

CITY OF BURNABY

BYLAW NO. 14272

A BYLAW to amend the Business Licence Bylaw

The Council of the City of Burnaby ENACTS as follows:

1. This Bylaw may be cited as **BURNABY BUSINESS LICENCE BYLAW 2017, AMENDMENT BYLAW NO. 3, 2020.**
2. The Burnaby Business Licence Bylaw 2017, as amended, is further amended by adding the schedule attached to this Bylaw as Schedule “G”.
3. This Bylaw comes into force and effect on June 1, 2021.

Read a first time this	day of	, 2020
Read a second time this	day of	, 2021
Read a third time this	day of	, 2021
Reconsidered and adopted this	day of	, 2021

MAYOR

CLERK

**SCHEDULE “G”
SHORT-TERM RENTAL REGULATIONS**

1.0 Definitions

1.1 In this Schedule,

- “**dwelling unit**” has the same meaning as in the *Zoning Bylaw*;
- “**market**” means to offer for sale, promote, canvass, solicit, advertise, or facilitate **short-term rental**, and includes placing, posting or erecting advertisements physically or online, but does not include the mere provision of a neutral space or location for such marketing in newspapers, bulletin boards, or online;
- “**multiple family dwelling**” has the same meaning as in the *Zoning Bylaw*;
- “**neighbour**” means an owner or occupier of a property located within a 30 meter (100 feet) radius of the **short-term rental operator’s principal residence unit**, where such distance is measured from the perimeter property lines of such **principal residence unit**, provided that where a property located within such 30 meter (100 feet) radius of the **short-term rental operator’s principal residence unit** is a multiple family dwelling that is managed and controlled by a **strata corporation**, “**neighbour**” means the **strata corporation** of such multiple family dwelling;
- “**notification**” means the information that a **short-term rental operator** delivers to their **neighbours** in accordance with section 4.1 of this Schedule;
- “**principal residence unit**” means the **dwelling unit** which a registered owner of the **dwelling unit** makes their home and from which such registered owner conducts their daily affairs, including, without limitation, paying bills and receiving mail, and is generally the **dwelling unit** with the residential address used on documentation related to billing, identification, taxation and insurance purposes, including, without limitation, income tax returns, Medical Services Plan documentation, driver’s licenses, personal identification, vehicle registration and utility bills;
- “**responsible person**” means a person designated by the **short-term rental operator** who, at all times that the **short-term rental** is operated, has access to the **short-term rental** and authority to make decisions in relation to the **short-term rental** and the rental agreement;
- “**row housing dwelling**” has the same meaning as in the *Zoning Bylaw*;
- “**short-term rental**” has the same meaning as in the *Zoning Bylaw*;
- “**short-term rental operator**” means a person who carries on the business of providing **short-term rental**;

“single family dwelling”	has the same meaning as in the <i>Zoning Bylaw</i> ;
“strata corporation”	has the same meaning as in the <i>Strata Property Act</i> ;
“strata lot”	has the same meaning as in the <i>Strata Property Act</i> ;
“ <i>Strata Property Act</i> ”	means the <i>Strata Property Act</i> , as amended or replaced from time to time,
“two family dwelling”	has the same meaning as in the <i>Zoning Bylaw</i> ; and
“ <i>Zoning Bylaw</i> ”	means the <i>Burnaby Zoning Bylaw, 1965</i> , as amended or replaced from time to time.

2.0 Licence Required

- 2.1 No person shall carry on business as a **short-term rental operator** without having first obtained a **business licence** to do so from the **Chief Licence Inspector**.
- 2.2 No person shall **market** any **short-term rental** unless they hold a **business licence** as a **short-term rental operator** for that **short-term rental**.
- 2.3 The **Chief Licence Inspector** may not issue more than one **business licence** for a **short-term rental operator** for a **dwelling unit**.
- 2.4 Without limiting the generality of section 4.1(d) of this **Bylaw**, a person applying for the issuance or renewal of a **business licence** to carry on business as a **short-term rental operator** shall:
 - (a) provide, in the form satisfactory to the **Chief Licence Inspector**, evidence that the **dwelling unit** in which the **short-term rental** will be operated is the applicant’s **principal residence unit**; and
 - (b) if the short-term rental is located within a **strata lot**, provide authorization from the **strata corporation** in the form satisfactory to the **Chief Licence Inspector**.

3.0 Regulations

- 3.1 No person shall carry on business as a **short-term rental operator** unless the **short-term rental** being provided is in the **principal residence unit** of that person.
- 3.2 No person may hold more than one **business licence** as a **short-term rental operator**.
- 3.3 No corporation may carry on the business of a **short-term rental operator**.
- 3.4 A **short-term rental operator** shall not **market** the **short-term rental** they are licensed to provide without including their City of Burnaby **business licence** number in a conspicuous place in any medium or material used to **market** the **short-term rental**.
- 3.5 A **short-term rental operator** shall not **market** more than one **short-term rental** under their **business licence**.
- 3.6 A **short-term rental operator** shall not operate a **short-term rental** for more than 90 nights in a

calendar year, provided further that of those 90 nights, a **short-term rental operator** may not be absent from their **principal residence unit** for more than 28 nights. For clarity, the aforementioned 90 nights and 28 nights do not need to be consecutive nights.

4.0 Short-Term Rental Operator Obligations

4.1 A **short-term rental operator** whose **principal residence unit** is a **single family dwelling**, **two family dwelling**, or **row housing dwelling**, shall deliver the following information to their **neighbours** on an annual basis at least 10 days prior to the first day in a calendar year that a **short-term rental operator** operates a **short-term rental**:

- (a) the name and telephone contact information of the **short-term rental operator** and a **responsible person**; and
- (b) such other information as may be required by the **Chief Licence Inspector**, all in form and content satisfactory to the **Chief Licence Inspector**.

4.2 A **short-term rental operator** shall:

- (a) maintain for each calendar year in which they operate a **short-term rental**:
 - (i) a copy of the **notification** provided to their **neighbours**; and
 - (ii) a record of every address to which the **short-term rental operator** delivered the **notification**, and the date the **notification** was delivered to each address; and
- (b) upon request, provide to an **Inspector** the documents referred to in sections 4.2(a)(i) and 4.2(a)(ii) of this Schedule.

4.3 A **short-term rental operator** shall at all times post a copy of their **short-term operator business licence** in a conspicuous place within the **short-term rental**.

4.4 A **short-term rental operator** shall provide the following information to guests in a **short-term rental**:

- (a) the name and telephone number of the **short-term rental operator** and a **responsible person** for emergency contact purposes;
- (b) information on relevant City bylaws, including those regarding quiet hours, parking restrictions, and garbage and recycling; and
- (c) such other information as required by the **Chief Licence Inspector**.

4.5 A **short-term rental operator** or **responsible person** shall attend at the **short-term rental** within two hours of being requested to do so and be available at all times to respond to complaints received in respect of the **short-term rental**.

4.6 A **short-term rental operator** shall:

- (a) maintain a written record, in English, of:
 - (i) the dates they operated a **short-term rental**;
 - (ii) whether the **short-term rental operator** was present at or absent from the **principal residence unit** on each of those dates; and
 - (iii) the number of guests for each **short-term rental** booking;
- (b) maintain copies of receipts or invoices for each **short-term rental** booking; and
- (c) upon request, provide to an **Inspector** the documents referred to in sections 4.6(a) and (b) of this Schedule.

4.7 A **short-term rental operator** shall post a fire safety plan by all entrances and exits to the **short-term rental**.