb, Vacation Rentals By Owners (VRBO), HomeAway, VacationRentals.com, Travelmob, Homelidays, Abritel, Ownersdirect, Flipkey, Craigslist and Booking.com. On November 16, 2016, there were approximately 1,586 short-term rental listings in Richmond on the above-noted websites. There were approximately 747 short-term rental listings on Airbnb, which accounted for approximately 47% of the total Richmond listings, while approximately 40% of the short-term listings were on VRBO.

Further breakdown of the Airbnb short-term listings show that 35% of the listings were for entire houses/strata units/apartments, 56% were for private room rentals and 9% for shared room rentals. Airbnb defines a private room rental as having a bedroom to yourself but sharing living space with others (operator or other guests), and defines a shared room rental as sharing a bedroom with other people (operator or other guests).

Figure 1: Airbnb Listings for City of Richmond - November 16, 2016 (Total Listings = 747)

Current City Bylaws

There are a number of current City bylaws that are applicable to short-term rental units. For example, subject to the regulations in the *Richmond Zoning - Bylaw 8500* (the Richmond Zoning Bylaw) and the City's *Business Regulation – Bylaw 7538* (the Business Regulation Bylaw), the City permits bed and breakfast accommodation (B&B) in residential zones. The Zoning Bylaw also permits and regulates boarding and lodging¹ in residential zones.

The Zoning Bylaw limits, with exceptions, the permitted use in RS-1 zones to single detached housing², which essentially means housing for a single family/household. As a result, houses that provide multiple accommodations, that are not B&Bs or boarding and lodging, in essence become hotels and are not permitted in the RS-1 zones.

Pursuant to the Business Regulation Bylaw, a person is not permitted to carry on a business in the City without a business licence. Further, the Building Regulation Bylaw may require a building permit for construction or renovation of a house to accommodate short-term rentals.

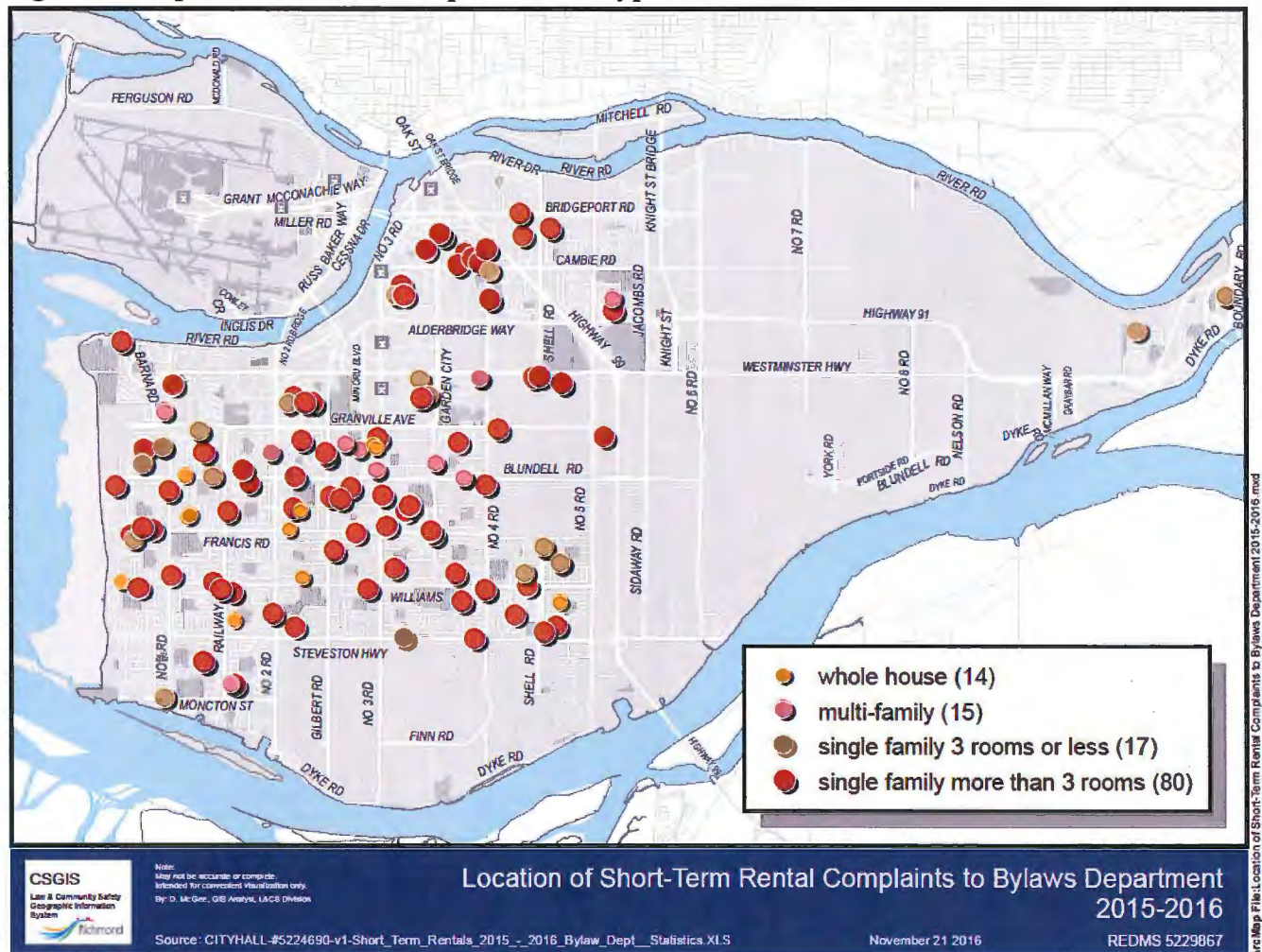
¹ Boarding and lodging means sleeping unit accommodation, without cooking facilities in the sleeping units, that is supplied for remuneration for not more than two (2) boarders, and which may or may not include meal service, but does not include senior citizen lodges, hotels, motels, congregate housing, bed and breakfasts, agri-tourist accommodation, minor or major community care facilities, secondary suite or coach house.

² Single Detached Housing means a detached building containing only one dwelling unit, designed exclusively for occupancy by one household, and may include one room that, due to its design, plumbing, equipment and furnishings, may be used as a secondary kitchen (e.g., a wok kitchen) provided that no more than two kitchens are located in one single detached housing dwelling unit, and includes modular homes that conform to the CSA A277 standards, but does not include a manufactured home designed to CSA Z240 standards or town housing.

While the City has a number of bylaws that are applicable to short-term rentals, current City bylaws do not provide for comprehensive and specific regulation of short-term rentals. As short-term rentals and the share economy are relatively new phenomena, current City bylaws are not tailored to address short-term rentals, with the exception of B&Bs.

In 2015, the City's Community Bylaws department received 26 complaints relating to suspected short-term rental operations. As of December 2016, the number of 2016 complaints is approximately 100. The substance of the complaints, with respect to short-term rentals, includes illegal renovations, parking and noise/nuisance issues. Figure 2 below is a map of the location of complaints and the type of short-term rental generating such complaint.

Figure 2: Map of Location of Complaints and Types Short-Term Rentals



Current Provincial Consultation re Sharing Economy

Pursuant to a Staff Report dated June 13, 2016³, staff recommended that the following comments be sent to the B.C. Minister of Community, Sport and Cultural Development in respect to the Minister's consultation with stakeholders, including municipalities, to explore how the sharing economy may be better integrated and the role of local governments in this process:

1. Integrate public safety as top priority;
2. Enable greater choices to consumers;
3. Incorporate meaningful feedback from the public and relevant stakeholders, including local and regional regulators, sharing economy companies and sharing economy end users;
4. Develop fair and balanced regulations to encourage healthy competition among existing players and new entrants; and
5. Ensure no downloading of responsibilities to local governments through regulatory and enforcement processes.

Analysis

Impacts of Short-Term Rentals

Effect on Rental Housing Stock

Studies are beginning to suggest that short-term rentals adversely affects long-term rental stock. The concern is that rental housing stock is being converted from long-term rentals to short-term rentals. In many cities, this concern is exacerbated by already low rental housing vacancy rates. The current rental vacancy rate in Richmond is less than 1%⁴. The Canada Mortgage and Housing Corporation is of the opinion that a healthy vacancy rate is about 3%. City of Vancouver staff identified in a staff report, dated September 28, 2016, that there is a "strong financial incentive to rent in the short-term"⁵ and if short-term units "were rented long-term instead of short-term, it would have a positive impact on Vancouver's 0.6 rental vacancy rate"⁶.

Land Use Conflicts

Most short-term rentals are located in areas zoned for residential use and not for hotel-like accommodation. Short-term rentals may have a number of impacts or nuisances on a residential neighbourhood or residential strata complex which include parking, noise, poor guest behaviour and so forth. These problems are exacerbated as there is often no management on site to address such issues.

³ Staff Report dated June 13, 2016 from the Director, Administration and Compliance, titled "Forthcoming Provincial Consultation on new Models of Transportation, Accommodation Services and Other Sharing Economy Applications"

⁴ Metro Vancouver. "Metro Vancouver Housing Data Book". March 2016.

http://www.metrovancouver.org/services/regional-planning/PlanningPublications/MV_Housing_Data_Book.pdf

⁵ City of Vancouver. Administrative Report: "Regulating Short-Term Rentals in Vancouver". September 2016.

⁶ Ibid.

Level Playing Field

Hotels and B&Bs pay taxes and fees, which include Good and Services Tax, Provincial Sales Tax, Hotel Room Tax and Business Licence fees and are subject to provincial and municipal regulation and oversight. Short-term rentals are not subject to the same taxes and regulation. As a result, there is an inequity between hotels or B&B accommodations and other short-term rental accommodations.

Health, Fire and Safety

Similarly, hotels must comply with certain building and fire code standards and are subject to health and safety inspections. For example, pursuant to the *Fire Services Act*, a municipality “must provide for a regular system of inspection of hotels”. Short-term rentals are usually located in houses or strata lots and, therefore, not subject to the same requirements.

Economic Benefits

Against concerns, short-term rentals can provide economic benefits to residents and the local economy. Short-term rentals are beginning to open up neighbourhoods and provide visitors with the opportunity to experience cities as locals, not tourists. Studies have also documented that users of short-term rentals stay longer and spend more compared to traditional visitors who opt for hotels. Short-term rentals also provide local residents with a means to generate additional income by renting out rooms in their homes⁷.

A study released on November 1, 2016 suggests that the overall annual impact of Airbnb alone on the Vancouver economy is \$402 million in direct and indirect revenue⁸. The study also found that 267,000 guests stayed almost 1.2 million nights and their hosts earned an average of \$60 per night for a total income of \$71 million in 2016. According to Airbnb data, there are an estimated 8,000 Airbnb listings in Vancouver and 4,600 hosts. Earlier Airbnb research on the Vancouver market suggests that the average incremental income each host earns is \$6,600 per year.

This information, and the necessary research and data, is not available for Richmond. The data necessary to conduct a similar economic impact report is owned by Airbnb, who commissioned the research.

Enforcement

Enforcing bylaws that prohibit or regulate short-term rental operations is very challenging. Among other things, the barrier for entry into the short-term rental operator market is low and therefore often results in little, if any, modification of a short-term rental unit such as a house or

⁷ Smith, Brock, Dr., Airbnb 2015-2016 Vancouver Economic Impact Report, Cordova Bay Consulting (November, 2016)

Coles, Peter and Lauf Vanessa, Airbnb and the Vancouver Housing Market, Airbnb (September, 2016).

⁸ Smith, Brock, Dr., Airbnb 2015-2016 Vancouver Economic Impact Report, Cordova Bay Consulting (November, 2016)

Coles, Peter and Lauf Vanessa, Airbnb and the Vancouver Housing Market, Airbnb (September, 2016).

a strata unit. If the threat of bylaw enforcement is perceived the operator may simply choose to stop renting and resume again when the threat has lessened. Further, building and prosecuting a case requires the application of significant staff time and resources. For example, when the Province of Quebec implemented comprehensive laws regulating short-term rentals it increased the number of inspectors from two to 18.

San Francisco's actions in respect to short-term rentals provide a good example of the challenges. San Francisco enacted a comprehensive short-term rental ordinance in 2015 and when doing so created the "Office of Short-Term Rentals" with a staff of six. The San Francisco ordinance included:

- restricting short-term rentals to single family dwellings in which the owner resides for not less than 275 days per year and limiting to 90 days as being the maximum period that an owner could not be present;
- restricting the rentals to primary residences;
- ensuring insurance requirements are met; and
- collecting payment for permit fees and taxes.

After significant difficulties with compliance, almost 80% non-compliance⁹, San Francisco Council passed another ordinance in 2016 which purported to fine the internet booking service \$1000 per day if its operators failed to register under the 2015 ordinance. In July 2016, Airbnb commenced action against the City of San Francisco arguing that the 2016 ordinance breaches its freedom of speech rights under the First Amendment of the United States' Constitution.

To date, local governments in Canada have attempted to regulate internet booking services, like Airbnb and Uber, with little success. The City of Toronto, for example, sought an injunction against Uber on the basis that Uber was operating a taxi business without a business licence. However, the Court found that "Uber's peer-to-peer process operates, in a sense, as a super-charged directory service" that plays no role in taxis bookings and therefore Uber's service was not subject to the City's bylaw. The City of Edmonton experienced a similar unsuccessful outcome against Uber.

Strata Corporations

As strata corporations can prohibit short-term rentals under their bylaws and impose fines for breaches, they can play an important role in regulation. To do so, however, a strata corporation's bylaws need to be specifically drafted to address short-term rentals. If a bylaw is not currently drafted to prohibit short-term rentals, an amendment to the bylaw is required to include this prohibition. The amendment can only be passed if 75% of the owners agree and vote at an annual or special general meeting. Not only might it be difficult to obtain a 75% owner vote, it is also likely that many owners would not agree to such a prohibition as some units may have been purchased to use as short-term rentals or short-term rentals may assist some owners to pay their living expenses.

⁹ City and County of San Francisco. Policy Analyst Report: "Short-Term Rentals 2016 Update". April 7, 2016. Further, in this respect, in 2014 Portland changed its zoning code to regulate short-term rentals. Portland's September 2016 "Accessory and Short-term Rentals Monitoring Report, found that only 22% of short-term listings had been issued short-term rental permits.

Options and Recommendations

Staff identify three options for Council, they are:

Option 1 – *status quo*. Make no changes to the existing City regulatory regime

Option 2 – prohibit all short-term rentals

Option 3 – develop regulations specifically tailored to short-term rentals (**Recommended**)

Option 1 (*status quo*) (Not Recommended) – this option has the advantage that a new and comprehensive regulatory regime would not be implemented and therefore, the very significant difficulties that staff anticipate in implementing, obtaining compliance, monitoring and enforcing a new regime would be avoided. Short-term rentals, however, continue to increase. Also, it is clear, that not only in Canada but globally, there is a trend of more comprehensive regulatory regimes specifically targeting short-term rentals. Like many cities grappling with this relatively new issue, other than for B&Bs, current City bylaws are not tailored to address short-term rentals. Given the same, Option 1 is not recommended.

Option 2 (*prohibit all short-term rentals*) (Not Recommended) – like Option 1 this option would avoid implementing a new and comprehensive regulatory regime and the pitfalls associated with the same. However, staff anticipate that if this option was selected, non-compliance would be significant and, therefore, enforcement would be difficult. Additionally, as identified in this report, there are some economic and social benefits to permitting short-term rentals. For these reasons, staff do not recommend Option 2. If Council wished to implement Option 2, implementation would require an amendment to the Richmond Zoning Bylaw prohibiting rentals for less than 30 days, with the exceptions of hotels, motels, B&Bs, boarding and lodging, agri-tourism accommodation and community care facilities. A draft of the bylaw that would effect this prohibition is Attachment 1 of this report.

Option 3 (*regulatory regime*) (**Recommended**) – having kept in mind the comments provided by the City to the Minister of Community, Sport and Cultural Development in respect to the Minister's consultation regarding the sharing economy, the currently available data and information on the effects of short-term rentals in Richmond, and the experience of a number of jurisdictions including Vancouver, Toronto, Quebec, San Francisco, Portland and others, staff recommend that Council consider Option 3. The regulation anticipated by Option 3 would require amendments to many City bylaws including the Business License Bylaw, Business Regulation Bylaw, Richmond Zoning Bylaw, Municipal Ticket Information Bylaw, and the Consolidated Fees Bylaw. Drafts of the proposed bylaw amendments are Attachments 2, 3, 4, 5 and 6 to this report. If Option 3 is approved by Council, then the amendment bylaws would be introduced to Council by subsequent report(s).

Implementation and Enforcement Challenges with Option 3

Staff acknowledge that it is unusual to make a recommendation but then immediately identify concerns with the recommendation; however, the experience to date from other cities is that there has been significant difficulties with implementing and enforcing the regime. For example, as identified above, in San Francisco and Portland, both of which implemented comprehensive short-term rental regimes in the past two years, even adding staff their experience is that only

about 20% of short-term rental operators have brought themselves within the regime and obtained the requisite permits. Further, the experience of San Francisco, Portland, and others is that the implementation and enforcement of comprehensive regimes has proved very difficult.

While the trend across the globe is to regulate short-term rentals, staff expect that the short-term regulatory regime proposed in this report will face many of the same implementation and enforcement challenges experienced by other cities. Given the same, in order to hopefully mitigate, staff recommend:

- full public consultation be conducted prior to introduction of any bylaw amendment(s). Staff would report back to Council on the consultation results together with any revisions to the attached draft bylaws resulting from such consultation; and
- once adopted, staff will monitor the short-term regulatory regime, with an emphasis on compliance, enforcement issues with compliance, and complaint issues. Staff would report back to Council on the first anniversary of adoption, and on the second anniversary of adoption, on compliance and enforcement together with any recommended changes.

Staff strongly believe that an essential mechanism in assisting implementation and enforcement is to work collaboratively with the principal booking platforms, such as Airbnb. Possible outcomes may include the booking platforms referring prospective users to Richmond's short-term rules and/or requiring a local permit as a condition of use of the booking platform. If Council endorses a regulatory approach set-out in this report, then staff will begin to engage the principal booking platforms.

Business Licence

Staff recommend that short-term rental operators require a short-term rental business licence. For the purposes of the regime, a short-term rental is a rental for less than 30 days. The requirement for a business license has the following benefits:

- it identifies the short-term operator;
- it informs patrons that the operation is regulated;
- it allows for a particular type of license for each type of permitted short-term rental;
- it allows a business licence fee to be charged which will assist in the costs of administering regulation and enforcement; and
- it permits the City a mechanism through initial business licence issuance and subsequent annual renew to set terms and conditions upon which the City may issue and renew the business licence.

The initial principal elements of the proposed regime for a short-term rental are set-out below.

Regulations Applying to All Short-Term Rentals

The following regulations apply to all short-term rentals:

- all short-term rental operators must have a business licence;
- rentals of less than 30 days are not permitted in any dwelling in the City, unless such dwelling is a permitted short-term rental, forms part of a hotel or a motel, or is used for boarding and lodging, agri-tourist accommodation, community care facility, or dormitory in compliance with all applicable bylaws;

- short-term rentals are not permitted if the dwelling unit contains a secondary suite, agri-tourists accommodation, minor care facility, or child home care business, or the lot has a granny flat or a coach house;
- the short-term rental unit must be the short-term operator's primary residence. Annual confirmation required;
- compliance with zoning, building, fire and other applicable City bylaws is required; and
- if the applicant is not the owner, the owner must sign the licence application and renewal.

Regulations Applying to Specific Categories of Short-Term Rentals

Staff propose the following three initial categories:

- Type A – Entire Single-Detached Home
- Type B – Portion of Single Detached Home (essentially current B&B regulations)
- Type C – Strata Units

Type A – Entire Single-Detached Home

- single-detached dwelling only (no duplexes, row houses, etc.);
- no more than six patrons at any one time, and as one booking;
- building and fire inspections are a condition of obtaining and maintaining a business licence; and
- notice of operations, including operator contract information, provided to neighbours.

Type B - Portion of Single-Detached Home

- single-detached dwelling units only;
- no more than six patrons at any one time;
- no more than three guest rooms with two guests each;
- one parking stall per guest room;
- permitted signage prescribed; and
- building and fire inspections, and health inspections (if serving breakfast) are a condition of obtaining and maintaining a business licence.

In addition to the current B&B rules above, staff also recommend the following addition to the existing regulations:

- notice of operations, including operator contract information, provided to neighbours

Type C – Strata Unit

- regulations apply to strata corporations comprised of five or more strata units – no short-term rentals in strata corporations having four or less strata units;
- no more than six patrons at any one time;
- bylaws of the strata corporation must permit short-term rentals; and
- strata council must sign the licence application and renewal.

Some Key Rationales and Further Explanations

Principal Residence Only

There are two underlying rationales for this requirement. First, as the principal residence of the short-term rental operator, use for short-term rentals is less likely to impact long-term rental stock. Second, as the short-term operator's residence, it is more likely that the operator will be present thereby resulting in more oversight.

Single-Detached Dwelling Units Only (Type A and B)

The principal rationale is to reduce impacts on long-term rental stock. By limiting to single-detached dwellings only, the following types of units are excluded from short-term rental:

- affordable housing units; and
- market rental duplexes, row houses, townhouses and apartments.

A secondary rationale is mitigating nuisances and parking issues that may arise as a result of short-term rentals.

Little Regulation on Short-Term Rental of Strata Units (Type C)

Regulation is more limited for strata units as a strata corporation has, pursuant to the *Strata Property Act*, the tools to prohibit, regulate and enforce a short-term rental regime crafted by the particular strata corporation.

The rationale for requiring the strata corporation to have at least five strata units is to prevent duplexes, triplexes and row houses, in which short-term rentals would otherwise not be permitted, from being permitted under Type C simply as a result of being stratified. Further, strata corporations of more than five strata units are more likely to have a functional strata council.

Parking

The rationale for:

- not requiring additional parking for Type A (Entire Single-Detached Home) short-term rentals, is that this type of short-term rental would occur when the owners were not present, therefore, there should be limited or no increased parking;
- one parking stall per guest room for Type B (Portion of Single-Detached Home) short-term rentals, is to preserve existing B&B rules; and
- not requiring additional parking for Type C (Strata Unit) short-term rentals, is that parking for owners and guests of most strata lot units will be regulated by the strata corporation.

Notice Provisions

The rationale for requiring notice to neighbours is to better inform neighbours of the type of short-term operation and, in particular, as the notice includes the name, telephone number and

email address of the operator, this will permit neighbours to contact the operator in the event of complaints.

Enforcement

The challenges with respect to the enforcement of short-term rental regulations have been set out above. Before setting out staff's recommendations, below is an over-view of the formal bylaw enforcement mechanisms.

Provincial Court Prosecutions

Provincial Court prosecutions by way of long-form information under the *Offence Act* have the benefit of potentially large fines (up to \$10,000 per day) and injunctive relief which could prohibit operators from continuing illegal short-term rental operations. On the other hand, obtaining the evidence necessary to be successful in a prosecution, expenses (including staff and legal costs), and obtaining Court time (which can take many months) are the down-side of a Provincial Court prosecution. As to collection of awarded fines and penalties, a court order may be collected in the same way as a judgment; however, the outstanding fines and penalties cannot be added to the tax roll.

Municipal Tickets

Bylaw officers may issue tickets for bylaw infractions pursuant to the municipal ticket or "MTI" provisions of the *Community Charter*. The maximum amount of a ticket is \$1,000 per offence, and if the offence is a continuing offence a maximum of \$1,000 per day. If the person disputes the ticket, then the matter must be referred to the Provincial Court for a hearing. Unpaid tickets can be collected in the same way as a judgment.

Local Government Bylaw Notice Enforcement Act

Pursuant to the *Local Government Bylaw Notice Enforcement Act*, the City has adopted the Notice of Bylaw Violation Dispute Adjudication bylaw. This bylaw creates a more informal adjudication system. An adjudicator, appointed by the Province, hears disputes and determines if the contested bylaw contravention occurred, so as to confirm or cancel the bylaw notice, or if compliance agreements have been breached. The ordinary rules of evidence are not applicable and the burden of proof is lesser. With some exceptions, decisions are final. The maximum penalty is \$500 per contravention of the bylaw. Continuing violations require separate bylaw notices for each violation.

Generally, in addition to an enhanced regulatory regime, staff recommend intensified enforced action and an increase in prosecutions as a deterrent. More specifically, staff recommend:

- short-term rental operators are the focus of regulatory enforcement, not the booking service;
- continuing use of Municipal Tickets with fines for fundamental breaches of the proposed regulation being set at the maximum, \$1000 per occurrence. For example, the fine for a non-resident operator under the current B&B regime is \$250. Staff recommend that a

similar breach under the proposed short-term rental regime would be \$1000. A full set-of proposed fines is set-out in Attachment 5; and

- use of formal “long-form” prosecution, including injunctive relief, in egregious cases of bylaw violation.

Coupled with the three recommendations above, staff identify three other enforcement matters. First, enforcement will likely require further resources, and as such this issue is identified below. Second, the viability of making use of *Local Government Bylaw Notice Enforcement Act* regime for short-term rentals be studied. Third, and perhaps fundamental, the City may wish to collaborate and coordinate with the on-line booking services to provide, and regulate, the short-term rental market. As discussed earlier, staff recommend engaging the on-line booking services in the “Public Consultation” section, set out below.

Next Steps and Public Consultation and Monitoring

As to public consultation, before amendments to the Business Licence and Business Regulation bylaws are adopted by Council, the *Community Charter* requires that public notice of the amendments must be given and “persons who consider they are affected by the bylaw” must be given the opportunity “to make representation to council.” In respect to the amendments to the Richmond Zoning bylaw, a public hearing must take place prior to adoption.

Given the nature and complexity of regulating short-term rentals, staff recommend that Council conduct full public consultation beyond the statutory requirements and prior to introduction of the bylaws to Council. Consultation would include the public, housing advocates, short-term rental operators, users and booking companies. Further, consultation would include the Let’s Talk Richmond website and a dedicated email address for receiving comments. Consultation may include a public open house. Staff will incorporate feedback from the community and stakeholder consultation into a subsequent report and may include such feedback into the proposed bylaws. Consultation will take place in Spring 2017 and staff will report back to Council in Spring 2017.

Outstanding Matters

Outstanding Matters fall into two categories. The first category is a general list of outstanding matters. The second category identifies some regulations that, while not included in the regulation above, could be considered as additions or modifications to the regulatory regime recommended in this report.

General Outstanding Matters

Given the complexity of this matter, staff continues to address several matters in respect to short-term rentals. These matters include the following:

1. **Full Richmond Analysis** – the requirement of a business licence that staff recommend to Council is similar to what Vancouver staff recommended to their Council. However, based on differing regulation and anecdotal evidence, it may be the case that the

Richmond short-term rental operations will differ from Vancouver's and this difference may be important in regulation.

For example, it may be the case that in Richmond there are more owners dealing directly with end users and, therefore, do not rely on booking platforms to find guests. If this is the case, then tracking short-term rentals in Richmond may be more difficult than in Vancouver. Also, the majority of Richmond's enforcement efforts to date that are associated with short-term rentals have been based on nuisance complaints, such as noise and parking violations. In contrast, according to a recent Vancouver survey, noise and property damage effects of short-term rentals were of least concern to respondents while quality, affordable, long-term housing was of most concern.¹⁰

Furthermore, there are many types of short-term rental scenarios beyond what is immediately visible through online listing sites. Some scenarios include:

- a. multiple owners within a multi-family building where a management company that operates within the same building or across multiple buildings rents out to end users;
- b. single owners of multiple properties across multiple multi-family buildings renting directly to end users;
- c. single owners of multiple properties across multiple multi-family buildings where a management company rents out to end users;
- d. single owners renting out single units in a multi-family building renting directly to end users; and
- e. single owners in large single-family dwellings with multiple rooms renting out to single or multiple end users.

To assess the effectiveness of regulation, additional research is required to quantify the short-term rental scenarios above and the impacts of regulation in each scenario. Such additional research would require data owned by the management companies and the online booking providers. Therefore, engaging with stakeholders is necessary to conduct a full Richmond analysis, including assessment of the economic benefits of short-term rentals. The results from the full Richmond analysis can be integrated into the 1-year regulation review and follow-up regulatory amendments.

Assessing economic benefits would also be part of this study.

2. **Taxes** – a concern identified above is in respect to short-term rental providers not paying the same 8% Provincial Sales Tax (PST) and 3% Municipal and Regional District Tax (MRDT) paid by hotels and motels. Generally, there is an exemption from PST and MRDT if an operator offers less than four units, the units may be in more than one location, for accommodation in British Columbia.

The Provincial government has commenced collecting PST and MRDT on certain short-term operators in Richmond. There are approximately 20 residential units in Richmond that are currently remitting and payees change in conjunction with ongoing government

¹⁰ According to a recent Vancouver staff report, the Talk Vancouver online survey took place in July and August 2016 and received 6,475 responses.

enforcement efforts. Key criteria used to determine the payees includes properties offered as units of accommodation by third parties on behalf of owners, with four or more units offered by the third party. The Province then looks at whether the provider simply lists the units and/or processes payments on behalf of the owners, or whether they have more control with setting prices, managing maintenance, check-in, and the like. Airbnb type services for instance, do not meet the definition of accommodation and are not required to register. Those types of businesses are offering marketing type services only and the units they list are not subject to PST or MRDT.

On November 23, 2016, the City received a letter from the Richmond Hotel Association (RHA) advocating that Richmond Council request that the Province remove the 8% PST and 3% MRDT exemption on accommodation of four rooms or less (Attachment 7), suggesting that such action will facilitate enforcement of local short-term rental regulations. Removing the four-room maximum exemption would level the tax regime across all types of accommodation providers and has the potential to facilitate local enforcement through information sharing between jurisdictions. However, it would also increase the regulatory burden for traditional bed and breakfasts, which are currently exempt from the 8% PST and 3% MRDT.

The Province's approach to taxing short-term rentals, described above, indicates that it is not immediately considering changes to the provincial regulation to lift the four-room exemption. However, considering the position of the Richmond Hotel Association and the broader hotel community, further discussion with the Province is required in respect to taxation of short-term rentals and accommodation providers.

3. **Financial Enforcement Costs** – staff are reviewing the potential revenues derived from a short-term rental licencing regime (both licence fees and fines) and costs of enforcement of the regulation. Once a financial analysis is complete, a resource increase request may be made.
4. **Notice of Bylaw Violation Dispute Adjudication Bylaw** – this bylaw is not currently used in respect to zoning or business license infractions. Staff will study its effectiveness for enforcing short-term rental regulation.
5. **Development of a Code of Conduct for Short-Term Rentals** – staff recommend that similar to the City's code of conduct for B&Bs, a short-term rental code of conduct be developed.
6. **Provincial Consultation** – the Province of British Columbia is currently undertaking consultation with stakeholders, including municipalities, to explore how the sharing economy may be better integrated and what the role of local governments will be in this process. This process may result in the Province developing tools that could assist local governments for managing the sharing economy. Staff will be monitoring the Provincial government's progress in its sharing economy consultation process.

Possible Short-Term Rental Elements

Possible short-term rental elements not included in the regime proposed above include:

1. **Cap on Number of Short-Term Rental Nights** – some cities limit the number of rental nights (San Francisco and Portland for example). This would support the principal residence rule and better prevent the dwelling from becoming a dedicated short-term dwelling. Staff have not included this element in the report, as monitoring is extremely difficult. Vancouver decided not to include such a cap in their proposed regimes for this reason;
2. **Prescribed Number of Days Required for Principal Residence** – while a short-term rental business licence will require identification confirming that the short-term rental unit is the operator's principal residence, this regime can be manipulated. A prescribed number of days required to qualify as an operator's principal residence would add some certainty, but again monitoring and confirmation is difficult;
3. **Linking the Short-Term Operator to Ownership of Short-Term Rental Unit** – ownership would act to limit the number of short-term rentals and, as there is often a link between ownership and principal residence, an ownership requirement could reinforce the principal residence requirement. Ownership could be as restrictive as the registered owner, or expanded to include relatives of the registered owner or even long-term lessees;
4. **Increasing the Number of Guests Permitted in Type B (B&B, Portion of Single Detached Homes)** – it may be the case that, in some cases or neighbourhoods, operations could allow for more rooms/person without adversely impacting the neighbourhood. So as to keep the existing B&B rules, staff have not recommended an increase in permitted guest/rooms. However, consistent with the current B&B regime in Agriculture zones AG1, AG3 and AG4 a B&B may have up to four guest rooms, and in Single detached heritage zone ZS11 – London Landing (Steveston) a B&B may have up to five guest rooms;
5. **Creating a New Type of Permitted Short-Term Rental Unit**– it may be that to accommodate the market, a new type of short-term rental with less units/persons and lesser regulation than Type B could be created. For example, a regime with only two permitted rooms but, provided that impacts are addressed, with lesser regulation may be an option. As another example, unlike Type B rentals, which are only permitted in detached single family houses, short-term rental might be permitted in duplexes or row houses. Staff, have not recommended the creation of this additional short-term rental type but, by preserving (and not requiring a business license) the current boarding and lodging regime (no more than two boarders and lodgers) this market may already be partially accommodated; and
6. **Operator in Type B (B&B, Portion of Single Detached Homes) Must Be Present in Dwelling Concurrently with Short-Term Rental Use** – this may increase monitoring. Currently the dwelling must be where the operator resides (i.e. primary residence), but not that the operator must be residing there while the business is being run.

Staff will continue to investigate both the possible short-term rental elements and the general outstanding matters identified above and any other further matters and, together with the results of public and stakeholder consultation, will report back to Council in Spring 2017.

Financial Impact

Staff will continue to monitor the investigation and enforcement costs relating to short-term rentals, and if the need for staff increases is determined, staff will report back to Council in Spring 2017.

Conclusion

Short-term rentals pose a challenge to local governments in developing and enforcing a regulatory regime. Staff have recommended that Council consider Option 3 set-out above which is a business license regime. As developing practical regulation and effective enforcement is challenging, full public consultation prior to bylaw introduction is recommended. Thereafter, once the bylaws are adopted, staff will report back to Council after a 12 month trial period.



Doug Long
City Solicitor
(604-276-4339)



Carli Edwards
Chief Licence Inspector
(604-276-4136)

- Att. 1: Richmond Zoning Bylaw No. 8500, Amendment Bylaw No. 9647
2: Richmond Zoning Bylaw No. 8500, Amendment Bylaw No. 9648
3: Business Regulation Bylaw No. 7538, Amendment Bylaw No. 9649
4: Business Licence Bylaw No. 7360, Amendment Bylaw No. 9650
5: Municipal Ticket Information Authorization Bylaw No. 7321, Amendment Bylaw No. 9651
6: Consolidated Fees Bylaw No. 8636, Amendment Bylaw No. 9652
7: Letter from the Richmond Hotel Association to the City dated November 23, 2016



City of
Richmond

Attachment 1

Bylaw 9647

**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 by *adding the following after Section 5.19 as new Section 5.20*:

“5.20 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 **agri-tourist accommodation, boarding and lodging, community care facility, dormitory, or bed and breakfast use** in compliance with all applicable bylaws.”

2. 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

| |
|---|
| CITY OF RICHMOND |
| APPROVED by |
| APPROVED by Director or Solicitor |

CORPORATE OFFICER

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**Richmond Zoning Bylaw No. 8500
Amendment Bylaw No. 9648**

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 deleting the definition of **bed and breakfast**;
 - c. by deleting the words “**bed and breakfasts**” from the definition of **Boarding and lodging** and replacing them with the words “**short-term rentals**”;
 - d. by adding the following definitions after the definition of “**education, university**”:

“Eligible short term rental house means a **single detached housing dwelling**.

Eligible short term rental unit means an **eligible short term rental house** or an **eligible strata lot dwelling**.

Eligible strata lot dwelling means an **apartment housing dwelling** or **town housing dwelling**, which is a **strata lot** and forms part of multiple-family residential **building** with 5 or more residential **strata lots**, but is not an **affordable housing unit** or a **rental unit**.”;
 - e. by deleting the words “**bed and breakfast**” from the definition of **Guest** and replacing them with the words “**short-term rental**”;
 - f. by adding the following definition after the definition of “**open space**”:

“Operator means the person who operates the **short-term rental**.”;

- g. 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**.”;

- h. by adding the following definition after the definition of “**religious assembly**”:

“**Rental unit** means an **apartment housing dwelling** or a **town housing dwelling** in a **building** used by the **owner** as market rental accommodation on a landlord and tenant basis, whether or not such **dwelling** is a **strata lot**.”;

- i. by adding the following definition after the definition of “**residential vertical lot width envelope**”:

“**Residential zone** means the residential or mixed-use zones identified in Section 8, 9, 15, 16, 17, 18, 19, 20 of this bylaw.”;

- j. by adding the following definition after the definition of “**setback**”:

“**Short-term rental** means the accommodation of **guests**, for remuneration, for periods of less than 30 days in an **eligible short term rental unit**, and may or may not include breakfast service.”; and

- k. by adding the following definition after the definition of “**truck or rail terminal**”:

“**Type A short-term rental** means an **eligible short term rental house** where the whole **eligible short term rental house** is used for **short-term rental** pursuant to one booking.

Type B short-term rental means an **eligible short term rental house**, where a portion of, or bedrooms within, the **eligible short term rental house** is used for **short-term rental**, with or without breakfast service.

Type C short-term rental means an **eligible strata lot dwelling**, where the whole, or a portion, of the **eligible strata lot dwelling** is used for **short-term rental**.”

2. Richmond Zoning Bylaw 8500, as amended, is further amended by deleting subsection 5.4.1(h) and marking it “Repealed.”;
3. Richmond Zoning Bylaw No. 8500, as amended, is further amended by deleting Section 5.5 and replacing it with the following:

“5.5. Short-Term Rental

- 5.5.1. No person shall use or permit to be used any **dwelling**, or portion thereof, for the accommodation of **guests**, tenants, or renters for a period of less than 30 days unless such **dwelling** forms part of a **hotel** or a **motel**, or is used for **short-term rental, agri-tourist accommodation, boarding and lodging, community care facility, or dormitory** in compliance with all applicable bylaws.
- 5.5.2. Unless in accordance with this bylaw, including this section 5.5, the **City’s** Business Licence Bylaw No. 7360, and the **City’s** Business Regulation Bylaw No. 7538, all as may be amended or replaced from time to time, a **short-term rental use** of any **dwelling** is not permitted in any **residential zone** nor in any of the zones set out in Section 14.1 of this bylaw.
- 5.5.3. A **short-term rental use** is permitted only in an **eligible short term rental unit** that is the **principal residence** of the **operator**.
- 5.5.4. A **short-term rental use** is not permitted in an **eligible short term rental unit** or on a **lot** that contains a **secondary suite, coach house, granny flat, agri-tourist accommodation, minor community care facility or child care home business use**.
- 5.5.5. **Type A Short-Term Rental** (*whole single family house*)
- a) **Short-term rental use** of a **type A short-term rental** is limited to accommodation of a maximum of 6 **guests** at one time.
- 5.5.6. **Type B Short-Term Rental** (*bed & breakfast, portion of single family house*)
- a) **Short-term rental use** of a **type B short-term rental** is limited to accommodation of a maximum of 6 **guests** at one time.
- b) **Short-term rental use** of a **type B short-term rental** is limited to a maximum of 3 **guest** rooms, which shall not be equipped, furnished or used to provide accommodation for more than two **guests** each, unless otherwise provided in this bylaw.
- c) No facilities or equipment used for the preparation of food shall be installed or provided in a room used for **guest** accommodation.
- d) A **bedroom** used for **short-term rental guest** accommodation shall have a **floor area** of not less than 9.75 m².
- e) One fascia sign with maximum dimensions of 0.3 m by 0.6 m is permitted on each **type B short-term rental**, unless otherwise provided in this bylaw.

- f) 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**.

5.5.7. **Type C Short-Term Rental** (*whole or portion of strata condo or townhouse*)

- a) A **short-term rental use** is not permitted in a **strata lot dwelling** if such use is prohibited by the bylaws of the applicable strata corporation.
 - b) **Short-term rental use** of a **type C short-term rental** is limited to accommodation of a maximum of 6 **guests** at one time.”.
4. Richmond Zoning Bylaw No. 8500, as amended, is further amended at Table 7.7.2.1 Residential Use Parking Requirements by deleting the words “**Bed and breakfast**” and replacing them with the words “**Type B short-term rental**”.
5. Richmond Zoning Bylaw No. 8500, as amended, is further amended:
- a. at section 8.1.3 by deleting “**bed and breakfast**” and adding “**short-term rental**” in alphabetical order;
 - b. at section 8.2.3 by deleting “**bed and breakfast**” and adding “**short-term rental**” in alphabetical order;
 - c. at section 8.3.3 by deleting “**bed and breakfast**” and adding “**short-term rental**” in alphabetical order;
 - d. at section 8.4.3 by adding “**short-term rental**” in alphabetical order;
 - e. at section 8.5.3 by adding “**short-term rental**” in alphabetical order;
 - f. at section 8.6.3 by adding “**short-term rental**” in alphabetical order;
 - g. at section 8.7.3 by adding “**short-term rental**” in alphabetical order;
 - h. at section 8.8.3 by adding “**short-term rental**” in alphabetical order;
 - i. at section 8.9.3 by adding “**short-term rental**” in alphabetical order;
 - j. at section 8.10.3 by adding “**short-term rental**” in alphabetical order;
 - k. at section 8.11.3 by adding “**short-term rental**” in alphabetical order;
 - l. at section 8.12.3 by adding “**short-term rental**” in alphabetical order; and
 - m. at section 8.14.3 by deleting “**bed and breakfast**” and adding “**short-term rental**” in alphabetical order.

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6. Richmond Zoning Bylaw No. 8500, as amended, is further amended:
 - a. at section 9.1.3 by adding “**short-term rental**” in alphabetical order;
 - b. at section 9.2.3 by adding “**short-term rental**” in alphabetical order;
 - c. at section 9.3.3 by adding “**short-term rental**” in alphabetical order; and
 - d. at section 9.4.3 by adding “**short-term rental**” in alphabetical order.
7. Richmond Zoning Bylaw No. 8500, as amended, is further amended:
 - a. at section 14.1.3 by deleting “**bed and breakfast**” and adding “**short-term rental**” in alphabetical order;
 - b. at section 14.1.11.4 by deleting the words “**bed and breakfast**” and replacing them with “**type B short-term rental**”;
 - c. at section 15.1.3 by deleting “**bed and breakfast**” and adding “**short-term rental**” in alphabetical order;
 - d. at section 15.2.3 by deleting “**bed and breakfast**” and adding “**short-term rental**” in alphabetical order;
 - e. at section 15.3.3 by deleting “**bed and breakfast**” and adding “**short-term rental**” in alphabetical order;
 - f. at section 15.4.3 by deleting “**bed and breakfast**” and adding “**short-term rental**” in alphabetical order;
 - g. at section 15.5.3 by deleting “**bed and breakfast**” and adding “**short-term rental**” in alphabetical order;
 - h. at section 15.6.3 by deleting “**bed and breakfast**” and adding “**short-term rental**” in alphabetical order;
 - i. at section 15.7.3 by deleting “**bed and breakfast**” and adding “**short-term rental**” in alphabetical order;
 - j. at section 15.8.3 by deleting “**bed and breakfast**” and adding “**short-term rental**” in alphabetical order;
 - k. at section 15.9.3 by deleting “**bed and breakfast**” and adding “**short-term rental**” in alphabetical order;
 - l. at section 15.10.3 by deleting “**bed and breakfast**” and adding “**short-term rental**” in alphabetical order;

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- m. at section 15.11.3 by deleting “**bed and breakfast**” and adding “**short-term rental**” in alphabetical order;
- n. at section 15.11.11.1 by deleting the words “**bed and breakfast**” and replacing them with “**type B short-term rental**”;
- o. at section 15.12.3 by deleting “**bed and breakfast**” and adding “**short-term rental**” in alphabetical order;
- p. at section 15.13.3 by deleting “**bed and breakfast**” and adding “**short-term rental**” in alphabetical order;
- q. at section 15.14.3 by deleting “**bed and breakfast**” and adding “**short-term rental**” in alphabetical order;
- r. at section 15.15.3 by deleting “**bed and breakfast**” and adding “**short-term rental**” in alphabetical order;
- s. at section 15.16.3 by deleting “**bed and breakfast**” and adding “**short-term rental**” in alphabetical order;
- t. at section 15.17.3 by deleting “**bed and breakfast**” and adding “**short-term rental**” in alphabetical order;
- u. at section 15.18.3 by deleting “**bed and breakfast**” and adding “**short-term rental**” in alphabetical order;
- v. at section 15.19.3 by deleting “**bed and breakfast**” and adding “**short-term rental**” in alphabetical order;
- w. at section 15.20.3 by deleting “**bed and breakfast**” and adding “**short-term rental**” in alphabetical order;
- x. at section 15.21.3 by deleting “**bed and breakfast**” and adding “**short-term rental**” in alphabetical order;
- y. at section 15.22.3 by deleting “**bed and breakfast**” and adding “**short-term rental**” in alphabetical order;
- z. at section 15.23.3 by deleting “**bed and breakfast**” and adding “**short-term rental**” in alphabetical order;
- aa. at section 15.24.3 by adding “**short-term rental**” in alphabetical order;
- bb. at section 15.25.3 by deleting “**bed and breakfast**” and adding “**short-term rental**” in alphabetical order;
- cc. at section 15.26.3 by deleting “**bed and breakfast**” and adding “**short-term rental**” in alphabetical order;

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- dd. at section 16.1.3 by adding “**short-term rental**” in alphabetical order;
 - ee. at section 16.2.3 by adding “**short-term rental**” in alphabetical order; and
 - ff. at section 16.4.3 by adding “**short-term rental**” in alphabetical order.
8. Richmond Zoning Bylaw No. 8500, as amended, is further amended:
- a. at section 17.1.3 by adding “**short-term rental**” in alphabetical order;
 - b. at section 17.2.3 by adding “**short-term rental**” in alphabetical order;
 - c. at section 17.3.3 by adding “**short-term rental**” in alphabetical order;
 - d. at section 17.4.3 by adding “**short-term rental**” in alphabetical order;
 - e. at section 17.5.3 by adding “**short-term rental**” in alphabetical order;
 - f. at section 17.6.3 by adding “**short-term rental**” in alphabetical order;
 - g. at section 17.7.3 by adding “**short-term rental**” in alphabetical order;
 - h. at section 17.8.3 by adding “**short-term rental**” in alphabetical order;
 - i. at section 17.9.3 by adding “**short-term rental**” in alphabetical order;
 - j. at section 17.10.3 by adding “**short-term rental**” in alphabetical order;
 - k. at section 17.11.3 by adding “**short-term rental**” in alphabetical order;
 - l. at section 17.12.3 by adding “**short-term rental**” in alphabetical order;
 - m. at section 17.13.3 by adding “**short-term rental**” in alphabetical order;
 - n. at section 17.14.3 by adding “**short-term rental**” in alphabetical order;
 - o. at section 17.15.3 by adding “**short-term rental**” in alphabetical order;
 - p. at section 17.16.3 by adding “**short-term rental**” in alphabetical order;
 - q. at section 17.17.3 by adding “**short-term rental**” in alphabetical order;
 - r. at section 17.18.3 by adding “**short-term rental**” in alphabetical order;
 - s. at section 17.19.3 by adding “**short-term rental**” in alphabetical order;
 - t. at section 17.20.3 by adding “**short-term rental**” in alphabetical order;
 - u. at section 17.21.3 by adding “**short-term rental**” in alphabetical order;

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- v. at section 17.22.3 by adding “**short-term rental**” in alphabetical order;
- w. at section 17.23.3 by adding “**short-term rental**” in alphabetical order;
- x. at section 17.24.3 by adding “**short-term rental**” in alphabetical order;
- y. at section 17.25.3 by adding “**short-term rental**” in alphabetical order;
- z. at section 17.26.3 by adding “**short-term rental**” in alphabetical order;
- aa. at section 17.27.3 by adding “**short-term rental**” in alphabetical order;
- bb. at section 17.28.3 by adding “**short-term rental**” in alphabetical order;
- cc. at section 17.29.3 by adding “**short-term rental**” in alphabetical order;
- dd. at section 17.30.3 by adding “**short-term rental**” in alphabetical order;
- ee. at section 17.31.3 by adding “**short-term rental**” in alphabetical order;
- ff. at section 17.32.3 by adding “**short-term rental**” in alphabetical order;
- gg. at section 17.33.3 by adding “**short-term rental**” in alphabetical order;
- hh. at section 17.34.3 by adding “**short-term rental**” in alphabetical order;
- ii. at section 17.35.3 by adding “**short-term rental**” in alphabetical order;
- jj. at section 17.36.3 by adding “**short-term rental**” in alphabetical order;
- kk. at section 17.37.3 by adding “**short-term rental**” in alphabetical order;
- ll. at section 17.38.3 by adding “**short-term rental**” in alphabetical order;
- mm. at section 17.39.3 by adding “**short-term rental**” in alphabetical order;
- nn. at section 17.40.3 by adding “**short-term rental**” in alphabetical order;
- oo. at section 17.41.3 by adding “**short-term rental**” in alphabetical order;
- pp. at section 17.42.3 by adding “**short-term rental**” in alphabetical order;
- qq. at section 17.43.3 by adding “**short-term rental**” in alphabetical order;
- rr. at section 17.44.3 by adding “**short-term rental**” in alphabetical order;
- ss. at section 17.45.3 by adding “**short-term rental**” in alphabetical order;
- tt. at section 17.46.3 by adding “**short-term rental**” in alphabetical order;

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uu. at section 17.47.3 by adding “**short-term rental**” in alphabetical order;

vv. at section 17.48.3 by adding “**short-term rental**” in alphabetical order;

ww. at section 17.49.3 by adding “**short-term rental**” in alphabetical order;

xx. at section 17.50.3 by adding “**short-term rental**” in alphabetical order;

yy. at section 17.51.3 by adding “**short-term rental**” in alphabetical order;

zz. at section 17.52.3 by adding “**short-term rental**” in alphabetical order;

aaa. at section 17.53.3 by adding “**short-term rental**” in alphabetical order;

bbb. at section 17.54.3 by adding “**short-term rental**” in alphabetical order;

ccc. at section 17.55.3 by adding “**short-term rental**” in alphabetical order;

ddd. at section 17.56.3 by adding “**short-term rental**” in alphabetical order;

eee. at section 17.57.3 by adding “**short-term rental**” in alphabetical order;

fff. at section 17.58.3 by adding “**short-term rental**” in alphabetical order;

ggg. at section 17.59.3 by adding “**short-term rental**” in alphabetical order;

hhh. at section 17.60.3 by adding “**short-term rental**” in alphabetical order;

iii. at section 17.61.3 by adding “**short-term rental**” in alphabetical order;

jjj. at section 17.62.3 by adding “**short-term rental**” in alphabetical order;

kkk. at section 17.63.3 by adding “**short-term rental**” in alphabetical order;

lll. at section 17.64.3 by adding “**short-term rental**” in alphabetical order;

mmm. at section 17.65.3 by adding “**short-term rental**” in alphabetical order;

nnn. at section 17.66.3 by adding “**short-term rental**” in alphabetical order;

ooo. at section 17.67.3 by adding “**short-term rental**” in alphabetical order;

ppp. at section 17.68.3 by adding “**short-term rental**” in alphabetical order;

qqq. at section 17.69.3 by adding “**short-term rental**” in alphabetical order;

rrr. at section 17.70.3 by adding “**short-term rental**” in alphabetical order;

sss. at section 17.71.3 by adding “**short-term rental**” in alphabetical order;

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- ttt. at section 17.72.3 by adding “**short-term rental**” in alphabetical order;
- uuu. at section 17.73.3 by adding “**short-term rental**” in alphabetical order;
- vvv. at section 17.74.3 by adding “**short-term rental**” in alphabetical order;
- www. at section 17.75.3 by adding “**short-term rental**” in alphabetical order;
- xxx. at section 17.76.3 by adding “**short-term rental**” in alphabetical order;
- yyy. at section 17.77.3 by adding “**short-term rental**” in alphabetical order; and
- zzz. at section 17.78.3 by adding “**short-term rental**” in alphabetical order.

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

- a. at section 18.1.3 by adding “**short-term rental**” in alphabetical order;
- b. at section 18.2.3 by adding “**short-term rental**” in alphabetical order;
- c. at section 18.3.3 by adding “**short-term rental**” in alphabetical order;
- d. at section 18.4.3 by adding “**short-term rental**” in alphabetical order;
- e. at section 18.5.3 by adding “**short-term rental**” in alphabetical order;
- f. at section 18.6.3 by adding “**short-term rental**” in alphabetical order;
- g. at section 18.7.3 by adding “**short-term rental**” in alphabetical order;
- h. at section 18.8.3 by adding “**short-term rental**” in alphabetical order;
- i. at section 18.9.3 by adding “**short-term rental**” in alphabetical order;
- j. at section 18.10.3 by adding “**short-term rental**” in alphabetical order;
- k. at section 18.11.3 by adding “**short-term rental**” in alphabetical order;
- l. at section 18.12.3 by adding “**short-term rental**” in alphabetical order;
- m. at section 18.13.3 by adding “**short-term rental**” in alphabetical order;
- n. at section 18.14.3 by adding “**short-term rental**” in alphabetical order;
- o. at section 18.15.3 by adding “**short-term rental**” in alphabetical order;
- p. at section 18.16.3 by adding “**short-term rental**” in alphabetical order;
- q. at section 18.17.3 by adding “**short-term rental**” in alphabetical order;

- r. at section 18.18.3 by adding “**short-term rental**” in alphabetical order;
 - s. at section 18.19.3 by adding “**short-term rental**” in alphabetical order;
 - t. at section 18.20.3 by adding “**short-term rental**” in alphabetical order;
 - u. at section 18.21.3 by adding “**short-term rental**” in alphabetical order;
 - v. at section 18.22.3 by adding “**short-term rental**” in alphabetical order;
 - w. at section 18.23.3 by adding “**short-term rental**” in alphabetical order;
 - x. at section 18.24.3 by adding “**short-term rental**” in alphabetical order;
 - y. at section 18.25.3 by adding “**short-term rental**” in alphabetical order;
 - z. at section 18.26.3 by adding “**short-term rental**” in alphabetical order;
 - aa. at section 18.27.3 by adding “**short-term rental**” in alphabetical order;
 - bb. at section 18.28.3 by adding “**short-term rental**” in alphabetical order; and
 - cc. at section 18.29.3 by adding “**short-term rental**” in alphabetical order.
10. Richmond Zoning Bylaw No. 8500, as amended, is further amended:
- a. at section 19.1.3 by adding “**short-term rental**” in alphabetical order;
 - b. at section 19.2.3 by adding “**short-term rental**” in alphabetical order;
 - c. at section 19.3.3 by adding “**short-term rental**” in alphabetical order;
 - d. at section 19.4.3 by adding “**short-term rental**” in alphabetical order;
 - e. at section 19.5.3 by adding “**short-term rental**” in alphabetical order;
 - f. at section 19.6.3 by adding “**short-term rental**” in alphabetical order;
 - g. at section 19.7.3 by adding “**short-term rental**” in alphabetical order;
 - h. at section 19.8.3 by adding “**short-term rental**” in alphabetical order;
 - i. at section 19.9.3 by adding “**short-term rental**” in alphabetical order;
 - j. at section 19.10.3 by adding “**short-term rental**” in alphabetical order;
 - k. at section 19.11.3 by adding “**short-term rental**” in alphabetical order;
 - l. at section 19.12.3 by adding “**short-term rental**” in alphabetical order; and

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- m. at section 19.13.3 by adding “**short-term rental**” in alphabetical order.
11. Richmond Zoning Bylaw No. 8500, as amended, is further amended:
- a. then some of 20 (look more closely)
 - b. at section 20.1.3 by adding “**short-term rental**” in alphabetical order;
 - c. at section 20.2.3 by adding “**short-term rental**” in alphabetical order;
 - d. at section 20.3.3 by adding “**short-term rental**” in alphabetical order;
 - e. at section 20.4.3 by adding “**short-term rental**” in alphabetical order;
 - f. at section 20.5.3 by adding “**short-term rental**” in alphabetical order;
 - g. at section 20.6.3 by adding “**short-term rental**” in alphabetical order;
 - h. at section 20.7.3 by adding “**short-term rental**” in alphabetical order;
 - i. at section 20.8.3 by adding “**short-term rental**” in alphabetical order;
 - j. at section 20.9.3 by adding “**short-term rental**” in alphabetical order;
 - k. at section 20.10.3 by adding “**short-term rental**” in alphabetical order;
 - l. at section 20.11.3 by adding “**short-term rental**” in alphabetical order;
 - m. at section 20.12.3 by adding “**short-term rental**” in alphabetical order;
 - n. at section 20.13.3 by adding “**short-term rental**” in alphabetical order;
 - o. at section 20.14.3 by adding “**short-term rental**” in alphabetical order;
 - p. at section 20.15.3 by adding “**short-term rental**” in alphabetical order;
 - q. at section 20.17.3 by adding “**short-term rental**” in alphabetical order;
 - r. at section 20.18.3 by adding “**short-term rental**” in alphabetical order;
 - s. at section 20.19.3 by adding “**short-term rental**” in alphabetical order;
 - t. at section 20.20.3 by adding “**short-term rental**” in alphabetical order;
 - u. at section 20.21.3 by adding “**short-term rental**” in alphabetical order;
 - v. at section 20.22.3 by adding “**short-term rental**” in alphabetical order;
 - w. at section 20.24.3 by adding “**short-term rental**” in alphabetical order;

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- x. at section 20.25.3 by adding "**short-term rental**" in alphabetical order;
 - y. at section 20.26.3 by adding "**short-term rental**" in alphabetical order;
 - z. at section 20.28.3 by adding "**short-term rental**" in alphabetical order; and
 - aa. at section 25.2.3 by deleting "**n/a**" and adding "**short-term rental**" in alphabetical order.
12. This Bylaw is cited as "**Richmond Zoning Bylaw No. 8500, Amendment Bylaw No. 9648**", and comes into force on _____, 201__.

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

MAYOR

| |
|---|
| CITY OF RICHMOND |
| APPROVED by |
| APPROVED by Director or Solicitor |

CORPORATE OFFICER



**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 at the index by deleting the words “PART TWENTY-TWO – BED & BREAKFAST ESTABLISHMENT REGULATIONS” and replacing them with the words “PART TWENTY-TWO – SHORT-TERM RENTAL REGULATIONS”.
2. **Business Regulation Bylaw No. 7538**, as amended, is further amended by deleting Part 22 and replacing it with the following:

“PART TWENTY-TWO: SHORT-TERM RENTAL 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 **Short-Term Rentals** 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. if the premises are a **type A short-term rental** (*whole single family house*), 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;

22.2.4. if the premises are a **type B short-term rental** (*bed & breakfast, portion of single family home*):

- (a) 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;

- (b) 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; and
- (c) the **operator** must obtain and maintain "Approved Accommodation" status from Tourism British Columbia; and

22.2.4. if the premises are a **type C short-term rental** (*strata condo or townhouse*), the **operator** must install and maintain the fire safety equipment."

3. **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."

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

- (a) adding the following as the definition of "**agri-tourist accommodation**" in alphabetical order:

"**agri-tourist accommodation** means an **agri-tourist accommodation** as defined in the City's zoning bylaw.";

- (b) 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.";

- (c) 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.”;
- (d) adding the following as the definition of “**dormitory**” in alphabetical order:
 “**dormitory** means a **dormitory** as defined in the City’s zoning bylaw.”;
- (e) adding the following as the definition of “**dwelling**” in alphabetical order:
 “**dwelling** means a dwelling as defined in the City’s zoning bylaw.”;
- (f) adding the following as the definition of “**hotel**” in alphabetical order:
 “**hotel** means a hotel as defined in the City’s zoning bylaw.”;
- (g) adding the following as the definition of “**motel**” in alphabetical order:
 “**motel** means a motel as defined in the City’s zoning bylaw.”;
- (h) 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.”;
- (i) 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 **hotel, motel, agri-tourist accommodation, boarding and lodging, community care facility, or dormitory.**”;
- (j) adding the following as the definition of “**short-term rental**” in alphabetical order:
 “**short-term rental** means a short-term rental as defined in the City’s zoning bylaw.”; and
- (k) by adding the following as the definitions in alphabetical order”:
 “**type A short-term rental** means a type A short-term rental as defined in the City’s zoning bylaw.
 type B short-term means a type B short-term rental as defined in the City’s

rental zoning bylaw.

type C short-term rental means a type C short-term rental as defined in the City's zoning bylaw."

5. 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

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| CITY OF RICHMOND |
| APPROVED for content by originating Division |
| APPROVED for legality by Solicitor |



**Business Licence Bylaw No. 7560,
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 at the table of contents by deleting the words “Bed and Breakfast Establishment” and replacing them with the words “Short-Term Rentals”.
2. **Business Licence Bylaw No. 7360**, as amended, is further amended by deleting Section 2.4 and replacing it with the following:

“2.4 Short-Term Rental

2.4.1 Every **short-term rental 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;
- (b) provide proof that the owner of the premises has consented to the use of the premises as a **short-term rental** by providing one of the following, as applicable:
 - (i) if the **applicant** 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).

2.4.2 Every **type A short-term rental** (*whole single family house*) **applicant** must at the time of application:

- (a) prepare a notification letter that:
 - (i) describes the operation; and
 - (ii) includes information on how to contact the operator by phone;
- (b) mail or deliver the notification letter to all residents and owners of residential dwellings abutting or across the street from the **type A short term rental** premises;
- (c) provide a copy of the notification letter and a list with the names and addresses of all persons that received the notification letter;
- (d) provide a copy of the fire evacuation plan required by the **Business Regulation Bylaw**; and
- (e) pay the required annual type A short-term rental business licence fee specified in the Consolidated Fee Bylaw No. 8636 for the Short-Term Rental Use category of this bylaw.

2.4.3 Every **type B short-term rental** (*bed & breakfast, portion of single family house*) **applicant** must at the time of application:

- (a) 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;
- (b) mail or deliver the notification letter to all residents and owners of residential dwellings abutting or across the street from the **type B short term rental** premises;
- (c) provide a copy of the notification letter and a list with the names and addresses of all persons that received the notification letter;
- (a) if required by the **Business Regulation Bylaw**, provide evidence of Approved Accommodation status from Tourism British Columbia;
- (b) provide a copy of the fire evacuation plan required by the **Business Regulation Bylaw**;

- (c) 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 **type B short-term rental**; and
 - (d) provide a property site plan showing:
 - (A) the location and dimension of the driveway identifying vehicle parking spaces for residences and guests for each guest room;
 - (B) the location of the residence on the property with setbacks indicated from all property lines;
 - (C) landscaping and open areas as required by the **Zoning Bylaw**;
 - (D) signage size and placement as permitted by the **Zoning Bylaw**; and
 - (e) pay the required annual type B short-term rental business licence fee specified in the Consolidated Fee Bylaw No. 8636 for the Short-Term Rental Use category of this bylaw.
- 2.4.4 Every **type C short-term rental** (*whole or portion of strata condo or townhouse*) **applicant** must at the time of application:
- (a) provide a declaration signed by the **applicant's** strata council certifying that use of the premises as a **short-term rental** is permitted by the strata corporation's rules and bylaws;
 - (b) pay the required annual type C short-term rental business licence fee specified in the Consolidated Fee Bylaw No. 8636 for the Short-Term Rental Use category of this bylaw.
- 2.4.5 Every **type A short-term rental applicant** upon submission of requirements in section 2.4.1 and 2.4.2, and prior to a **business licence** being granted, shall arrange with the **Licence Inspector** for a site inspection, which may include inspectors from the Fire Rescue and Building Departments.
- 2.4.6 Every **type B short-term rental applicant** upon submission of requirements in section 2.4.1 and 2.4.3, as applicable, and prior to a **business licence** being granted, shall arrange with the **Licence Inspector** for a site inspection, which may include inspectors from the Fire Rescue and Building Departments, and Vancouver Coastal Health Authority.
- 2.4.7 Every **type C short-term rental applicant** upon submission of requirements in section 2.4.1 and 2.4.4, and prior to a **business licence** being granted, shall arrange with the **Licence Inspector** for a site inspection, if required by the **Licence Inspector**, which may include inspectors from the Fire Rescue and Building Departments.

- 2.4.8 The **Licence Inspector** shall, when issuing a **business licence** for any **type A short-term rental, type B short-term rental or type C short-term rental**, provide to the operator a copy of the **City's short-term rental Code of Conduct**.
- 5.5.9 The **Licence Inspector** shall, when issuing a **business licence** for any **type B short-term rental**, provide to the operator a copy of the **City's bed & breakfast establishment Code of Conduct**.
- 2.4.12 If the premises for which a **licence** is issued or renewed under this bylaw are a **type B short-term rental**, the **Licence Inspector** may require as a condition of the **business licence** that the **operator** provide privacy screening or landscaping in the side or rear yard of the premises, at locations specified in the **licence**, prior to the accommodation of guests in the premises.”.
3. **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 SHORT-TERM RENTAL USE CATEGORY** means the use of premises or facilities as **short term rentals**, including **type A short-term rentals, type B short-term rentals, and type C short-term rentals**, as permitted by this bylaw, the **Business Regulation Bylaw**, and the **Zoning Bylaw**.”.
4. **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.”.

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5. **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.”.

6. **Business Licence Bylaw No. 7360**, as amended, is further amended at Section 7.1 by:

- (a) deleting the definition of “**bed & breakfast establishment**”;
- (b) 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**.”;

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

“**Short-Term Rental** means a short-term rental as defined in the **City’s zoning bylaw**.”;

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

“**Strata Lot** means a lot, strata as defined in the **City’s zoning bylaw**.”; and

- (e) adding the following as the definitions in alphabetical order:

“**Type A Short-Term Rental** means a type A short-term rental as defined in the **City’s zoning bylaw**.

Type B Short-Term Rental means a type B short-term rental as defined in the **City’s zoning bylaw**.

Type C Short-Term Rental means a type C short-term rental as defined in the **City’s zoning bylaw**.”.

7. This Bylaw is cited as **"Business Licence Bylaw No. 7360, Amendment Bylaw No. 9650**
and is effective _____, 201__.

FIRST READING

SECOND READING

THIRD READING

ADOPTED

MAYOR

| | |
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| _____ | CITY OF RICHMOND |
| _____ | APPROVED for content by originating Division |
| _____ | APPROVED for legality by Solicitor |

CORPORATE OFFICER

5224058

**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 Schedule B 3 by deleting the following portion of Schedule B 3:

SCHEDULE B 3**BUSINESS REGULATION BYLAW NO. 7538**

| Column 1 Offence | Column 2 Section | Column 3 Fine |
|---|---------------------|------------------|
| 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 |

2. **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**

| Column 1 Offence | Column 2 Section | Column 3 Fine |
|---|---------------------|------------------|
| Rentals for less than 30 days without licence | 22.1 | \$1000 |
| Premises not operator's primary residence | 22.2.1 | \$1000 |
| No access to Guest Register | 22.2.2 | \$1000 |
| Failure to maintain Fire Evacuation Plan | 22.2.3 | \$250 |
| Failure to maintain Fire Evacuation Plan | 22.2.4(a) | \$250 |
| Food preparation in room used for guest accommodation | 22.2.4(b) | \$250 |
| Failure to maintain Approved Accommodation Status | 22.2.4(c) | \$250 |

5224243

3. **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 |
|--|---------------------|------------------|
| Parking or storing large commercial vehicle shipping container | 3.5.3 | \$100 |
| Parking or storing large commercial vehicle | 3.5.4 | \$100 |
| Dwellings – rentals for less than 30 days | 5.5.1 | \$1000 |
| Short-term Rental – not operator's principal residence | 5.5.3 | \$1000 |
| Type A Short-term Rental – excess guest capacity | 5.5.5(a) | \$1000 |
| Type B Short-term Rental – excess guest capacity | 5.5.6(a) | \$1000 |
| Type B Short-term Rental – excess guest rooms | 5.5.6(b) | \$1000 |
| Type B Short-term Rental – excess signage | 5.5.6(e) | \$250 |
| Type C Short-term Rental – excess guest capacity | 5.5.7(b) | \$1000 |
| Failure to maintain required parking spaces | 7.7.1 | \$250 |

4. This Bylaw is cited as “**Municipal Ticket Information Authorization Bylaw No. 7321, Amendment Bylaw No. 9651**”, and is effective _____, 201__.

FIRST READING _____

SECOND READING _____

THIRD READING _____

ADOPTED _____

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

MAYOR

CORPORATE OFFICER



City of
Richmond

Bylaw 9652

**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, Short-Term Rental 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 _____, 201__.

FIRST READING

SECOND READING

THIRD READING

ADOPTED

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

MAYOR

CORPORATE OFFICER

Business Licence Bylaw No. 7360
Short-Term Rental Use

| Description | Fee |
|---|------------|
| Type A Short-Term Rental Business Licence <i>(whole single family house)</i> | \$158.00 |
| Type B Short-Term Rental Business Licence <i>(bed & breakfast, portion of single family house)</i> | \$158.00 |
| Type C Short-Term Rental Business Licence <i>(whole or portion of strata condo or townhouse)</i> | \$158.00 |

5224239

Attachment 7



November 18, 2016

Mayor Brodie and Members of Council
City of Richmond
6911 No. 3 Road
Richmond, BC V6Y 2C1

RE: Request to rescind Provincial Tax Regulation 78(1)(b)

Dear Mayor and Council,

We understand the City of Richmond has been working to mitigate the negative impacts of nightly short-term rentals in our community. We strongly support these efforts and commend Council for its leadership on this issue. However, we are concerned that Council's resources in this matter are stretched, and that meaningful action from the provincial government is required to resolve this issue in a timely manner.

Richmond Hotel Association represents 20 hotels with the City of Richmond and our members over the last year have experienced continual challenges with assisting new or existing employees to locate affordable monthly rental accommodation. The vacancy rate is often near zero, and in some cases we have lost potential employees due to this chronic rental shortage. Making matters worse, there are no indications this trend will change in the year ahead.

As Council well knows, many British Columbians have embraced short-term residential rental companies such as Airbnb and Vacation Rental by Owner (VRBO). While these online platforms have in some cases brought new visitors and tourism spending to BC, they have also negatively impacted the availability and affordability of monthly rental accommodations. One of the challenges is that these agencies are not subject to the same regulatory, legal, taxation, health and safety, or insurance laws as traditional accommodation providers.

For example, residents who offer fewer than four rooms for rent do not have to collect provincial sales taxes when renting those accommodations. This exemption has created an unclear business environment, and made it all but impossible for municipalities—even those with stringent bylaws targeting short-term rental accommodations—to effectively enforce the rules.

Eliminating section 78(1)(b) of BC's *Provincial Sales Tax Act* (Provincial Sales Tax Exemption and Refund Regulations) will eliminate this exemption and significantly enhance our community's enforcement regime. Not only will it encourage our local renters to register their business income fairly, but it will also increase voluntary compliance among landlords who risk finding themselves off-side with both local bylaws and the provincial tax code.

On behalf of the Board of Directors, we therefore respectfully request that the City of Richmond write to the Minister of Finance and formally request that *Provincial Sales Tax Act* exemption 78(1)(b) be rescinded. Council's support in this matter will be vital to encouraging effective action from BC's provincial government. We have attached a sample letter for Council's consideration.

Yours truly,



Gary Collinge
Chair

Richmond Hotel Association

cc: RHA Board of Directors