

SHORT-TERM RENTAL BUSINESS LICENCE APPLICATION

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OFFICE USE ONLY		
LICENSE NUMBER:		PAYMENT
FEE: (refer to schedule on page 4)		

Applicable zones: Use this form for the R1, R2, R3, R4, R6, MU2, MU3, MU4, CD1, CD3, CD6, or CD9 zones.
For commercial zones: use the regular business licence form that can be found at City Hall or online at: www.nelson.ca/360/Applications-Forms

Submission: Please submit your application to: development@nelson.ca or in person at the Development Services office at City Hall, second floor.

Information: Please read pages 4 to 6 for a summary of key requirements. This summary is provided for your convenience to assist in completing the application form and to highlight key regulations that may affect the operation of a short-term rental (STR). **Please note that this is not a comprehensive guide.** It is your responsibility to ensure full compliance with all applicable regulations. For current and detailed information on municipal regulations, refer to the **Business Licence Bylaw, Zoning Bylaw, and Off-Street Parking and Landscaping Bylaw**, available at: www.nelson.ca/bylaws

PROPERTY BEING RENTED	
CIVIC ADDRESS: _____ # STREET CITY POSTAL CODE	
APPLICANT DETAILS	
APPLICANT IS: <input type="checkbox"/> Property owner <input type="checkbox"/> Non-owner primary resident/Long-term tenant	
NAME: _____	
E-MAIL: _____	PHONE: _____
MAILING ADDRESS: _____	
TYPE OF APPLICATION	
DURATION: <input type="checkbox"/> year-round licence <input type="checkbox"/> four-month licence (four periods of 31-consecutive days each) - Dates of validity: _____ <input type="checkbox"/> 31-day licence - Dates of validity: _____	
TYPE OF SPACE (see definitions on page 3): <input type="checkbox"/> Guest Room(s) - how many bedrooms: _____ (maximum 2, except in R6 zones) <input type="checkbox"/> Guest Home <input type="checkbox"/> Guest Suite	

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LOCAL CONTACTS

Provide one or two local contacts: these must be individuals who will be available to respond to phone calls within 15 minutes, 24 hours a day during the duration of any guest stay, who live within 30 kilometres of the property, and who do not act as the local contact person for more than two short-term rentals. This person can be you, if you meet the above criteria.

This contact information will be made available to the public on the City's website, on the short-term rental map.

1. _____
LAST NAME FIRST NAME PHYSICAL ADDRESS PHONE

2. _____
LAST NAME FIRST NAME PHYSICAL ADDRESS PHONE

ADDITIONAL INFORMATION

On what platforms will you advertise your Short-Term Rental? _____

To the best of your knowledge, does the property meet the safety standards outlined in the attached checklist on **page 6**?

YES ☐ NO ☐

How many legal **off-street** parking spaces does the property have? *(If uncertain, round down)* _____

REQUIRED DOCUMENTATION

Your application will not be considered complete for the purposes of quota allocation **until all required documentation is submitted.**

- Proof of property ownership: this may include a copy of the land title or proof of a current mortgage or Homeowner Grant.
- For Non-Owner Primary Resident: please provide a letter of approval from Property Owner.
- Proof of principal residence of the property – If you have owned the home for longer than one year, this must be the provincial homeowners grant. In other cases, it may include documentation showing you received provincial or federal government benefits, or income tax documentation or receipts. A driver's licence or utility bill alone is not enough.
- Title Search (no older than 30 days) for all lots. You can obtain your Title Search online from the Land Title Office: visit www.ltsa.ca or, for a \$15 fee, the City of Nelson can obtain it for you.
- Is the dwelling unit in a multi-unit building? If so, and you are not the owner of the building, you must provide a letter from the Strata Council authorizing your application.

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SIGNATURE AND ACKNOWLEDGEMENT

I/We _____ hereby make application for a licence in accordance with the particulars as above stated and I declare the above statements are true and correct, and I undertake that if I am granted the licence applied for, I will comply with each and every obligation contained in all laws and bylaws, including but not limited to the Business Licence Bylaw, Off-Street Parking and Landscaping Bylaw and the Zoning Bylaw, now in force or which may hereafter come into force in the City of Nelson. I confirm that this property is used as a principal residence. I agree that I shall not make any offer for rent or advertise space for rent outside of the duration for which the licence is applied for, nor while my licence application is being processed and has yet to be issued. If, prior to the licence being issued, I choose to withdraw or cancel my application, a refund of the business licence fee will be considered only if I have not operated a short-term rental without a licence in this calendar year. Any motor vehicles associated with guest stays shall be parked off-street or, if not possible, directly in front of the property, as per bylaw. I shall be committed to proactively cooperating with neighbours and the City in ensuring minimal impact on the neighbourhood as a result of Short-Term Rental operations. I understand that the City will contact me primarily by email, at the email address above.

I/We understand that this business licence application and fee payment does not constitute a valid business licence. A business licence will be issued after all bylaw requirements have been completed. The City of Nelson may supply other agencies with the above information.

DATE: _____

SIGNATURE: _____

The City of Nelson is collecting your personal information in accordance with Section 26 of the Freedom of Information and Protection of Privacy Act, for the purposes of administering City of Nelson programs and services, including permits and licensing services. If you have any questions, please contact the Privacy Head at 310 Ward Street, Nelson, BC V1L 4P1 or FOI@nelson.ca or 250-352-8234.

OFFICE USE ONLY – REVIEW CHECKLIST

Zoning: _____, permitted use confirmed <input type="checkbox"/>	
City/block quotas: confirmed <input type="checkbox"/>	
For suites: conforming suite confirmed <input type="checkbox"/>	
For laneway houses: built and legal prior 2018, confirmed <input type="checkbox"/>	
For houses: no non-conforming unit on the premises, confirmed <input type="checkbox"/>	
For strata properties: approval provided <input type="checkbox"/>	
Site Inspection passed in: _____ (month and year)	
Parking confirmed: 1 <input type="checkbox"/> or 2 <input type="checkbox"/>	
Title: No applicable charge <input type="checkbox"/>	
Confirmation of ownership <input type="checkbox"/>	
Principal Residency: PHOG _____ (year) <input type="checkbox"/>	
Or long-term tenant agreement + applicable documentation <input type="checkbox"/>	
Approval:	Comments:
 _____ Inspector's Signature & Date	

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SUPPLEMENTAL INFORMATION

SHORT-TERM RENTAL FEE SCHEDULE

CODE (for office use)	COST	ANNUAL LICENCES (valid for the calendar year)
STR	\$350	Guest Room(s)
SR4	\$800	Guest Home
SR4 + SRS + SRW	\$1,765	Guest Suite
FOUR-MONTH LICENCES		
STR4	\$150	Guest Room(s)
SR4A	\$400	Guest Home or Guest Suite
31-DAY LICENCES		
SR4B	\$160	Guest Home or Guest Suite
EXEMPTION PROVISIONS FOR HOME OCCUPATION AND BED & BREAKFAST*		
SR2G	\$80	Two Guest Rooms
SR3G	\$160	Three or more Guest Rooms

- **Payment** can be made with cash, debit, credit card, or cheque.
- Any person or business that applied for or held a business licence prior to January 1, 2016 and held a valid licence in 2016 for a “Home Occupation” designated for up to two Guest Rooms or a “**Bed and Breakfast**” shall be exempt from the allocation cap following a change in property ownership and shall be exempt from the requirement to list the licence number, parking spaces and maximum guest occupancy in all advertising.
- **No refunds** will be considered if the applicant has operated a Short-Term Rental without a business licence.
- **First-time applications** (not renewals) for an **annual licence** made on or after August 1st are **prorated at 50%**.

TAXES

Short-Term Rentals are required to remit the Provincial Sales Tax (PST) and the 2% MRDT (commonly known as the tourism tax). Please refer to the provincial government for more information.

DEFINITIONS

- “**Short-Term Rental**” means a Guest Home, Guest Suite, Guest Rooms, or part thereof in a residential zone wherein accommodation is offered for rent, or rented, to the travelling public on a temporary basis (31 days or less), and is subject to section 1.1.10 of Schedule “A” of the Zoning Bylaw, 3199, 2013.
- “**Guest Room**” means a habitable room used for Short-Term Rental including, but not limited to, a bedroom, living room, or dining room advertised for the exclusive use by the Short-Term Rental guests, and that does not contain cooking facilities or means to prepare meals*.
* Small appliances allowed in guestrooms: plug-in kettle, upright toaster (no toaster oven or airfryer), microwave, coffee maker, mini fridge.
- “**Guest Suite**” means a Laneway House or Secondary Suite used for Short-Term Rental. A Guest Suite must be a legal, conforming secondary suite. Laneway houses built since June 2018 are not eligible.
- “**Guest Home**” means a Single-Detached Residential dwelling unit, a unit in a Duplex Residential dwelling or a dwelling unit in a Multi-Unit Residential dwelling where such dwelling is used in its entirety as one dwelling for Short-Term Rental. If it is the sole dwelling unit on the property, may not be advertised as available for rent for more than 182 days per year. Please note a strata unit is considered a property by itself.

QUOTA

The maximum number of annual STR licences is 110 and the maximum number of four-month STR licences is 40. There is a maximum of three (3) permitted within one block (see definition of a block in Business Licence Bylaw 3347, 2016). There is no cap on the number of 31-day STR licences, however only two 31-day licences are permitted for a single property per year.

CHANGE OF OWNERSHIP

As per section 12.1 of Business License Bylaw No. 3347, 2016, licenses are not transferable.

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MAXIMUM GUEST OCCUPANCY

Not more than two (2) adult guests shall be accommodated per Guest Room, not more than four (4) adult guests shall be accommodated per Guest Suite, and not more than six (6) adult guests shall be accommodated per Guest Home.

PARKING REQUIREMENTS

Each required space must be located entirely on your property, **minimum size is 6m by 2.75m each.**

Existing Dwelling Unit with 1 STR Guest Room	1 space/dwelling unit (DU)
Existing Dwelling Unit with 2 STR Guest Rooms	2 spaces/DU
Existing Dwelling Unit with 3 STR Guest Rooms or more (must be in R6 zone)	2 spaces/DU + 1 space/guest room
Secondary Suite or Detached Secondary Dwelling Unit used as a STR Guest Suite	1 space/DU
Existing Dwelling Unit used as a STR Guest Home	For a year-round STR license: 2 spaces/DU For STR license valid for fewer than six (6) months: 1 space/DU
Existing Dwelling Unit used as a STR Guest Home or Guest Suite located in the Downtown Residential Zone (R3) and Core Commercial Zone (C1)	1 space/DU

In addition to the above parking requirements: licensees shall ensure that vehicle parking for short-term rental guests shall be restricted to the property and, where on-street parking is permitted, the portion of the road immediately adjacent to the property.

If sufficient off-street parking spaces for a Short-Term Rental use cannot be provided on the same lot, up to one (1) required parking space may be located on another lot adjacent to or across the lane, or within 100 metres from the subject property, with approval of the Director of Development Services:

- Off-site parking shall be secured by an Agreement deemed satisfactory by the City between the owner of the off-site parking area and the owner of the building, structure, or use requiring an off-site parking space.
- The Agreement must include a site plan of the location of the parking space to be provided off-site.
- The Agreement shall be valid for the duration of the Business Licence. A new Agreement shall be provided at the time of each Licence renewal.
- If the Agreement is invalidated before its expiration date, the property owner must immediately cease operation of the Short-Term Rental use until its off-street parking requirements are fulfilled to the City's satisfaction.
- The property on which the off-site parking space is located must meet the minimum parking requirements as specified in section 7.3 of the Off-Street Parking & Landscape Bylaw. The space provided for a Short-Term Rental shall be in addition to the minimum parking required.
- A property owner providing off-street parking shall only enter into one (1) agreement to provide one (1) parking space.

ADVERTISING

STR licensees must list their business licence number, the number of off-street parking spaces available to guests explicitly specifying that this number equals the maximum number of vehicles that paying guests of the property are permitted to bring, and maximum guest occupancy on all booking platforms.

DAILY GUEST REGISTRY

Short-term rental applicants must maintain a daily guest registry with the names, contact information, and any licence plate numbers associated with the overnight stay. If a complaint is received, the property owner, upon request from the City, shall provide the guest registry (which can include the booking records as produced directly from each online listing platform used to advertise the licensed premises) for inspection.

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INSURANCE

Short-Term Rental operators are strongly encouraged to disclose their short-term rental to their home insurance provider and to obtain adequate damage and liability insurance.

GOOD NEIGHBOUR POLICY

Short-term rental applicants need to proactively cooperate with neighbours and the City in ensuring minimal impact on the neighbourhood as a result of short-term rental operations. The City has the right to deny an application for renewal which may be based on but not limited to complaints and noncompliance. If your licence has been revoked, you will be barred from holding a short-term rental licence for a minimum of two years.

PRE-INSPECTION CHECKLIST

This checklist outlines some of the basic requirements that need to be met in order to be licensed under the City's Building Bylaw. Be advised that it is your responsibility to ensure all requirements under applicable bylaws are met.

- All smoke alarms, hard wired and interconnected, on every floor level and in every bedroom shall be in working order.
- Carbon monoxide detectors are present in every level of the residence and are in working order. Only applicable where there is a gas appliance in the house, such as forced air gas furnace or gas fire place, or an attached garage.
- Electrical cords are in good working condition.
- All escape routes are clear of obstructions and easily accessible. All bedroom windows are required to meet the egress requirements for life safety and have a minimum clear opening size of 3.77 square feet with no dimension less than 15 inches. Opening the window must not require special knowledge to release window hardware to get out.
- Clothes dryer lint trap and exhaust is clean and lint free and vented to the building exterior.
- No Portable Heaters.
- The furnace has been inspected and the filter replaced in the past year.
- The fire place chimney has been inspected and cleaned in the past year.
- All portable fire extinguishers with a minimum 2A-10BC rating shall be made available, visibly mounted on each floor area and shall be inspected and tagged annually.
- Address numbers are visible and easy to read from your fronting street. Exterior Lighting installed at each entrance into the building.
- All exit doors are free of obstructions. Sleeping area emergency escape and rescue openings are free.
- Sanitation standards are met (free of mold, mildew, or infestation) and all plumbing is in working order.
- All stairs with three or more risers are provided with approved handrails. Guard rails are required on all stairs and landings more than 600 mm (24 inches) above grade. The height of the guards is 36" for decks and landings less than 1.8 meters (6 ft) above the ground and 42" for those higher than 1.8 meters (6 ft) above the ground. Guards on all stairs (inside and outside) are required to be 900 mm (35 ½" high).
- Cooking facilities are ventilated to the building exterior.
- Dwelling has no broken windows, doors, or other structural hazards.
- Approved covers are in place on all electrical switch and outlet boxes.
- All circuit breakers are labeled, in English, to show what they control and are accessible to guests.
- All water heaters have a pressure relief valve, with extension tubes installed to 1" above the floor or drain pan.
- All natural gas appliances have individual gas shut-off valves, located in an accessible location.
- Verification that your property meets the minimum parking requirements.