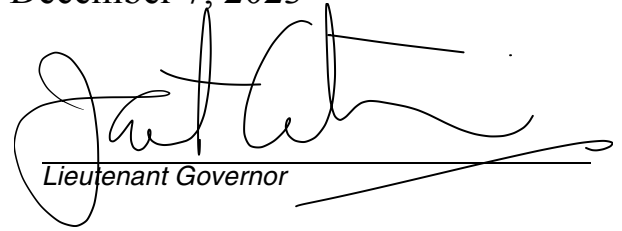


PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 679

, Approved and Ordered December 7, 2023



Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that

- (a) the following provisions of the *Short-Term Rental Accommodations Act*, S.B.C. 2023, c. 32, are brought into force:
 - (i) section 1, except the definitions of “**applicant**”, “**registrant**”, “**registration number**”, “**registration requirement**”, “**responsible official**” and paragraph (c) of the definition of “**short-term rental information**”;
 - (ii) sections 2 to 5, 15, 19 (1) to (4), 20, 21 (a), 22 to 25 and 31 to 34;
 - (iii) section 35, except paragraphs (a) and (b) of subsection (3);
 - (iv) section 37;
 - (v) section 38, except subsections (2) (f) (ii) to (vii) and (n) and (3) (e) (i) and (f) (i) (A);
 - (vi) section 39,
- (b) the attached Short-Term Rental Accommodations Regulation is made, and
- (c) effective May 1, 2024, sections 13 (a) and (c), 14 (1), 16, 17 (1) (a) and (b) (i) (A) and (C) and 36 of the *Short-Term Rental Accommodations Act*, S.B.C. 2023, c. 32, are brought into force.



Minister of Housing



Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: *Short-Term Rental Accommodations Act*, S.B.C. 2023, c. 32, ss. 38 and 45

Other:

R10738596

SHORT-TERM RENTAL ACCOMMODATIONS REGULATION

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PART 1 – INTERPRETATION AND EXEMPTIONS

Definitions

- 1 (1) In this regulation:
 - “**Act**” means the *Short-Term Rental Accommodations Act*;
 - “**float home**” means a structure that is
 - (a) designed, constructed or manufactured to float on water,
 - (b) used or intended to be used as living accommodation in a fixed location, and
 - (c) not capable of movement under its own power;
 - “**home exchange**” means a reciprocal arrangement for a person who offers a right to use the person’s property for accommodation in British Columbia in exchange for the right to use another person’s property;
 - “**outdoor recreational activity**” has the same definition as in section 8 (2) of the Prescribed Classes of Property Regulation;
 - “**strata-titled hotel or motel**” means a property in which accommodation is provided in a manner similar to that of a hotel or motel and, in respect of which property,
 - (a) a strata plan is filed under the *Strata Property Act*, and

(b) different owners own different strata lots;

“student accommodation” means property that is

(a) ordinarily used for more than 6 months in the calendar year for the living accommodation of students or employees of an educational institution, and

(b) owned or operated by the educational institution or by a non-profit organization;

“time share property” means property within British Columbia, other than a property described in section 4 (b) or (c), in respect of which a person

(a) has a time share contract within the meaning of the *Business Practices and Consumer Protection Act*, or

(b) has a time share interest within the meaning of the *Real Estate Development Marketing Act*.

(2) In this regulation, **“common property”**, **“strata corporation”** and **“strata lot”** have the same meaning as in section 1 (1) of the *Strata Property Act*.

Interpretation

2 For the purposes of section 1 of the Act,

(a) in respect of the definition of “exempt land”, the geographic areas listed or described in Schedule 1 are prescribed,

(b) in respect of the definition of “platform service”, a platform service provided in respect of the following is not a platform service:

(i) a time share property;

(ii) a home exchange;

(iii) student accommodation;

(iv) accommodation that is provided by an operator of outdoor recreational activities,

(c) in respect of the definition of “residence”, a float home is a prescribed dwelling, and

(d) in respect of the definition of “short-term rental accommodation service”, an accommodation service is prescribed if, when the accommodation service was first provided,

(i) accommodation was to be provided for 90 consecutive days or more but ends before 90 consecutive days have passed, and

(ii) the end of the accommodation could not have been reasonably foreseen by a supplier host.

General exemptions

3 (1) For the purposes of section 3 [*what this Act does not apply to*] of the Act, a strata-titled hotel or motel is not a hotel or motel.

(2) This Act does not apply to the following properties:

(a) a vehicle;

(b) a tent or other temporary shelter.

Specific exemptions

- 4 The principal residence requirement does not apply to the following:
- (a) the following properties or circumstances:
 - (i) a time share property;
 - (ii) a home exchange;
 - (iii) student accommodation;
 - (iv) accommodation for visitors of residents of strata lots that is provided primarily in the following:
 - (A) common property;
 - (B) a strata lot owned by the applicable strata corporation;
 - (v) accommodation that is provided by an operator of outdoor recreational activities;
 - (b) a strata-titled hotel or motel, in respect of strata lots in which accommodation is provided in a manner similar to that of a hotel or motel, if a property host may not use the property host's property in the strata-titled hotel or motel as a principal residence due to mandatory provisions in the applicable rental pool or rental management agreement;
 - (c) a property in respect of which a property host holds a fractional interest if the property host may not use the property as a principal residence due to mandatory provisions in the applicable fractional ownership agreement.

PART 2 – PRINCIPAL RESIDENCE REQUIREMENT

Division 1 – Interpretation Relating to Principal Residence Requirement

Prescribed location – accessory dwelling units

- 5 (1) In this section, “**parcel**” has the same meaning as in section 1 of the *Land Title Act*.
- (2) For the purposes of section 14 (1) (b) [*principal residence requirement*] of the Act, in respect of an accessory dwelling unit referred to in that paragraph, a prescribed location is on the same parcel as the property host's principal residence.

Division 2 – Changes to Exempt Land

Definitions for this Division

- 6 In this Division:
- “**eligible vacancy rate**” means a rental vacancy rate of 3% or more during each of the 2 consecutive years immediately preceding the reference date in relation to
- (a) the relevant area, or
 - (b) another geographic area that includes the relevant area;
- “**large municipality**” means a municipality that is listed in Schedule 2;

“**neighbouring**”, in respect of a municipality, means the municipality is within 15 kilometres of another municipality;

“**prescribed date**” means the date prescribed under section 11 (1) (a) [*prescribed date and period of time*];

“**reference date**”, in respect of a request made under section 15 [*requests for changes to exempt land*] of the Act, means the applicable prescribed date on or before which the request is made;

“**relevant area**”, in respect of a municipality or regional district, means the geographic area of the municipality or regional district.

Prescribed criteria

7 For the purposes of section 15 (1) [*requests for changes to exempt land*] of the Act, the following criteria are prescribed for a local government that wishes to request that the exempt land be changed in respect of the relevant area:

- (a) if the local government wishes to request that the principal residence requirement apply and the relevant area be removed from the exempt land,
 - (i) the local government is a municipality that is listed in paragraph (a) or (b) of Schedule 1 of this regulation, or
 - (ii) the local government is a regional district and the request is made in respect of one or more of the electoral areas of the regional district;
- (b) if the local government wishes to request that the principal residence requirement not apply and the relevant area be added to the exempt land,
 - (i) the local government is a large municipality with the eligible vacancy rate, or
 - (ii) the local government is a municipality
 - (A) that is listed in Schedule 3 of this regulation, and
 - (B) that has a neighbouring large municipality with the eligible vacancy rate.

Prescribed persons or entities

8 For the purposes of section 15 (3) (d) [*requests for changes to exempt land*] of the Act, the following persons or entities are prescribed for requests about the geographic areas relevant to each of the persons or entities, as applicable:

- (a) a local trust committee, as defined in section 1 of the *Islands Trust Act*;
- (b) the Cultus Lake Park Board within the meaning of the *Cultus Lake Park Act*.

Procedures for requests by persons or entities

- 9** (1) A person or entity prescribed under section 8 may request a change to the exempt land in the same manner as a request made by a local government under section 15 (1) [*requests for changes to exempt land*] of the Act.
- (2) A request made under subsection (1) must be made on or before the prescribed date.

Restriction on requests to remove geographic area from exempt land

- 10** (1) A request made by a local government under section 15 (1) [*requests for changes to exempt land*] of the Act to remove a geographic area from the exempt land may not include a request to exempt the following:
- (a) a geographic area listed or described in paragraphs (c) to (h) of Schedule 1 of this regulation;
 - (b) Cultus Lake Park within the meaning of the *Cultus Lake Park Act*.
- (2) Subsection (1) does not apply to Bowen Island Municipality in respect of a geographic area described in paragraph (g) of Schedule 1 of this regulation.

Prescribed date and period of time

- 11** (1) For the purposes of section 15 (2) [*requests for changes to exempt land*] of the Act,
- (a) the prescribed date is March 31 of each year, and
 - (b) the prescribed period of time is a period of time that
 - (i) starts on November 1 of the calendar year of the reference date, and
 - (ii) ends on the following date:
 - (A) if an end date is provided in the regulation that changes the exempt land, that end date;
 - (B) if no end date is provided as described in clause (A), the date that the exempt land is subsequently changed to remove or add the geographic area that was the subject of the request.
- (2) Despite subsection (1) (a) and (b) (i), if a request made under section 15 (1) of the Act relates to adding a geographic area to the exempt land in the year 2024,
- (a) the prescribed date is February 29, 2024, and
 - (b) the prescribed period of time starts on May 1, 2024.

Factors for Lieutenant Governor in Council to consider

- 12** For the purposes of section 15 (3) (e) [*requests for changes to exempt land*] of the Act, the following factors are prescribed in the case of a request made by a municipality to be added to the exempt land:
- (a) the rental vacancy rate in relation to the relevant area or another geographic area that includes the relevant area;
 - (b) the manner by which the rental vacancy rate was determined.

SCHEDULE 1

(sections 2, 7 and 10)

EXEMPT LAND

For the purposes of the definition of “exempt land” in section 1 of the Act, the geographic areas of the following municipalities and other lands are prescribed and, in the case of the geographic areas listed in paragraphs (c) to (f) of this Schedule, have the area shown outlined or shaded on

the applicable maps on file with the Mountain Resorts Branch of the Ministry of Tourism, Arts, Culture and Sport with the file name “BC All-Seasons Resorts.zip”:

(a) the following municipalities:

Bowen Island Municipality
City of Armstrong
City of Castlegar
City of Merritt
City of Quesnel
City of Trail
District of 100 Mile House
District of Barriere
District of Chetwynd
District of Clearwater
District of Elkford
District of Fort St. James
District of Hope
District of Houston
District of Hudson’s Hope
District of Kitimat
District of Lantzville
District of Lillooet
District of Logan Lake
District of Mackenzie
District of New Hazelton
District of Port Edward
District of Port Hardy
District of Sechelt
District of Sicamous
District of Sparwood
District of Stewart
District of Taylor
District of Tumbler Ridge
District of Vanderhoof
District of Wells
Northern Rockies Regional Municipality
The Corporation of the City of Enderby
The Corporation of the City of Grand Forks
The Corporation of the City of Greenwood
The Corporation of the District of Kent
The Corporation of the District of Peachland
The Corporation of the Township of Spallumcheen
The Corporation of the Village of Alert Bay

The Corporation of the Village of Ashcroft
The Corporation of the Village of Burns Lake
The Corporation of the Village of Fruitvale
The Corporation of the Village of Hazelton
The Corporation of the Village of Keremeos
The Corporation of the Village of Lumby
The Corporation of the Village of Lytton
The Corporation of the Village of McBride
The Corporation of the Village of Montrose
The Corporation of the Village of New Denver
The Corporation of the Village of Salmo
The Corporation of the Village of Silverton
The Corporation of the Village of Telkwa
The Corporation of the Village of Warfield
The Corporation of the Village of Zeballos
Town of Creston
Town of Gibsons
Town of Ladysmith
Town of Lake Cowichan
Town of Oliver
Town of Port McNeill
Town of Princeton
Town of Smithers
Village of Cache Creek
Village of Canal Flats
Village of Chase
Village of Clinton
Village of Daajing Giids
Village of Fraser Lake
Village of Gold River
Village of Granisle
Village of Kaslo
Village of Lions Bay
Village of Masset
Village of Midway
Village of Nakusp
Village of Pemberton
Village of Port Alice
Village of Port Clements
Village of Sayward
Village of Slocan
Village of Tahsis

- (b) the following municipalities:
 - City of Kimberley
 - City of Revelstoke
 - District Municipality of Ucluelet
 - District of Invermere
 - District of Tofino
 - Resort Municipality of Whistler
 - Sun Peaks Mountain Resort Municipality
 - The Corporation of the City of Fernie
 - The Corporation of the City of Rossland
 - Town of Golden
 - Town of Osoyoos
 - Village of Harrison Hot Springs
 - Village of Radium Hot Springs
 - Village of Valemount
- (c) the following regional or destination ski resorts:
 - Apex Mountain Resort
 - Big White Ski Resort
 - Blackcomb Mountain Resort
 - Crystal Mountain Resort
 - Fernie Alpine Resort
 - Hudson Bay Mountain Resort
 - Kicking Horse Mountain Resort
 - Kimberley Alpine Resort
 - Mount Baldy Ski Area
 - Panorama Mountain Village
 - Powder King Mountain Resort
 - Red Mountain Resort
 - Revelstoke Mountain Resort
 - Saddle Mountain Resort
 - Sasquatch Mountain Resort
 - Silver Star Mountain Resort
 - Sun Peaks Resort
 - Valemount Destination Resort
 - Whistler Mountain Resort
 - Whitewater Ski Resort
- (d) the following community ski resorts:
 - Clearwater Ski Hill
 - Fairmont Hot Springs Ski Hill
 - Harper Mountain
 - Hudson's Hope
 - Mount Cain Ski Resort

Mount Timothy Ski Hill
Murray Ridge Ski Area
Phoenix Mountain Ski Resort
Purden Ski Village
Salmo Ski Hill
Shames Mountain Ski Area
Summit Lake Ski Area
Tabor Mountain Ski Resort
Troll Resort
Wapiti Ski Club

(e) the following BC Parks resorts:

Cypress Bowl
Manning Park
Mount Seymour

(f) the following private resorts:

Bear Mountain (Dawson Creek)
Big Bam Ski Hill (Taylor)
Grouse Mountain
Hart Highlands (Prince George)
Little Mac Ski Hill (Mackenzie)
Mount Washington

(g) the trust area, as defined in section 1 of the *Islands Trust Act*

(h) property that includes farm land

(i) electoral areas, but does not include the University of British Columbia and the University Endowment Land, as defined in section 1 of the *University Endowment Land Act*

SCHEDULE 2

(section 6)

LARGE MUNICIPALITIES

City of Abbotsford
City of Burnaby
City of Campbell River
City of Chilliwack
City of Colwood
City of Coquitlam
City of Fort St. John
City of Kamloops
City of Kelowna
City of Langford
City of Langley

City of Maple Ridge
City of Mission
City of Nanaimo
City of Parksville
City of Pitt Meadows
City of Port Alberni
City of Port Moody
City of Powell River
City of Prince George
City of Prince Rupert
City of Richmond
City of Salmon Arm
City of Surrey
City of Terrace
City of Vancouver
City of West Kelowna
City of Williams Lake
Corporation of the Township of Esquimalt
District of Lake Country
District of North Saanich
District of Sechelt
District of Sooke
District of Squamish
The City of Delta
The Corporation of the City of Courtenay
The Corporation of the City of Cranbrook
The Corporation of the City of Dawson Creek
The Corporation of the City of Nelson
The Corporation of the City of New Westminster
The Corporation of the City of North Vancouver
The Corporation of the City of Penticton
The Corporation of the City of Port Coquitlam
The Corporation of the City of Vernon
The Corporation of the City of Victoria
The Corporation of the City of White Rock
The Corporation of the District of Central Saanich
The Corporation of the District of Coldstream
The Corporation of the District of North Cowichan
The Corporation of the District of North Vancouver

The Corporation of the District of Oak Bay
The Corporation of the District of Saanich
The Corporation of the District of Summerland
The Corporation of the District of West Vancouver
The Corporation of the Township of Langley
Town of Comox
Town of Sidney
Town of View Royal

SCHEDULE 3

(section 7)

CERTAIN MUNICIPALITIES NEIGHBOURING LARGE MUNICIPALITIES

District of Highlands
District of Metchosin
The Corporation of the City of Duncan
The Corporation of the Village of Cumberland
The Corporation of the Village of Pouce Coupe
Town of Qualicum Beach
Village of Anmore
Village of Belcarra