

NO: R066

COUNCIL DATE: April 8, 2024

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## REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **April 3, 2024**

FROM: **General Manager, Planning & Development**

FILE: **4815-01**

SUBJECT: **Short-Term Rentals in Surrey**

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## RECOMMENDATION

The Planning & Development Department recommends that Council:

1. Receive this report as information;
2. Endorse the proposed draft policy for Short-Term Rentals, as attached in Appendix “I” and described in this report; and
3. Authorize the City Clerk to bring forward the necessary amendment bylaws for the *Surrey Zoning By-law, 1993, No. 12000; Business License By-law, 1999, No. 13680; Surrey Bylaw Notice Enforcement Bylaw, 2016, No. 18691; and Surrey Municipal Ticket Information Utilization By-law, 1994, No. 12508*, for the required readings and to set a date for the related public hearing.

## INTENT

The intent of this report is to obtain Council approval of a proposed short-term rental accommodation policy in Surrey and, if approved, to authorize staff to bring forward the necessary bylaw amendments.

## BACKGROUND

On October 26, 2023, the provincial government approved the *Short-Term Rental Accommodations Act* to regulate short-term rental accommodations in the province. This legislation is intended to address the current housing shortage and give local governments stronger tools to enforce short-term rental bylaws. The Province will now also play a role in the regulation of short-term rentals.

As of May 1, 2024, the Province will limit short-term rentals to the host’s principal residence plus one secondary suite or accessory dwelling unit and requires hosts to display their valid business licences on their listings. By Summer 2024, local governments and the Province will begin sharing their data, allowing for the removal of listings without valid provincial registry numbers. In late 2024, the Province will make it mandatory for hosts and platforms to register with the Province, and will require platforms to remove listings without valid provincial registry numbers. In order

to comply with the new legislation, the City needs to establish a Short-Term Rental (“STR”) Policy.

## **DISCUSSION**

The Province’s *Short-Term Rental Accommodations Act* and associated guidelines provide a framework from which municipalities can establish or develop their short-term rental bylaws. Components that are required by the Province include a principal residence requirement and guidance on duration and business licensing. Matters related to zoning or fines are not defined.

Staff have reviewed guidelines and propose a STR Policy that generally aligns with the Provincial guidelines and considers Surrey’s local context. The proposed STR Policy is attached as Appendix “I” and provided below, with detailed background and policy rationale provided in Appendix “II”.

### **Proposed Short-Term Rental Policy**

The following components of the proposed STR Policy align with the provincial guidelines and legislation:

#### 1. Principal Residence and Accommodation Type

- The provincial legislation requires that the STR be operated in a principal residence. It is proposed that a range of housing types be included, such as a principal residence single-family dwelling and its secondary suite or coach house; principal residence whole townhouse; and principal residence apartment and its lock-off suite (if applicable).

#### 2. Duration of Short-Term Rentals

- The Province defines an STR as less than 90-days and does not prevent local governments from continuing to define STRs differently (longer or shorter) from the Province’s 90-day definition if they choose. It is proposed that Surrey’s STR align with the provincial guidance and be for a period of less than 90-days, with no limit on the maximum number of bookings per customer per year.

#### 3. Business Licence

- The Province will be requiring short-term rental platforms to remove short-term rental listings that do not have valid local government business licences and platforms must not post listings that do not include a valid provincial registry number. It is proposed that Surrey’s policy require a business licence for a STR. The rate proposed is \$350 per year plus any applicable application fees. This rate aligns with most municipalities in the local region.

The following aspects of the STR Policy are not defined by the Province, but are proposed based on Surrey’s context and alignment with other cities’ policies in the region (Appendix “III” provides a comparison of STRs by municipality):

4. Who Can Host a Short-Term Rental

- The Province does not specify whether the host of a short-term rental should be an owner or a tenant. With its initial rollout, and for simplicity, it is recommended that the short-term rental host be restricted to the owner of the property.

5. Zoning

- While STRs are found in different types of zones – residential, mixed-use, agricultural, institutional, and industrial – most cities in the region permit STRs largely in residential and agricultural zones. It is proposed that STRs be permitted in all residential zones, mixed-use zones, and agricultural zones.

6. Compliance, Enforcement, and Fines

- The appropriate Bylaws would be amended to enable the City to issue bylaw notice enforcement tickets for the enforcement of municipal bylaws.

## CONCLUSION

With the implementation of the new provincial short-term rental legislation approaching in May, it is prudent that Surrey develops a short-term rental policy and requirements as described in this report.

*Original signed by*

Don Luymes

General Manager, Planning & Development

Appendix “I” Proposed Short-Term Rentals Policy

Appendix “II” Background and Policy Rationale

Appendix “III” Comparison of Short-Term Rentals by Municipality

**DRAFT SHORT-TERM RENTAL POLICY**

1. Principal Residence and Accommodation Type

- A Short-Term Rental (“STR”) must be operated in a principal residence. A range of housing types are included, such as a principal residence single-family dwelling and its secondary suite or coach house; principal residence whole townhouse; and principal residence apartment and its lock-off suite (if applicable).

2. Duration of Short-Term Rentals

- A STR is for a period of less than 90-days. There is no limit on the maximum number of bookings per customer per year.

3. Business Licence

- A STR requires a business licence. The cost is \$350 per year plus any applicable application fees.

4. Who Can Host a Short-Term Rental

- A STR is restricted to the owner of the property.

5. Zoning

- A STR is permitted in all residential zones, mixed-use zones, and agricultural zones.

6. Compliance and Enforcement

- The City will issue bylaw notice enforcement tickets for non-compliance with STR Bylaw regulations.

### BACKGROUND AND POLICY RATIONALE

#### Introduction

Short-term rentals are temporary accommodations or living spaces, often furnished, that provide an alternative to traditional tourist accommodations, such as hotels. They are commonly known as vacation rentals. Short-term rentals may also be used by people on temporary work assignment or medical stays.

Listed and booked through online platforms such as Airbnb and VRBO, as well as on web-listing forums (e.g., Craigslist and Kijiji) and in classified ads in newspapers, short-term rentals provide homeowners with an income stream which can help offset their housing costs. Hosts/operators rent out their property for short periods of time and with less commitment than a long-term tenancy.

Over the last decade, the demand for short-term rental accommodations has increased significantly, contributing to the province’s housing shortage by reducing the supply of residential units for long-term use (in both the long-term rental market and the supply available for home ownership).

On October 26, 2023, the provincial government approved legislation to regulate short-term rental accommodations in the province. This legislation, the *Short-Term Rental Accommodations Act* (the “Act”) will address the current housing shortage in the province by returning units to the long-term rental market. The Act will give local governments stronger tools to enforce short-term rental bylaws and will create a new provincial role in the regulation of short-term rentals.

The City of Surrey currently does not have policy regarding short-term rental accommodations. To align with forthcoming Provincial regulations, this paper discusses the merits of introducing short-term rental accommodation policy in Surrey.

#### Background

##### Provincial Requirements

As of May 1, 2024, the Province will limit short-term rentals to the host’s principal residence plus one secondary suite or accessory dwelling unit. The Province will also require hosts to display their valid business licences on their listings by this date. In Spring/Summer 2024, local governments (who issue business licences) and the Province (who collects short-term rental listing information from the platforms) will begin sharing their data, allowing for the removal of listings without valid provincial registry numbers. In late 2024/early 2025, the Province will make it mandatory for hosts and platforms to register with the Province, and will require platforms to remove listings without valid provincial registry numbers.

The Province’s definition of short-term rentals is also important to consider. The Province defines short-term rental accommodation service as “the service of accommodation in the property of a property host, in exchange for a fee, that is provided to members of the public for a period of time of less than 90 consecutive days or another prescribed period, if any, but does not include a

prescribed accommodation service”. It should also be noted that a booking made on a short-term rental platform is generally not covered by the Residential Tenancy Act.

### Federal Government Announcement

On November 22, 2023, the Federal Government announced as part of its 2023 Fall Economic Statement that it intends to deny income tax deductions for expenses incurred for short-term rental income (e.g., strata fees, mortgage interest rates) in provinces and municipalities that have prohibited short-term rentals, and when short-term rentals are not compliant with the applicable provincial or municipal licensing, permitting, or registration requirements. These measures would apply to all expenses incurred on or after January 1, 2024.

### OAP Municipal and Regional District Tax and Affordable Housing Initiatives

The City receives a 3% Municipal and Regional District Tax (“MRDT”) collected by the Province from Online Accommodation Providers (“OAPs”) for short-term rentals listed in Surrey. In 2022, this amounted to \$441,950.10 in OAP MRDT revenue. These funds are currently remitted by the City to Discover Surrey and the Surrey Hotel and Motel Association (“SHMA”) for tourism promotion purposes. This is in addition to the \$1,693,227.72 in non-OAP MRDT revenue Discover Surrey and SHMA received in 2022.

As permitted by the Province, cities that are designated recipients of MRDT funds can retain the portion of MRDT funds related to OAPs to support affordable housing initiatives. Accordingly, the City is required to submit an Affordable Housing Plan to the Province before November 30, 2023, to retain the funds in the following year. Retention of these funds does not require the City to have short-term rental regulations in place.

### **Policy Considerations**

#### Impacts on Surrey’s Housing Stock

In Surrey, short-term rentals are not regulated; however, according to a recent report conducted by McGill University on the impact of short-term rentals on housing in BC, Surrey saw an average of 800 available short-term rental listings over the course of a given day in 2022, growing by 71.5% compared to 2021. This includes both dedicated short-term rental properties and individual rooms within shared homes. The number of dedicated short-term rental properties in Surrey alone increased by 56.7% from 290 units in 2021 to 450 units by the end of 2022.

Although the number of dedicated short-term rentals represent only a small proportion of Surrey’s overall housing stock (approximately 0.4%), the impact of the loss of long-term rental stock has implications on the availability and affordability of rental housing in Surrey. Surrey’s vacancy rate as of 2021 was only 0.6%, while a healthy vacancy rate would be in the range of 3-5%.

#### Community Complaints

Despite the popularity of short-term rentals, complaints related to short-term rentals are very low with only a total of 366 complaints in the last three years (March 2021 – March 2024). This represents only 0.7% of total general bylaw complaints. Common complaints relate mostly to

noise and neighbourhood disturbance issues (e.g., parties, garbage on the street, parking) and are dispersed throughout the City.

### Short-Term Rental Requirements in Other Municipalities

Municipalities in Metro Vancouver, across Canada, and the United States that currently have short-term rental regulations define short-term rental as a principal residence and require a business licence to operate. Most specify a term of less than 30-days (or a month) and charge a fee for the business licence. Short-term rentals are regulated through the municipality's Zoning By-laws, Business Licence By-laws, Municipal Ticket By-laws, and other related bylaws to short-term rentals.

Appendix "II" provides a comparison of short-term rental regulations by municipality. With the introduction of the Province's new legislation, other municipalities that don't have short-term rental regulations are actively working on developing them.

### Policy Rationale and Recommendations

In consideration of the above Provincial requirements, how other municipalities are addressing short-term rentals, and the recent federal announcement, it is an appropriate time to review and amend Surrey's bylaws (including the Zoning By-law, Business Licence Bylaw, Bylaw Notice Enforcement Bylaw, and Municipal Ticket Information Utilization By-law) using provincial regulations as a base and taking into consideration what other municipalities are doing. This will provide a palatable introduction of new legislation for short-term rentals.

In developing policy for short-term rentals, the following should be considered:

#### *1. Accommodation Type*

The Province requires a short-term rental to be a principal residence, but it does not prescribe what form of housing the residence has to be. There is no restriction on the number of single rooms rented or accommodation type. Short-term rentals can be found in a variety of housing types: a whole house, a portion of a house such as a room, a secondary suite, a coach/laneway house, a townhouse, an apartment, and a lock-off suite. Surrey should consider which of these housing types a short-term rental can be permitted in.

In the City of Vancouver, short-term rentals are permitted in a dwelling unit, one or more bedrooms in a dwelling unit, a secondary suite, a laneway house, or a lock-off unit. In the City of Burnaby, short-term rentals are permitted in a single-family dwelling, two-family dwelling, row housing dwelling, townhouse dwelling, and multiple family dwelling; however, unlike Vancouver, Burnaby does not permit short-term rentals in a rental unit, a secondary suite, or a multi-family flex unit (lock-off unit). In the City of Victoria, short-term rentals are permitted in a single-family dwelling or in a condo up to a maximum of two bedrooms; but, like Burnaby, does not allow short-term rental in a secondary suite or garden suite. Regardless, a tenant may rent out their unit on occasion with the owner's permission.

Beyond the province of BC, the City of Toronto allows for short-term rentals in a dwelling unit, secondary suite, or lock-off unit with restrictions, and tenants may rent out the unit with the owner's permission. The City of Calgary and City of Montreal provide for greater flexibility,

allowing short term rental in primary and secondary homes, in all or part of a dwelling unit whether it be single family or apartment. In the City of New York, short term rental is permitted in a dwelling unit (owner-occupied or tenanted) in which the owner must be physically present in the home for the duration of the rental, sharing living quarters with their guest. In the City of San Francisco, short term rental is permitted in a residential use except in a single room occupancy or dormitory, below-market-rate or public housing unit, and accessory dwelling unit.

### *Recommendation*

As Surrey does not currently have regulations for short-term rentals, it is recommended that, for accommodation type, Surrey begin with following the provincial requirement to limit short-term rentals to the host's principal residence and one secondary suite or accessory dwelling unit. A short-term rental accommodation would include a range of housing types in Surrey, including principal residence single family dwelling and its secondary suite or coach house; principal residence whole townhouse; and principal residence apartment and its lock-off suite (if applicable).

### 2. Who Can Host a Short-Term Rental

The Province does not specify whether the host of a short-term rental should be an owner or a tenant; however, if the host is a tenant, the Province may verify the tenant's principal residence status through the tenancy agreement between the tenant and the landlord. Some local governments have a Landlord Consent Form as part of the business licence application. The City of Vancouver is an example of where a tenant host must have the landlord's permission, as well as strata approval (for strata properties). In the City of Victoria, a tenant may rent out their unit on occasion with the owner's permission. The City of San Francisco allows for tenants to rent out their unit. The City of New York encourages tenants to discuss their short-term rental plans with their landlord as the City notifies landlords when a short-term application has been made and owners are able to place their building on a prohibited buildings list or let the city know that short-term rentals are not permitted in their buildings.

### *Recommendation*

With its initial rollout, and for simplicity, it is recommended that the short-term rental host be restricted to the owner of the property.

### 3. *Duration of Short-Term Rentals*

The Province defines a short-term rental as less than 90-days; however, most municipalities allow a short-term rental period of less than 30-days (or a month) and will continue to do so with the new legislation. The Province states that the "Short-Term Rental Accommodations Act does not prevent local governments from continuing to define short-term rentals differently, long or shorter, from the Province's 90-day definition if they choose, for the purpose of their local bylaws." This is something to consider in deciding the time period for which short-term rentals in Surrey will be permitted. If a period of, for example, less than 30-days is chosen, the local government will regulate for that term, leaving the Province to regulate for the remaining period of up to 90-days.



Another consideration is that short-term rentals, such as long-stay vacations, temporary work assignments, or medical stays, can extend beyond a period of 30-days.

Defining short-term rentals for a period of 90-days should not affect long-term rentals that are month-to-month as long-term rentals are often under contract with the intent of long-term rental as a home. As mentioned earlier, a booking made on a short-term rental platform is generally not covered by the Residential Tenancy Act.

In addition, some municipalities have a maximum number of days/nights (e.g., 90-days) in a calendar year, such as the City of Burnaby and the City of San Francisco. Municipalities also limit the number of bookings in a dwelling at a time. For example, not allowing multiple rooms in a dwelling to be rented by separate customers. The City of Vancouver only permits one booking in each dwelling unit at a time.

Another issue to consider is that the MRDT is collected for short-term rental accommodation that is only less than 27 continuous days in designated areas. Short-term accommodation that is 27 or more continuous days are exempt from MRDT; however, the collection of MRDT is not based on whether an accommodation is captured under the Province's definition of short-term rental accommodation service, as evidenced in the MRDT funds that are currently remitted to the City. In addition, since the short-term regulations may reduce the number of short-term rentals in the City, affordable housing initiatives may not end up relying on MRDT funds.

#### *Recommendation*

To be consistent with the Province's definition, it is recommended that Surrey consider a period of less than 90-days. At this time, due to the low level of complaints Surrey's received for existing short-term rentals, there will be no limit on the maximum number of bookings per customer per year; however, this may be changed in the future, as needed.

#### *4. Zones*

Short-term rentals are found in different types of zones: residential, mixed-use, agricultural, institutional, and industrial.

In the City of Vancouver, short-term rentals are given conditional approval (subject to conditions as determined by the Director of Planning) in residential zones, commercial zones, historic areas, and in a limited agriculture zone. The City of Burnaby permits short-term rentals in residential, commercial, institutional (university district), and agricultural zones.

Maximum density of short-term rentals or percentage of total dwellings in a community that may be used for short-term rentals may also be considered.

The City should consider which types of zones short-term rentals are permitted. Residential and mixed-use zones would be practical, but short-term rentals can also be considered in other types of zones, such as agricultural zones that permit a single-family dwelling and where impact on neighbours would be minimal. It should also be noted that lands with BC Assessment farm class (Class 9), whether or not in the Agricultural Land Reserve ("ALR"), are exempt from the Province's principal residence requirement.

### *Recommendation*

It is recommended that short-term rentals be permitted in residential zones, mixed-use zones, and agricultural zones.

#### *5. Business Licence*

The City should consider requiring a business licence for short-term rentals.

The Province will be requiring short-term rental platforms to remove short-term rental listings that “do not have valid local government business licences, when requested by the local government, and must not post listings that do not include a valid provincial registry number. These new accountability measures will ensure that properties listed on short-term rental platforms have the requisite local and provincial approvals to operate.” Data sharing between the Province and local governments will be prioritized for local governments that have an existing short-term rental bylaw that requires short-term rental business licences.

In addition to the above, requiring a business licence is standard practice. Other municipalities in Metro Vancouver that regulate short-term rentals require a business licence. An exception is the Village of Lions Bay, which requires a temporary use permit. There, the owner must submit an application (including a state of title certificate), should live on site or in Lions Bay (or have an agent within Lions Bay), and must provide their contact information to the municipality and all neighbouring residents within 50 m of the property. Temporary use permits may not be the best option as they may result in constant notification to neighbours from potentially multiple neighbours hosting short-term rentals, particularly during busy seasons. As mentioned, other municipalities in Metro Vancouver, in other parts of Canada, and in the United States use business licences. Most municipalities charge an annual fee (ranging from \$150 to \$1,000 per year), plus a one-time application fee. The City of Toronto charges a one-time application fee and an ongoing fee for every night booked.

The City charges a rate of \$132.50 per year for a bed and breakfast business licence, and \$20 per year for each room for a hotel/motel/rooming house business licence. Although a short-term rental may be compared to a bed and breakfast use, in a bed and breakfast, the owners are present during the guests’ stay and can help prevent potential neighbourhood disturbance issues. In a short-term rental, owners are not present (or less likely to be), which may result in more enforcement issues and City staff time (bylaw enforcement and related administrative costs). Hence, a rate higher than what is permitted for bed and breakfasts should be considered for short-term rental business licences.

### *Recommendation*

It is recommended that a business licence be required for a short-term rental at a rate of \$350 per year plus any applicable application fees.

## 6. Compliance, Enforcement, and Fines

If requiring a business licence for short-term rentals, the City will have to determine a process for compliance and enforcement, and set fines. The Province allows local governments to issue fines under the Bylaw Enforcement Ticket Regulations, the maximum fine being \$3,000 per infraction day. The Province will provide details regarding the launch of their registry in Fall 2024.

As mentioned, the Province and local governments will be sharing data, which will support enforcement and removal of short-term rental listings without valid provincial registry numbers. The Province's registry will receive short-term rental listing data directly from platforms and then share it with local governments. Prior to sharing the data, a data sharing agreement will be made between the Province and local governments. Information will include details such as names, addresses, and booking information.

While the Province's compliance unit will be responsible for enforcing the regulations under the provincial Act, local governments will be responsible for enforcing their own municipal bylaws, which may be more restrictive than the Act (e.g., no short-term rentals in secondary suites).

### *Recommendation*

It is recommended that amendments be made to the *Surrey Bylaw Notice Enforcement Bylaw, 2016, No. 18691* to enable the City to issue bylaw notice enforcement tickets for the enforcement of municipal bylaws (step 1). It is also recommended that amendments be made to the *Surrey Municipal Ticket Information Utilization By-law, 1994, No. 12508* for enforcement of municipal bylaws, as the next step after the Bylaw Notice Enforcement Bylaw is applied (step 2).

Comparison of Short-Term Rentals By Municipality

Municipality	Definitions	Where it is Permitted	Term	Business Licence Required?	Bylaw	Zones
City of Vancouver	<p><b>Short Term Rental Accommodation.</b> The use of a dwelling unit, or one or more bedrooms in a dwelling unit, as temporary accommodation, but does not include Bed and Breakfast Accommodation or Hotel.</p> <p><b>Principal Residence Unit</b> means the dwelling where an individual lives, makes their home and 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;</p> <p><b>Booking</b> means a confirmed reservation of the dwelling unit, or of one or more bedrooms, as Short-Term Rental Accommodation.</p>	<p>Dwelling unit, secondary suite, laneway house, or lock-off unit that is a principal residence unit.</p> <p>Not permitted in an accessory building, vehicle, or in a dwelling unit in combination with bed and breakfast accommodation.</p> <p>Max. two adults per bedroom.</p> <p>No more than one booking may be permitted in each dwelling unit at 1 time.</p>	Less than 30 consecutive days	<p>Yes</p> <p>2023: \$109</p> <p>2024 (draft, may be approved in December 2023?): \$1,000</p> <p>One-Time Application Fee (non-refundable): \$66</p> <p><b>You must have strata approval and/or your landlord must permit the use of short-term rentals in your home before you apply for a licence.</b></p>	<p><a href="#">Zoning and Development Bylaw</a></p> <p><a href="#">By-law No. 12078</a> (short-term rental accommodations and zoning)</p> <p><a href="#">By-law No. 12079</a> (short-term rental operators and the licence fee)</p> <p><a href="#">By-law No. 12080</a> (short-term rental fines)</p> <p><a href="#">Bylaw No. 12581</a> (Property Manager requirements and fees for short-term rentals)</p>	<p>Conditional Approval (allowed subject to conditions as determined by the Director of Planning) in the following zones:</p> <ul style="list-style-type: none"> <li>Limited Agriculture: RA-1</li> <li>Residential: RT-1, RT-2, RT-3, RT-4, RT-4A, RT-4N, RT-4AN, RT-5, RT-5N, RT-6, RT-7, RT-8, RT-9, RT-10, RT-10N, RT-11, RT-11N, RM-1, RM-1N, RM-2, RM-3, RM-3A, RM-4, RM-4N, RM-5, RM-5A, RM-5B, RM-5C, RM-5D, RM-6, RM-7, RM-7N, RM-7AN, RM-8, RM-8N, RM-8A, RM-8AN, RM-9A, RM-9AN, RM-9, RM-9N, RM-9BN, RM-10, RM-10N, RM-11, RM-11N, RM-12N, FM-1</li> <li>Residential Inclusive: R1-1</li> <li>Commercial: C-1, C-2, C-2B, C-2C, C-2C1, C-3A, C-5, C-5A, C-6, C-7, C-8, FC-1, FC-2</li> <li>Historic Area: HA-1, HA-1A, HA-2, HA-3, FSD</li> </ul>

Municipality	Definitions	Where it is Permitted	Term	Business Licence Required?	Bylaw	Zones
					<a href="#">By-law No. 4450</a> (issuing of licences and the regulation of business, trades, professions, and other occupations)	
City of Burnaby	<p><b>Short-Term Rental</b> means a dwelling unit or a portion of a dwelling unit used for the temporary accommodation of transient public, not exceeding four unrelated persons, or six persons related by blood, marriage, adoption or foster care, at any one time. Short-term rental does not include a boarding use, or a boarding, lodging or rooming house.</p> <p><b>Principal Residence</b> means a dwelling unit in which one or more occupants of the dwelling unit make their home, and from which occupant or occupants conduct their daily affairs, including, without limitation, paying bills and receiving mail, and is generally the dwelling unit with the residential address used on documentation</p>	<p>Principal residence (single-family dwelling, two-family dwelling, row housing dwelling, townhouse dwelling, and multiple family dwelling).</p> <p>Not permitted in a rental unit, single-family dwelling containing a secondary suite (including within the secondary suite), multi-family flex unit (including within the flex-unit), caretaker unit, in-law suite, boarding use, boarding/lodging/rooming house, childcare facility, group home, home occupation with on-site client services, accessory building or structure.</p>	<p>Max. 90 nights per calendar year for portion of principal residence. 28 of those nights may include rental of entire principal residence.</p> <p>The nights mentioned do not need to be consecutive nights.</p>	<p>Yes</p> <p>\$250</p> <p>Application Fee (non-refundable): \$50</p>	<p>Zoning Bylaw, <a href="#">Business License Bylaw No. 13809</a></p>	<p>R, RM, C8, C9, P11 and A Districts, all of their sub-districts, and the Comprehensive Development District</p> <p>Parking: one parking space for each dwelling unit, or a portion of a dwelling unit that is used for short-term rentals, in addition to the required parking space for the principal residential use. Parking space for short-term rental may be provided in tandem with parking space provided for the principal residential use, provided that the City Engineer is satisfied that such arrangement will not interfere with pedestrian and vehicular movement, fire truck and fire hydrant, or any other access.</p>

Municipality	Definitions	Where it is Permitted	Term	Business Licence Required?	Bylaw	Zones
	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.					
City of Victoria	<p><b>Short-term Rental</b> means the renting of a <i>Dwelling Unit</i>, or any portion of it, for a period of less than 30-days and includes vacation rentals.</p> <p><b>Principal Residence</b> means the usual place where an individual makes their home.</p>	<p>Principal residence (single-family dwelling without a suite, condo).</p> <p>Can't occupy an entire self-contained dwelling unit, unless the operator is temporarily away.</p> <p>Max. two bedrooms.</p> <p>Tenant may rent out with owner's permission.</p>	Less than 30-days	<p>Yes</p> <p>Principal Residence: \$150</p> <p>Non-principal residence: \$1,500</p>	<p><a href="#">Zoning Bylaw 2018</a></p> <p><a href="#">Short-Term Rental Regulation Bylaw No. 18-036</a></p>	<p>General Regulations – <i>Short-term Rental</i> permitted as a <i>Home Occupation</i> in a principal residence.</p> <p>Home Occupation permitted in CBD-1, CBD-2, MRD-1, and OTD-1 Zones</p>
City of Calgary	Policy for short-term rental (not defined in Zoning Bylaw) as “the business of providing temporary accommodation for compensation, in a dwelling unit or portion of a dwelling unit for periods of up to 30 consecutive days.”	<p>Primary or Secondary Residence</p> <p>Tier 1: one to four rooms for rent with a max. of two guests/room, not including minors.</p> <p>Tier 2: five+ rooms for rent for 10 or more guests.</p> <p>Businesses that have been issued a permit for a bed and breakfast are not classified as short-term rentals.</p>	Up to 30 consecutive days	<p>Yes, effective January 1, 2024.</p> <p>Tier 1: \$100/property</p> <p>Tier 2: \$172/property plus cost of a fire</p>	<p>Business Licence Bylaw</p> <p>Community Standards Bylaw</p> <p>Streets Bylaw</p> <p>Parking Bylaw</p>	Not applicable.

Municipality	Definitions	Where it is Permitted	Term	Business Licence Required?	Bylaw	Zones
				inspection of \$104/property	Traffic Bylaw	
City of Toronto	<p><b>Short-term Rental</b> means all or part of a <i>dwelling unit</i>, that:</p> <p>(a) is used to provide sleeping accommodations for any rental period that is less than 28 consecutive days; and</p> <p>(b) is the principal residence of the short-term rental operator.</p>	<p>Principal residence. Dwelling unit, secondary suite, or bed-sitting room* if there are no more than three bed-sitting rooms in a dwelling unit, the secondary suite is exclusively and separately occupied as a principal residence, and is not in a vehicle. Includes bed and breakfasts, but excludes hotels and motels.</p> <p>*bed-sitting room means a room used as separate living accommodations that has a private entrance from a hallway inside a building and may have sanitary facilities but not food prep facilities</p> <p>Required to collect and remit a 6% Municipal Accommodation Tax (MAT) on all rentals.</p>	Less than 28 consecutive days	<p>Yes</p> <p>One-time licence application fee of \$5,321.85 and an ongoing fee of \$1.06 for every short-term rental night booked through the company.</p>	Zoning Bylaw (Section 150.13, and 10.40.20.100)	Residential Detached Zone Residential Semi-Detached Zone
City of Montreal	Short-term tourist rentals mean renting all or part of a home or an apartment to tourists for fewer than 31 days.	<p>Short-term tourist rentals. Renting all or part of a home or an apartment to tourists.</p> <p>Primary and secondary homes.</p>	Fewer than 31 days.	<p>Yes</p> <p>Varies by borough.</p>		<p>Limited to some boroughs. Regulations vary by borough.</p> <p>e.g., Le Sud-Ouest, Rivier-des-Prairies-Pointe-aux-Trembles, Rosemont-La Petite-Patrie</p>

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City of New York	<p><b>Short-term rental.</b> The term “short-term rental” means a rental for fewer than 30 consecutive days of a dwelling unit within a private dwelling or class A multiple dwelling, or in the case of a mixed-use building, a rental of a class A dwelling unit therein for fewer than 30 consecutive days.</p> <p><b>Short-term rental registration number.</b> The term “short-term rental registration number” means a registration number issued by the administering agency in accordance with the registration of a dwelling unit pursuant to these rules and chapter 31 of title 26 of the NYC administrative code.</p>	<p>Principal residence. Dwelling unit.</p> <p>Resident (owner/tenant) must be physically present in the home for the duration of the rental, sharing living quarters with their guest.</p> <p>Registration required. Puts the onus on the platform to enforce them with penalties on the platform for each rental that did not comply.</p>	Fewer than 30 consecutive days	<p>Yes, short-term rental registration required. Expires after four years.</p> <p>The booking service pays an initial fee to use the electronic verification system of \$2.40 USD (\$3.26 CAD)/ listing that it provides during registration, and required to be paid to complete the registration. The administering agency shall charge \$2.40 USD/listing the booking service</p>	<p><a href="#">Final Rules Governing Registration and Requirements for Short-Term Rentals (page 7)</a></p>	



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				submits for verification in a calendar year.		
City of San Francisco	<p><b>Short-Term Residential Rental.</b> A Tourist or Transient Use where all of the following conditions are met:</p> <ul style="list-style-type: none"> <li>(a) the Residential Unit is offered for Tourist or Transient Use by the Permanent Resident of the Residential Unit;</li> <li>(b) the Permanent Resident is a natural person;</li> <li>(c) the Permanent Resident has registered the Residential Unit and maintains good standing on the Department's Short-Term Residential Rental Registry; and</li> <li>(d) the Residential Unit: is not subject to the Inclusionary Affordable Housing Program set forth in Planning Code Section <a href="#">415 et seq.</a>; is not a residential hotel unit subject to the provisions of <a href="#">Chapter 41</a>, unless such unit has been issued a Permit to Convert under Section <a href="#">41.12</a>; is not</li> </ul>	<p>Principal residence (min. 275 nights/calendar year).</p> <p>Host must be permanent resident of San Francisco, owner or tenant of the unit, lived in the dwelling at least 60 days before applying.</p> <p>Must be permitted and designed for residential use.</p> <p>Not permitted in SROs or dormitory, below-market-rate or public housing unit, accessory dwelling unit, outdoor areas, in a separate detached structure, or commercial and industrial spaces.</p> <p>Max. five distinct renters simultaneously in the same residential unit.</p>	<p>Less than 30-days.</p> <p>Hosted rental: no limit on number of hosted rentals per year.</p> <p>Unhosted rental: max. 90 nights in any calendar year.</p>	<p>Yes, business registration certificate.</p> <p>\$750 USD = ~\$1,019.10 CAD</p>	<p><a href="#">Charter 41A of the City's Administrative Code</a></p>	<p>Notice sent by the Office of Short-Term Rentals for Residential Units in RH-1(D) zoning districts (downtown area).</p>

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	<p>otherwise a designated as a below market rate or income-restricted Residential Unit under City, state, or federal law; has not been the subject of an eviction pursuant to the Ellis Act and Administrative Code Section <a href="#">37.9(a)(13)</a> within the five year period prior to applying for the Registry if such eviction occurred after November 1, 2014; and no other requirement of federal or state law, this Municipal Code, or any other applicable law or regulation prohibits the permanent resident from subleasing, renting, or otherwise allowing Short-Term Residential Rental of the Residential Unit.</p> <p><b>Short-Term Residential Rental Registry or Registry.</b> A database of information maintained by the Department that includes a unique registration number for each Short-Term Residential Rental and information regarding Permanent Residents who are permitted to offer Residential Units for Short-</p>					

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	<p>Term Residential Rental. Only one Permanent Resident per Residential Unit may be included on the Registry at any given time. The Registry shall be available for public review to the extent required by law, except that, to the extent permitted by law, the Department shall redact any Permanent Resident names and street and unit numbers from the records available for public review.</p> <p><b>Tourist or Transient Use.</b> Any use of a Residential Unit for occupancy for less than a 30-day term of tenancy, or occupancy for less than 30 days of a Residential Unit leased or owned by a Business Entity, whether on a short-term or long-term basis, including any occupancy by employees or guests of a Business Entity for less than 30 days where payment for the Residential Unit is contracted for or paid by the Business Entity.</p>					