

Considered at the October 8, 2024, Regular Council meeting

119



City of Port Moody Report/Recommendation to Council

Date: October 8, 2024
 Submitted by: Community Development Department – Policy Planning Division
 Subject: Bylaw Amendments to Accommodate Short-Term Rentals in Port Moody

Purpose

To present amendments to the Zoning Bylaw, Business Licensing and Regulation Bylaw, and Municipal Ticket Information Authorization Bylaw for Council's consideration for the purpose of regulating short-term rentals in Port Moody.

Recommended Resolution(s)

THAT City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 101, 2024, No. 3482 (Short-Term Rentals) be read a first and second time as recommended in the report dated October 8, 2024, from the Community Development Department – Policy Planning Division regarding Bylaw Amendments to Accommodate Short-Term Rentals in Port Moody;

AND THAT Bylaw No. 3482 be referred to a Public Hearing;

AND THAT City of Port Moody Business Licensing and Regulation Bylaw, 2015, No. 3000, Amendment Bylaw No. 6, 2024, No. 3483 (Short-Term Rentals) and City of Port Moody Municipal Ticket Information Authorization Bylaw, 2020, No. 3218, Amendment Bylaw No. 15, 2024, No. 3484 (Short-Term Rentals) be read a first, second, and third time.

Executive Summary

At the May 28, 2024, Regular Council meeting, staff presented a memorandum summarizing the Province's approach to regulating short-term rentals through *Bill 35: Short-Term Rental Accommodations Act*. The memorandum also identified initial steps Port Moody would take to regulate short-term rentals. This report provides additional background on Bill 35 in the context of Port Moody and sets out the necessary amendments to regulate short-term rentals at a municipal level. Three bylaw amendments are presented for Council's consideration to regulate short-term rentals in Port Moody:

- City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 101, 2024, No. 3482 (Short-Term Rentals) amends the definition for Bed and Breakfast and Boarding to allow for Short-Term Rentals.

Considered at the October 8, 2024, Regular Council meeting

120

- City of Port Moody Business Licensing and Regulation Bylaw, 2015, No. 3000, Amendment Bylaw No. 6, 2024, No. 3483 (Short-Term Rentals) identifies the conditions to which the Short-Term Rentals, now operating out of Bed and Breakfasts or Boarding businesses, must comply.
- City of Port Moody Municipal Ticket Information Authorization Bylaw, 2020, No. 3218, Amendment Bylaw No. 15, 2024, No. 3484 (Short-Term Rentals) adds a new schedule of fines that will be applied if a Short-Term Rental is operating in non-compliance.

Background

In October 2023, the Province passed *Bill 35: Short-Term Rental Accommodations Act* as a measure to address the housing crisis. The purpose of this *Act* is to:

- return short-term rental units to the long-term housing market;
- give local governments stronger tools to enforce short-term rental bylaws; and
- establish a new Provincial role in the regulation of short-term rentals.

Bill 35 provided a Provincial definition for short-term rentals, and as of May 1, 2024, short-term rental hosts operating in BC are required to abide by the following new requirements:

- adhering to the Provincial principal residence requirement limiting short-term rentals to a principal residence, one secondary suite, or one accessory dwelling unit for no longer than 90 consecutive days; and
- displaying a local government business licence number, where applicable, on the short-term rental listing.

By early 2025, the Province expects short-term rental hosts to:

- register in the new provincial registry; and
- include a provincial registration number on short-term rental listings.

As part of the Province's new role in regulating short-term rentals, the Province established a Compliance and Enforcement Unit (CEU) within the Short-Term Rental Branch in the Ministry of Housing. The role of the CEU is to enforce compliance with provincial legislation and investigate non-compliant short-term rental hosts or platforms, like Airbnb. The CEU can administer monetary penalties for violations to provincial short-term rental regulations. The CEU, however, does not enforce municipal level bylaws. The CEU can apply penalties that range from \$500 to \$5,000 per day, per infraction for hosts and up to \$10,000 per day, depending on the infraction for corporations.

At the end of June 2024, the Province launched a Short-Term Rental (STR) Portal. The STR Portal is where short-term rental platforms must share information about short-term rental listings directly with the Province on a monthly basis. Information shared to the Portal includes host contact information, property address, and booking information. Local governments can use this information to support compliance and enforcement with local STR bylaws. However, to access the STR Portal, municipalities must have a short-term rental bylaw and must have an Information Sharing Agreement in place with the Province. This Agreement allows municipalities to receive monthly platform data on STR listings to support compliance and enforcement with

Considered at the October 8, 2024, Regular Council meeting

121

local short-term rental bylaws. While the Province has not required local governments to regulate short-term rentals or access the STR Portal, such tools can assist municipalities in returning short-term rentals to the long-term rental market thereby increasing local rental supply.

At the May 28, 2024, Regular Council Meeting, staff presented a Short-Term Rentals Update memorandum (**Attachment 1**) which provided an overview of *Bill 35*. This memorandum provided anticipated timelines for the Province to put tools in place and the subsequent steps staff would take to regulate short-term rentals that could return units to the long-term rental market in Port Moody. The steps included:

- reviewing the Business Licensing and Regulation Bylaw and the Municipal Ticketing Information Authorization Bylaw, and preparing the amendments to permit and limit licences as well as impose fines at the levels permitted by the Province;
- preparing resources for licence holders to notify them of the new conditions on their licences; and
- updating the licensing process to accommodate for the new short-term rental licence in Port Moody.

Short-Term Rentals: Port Moody Context

Prior to Bill 35, in Port Moody, short-term rentals were not tracked as a separate business licence category because a specific short-term rental licence was not required. Owners wishing to rent their properties required a residential rental business licence which did not specify whether the rental was on a short-term or long-term rental basis. Therefore, there has been no mechanism to track the number of short-term rentals, or the number of non-compliance or violations related to short-term rentals.

In terms of historical trends for Port Moody, according to a third-party data and analytics platform, AirDNA, active short-term rentals increased from 88 to 162 units between August 2018 and August 2023. Eighty-eight percent of these listings were of entire homes that may be better suited for long-term rental. In August 2024, AirDNA shows that active listings have dropped to 119. This decline could be attributed to compliance with Bill 35 which, effective May 1, 2024, limits short-term rentals to the Provincial primary residence requirements.

However, Bill 35 did not prevent local governments from defining short-term rentals differently. For example, the Cities of Port Coquitlam and Coquitlam used this opportunity to further limit short-term rentals to Bed and Breakfasts or private room rentals, where in both cases, the owner must reside in the home and have a short-term rental business licence and inspection.

Discussion

There are a few approaches staff have identified that Port Moody can take:

- create a new short-term rental license category with specific regulations for this new category; or
- amend definition for “Bed and Breakfast” and have an alternate application form.

Following is a summary of each approach.

Considered at the October 8, 2024, Regular Council meeting

122

New Short-Term Rental License Category (City of Coquitlam's Approach) under existing Boarding business license

The City of Coquitlam defines a short-term rental as “the rental and occupation of a sleeping unit which is attached to or part of a dwelling unit, either with common cooking facilities, or where regular meals are provided. Examples of short-term rentals include but are not limited to bed and breakfasts and Airbnb® private room rentals.” At least one permanent resident of the home must live and operate the short-term rental. The short-term rentals are regulated through the City of Coquitlam *Zoning Bylaw 3000, 1996, Part 5, 508 Accessory Uses* and requires a home-based business licence and inspection prior for approval. People interested in operating a short-term rental would apply through [Business Licences | Coquitlam, BC](#) for the home-based business licence under the Boarding category. Coquitlam staff have observed an impact of the Provincial and municipal level regulations through reporting a decrease of short-term rental listings in Coquitlam. According to AirDNA, in September 2023, there were 511 active listings. As of September 2024, there are only 49 active short-term business licences in Coquitlam.

Amending Bed and Breakfast definition to “Short-Term Rental Accommodation” (City of Port Coquitlam Approach)

Earlier this year, Port Coquitlam amended their “Bed and Breakfast” and definition to “Short-Term Rental Accommodation,” which is defined as “rental accommodation without the provision of cooking facilities provided in host’s principal residence for periods of under 90 consecutive days.” Through this definition amendment, the City of Port Coquitlam has taken the approach to regulate short-term rentals through their *Business Bylaw No. 3725*, and *Zoning Amendment Bylaw, 2024, Bylaw No. 4367, Accessory Home Businesses*. People interested in operating a short-term rental would apply through [BL-Application-Short-Term-Rental-Accommodation.pdf \(portcoquitlam.ca\)](#), which is an alternate application form under the Accessory Home Business. Since these bylaw changes, Port Coquitlam staff have observed an increase in the business licence applications as short-term rental hosts seek to legitimize their operation.

Port Moody Recommended Approach

After analyzing options in neighbouring communities, staff recommend that Port Moody further define short-term rentals to exclude secondary suites and accessory dwelling units as these units could better serve the long-term market. By excluding secondary suites and accessory dwelling units and limiting STRs to Bed and Breakfast and Boarding, staff are able to verify the primary resident and also request access for inspections. There is a potential that this restriction may also help to alleviate Port Moody’s October 2023 1.3 % rental vacancy rate and move Port Moody towards CMHC’s definition of a balanced vacancy rate of 3%. In addition, the restriction to Bed and Breakfasts and private room rentals would aid in the regulation of short-term rentals and align with neighbouring municipalities.

Proposed Port Moody Approach to Regulating Short-Term Rentals

This section outlines Port Moody’s approach to regulating short-term rental accommodations, which includes proposed amendments to the following bylaws:

City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 101, 2024, No. 3482 (Short-Term Rentals)

Staff propose amending the Zoning Bylaw to include a new definition for Short-Term Rental and amending the existing definitions for Bed and Breakfast and Boarding as follows:

Considered at the October 8, 2024, Regular Council meeting

123

- “SHORT-TERM RENTAL” means an accommodation provided to members of the public in a Host’s Primary Residence, in exchange for money, for a period of less than 30 consecutive days. Short-Term Rentals may only be operated in a host’s Bed and Breakfast or Boarding business and requires a home-based short-term rental business licence and inspection.
- “BED AND BREAKFAST” means a business carried out by the residents of a Single Detached and Semi-Detached Residential Dwelling Unit to provide temporary sleeping accommodations, including Short-Term Rentals, for a prescribed daily charge in accordance with the requirements of section 5.2.5 of Zoning Bylaw 2937.
- “BOARDING” means a business carried out by the residents of a Single Detached Residential Dwelling Unit for the accommodation of persons entirely within the Dwelling Unit for payment of rent, including Short-Term Rentals, in accordance with section 5.2.6 of Zoning Bylaw 2937.

These proposed amendments are included in Draft City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 101, 2024, No. 3482 (Short-Term Rentals) (**Attachment 2**).

City of Port Moody Business Licensing and Regulation Bylaw, 2015, No. 3000, Amendment Bylaw No. 6, 2024, No. 3483 (Short-Term Rentals)

Staff propose amending the Business Licencing and Regulation Bylaw to include a new section 6.14 for Short-Term Rentals. This section would align with the updated definitions for Boarding and Bed and Breakfast uses and outline the restrictions that short-term rental hosts must abide by, for example, locations for short-term rentals; licence requirements; inspection and registration requirements; and limits to the maximum duration a guest may stay.

These proposed amendments are included in Draft City of Port Moody Business Licensing and Regulation Bylaw, 2015, No. 3000, Amendment Bylaw No. 6, 2024, No. 3483 (Short-Term Rentals) (**Attachment 3**). Should Council give Bylaw No. 3483 three readings, per section 59 of the *Community Charter*, an opportunity for Public Input will be held prior to adoption of the bylaw and scheduled for the same evening as the relative public hearing for Bylaw No. 3482.

City of Port Moody Municipal Ticket Information Authorization Bylaw, 2020, No. 3218, Amendment Bylaw No. 15, 2024, No. 3484 (Short-Term Rentals)

Prior to Bill 35, the City of Port Moody did not have a short-term rental bylaw with associated fines. With the proposed amendments to the Zoning Bylaw and the Business Licensing and Regulation Bylaw, staff propose amending the Municipal Ticket Information Authorization Bylaw to establish fines for non-compliance. The maximum fine that local governments may set for a bylaw ticket is \$3,000 per infraction per day in accordance with the *Community Charter Bylaw Enforcement Ticket Regulation*. If a youth, as defined by the *Youth Justice Act*, is operating a short-term rental and violates the Zoning Bylaw or the Business Licensing and Regulation Bylaw, the maximum fine is \$1,000.

These proposed amendments are included in Draft City of Port Moody Municipal Ticket Information Authorization Bylaw, 2020, No. 3218, Amendment Bylaw No. 15, 2024, No. 3484 (Short-Term Rentals) (**Attachment 4**).

Impact to Port Moody

The intention of the proposed bylaw amendments is the return of short-term rental units to the

Considered at the October 8, 2024, Regular Council meeting

124

long-term market. This trend has already been observed in Port Moody, through the Provincial legislation, and in Coquitlam, through the Provincial legislation and their municipal level regulations. Should the proposed bylaw amendments be adopted, the City will enter into an Information Sharing Agreement with the Province to receive monthly short-term rental listings from the STR Portal. This will enable City staff to compare short-term rental specific business licence data with the STR Portal information and follow up with any discrepancies in listings. Staff will also respond to complaints as they arise, coordinate with the CEU as required and initiate the removal process for a listing if it does not comply with local short-term rental requirements.

Whereas Port Moody could depend solely on the Province to regulate short-term rentals, the ability to enforce business licence requirements through the Municipal Ticketing Information Authorization Bylaw allows the City to have more discretion when introducing this new bylaw. Port Moody residents could also contact the City if a suspected non-conforming short-term rental is operating in their neighbourhood, and Bylaw staff can respond as required. Additionally, similar to the enforcement of other Port Moody bylaws, licence holders can dispute a municipal ticket issued for the short-term rental violations by completing a [Quash Request form](#).

Staff recognize that while it is important to return units to the long-term market, Bed and Breakfast and Boarding businesses are fulfilling short-term accommodation needs for visitors to the city, and this service should continue.

Next steps

Should Council give Bylaw No. 3483 three readings, per section 59 of the Community Charter, an opportunity for Public Input will be held prior to adoption of the bylaw and scheduled for the same evening as the relative public hearing for Bylaw No. 3482. After which, should the proposed bylaw amendments be adopted, staff will publish an updated [Business Licences, Forms, and Permits – City of Port Moody](#) webpage with information regarding short-term rental regulations and licensing requirements. Staff will also notify current residential rental and secondary suite licence holders of the new municipal conditions as well as affirm that the Provincial regulations have been in place since May 1, 2024. The City will also inform the Ministry of Housing that bylaws have been updated for short-term rentals and complete the data sharing agreement between the Province and Port Moody. The data sharing system will enable Port Moody to receive monthly data on short-term rental listings in the City. By cross referencing this information with municipal licensing, staff can confirm if these listings have the appropriate municipal business licence to operate. If a short-term rental host is found to be non-compliant, a notice and takedown process to remove listings may be initiated and fines may be applied.

Other Option(s)

While the Province does not require municipalities to have a short-term rental bylaw, such a tool can assist municipalities in returning short-term rentals to the long-term rental market thereby increasing local rental supply. Should the amendments not be adopted, staff could pursue other options as directed by Council.

Financial Implications

At this time, staff do not anticipate any material financial implications associated with the

Considered at the October 8, 2024, Regular Council meeting

125

changes. Staff will continue to monitor the impact to staffing and the revenues generated through likenesses and fines associated with STRs.

Communications and Public Engagement Initiatives

Should Council give Bylaw No. 3483 three readings, per section 59 of the *Community Charter*, the Communication staff will publicise an opportunity for Public Input to be held prior to adoption of the bylaw and schedule for the same evening as the relative public hearing for Bylaw No. 3482. Should the proposed bylaw amendments be adopted, Bylaw and Licensing staff will notify residential rental and secondary suite business licence holders of the updated Short-Term Rental Home-Business Licence, including the new fines schedule. Communications staff will update [Business Licences, Forms, and Permits – City of Port Moody](#) website with short-term rental information.

Council Strategic Plan Goals

The recommendations in this report align with the following Council Strategic Plan Goal(s):

- Strategic Goal 3.1 – Create complete and connected communities through balanced growth.

Attachment(s)

1. Memo considered at the May 28, 2024, Regular Council meeting – Short-Term Rentals Update.
2. Draft City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 101, 2024, No. 3482 (Short-Term Rentals).
3. Draft City of Port Moody Business Licensing and Regulation Bylaw, 2015, No. 3000, Amendment Bylaw No. 6, 2024, No. 3483 (Short-Term Rentals).
4. Draft City of Port Moody Municipal Ticket Information Authorization Bylaw, 2020, No. 3218, Amendment Bylaw No. 15, 2024, No. 3484 (Short-Term Rentals).

Report Author

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Social Planner I

Considered at the October 8, 2024, Regular Council meeting

126

Report Approval Details

Document Title:	Bylaw Amendments To Accommodate Short-Term Rentals in Port Moody.docx
Attachments:	<ul style="list-style-type: none"> - Attachment 1 - Memo considered at the May 28, 2024, RC meeting - Short Term Rentals Update.pdf - Attachment 2 - Draft Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 101, 2024, No. 3482 (Short-Term Rentals).pdf - Attachment 3 - Draft BLandR Bylaw, 2015, No. 3000, Amendment Bylaw No. 6, 2024, No. 3483 (Short-Term Rentals).pdf - Attachment 4 - Draft MTIA Bylaw, 2020, No. 3218, Amendment Bylaw No. 15, 2024, No. 3484 (Short-Term Rentals).pdf
Final Approval Date:	Sep 30, 2024

This report and all of its attachments were approved and signed as outlined below:

Tracey Takahashi, Deputy Corporate Officer - Sep 24, 2024

Mary De Paoli, Manager of Policy Planning - Sep 24, 2024

Kate Zanon, General Manager of Community Development - Sep 24, 2024

Stephanie Lam, City Clerk and Manager of Legislative Services - Sep 27, 2024

Lindsay Todd, Manager of Communications and Engagement - Sep 27, 2024

Paul Rockwood, General Manager of Finance and Technology - Sep 28, 2024

Anna Mathewson, City Manager - Sep 30, 2024

Considered at the October 8, 2024, Regular Council meeting

127

Considered at the May 28, 2024, Regular Council meeting

210

Memorandum

Date: May 28, 2024
 Submitted by: Community Development Department – Building, Bylaw, and Licensing Division
 Subject: Short Term Rentals Update

BC Bill 35 2023 *Short-Term Rental Accommodations Act* was passed as a measure to address the housing crisis. Provincial analysis found that the short-term rental of entire homes is increasing and therefore taking away from much needed homes for British Columbians. The purpose of this Act is to:

- Return short-term rental units to the long-term housing market.
- Give local governments stronger tools to enforce short-term rental bylaws.
- Establish a new Provincial role in the regulation of short-term rentals.

The Act applies to short-term rentals being offered to the public including:

- Platforms where people reserve and pay for the accommodation, for example, Airbnb, VRBO, Expedia, and FlipKey.
- Offers on other web listing forums, for example, Facebook Marketplace, Kijiji, and Craigslist.
- Listings in classified ads in newspapers.

Effective May 1, 2024, the principal residences requirement came into effect as well as the need to have a local business license. In early May, the Province held a Bill 35 orientation meeting which overviewed the Provincial role. The Province is establishing a Compliance and Enforcement Branch that will facilitate public complaints, and a short-term rental portal for local governments to access for assistance with enforcement. The portal will be live at the end of June 2024. Staff are continuing to work with the Province, and neighbouring municipalities as more information regarding the legislation implementation becomes available. The Province anticipates the full program will be in place in early 2025.

As the Province are providing information and resources incrementally, staff recommend a similar approach for updating municipal requirements.

The City requires a business licence for all residential rentals. These licenses are organized into the following categories:

- **Boarding** – rental of a room(s) that may or may not include a private bathroom with shared living and kitchen space.
- **Bed & Breakfast** – rental of sleeping and bathing accommodations with or without meals being provided. Does not include lock off suites with full kitchens.
- **Secondary Suite** – the rental of a secondary suite as permitted under the City's zoning bylaw and constructed in compliance with the BC Building Code.
- **Laneway Homes** – the rental of a secondary unit on a property as permitted in the City's zoning bylaw.
- **Residential Rental Unit** – the rental of an entire dwelling unit including a house, apartment, townhouse.

Considered at the October 8, 2024, Regular Council meeting

128

Considered at the May 28, 2024, Regular Council meeting

211

As a first compliance step, Staff are in the process of making the following changes to the residential business licenses:

- Applying conditions to secondary suite, laneway homes and residential rental unit licence categories restricting short term rentals for these housing types.
- Permitting short term rentals in the Boarding and Bed & Breakfast licence categories. The City already requires the operator to live in the home.

Staff are contacting license holders to notify them of these new conditions on their licences, update them on the Bill 35 requirements, and affirming that these new requirements were in effect as of May 1, 2024.

Staff are reviewing both the Business Licensing Bylaw, and the Municipal Ticketing Information Authorization Bylaw as amendments to both are anticipated to ensure the City can permit and limit licenses as well as impose fines at the levels dictated by the Province. Staff will be reporting back with bylaw amendments and new fines for non-compliance as clarity is received from the Province.

THAT the memo dated May 28, 2024, from the Community Development Department – Building, Bylaw and Licensing Division regarding Short Term Rental be received for information.

Considered at the October 8, 2024, Regular Council meeting

129

Considered at the May 28, 2024, Regular Council meeting

212

Report Approval Details

Document Title:	Short Term Rentals.docx
Attachments:	
Final Approval Date:	May 19, 2024

This report and all of its attachments were approved and signed as outlined below:

Kate Zanon, General Manager of Community Development - May 15, 2024

Stephanie Lam, City Clerk and Manager of Legislative Services - May 17, 2024

Lindsay Todd, Manager of Communications and Engagement - May 17, 2024

Paul Rockwood, General Manager of Finance and Technology - May 18, 2024

Anna Mathewson, City Manager - May 19, 2024



City of Port Moody

Bylaw No. 3482

A Bylaw to amend City of Port Moody Zoning Bylaw, 2018, No. 2937 to allow for Short-Term Rentals in Port Moody.

The Council of the City of Port Moody enacts as follows:

1. Citation

- 1.1 This Bylaw may be cited as “City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 101, 2024, No. 3482 (Short-Term Rentals)”.

2. Amendments

- 2.1 City of Port Moody Zoning Bylaw, 2018, No. 2937 is amended by replacing the following definitions in section 4:

“BED AND BREAKFAST” means a business carried out by the residents of a Single Detached and Semi-Detached Residential Dwelling Unit to provide temporary sleeping accommodations for a prescribed daily charge in accordance with the requirements of section 5.2.5 of Zoning Bylaw 2937.

“BOARDING” means a business carried out by the residents of a Single Detached Residential Dwelling Unit for the accommodation of persons entirely within the Dwelling Unit for payment of rent in accordance with section 5.2.6 of Zoning Bylaw 2937.”.

with the following definitions:

“BED AND BREAKFAST” means a business carried out by the residents of a Single Detached and Semi-Detached Residential Dwelling Unit to provide temporary sleeping accommodations, including Short-Term Rentals, for a prescribed daily charge in accordance with the requirements of section 5.2.5 of Zoning Bylaw No. 2937.

“BOARDING” means a business carried out by the residents of a Dwelling Unit for the accommodation of persons entirely within the Dwelling Unit for payment of rent, including Short-Term Rentals, in accordance with section 5.2.6 of Zoning Bylaw No. 2937.”.

Considered at the October 8, 2024, Regular Council meeting

131

Attachment 2

- 2.2 Bylaw No. 3482 is further amended by adding the following definitions in section 4:

““HOST” means a person:

- a. who is legally entitled to possession of a property where Short-Term Rental accommodation services are provided; and
- b. who has responsibility for arranging for the Short-Term Rental offer; or
- c. the following persons, if applicable:
 - i. a person who, acting on behalf of, under the direction of, or as agent of the property owner, has responsibility for arranging for the Short-Term Rental offer, which may include managing the Short-Term Rental accommodation services; or
 - ii. a prescribed person.

“PLATFORM” means an online marketplace on which platform services are provided.

“PRIMARY RESIDENCE” means the residence an individual lives in for a longer period during a calendar year than any other place.

“SHORT-TERM RENTAL” means accommodations provided to members of the public in a Host’s Primary Residence, in exchange for money, for a period of less than 90 consecutive days. Short-Term Rentals may only be operated in a host’s Bed and Breakfast or Boarding Use and may require a home-based business licence and inspection.”.

- 2.3 Bylaw No. 3482 is further amended by adding the following to sub-section 2.3:

“Hosts found in non-compliance to Bylaw No. 3482 will be requested to remove the Short-Term Rental listing from Platforms within a period of 90 days after the notice is delivered.

If the Host continues to be in non-compliance, a ticket may be issued in accordance with Schedule 2 the City of Port Moody Municipal Ticket Information Authorization Bylaw, as amended from time to time.”.

3. Effective Date

- 3.1 This Bylaw shall come into force and take effect on January 1, 2025.

4. Severability

- 4.1 If a portion of this Bylaw is found invalid by a court, it will be severed, and the remainder of the Bylaw will remain in effect.

Considered at the October 8, 2024, Regular Council meeting

132

Attachment 2

Read a first time this ___ day of _____, 2024.

Read a second time this ___ day of _____, 2024.

Read a third time this ___ day of _____, 2024.

Adopted this ___ day of _____, 2024.

M. Lahti
Mayor

S. Lam
City Clerk

I hereby certify that the above is a true copy of Bylaw No. 3482 of the City of Port Moody.

S. Lam
City Clerk

DRAFT



City of Port Moody

Bylaw No. 3483

A Bylaw to amend City of Port Moody Business Licensing and Regulation Bylaw, 2015, No. 3000 to allow for Short-Term Rentals as a permissible business.

The Council of the City of Port Moody enacts as follows:

1. Citation

- 1.1 This Bylaw may be cited as “City of Port Moody Business Licensing and Regulation Bylaw, 2015, No. 3000, Amendment Bylaw No. 6, 2024, No. 3483 (Short-Term Rentals)”.

2. Amendments

- 2.1 City of Port Moody Business Licensing and Regulation Bylaw, 2015, No. 3000 is amended by adding the following definitions in section 4:

“BED AND BREAKFAST” means a business carried out by the residents of a Single Detached and Semi-Detached Residential Dwelling Unit to provide temporary sleeping accommodations, including Short-Term Rentals, for a prescribed daily charge in accordance with the requirements of section 5.2.5 of Zoning Bylaw No. 2937.

“BOARDING” means a business carried out by the residents of a Dwelling Unit for the accommodation of persons entirely within the Dwelling Unit for payment of rent, including Short-Term Rentals, in accordance with section 5.2.6 of Zoning Bylaw No. 2937.

“HOST” means a person who is

- a. who is legally entitled to possession of a property where Short-Term Rental accommodation services are provided; and
- b. who has responsibility for arranging for the Short-Term Rental offer; or
- c. the following persons, if applicable:
 - i. a person who, acting on behalf of, under the direction of or as agent of the property owner, has responsibility for arranging for the Short-Term Rental offer, which may include managing the Short-Term Rental accommodation services; or
 - ii. a prescribed person.

Considered at the October 8, 2024, Regular Council meeting

“PLATFORM” means an online marketplace on which platform services are provided.

“SHORT-TERM RENTAL” means accommodations provided to members of the public in a Host’s Primary Residence, in exchange for money, for a period of less than 90 consecutive days. Short-Term Rentals may only be operated in a host’s Bed and Breakfast or Boarding Use and may require a home-based business licence and inspection.”.

2.2 Bylaw No. 3000 is further amended by adding the following section 6.14:

“6.14 Short-Term Rentals

6.14.1 Hosts may only operate Short-Term Rentals in Boarding units and Bed and Breakfasts.

6.14.2 Hosts may only operate Short-Term Rentals in zones that permit the operation of Bed and Breakfasts or Boarding Uses.

6.14.3 Short-Term Rentals must not be separated from the principal dwelling unit and are not allowed in secondary suites or accessory dwelling units.

6.14.4 Hosts must limit Short-Term Rentals for a period of less than 90 consecutive days.

6.14.5 A maximum of three guests or one family is permitted to stay at any one time.

6.14.6 At least one permanent resident of the home must live in and operate the Short-Term Rentals.

- a. Proof of principal residence of the property is required.
- b. For non-owner primary residents: Provide a letter of approval from the property owner.

6.14.7 Hosts must obtain a licence and may be subject to an inspection.

6.14.8 Hosts must register the Short-Term Rental on the provincial registry.

6.14.9 Hosts must display a valid licence number on their listing. If there is no field for the licence number, Hosts can report this to the Province and temporarily put the licence number in the description of the listing.”.

3. Effective Date

3.1 This Bylaw shall come into force and take effect on January 1, 2025.

Considered at the October 8, 2024, Regular Council meeting

4. Severability

4.1 If a portion of this Bylaw is found invalid by a court, it will be severed, and the remainder of the Bylaw will remain in effect.

Read a first time this ___ day of _____, 2024.

Read a second time this ___ day of _____, 2024.

Read a third time this ___ day of _____, 2024.

Adopted this ___ day of _____, 2024.

M. Lahti
Mayor

S. Lam
City Clerk

I hereby certify that the above is a true copy of Bylaw No. 3483 of the City of Port Moody.

S. Lam
City Clerk



City of Port Moody

Bylaw No. 3484

A Bylaw to amend City of Port Moody Municipal Ticket Information Authorization Bylaw, 2020, No. 3218 by adding fines related to Short-Term Rentals in City of Port Moody Zoning Bylaw, No. 2937 and Business Licensing and Regulation Bylaw, 2015, No. 3000.

The Council of the City of Port Moody enacts as follows:

1. Citation

- 1.1 This Bylaw may be cited as “City of Port Moody Municipal Ticket Information Authorization Bylaw, 2020, No. 3218, Amendment Bylaw No. 15, 2024, No. 3484 (Short-Term Rentals)”.

2. Amendments

- 2.1 City of Port Moody Municipal Ticket Authorization Bylaw, 2020, No. 3218 is amended by replacing the following in Schedule 1:

Zoning Bylaw, No. 2937

- Bylaw Enforcement Officer
- Building Official

with the following:

Zoning Bylaw, No. 2937

- Bylaw Enforcement Officer
- Building Official
- Fire Inspector

- 2.2 Bylaw No. 3218 is further amended by adding the following under “Business Licensing Regulations Bylaw, No. 3000” in Schedule 2 – Municipal Ticket Information Fines:

Violation of Short-Term Rental Provision	6.14	\$3,000 per infraction per day
Violation of Short-Term Rental Provision by a young person (as defined in the Youth Justice Act)	6.14	\$1,000 per infraction per day

Considered at the October 8, 2024, Regular Council meeting

2.3 Bylaw No. 3218 is further amended by adding the following under “Zoning Bylaw, No. 2937” in Schedule 2 – Municipal Ticket Information Fines:

Violation of Short-Term Rental Provision	5.2.5, 5.2.6	\$3,000 per infraction per day
Violation of Short-Term Rental Provision by a young person (as defined in the Youth Justice Act)	5.2.5, 5.2.6	\$1,000 per infraction per day

3. Effective Date

3.1 This Bylaw shall come into force and take effect on January 1, 2025.

4. Severability

4.1 If a portion of this Bylaw is found invalid by a court, it will be severed, and the remainder of the Bylaw will remain in effect.

Read a first time this ___ day of _____, 2024.

Read a second time this ___ day of _____, 2024.

Read a third time this ___ day of _____, 2024.

Adopted this ___ day of _____, 2024.

M. Lahti
Mayor

S. Lam
City Clerk

I hereby certify that the above is a true copy of Bylaw No. 3484 of the City of Port Moody.

S. Lam
City Clerk