

## What is a Short Term Vacation Rental?

A short term vacation rentals (vacation rental) is the rental of a furnished space to the vacationing public under thirty (30) days. Approval by means of a business licence must be issued prior to operating a vacation rental. This approval requires a review of use, parking, signage, and basic safety requirements on the property. The City's ultimate goal is to allow for property owners to rent safe and healthy dwelling units short to the vacationing public while limiting nuisances to neighbours.

## What are the Vacation Rental categories?

The City has four (4) types of vacation rentals based on potential impact to the neighbouring properties as follows:

<b>Home Stay Rental</b>
A short term rental less than 14 days within a year or where there is no financial transaction. The maximum number of rental guests is restricted to six (6) occupants. A business licence is not required.
<b>Minor Vacation Rental</b>
A short term rental of room(s) or authorized dwelling unit less than 30 days a year. The property owner is to be the principal resident. The maximum number of guests is restricted to six (6) occupants. A business licence is required.
<b>Major Vacation Rental</b>
A short term rental of dwelling unit more than 30 days a year or the property owner is not the principal resident. The maximum number of guests is restricted to six (6) occupants. A business licence is required.
<b>Major High Occupant Vacation Rental</b>
A short term rental of dwelling unit with more than six (6) guests. Due to the increase in density, this type of vacation rental requires additional staff review as well as public consultation with adjacent neighbours. Additional onsite parking is required. A business licence is required.

## What is the process for obtaining a vacation rental business license?

The following steps are outlined regarding obtaining a Vacation Rental business licence. It is recommended not to pre-book rental dates until a review and on-site inspections have been completed.

<b>Step One - Research</b>
It is recommended to consult the neighbourhood prior to submitting an application. Please review the <i>Vacation Rental Guide</i> in depth and be aware that changes or repairs to the property may trigger the requirement to obtain a building permit. The building permit will require to be successfully completed prior to issuance of a vacation rental business licence.
<b>Step Two - Apply</b>
Applications are located on the City's website <a href="http://www.penticton.ca">www.penticton.ca</a> as well as at City Hall 171 Main Street, Penticton. Submit a business licence application when you believe you are compliant with all items on the checklists within this guide. Staff will contact you to arrange for a site safety review.
<b>Step Three - Review &amp; Resolve</b>
City staff will attend and review the property. Staff will also conduct a file review including any outstanding or related enforcement files. Staff may provide you with items that require correcting. Please note that staff is unable to issue a licence until all items are completed or resolved. <i>Major High Occupant Vacation Rental</i> applications will involve a public notification to adjacent properties prior to final business licence approvals.
<b>Step Four - Completion</b>
Once on-site conditions are compliant, the applicant will be notified to pay the outstanding fees. The licence is now approved and the applicant will receive a placard which is to be posted in a visible location (refer to Attachment A).

### What types of dwellings are eligible for vacation rental consideration?

Vacation rentals are permitted within an approved dwelling unit in the following zones:

Rural Zones	Urban Residential Zones	Commercial Zones
Forestry and Grazing - FG	Large Lot Residential - R1	Commercial Transition - C1
Agriculture - A	Small Lot Residential - R2	Neighbourhood Commercial - C2
Country Residential - RC	Small Lot Residential: Lane - R3	Residential Mixed Use - C3
	Mobile Home Park Housing - RSM	General Commercial - C4
	Duplex Housing - RD1	Urban Centre Commercial - C5
	Duplex Housing: Lane - RD2	Mixed Use Commercial - C6
	Cluster Housing - RM1	Marina Way Commercial - C9
	Low Density Multiple Housing - RM2	Hotel Resort - CT3
	Medium Density Multiple Housing - RM3	400 Martin Street - CD1
	High Density Multiple Family - RM4 & RM5	

### What are the City regulations that apply to vacation rentals?

Multiple bylaws apply to vacation rentals. The following checklist is provided for convenience and should not be considered a replacement for reviewing bylaws.

✓	<b>City of Penticton Zoning Bylaw 2017-08</b>
	A vacation rental shall not be operated without a valid business license issued by the City.
	A dwelling unit shall only be rented out by the property owner or a tenant with the property owner's permission.
	No structural alteration or addition to a dwelling unit to facilitate a vacation rental shall be undertaken that alters the existing residential character and form of the dwelling.
	No exterior signage advertising the vacation rental is permitted.
	In the case of a property containing a single detached dwelling with an approved secondary suite or approved carriage house, only one dwelling may be used for the purpose of a vacation rental.
	The owner shall ensure that renters do not create any form of nuisance for surrounding residents, including, but not limited to noise, light or traffic that is disruptive to the surrounding residents' quiet enjoyment of their property.
	A maximum of two (2) persons per bedroom is permitted per vacation rental dwelling unit.
	Bedrooms are required to have a minimum ceiling height of 2.1m (6'-10") and, unless sprinklered, must have a minimum egress window conforming to the current <i>Building Code</i> .
	Two (2) or more areas may be considered as a combination room if the opening between the areas occupies the larger of 3 m <sup>2</sup> (32sqft) or 40% or more of the area of the wall measured on the side of the dependent area.
	A <i>Parking space</i> is an off-street space of the size and dimensions to park one (1) vehicle in conformance with the parking provisions of this Bylaw, exclusive of driveways, aisles, ramps, or obstructions. A minimum of two (2) off-street <i>parking spaces</i> are required with an additional space for a secondary suite. Creating a new access to a lane or roadway may have a significant impact on traffic safety and will require a driveway access permit.
✓	<b>City of Penticton Business Licence Bylaw 2012-5020</b>
	Except for multi-family buildings, only one (1) vacation rental operation is permissible per property.
	A City issued placard is to be posted in a visible location from the street for a home rental or from the public areas in a multi-unit building and include contact numbers and maximum overnight occupant load.
	Contact numbers for responsible party to be listed on the City Business Directory.
	All advertising is to include the Business Licence number.
	The licence may undergo a review if repeated infractions or nuisance issues have been filed.

### Is strata approval required for vacation rental?

The City does not require approval but recommends that owners of strata units review the regulations of their strata corporation to determine if vacation rentals are allowable.

### Is insurance notification required to operate a vacation rental?

The City does not require evidence that a dwelling unit has proper insurance but recommends that owners speak with their insurance providers and make necessary adjustments to their coverage prior to proceeding with the rental of their unit.

**What building upgrades are required to receive vacation rental approval?**

It is the property owner’s responsibility to ensure that the space that they are renting is safe for visiting guests. Depending on the age of your home or rental unit, improvements maybe required to meet current life and safety standards. Rental units such as secondary suites or carriage homes must have been authorized with a permit and licenced for use by the owner or visitor.

✓ Overview of standard safety and Health requirements		
1.	Addressing	House and dwelling unit addressing shall be clearly visible from the street. Numbers should be a minimum of 100mmm (4 inches) with a contrasting color to house.
2.	Emergency Fire Safety Plan	A basic floorplan of the dwelling unit is to be posted at the front door as well as on the back of each bedroom door. The plan should include the exit paths out of the unit; location of fire extinguishers, smoke & carbon monoxide alarms and electrical panel locations; the address of the unit, as well as the contact name and number of the business owner (refer to attachment B).
3.	Hot Tub Pool	Hot tubs must be located outside required property setbacks and have a lockable cover. Hot-tubs located on decks and balconies impose a significant load on structural elements and may be required to be verified by a structural engineer. Also, tubs located near a balcony edge (guard) may require additional protection to prevent falling. Swimming pool area must be surrounded by a minimum 1.2m (4') fence with self-closing and latching gates. Please refer to <a href="#">Swimming Pool Bulletin (No 15-02)</a> . Electrical or gas connections shall be completed by a certified electrician. Please note that hosts and renters should limit usage of the pool and hot tubs to reduce noise nuisances impacting neighboring properties. Please limit the use of pools and hot tubs between 8:00am and 10:00pm.
4.	Fire Extinguisher	At least one 3A10BC Rechargeable Fire Extinguisher per floor, mounted in a visible, accessible location. When the extinguisher is in a cabinet or closet, the door cover must be clearly labeled. It is to be serviced annually by certified Fire Protection Technician.
5.	Smoke Alarm	Smoke alarms (S/A) shall be CAN/ULC-S531 “Standard for Smoke Alarms” and require to be installed on each storey, including basements. A S/A is to be installed in each sleeping room as well as in a location between the sleeping rooms and the remainder of the storey, and if the sleeping rooms are served by a hallway, the S/A shall be located in the hallway. The S/A shall be wired so that the activation of one alarm will cause all alarms within the dwelling unit to sound, and Installed on or near the ceiling. S/A are to be tested monthly using the test switch on the smoke alarm or the test method recommended by the manufacturer. The alarm signals shall sound during test. A log is to be maintained and may be audited by <i>the City Fire Department</i> .
6.	Carbon Monoxide Alarm	Carbon monoxide (CO) alarms are required in dwelling units that have fuel fired appliances (gas or wood) or attached garages and are to conform to CAN/CSA-6.19 “Residential Carbon Monoxide Alarming Devices”. CO alarms are not to have a disconnect switch between the overcurrent device and the CO alarm where the CO alarm is powered by the dwelling unit's electrical system. CO alarms are to be mechanically fixed at a height recommended by the manufacturer's instructions. CO alarms are to be located inside each bedroom or outside each bedroom (within 5 m of each bedroom door measured following corridors and doorways).
7.	Wood Burning / Chimney	Please provide a certificate or receipt from a certified chimney sweep (WETT certified) that shows the flues have been cleaned in the last year. Spark arrestor shall be in place on chimneys. Exterior open fire pits are not permitted.
8.	Bedroom Window Egress	Bedroom windows are to open without obstruction. The opening cannot be less than 0.35 m <sup>2</sup> (3.8 sq ft) with no dimension less than 380 mm (15 inches). Where a window opens into a window well, a clearance of not less than 760 mm (18 inches) shall be provided in front of the window. Bedroom windows located in basements should have sill heights no greater than 1.5m (5 feet) above the floor. Furniture can be used to meet this maximum height. There should be no security grilles that require keys, tools or special knowledge of the opening mechanism. Rooms found not to meet window requirements are not to be used for sleeping accommodation (see Attachment C).
9.	Exiting Egress	Pathways to exterior exits such as hallways and stairs should be maintained free and clear of obstructions at all times. Emergency lighting is not required for single family dwellings, however, it is recommended to assist guests through an unfamiliar space during a black out emergency.
10.	Stairs Guardrails Handrails	Stairs, guards and handrails are to be in good general condition with no missing or damaged steps, sturdy guardrails, handrails, treads shall have appropriate rise and run dimensions with compliant landing. Older homes may require additional or replacement of existing stairs, handrails and guards (refer to Attachment D for further information).

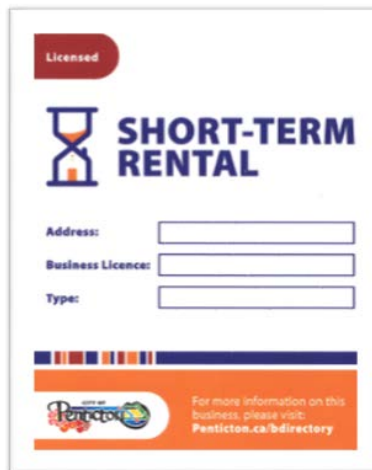
11.	Deck Patio Gazebo Balcony	General safe condition with sturdy guardrails where required. The surfaces are to be firm without dry rot or holes. Stoops and steps from deck are to comply with applicable code. Please refer to Building Bulletin – <a href="#">Deck Permits No. 15-05</a> & <a href="#">Building Bulletin No.16-08 Accessory Structures</a> .
12.	Garage	If a garage is attached to a dwelling unit, the garage man door (door from garage to home) must be a solid door with weather-stripping and self-closing hinges.
13.	Water Systems	Plumbing fixtures must be supplied with a potable water supply. Grey water recycling will not be permitted without specific approvals. Fixtures must have hot on the left and cold on the right. Drainage fixtures must have a trap to ensure sanitary gases will not enter the dwelling. Garden Hose connections must have a back flow device (i.e. vacuum breakers). Hot water tanks shall be installed per Code including a Temperature & Pressure Relief Valve, safe gas lines, flue vent, and combustion air. An overflow pan and expansion tank are required for any replaced water heater.
14.	Electrical Gas Systems	No permanent use of extension cords for any reason. Electrical panels must be in general good condition. All circuits are to be accessible and clearly labeled indicating the device or area served. Ground Fault Circuit Interruption (GFCI) should comply with the year the residence was built. Remodeled homes shall have GFCI's installed on all kitchen countertop outlets, in bathrooms, within 6 feet of any sink, as well as in garage and outdoor outlets. A review by a certified electrician or gas fitter may be required if renovation works have been completed without permits. For further information related to electrical and gas systems, please contact the <a href="#">Technical Safety BC</a> at 1-866-566-7233.
15.	Good Neighbour	The vacation rental program is relatively new in Penticton and its success depends on the effective integration of the visiting public with full time residents of the city – often in the same building. Owners of vacation rental units are responsible for the behavior of their tenants and the expectations of the renters should be clearly laid out prior to occupancy of the rental unit. Please refer the City's "Vacation Rental – Good Neighbour Guide". Also, informing neighbouring residents that a vacation rental unit will be operating and that problems should be directed to the property owner to be resolved prior to the City can often alleviate problems before they start.
16.	Bylaw enforcement	Please be advised that Bylaw Enforcement Officers will be actively enforcing the vacation rental regulations. Property owners who operate vacation rentals without having a business licence or are operating against the regulations will be subject to bylaw enforcement and liable for daily fines. This includes the rental of units to more than the maximum number of occupants or for the disturbance of neighbouring residents.

This guideline is provided for convenience and should not be considered a replacement for reviewing bylaws.

Please contact the Building Department at 250-490-2571 or [buildinginfo@penticton.ca](mailto:buildinginfo@penticton.ca) for information regarding building requirements. Please contact the Business Licence department at (250) 490-2488 or [businesslicences@penticton.ca](mailto:businesslicences@penticton.ca) for further information regarding short term vacation rental processing

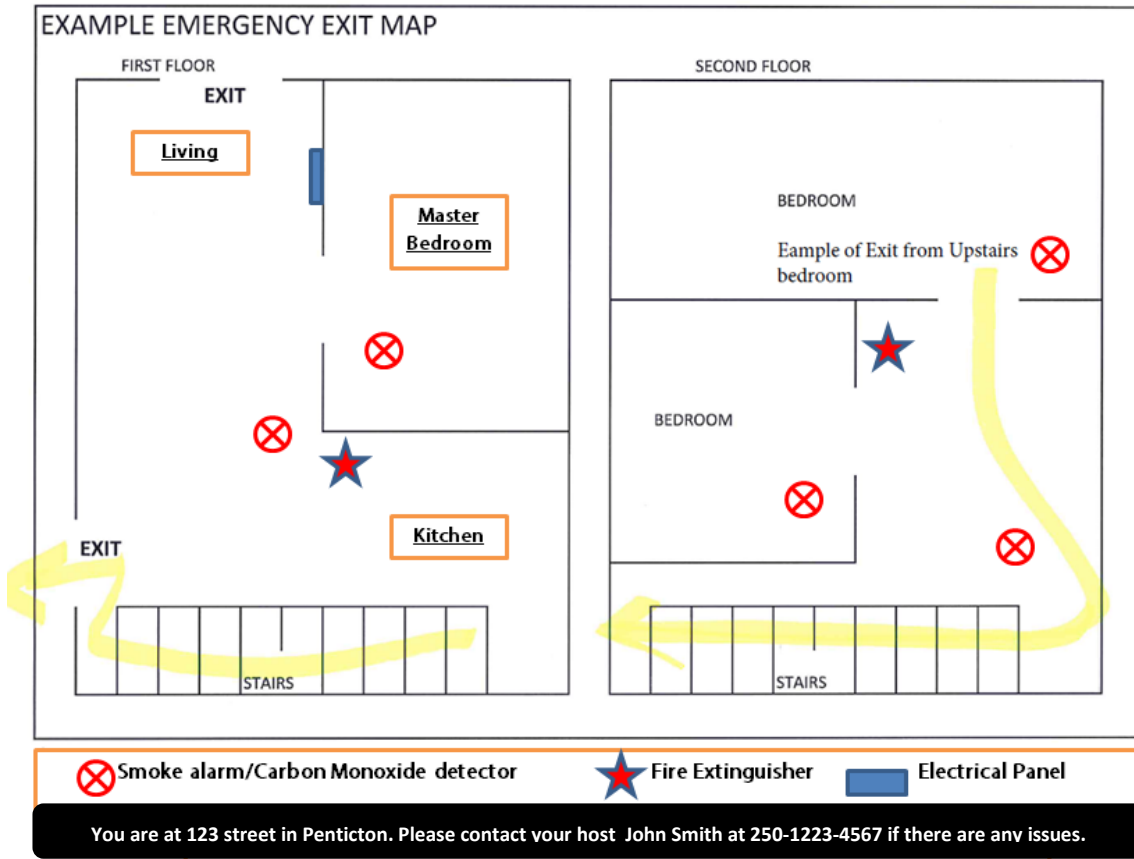
### Attachment A

Example of a Vacation Rental Decal or Sticker



### Attachment B

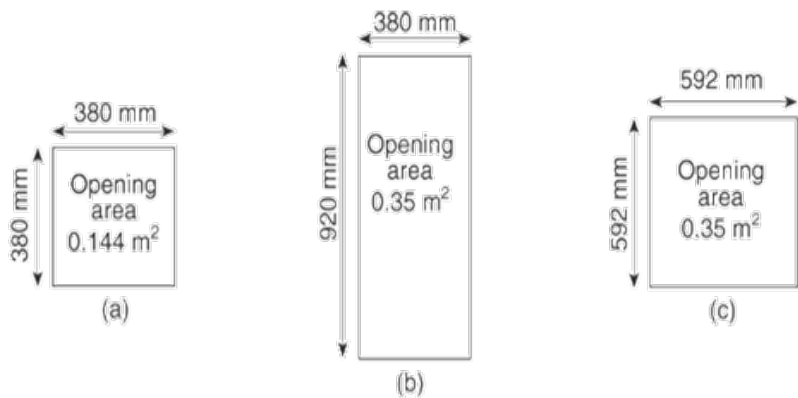
Example of an Emergency Fire Safety Plan



In case of Emergency dial - 911

**Attachment C**

Example of Window Sizing



(a) conforms to opening height and width requirements; does not conform to opening area requirements

(b) and (c) conform to height, width and opening area requirements

EQ003188

## Attachment D

### Further information Stairs on Guardrails Handrails

#### Stairs and Landings

- Minimum headroom is 1950mm (76.5 inches);
- Minimum width 860 mm (33.75 inches);
- Steps must not present a tripping hazard – oversized nosing;
- Doors or gates shall not be located at a bottom of a stairway;
- A minimum landing area is 900mm (36inches);
- Spiral or winder tread stairs may not be permitted as the principal access.

#### Handrails

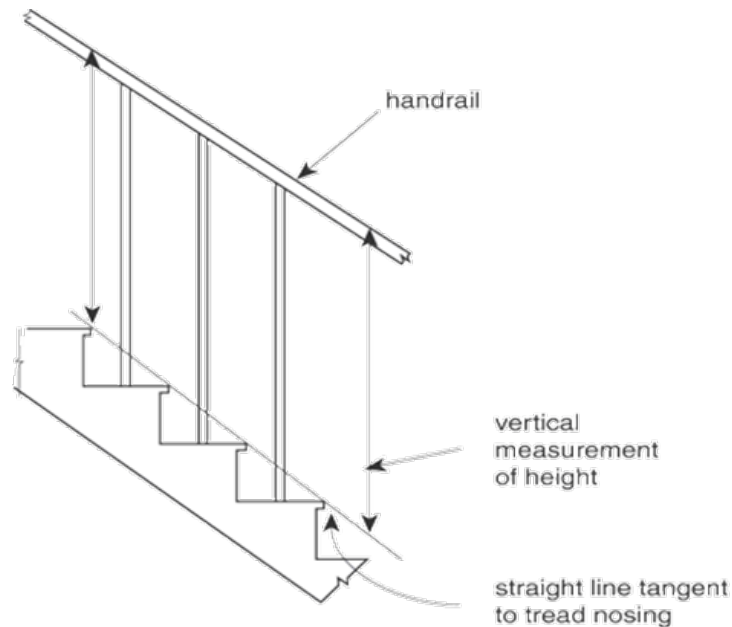
Handrails required:

- Interior stairs have more than 2 risers;
- Exterior stairs have more than 3 risers;
- On one side of stairways between 865mm (34 inches) and 965mm (38 inches); stairs wider than 1100mm (42 inches) will require a handrail on each side;
- Shall be secured into solid backing not more than 1.2m (4 feet).

#### Guards

Guards are required where there is more than 600mm (24 inches) between walking surfaces.

- Minimum height of internal guards 900mm (36 inches);
- Minimum height of external guards:
  - 900mm (36 inches) for deck surfaces less than 1.8m (6 feet) from ground level,
  - 1100mm (42 inches) for deck surfaces over 1.8m from grade
- No openings in guards that will allow a 100mm (4inch) sphere to pass through;
- No climable members between 140mm and 900mm from floor/deck surface. Also ornamental finishes or horizontal members may also create a climable hazard and may require protection or replacement. (see diagram example);
- Topless glass guards may require a review by a structural engineer. Please refer to [Building Bulletin No. 13-03](#);



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