

**To:** Her Worship Mayor McKortoff and Members of Council

**From:** Christopher Garrish, Planner

**Date:** September 9, 2025

**Subject:** Land Use Bylaw Amendments - Short-Term Rental Regulations Review

**Tracker No:** AI-684

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**Recommendation:**

**THAT the Official Community Plan Amendment Bylaw No. 1375.07, 2025, Zoning Amendment Bylaw No. 1395.04, 2025, Municipal Ticketing Information (MTI) Amendment Bylaw No. 1279.25, 2025, and Bylaw Notice Enforcement (BNE) Amendment Bylaw No. 1392.01, 2025, be read a third time.**

**CAO Comments:**

Approved for Council consideration.

**Executive Summary:**

The proposed amendments to the Town's Official Community Plan (OCP), Zoning, Municipal Ticketing Information (MTI), Bylaw Notice Enforcement (BNE) bylaws relate to the regulation of short-term rental accommodation (STR) units.

**Background:**

At its meeting of August 12, 2025, the Town of Osoyoos Municipal Council resolved to approve first and second reading of the amendment bylaws and scheduled a public hearing ahead of its meeting of September 9, 2025.

On September 9, 2025, a public hearing will be held in Council Chambers at 8707 Main Street, Osoyoos, BC.

All comments received to date in relation to this application are included as a separate item on the Regular Open Council Meeting Agenda.

Approval of Zoning Amendment Bylaw No. 1395.04, 2025, from the Ministry of Transportation and Transit (MoTT) is required prior to adoption as the proposed amendments involve lands within 800 metres of a controlled access highway (i.e. Highway 97 & 3).

**Analysis:**

Further to the previous direction provided by Council, and to support the introduction of new land use policies and regulations to support an STR "Pilot Program", Administration is proposing the following amendments:

- Adding a new suite of policies related to short-term rental accommodations at Section 6 (Community Goals and Policies) of the Town's Official Community Plan (OCP);
- Permitting "short-term rental accommodation" as a permitted accessory use in the Scale Multi-Unit Residential (RS1) and Agriculture (AG) zones under the Zoning Bylaw;
- Introducing new zoning regulations related to STR uses, such as on-site vehicle parking requirements (1 per bedroom) and maximum accommodation limits (e.g. 2 patrons per bedroom); and
- Introducing new fines related to operating an STR use contrary to zoning and the business licence bylaws.

Council is asked to be aware that the proposed zoning regulations related to STRs have been modified since consideration at COTW, specifically by replacing the previous limitation of no more than four (4) bedrooms to a maximum occupancy of eight (8) patrons at any one time, to two (2) patrons per bedroom.

Council is further asked to be aware that, by permitting "short-term rental accommodation" in the RS1 and AG zones, there will be no cap on the number of business licences that may be issued for these businesses.

Of note, under Section 36 (Authority to continue use does not apply) of the *Short-Term Rental Accommodations Act*, the use of a property for an STR cannot benefit from non-conforming use rights under the *Local Government Act*.

Accordingly, if the "Pilot Program" is determined to be inappropriate in future, Council retains the ability to revise its approach to the regulation of STRs and amend its land use bylaws, without creating a class of "grandfathered" STR operations.

### Alternative:

Conversely, other options are available to Council such as modifying the draft land use amendment bylaws in order to address any areas of concerns. Administration will take direction from Council on what revisions may be required.

Alternatively, the option to retain the existing approach to the regulation of STRs is available to Council but is not recommended.

### Options/discussion:

1. THAT the Official Community Plan Amendment Bylaw No. 1375.07, 2025, Zoning Amendment Bylaw No. 1395.04, 2025, Municipal Ticketing Information (MTI) Amendment Bylaw No. 1279.25, 2025, and Bylaw Notice Enforcement (BNE) Amendment Bylaw No. 1392.01, 2025, be read a third time.
2. Status quo.

### Implications:

- a) Community: The bylaws respond to increasing public concern regarding the impact of short-term rental accommodations (STRs) on housing availability and affordability by introducing clear policy and regulatory frameworks as well as enforcement tools.
- b) Organizational: the bylaws provide clearer policy and regulatory direction for Town staff when dealing with issues around STRs and address concerns associated with the potential flouting of Town bylaws in relation to unregulated commercial activity occurring in residential zones (e.g. estimate of 200-300 unpermitted STRs occurring within the Town's boundaries).
- c) Budget / Financial / Risk Implications: the bylaws establish the regulatory basis for issuing business licences for STRs and introducing new fines related to non-compliance, which may facilitate a more consistent approach to enforcement, fewer complaints, and a reduction in staff time spent responding to complaints about STR operations.
- d) Significant Dates: January 1<sup>st</sup> marks the commencement of a new business licencing year and implementing changes to the OCP and Zoning bylaws is a prerequisite to issuing licences for STR operations.
- e) Sustainability: in conjunction with Council's decision to opt-in to the provincial "Principal Residence Requirement", the bylaw should encourage the retention of dwelling units for residential use.

### **Others Consulted:**

(see Agency Referral List at Attachment No. 1)

### **Attachments:**

No. 1 – Agency Referral List

No. 2 – Official Community Plan Amendment Bylaw No. 1375.07

No. 3 – Zoning Amendment Bylaw No. 1395.04

No. 4 – Municipal Ticket Information Amendment Bylaw No. 1279.25

No. 5 – Bylaw Notice Enforcement Amendment Bylaw No. 1392.01

## Attachment No. 1 – Agency Referral List

Referrals to be sent to the following departments and agencies as highlighted with a ☒, prior to Council considering first reading of Official Community Plan Amendment Bylaw No. 1375.07:

	Ministry of Transportation and Infrastructure	<input checked="" type="checkbox"/>	Chief Administrative Officer
<input checked="" type="checkbox"/>	Agricultural Land Commission	<input checked="" type="checkbox"/>	Corporate Officer
	Archaeology Branch (MFLNRORD)	<input checked="" type="checkbox"/>	Chief Financial Officer
	Interior Health Authority	<input checked="" type="checkbox"/>	Operational Services
<input checked="" type="checkbox"/>	Ministry of Agriculture & Lands	<input checked="" type="checkbox"/>	Building Inspector
	Ecosystem Section (MFLNRORD)	<input checked="" type="checkbox"/>	Fire Department
<input checked="" type="checkbox"/>	School District	<input checked="" type="checkbox"/>	Osoyoos Indian Band
	Fortis BC	<input checked="" type="checkbox"/>	RDOS
	Eastlink		RCMP
	Telus		

# **TOWN OF OSOYOOS**

## **BYLAW No. 1375.07**

A Bylaw to Amend Official Community Plan Bylaw 1375, 2021
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### **The council of the Town of Osoyoos, in open meeting assembled, ENACTS AS FOLLOWS:**

1. This bylaw may be cited for all purposes as “Town of Osoyoos Official Community Plan Amendment Bylaw 1375.07, 2025.”
2. The Town of Osoyoos Official Community Plan Bylaw No. 1375, 2021, is amended by:
  - i) deleting sub-section 6.B.3.1(e) and renumbering all subsequent sub-sections.
  - ii) deleting sub-section 6.B.3.2(h) and renumbering all subsequent sections.
  - iii) adding a new sub-section 6.B.3.3 (Short-Term Rental Accommodations) under Section 6.B.3 (Housing and Our Neighbours - Policies) to read as follows:
    - .3 Regulate short-term rental accommodations in a manner that supports the protection of long-term rental housing stock.
      - a) Support the provision of paid accommodation for visitors through short-term rental accommodations on lands designated Low Density Residential (LR) where the operation takes place within a single detached dwelling, accessory dwelling, or secondary suite on a parcel which is the owner and operator’s principal residence.
      - b) Support the provision of paid accommodation for visitors through short-term rental accommodations on lands designated Tourist Commercial (TC) where the operation takes place within a resort residential building.
      - c) Discourage the use of a residential dwelling unit or a building or structure accessory to the residential use of a parcel for the temporary commercial accommodation of paying guests that does not comply with the regulations for a “short-term rental accommodation” use, as established pursuant to the zoning bylaw, and considers such uses to be “tourist accommodation”.
      - d) Discourage the use of a residential dwelling unit for a “tourist accommodation” purposes.
      - e) Discourage short-term rental accommodations within multi-family residential developments (i.e. apartment buildings and townhouses) due to concerns around the provision of on-site vehicle parking.
      - f) May consider the use of a residential dwelling unit for a “tourist accommodation” purpose through the issuance of a temporary use permit (TUP).
      - g) Support the regular review of short-term rental accommodations in order to understand their impact on rental housing affordability and supply.
      - h) Support the regulation of short-term rental accommodations in a manner that supports a cost-recovery model by periodically reviewing associated business

license fees against the cost of short-term rental accommodation program administration.

iv) deleting sub-section 6.E.3.3(e) and renumbering all subsequent sections.

Read a first and second time on the 12<sup>th</sup> day of August, 2025.

Public hearing held on the 9<sup>th</sup> day of September, 2025.

Read a third time on the \_\_\_\_ day of \_\_\_\_\_, 2025.

Adopted on the \_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Corporate Officer

# TOWN OF OSOYOOS

## BYLAW NO. 1395.04, 2025

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### A Bylaw to amend the Zoning Bylaw No. 1395, 2025

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**WHEREAS** Council deems it desirable to amend the Zoning Bylaw.

**NOW THEREFORE BE IT RESOLVED THAT** the Council of the Town of Osoyoos in open meeting assembled **ENACTS AS FOLLOWS:**

1. This Bylaw may be cited for all purposes as “Zoning Amendment Bylaw No. 1395.04, 2025”.
2. The “Town of Osoyoos Zoning Bylaw No. 1395, 2024,” is amended by:
  - i) adding a new Section 7.7 (Short-Term Rental Accommodations) under Section 7.0 (Specific Use Regulations) to read as follows:

#### **7.7 Short-Term Rental Accommodations**

*A short-term rental accommodation* is permitted where listed as a permitted use, provided that:

1. the maximum number of patrons that may be accommodated within a dwelling unit shall not exceed two (2) per bedroom;
  2. *A bed and breakfast operation* has not been licenced to occur on the parcel.
  3. for parcels situated within the Agricultural Land Reserve (ALR), a “non-adhering residential use” approval from the Agricultural Land Commission (ALC) has been granted for the short-term rental accommodation use or the use is otherwise permitted under the *ALC Act* and regulations.
- ii) adding an entry for “short-term rental accommodation” under the “Residential” sub-section of Table 10.2.1 (Required Off-Street Vehicle Parking Spaces) to read as follows:

USE	REQUIRED NUMBER OF SPACES
<i>short-term rental accommodation</i>	1 per <i>sleeping unit</i>

- iii) adding a new sub-section 11.1.1(k) (Permitted Uses) under Section 11.1 (Small-Scale Multi-Unit Residential (RS1) Zone) to read as follows:
  - k) *short-term rental accommodation*, subject to Section 7.7.
- iv) adding a new sub-section 19.1.1(l) (Permitted Uses) under Section 19.1 (Agriculture (AG) Zone) to read as follows and renumbering all subsequent sections accordingly:
  - l) *short-term rental accommodation*, subject to Section 7.7.

READ A FIRST AND SECOND TIME this 12<sup>th</sup> day of August, 2025.

PUBLIC HEARING held on this 9<sup>th</sup> day of September, 2025.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Approved pursuant to Section 52(3) of the *Transportation Act* this \_\_\_\_ day of \_\_\_\_\_, 2025.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Corporate Officer



# TOWN OF OSOYOOS

## BYLAW No. 1279.25

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*A Bylaw to amend the Municipal Ticket Information Bylaw No. 1279, 2011*

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**WHEREAS** Council deems it desirable to amend the Municipal Ticket Information Bylaw No. 1279, 2011;

**NOW THEREFORE** the Municipal Council of the Town of Osoyoos, in open meeting assembled **ENACTS AS FOLLOWS:**

1. This Bylaw may be cited as “Municipal Ticket Information Amendment Bylaw No. 1279.25, 2025”.
2. The Town of Osoyoos Municipal Ticket Information Bylaw No. 1279, 2011, is hereby amended as follows:
  - a) by replacing “Schedule 3 - Business Licensing Bylaw No. 1045, 1997” in its entirety with the following:

### **SCHEDULE 3**

#### **Business Licence Bylaw No. 1400, 2025**

<b>COLUMN 1 OFFENCE</b>	<b>COLUMN 2 SECTION</b>	<b>COLUMN 3 FINE</b>	
			<b>If paid within 30 days</b>
Operating a business without a valid business licence	3.1	\$150	\$120
Advertisement by any means of a Short-Term Rental Accommodation without a valid business licence	2(d), Schedule A	\$3,000	\$3,000
Advertisement of a Short-Term Rental Accommodation with more bedrooms and/or sleeping units than identified in a valid business licence.	2(d), Schedule A	\$1,500	\$1,500
Failure to display a valid Business Licence	15.1	\$150	\$100

- b) by replacing the row referencing Section 5.4 in the Table to Schedule 23 (Zoning Bylaw No. 1395, 2024) in its entirety with the following:

COLUMN 1 OFFENCE	COLUMN 2 SECTION	COLUMN 3 FINE	
			If paid within 30 days
Operating a use not listed in respect of a particular zone	5.4		
i) short-term rental accommodation		\$3,000.00	\$3,000.00
ii) all other uses		\$1,000.00	\$900.00

Read a first and second time on the 12<sup>th</sup> day of August, 2025.

Read a third time on the \_\_\_\_ day of \_\_\_\_\_, 2025.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER

# TOWN OF OSOYOOS

## BYLAW No. 1392.01

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*A Bylaw to amend the Bylaw Notice Enforcement Bylaw No. 1392, 2025*

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**WHEREAS** Council deems it desirable to amend the Bylaw Notice Enforcement Bylaw No. 1392, 2025;

**NOW THEREFORE** the Municipal Council of the Town of Osoyoos, in open meeting assembled **ENACTS AS FOLLOWS:**

1. This Bylaw may be cited as “Bylaw Notice Enforcement Amendment Bylaw No. 1392.01, 2025”.
2. The Town of Osoyoos Bylaw Notice Enforcement Bylaw No. 1392, 2025, is hereby amended as follows:
  - a) by replacing the table referencing “Business Licensing Bylaw No. 1045, 1997” under Schedule “A” in its entirety with the following:

Business License Bylaw No. 1400, 2025					
Section	Description	A1 – Penalty	A2 – Early Payment Penalty	A3 – Late Payment Penalty	A4 – Compliance Agreement Available (Max 50% reduction in penalty amount where compliance agreement is shown as “Yes”)
3.1	Operating a business without a valid business license	\$150	\$120	\$160	Yes
2(d), Schedule A	Advertisement by any means of a Short-Term Rental Accommodation without a valid business license	\$500	\$450	\$500	No
2(d), Schedule A	Advertisement of a Short-Term Rental Accommodation with more bedrooms and/or sleeping units than identified (with a valid business license)	\$250	\$200	\$275	No
15.1	Failure to display a valid business license	\$150	\$100	\$275	Yes

- b) by replacing the row referencing Section 5.4 in the table referencing “Zoning Bylaw No. 1395, 2024” in its entirety with the following:

Section	Description	A1 – Penalty	A2 – Early Payment Penalty	A3 – Late Payment Penalty	A4 – Compliance Agreement Available (Max 50% reduction in penalty amount where compliance agreement is shown as “Yes”)
5.4	Operating a use not listed in respect of a particular zone	\$500	\$450	\$500	No

Read a first and second time on the 12<sup>th</sup> day of August, 2025.

Read a third time on the \_\_\_\_ day of \_\_\_\_\_, 2025.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER