

NO: R094

COUNCIL DATE: May 27, 2024

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## REGULAR COUNCIL

TO: **Mayor & Council** DATE: **May 21, 2024**

FROM: **General Manager, Planning & Development** FILE: **4815-01**  
**General Manager, Corporate Services**

SUBJECT: **Short-Term Rentals in Surrey – Bylaw Amendments**

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## RECOMMENDATION

The Planning & Development Department recommends that Council:

1. Receive this report as information;
2. Authorize the City Clerk to bring forward the necessary amendment bylaws for the *Surrey Zoning By-law, 1993, No. 12000*; *Business License By-law, 1999, No. 13680*; *Surrey Bylaw Notice Enforcement Bylaw, 2016, No. 18691*; and *Surrey Municipal Ticket Information Utilization By-law, 1994, No. 12508*, for the required readings;
3. Direct the City Clerk to schedule a single public hearing for the proposed zoning and business bylaw amendments, and to give public notice in accordance with Section 94 of the *Community Charter*, with the notice to indicate that the public hearing will provide an opportunity for representations to Council, including written representations, on both of the proposed amendment bylaws; and
4. Direct the Director of Bylaw Services or their designate to contact bed and breakfast businesses licensed in Surrey to advise them of the *Business License By-law* amendments and refer them to [www.surrey.ca](http://www.surrey.ca) for more information.

## INTENT

The purpose of this report is to bring forward amendments to the *Surrey Zoning By-law, 1993, No. 12000* (Zoning Bylaw); *Business License By-law, 1999, No. 13680* (Business License Bylaw); *Surrey Bylaw Notice Enforcement Bylaw, 2016, No. 18691* (Bylaw Notice Enforcement Bylaw); and *Surrey Municipal Ticket Information Utilization By-law, 1994, No. 12508* (Municipal Ticket Information Bylaw) related to short-term rentals, bed and breakfasts, and boarders and lodgers.

## BACKGROUND

On April 8, 2024, Council approved the recommendations in Corporate Report Ro66;2024, endorsing a policy for Short-Term Rentals (Appendix “I”) and authorizing amendments to the Zoning Bylaw, Business License Bylaw, Bylaw Notice Enforcement Bylaw, and Municipal Ticket Information Bylaw. This report brings forward the associated bylaw amendments.

## DISCUSSION

### Proposed Bylaw Amendments

In order to implement the short-term rental policy, amendments must be made to the City's aforementioned bylaws. Staff have reviewed these bylaws and propose the following amendments:

#### *Zoning Bylaw*

The Zoning Bylaw regulates zoning for properties throughout the City. The proposed amendments are generally described below and detailed in Appendix "II".

- Definitions will be created for "short-term rental" and "principal residence". The existing definition of "bed and breakfast" will also be amended to clearly distinguish it from "short-term rental".
- A new section on short-term rental will be added to Part 4, General Provisions of the Zoning Bylaw to specify the types of dwelling units where short-term rentals will be permitted. For example, short-term rental will be permitted in the following, provided that the property is also used as the owner's principal residence:
  - single family dwellings;
  - a maximum of one secondary suite or coach house on any lot;
  - multiple unit residential dwellings; and
  - a maximum of one lock-off suite on any lot.
- In addition, existing sections regarding "bed and breakfast" and "boarding and lodging" in Part 4, General Provisions will be amended to provide clarity.
- Short-term rental will be permitted in residential zones, mixed-use zones, agricultural zones, and CD Zones, that permit a dwelling unit (except caretaker units), including the A-1, A-2, RA, RA-G, RH, RH-G, RC, RF-O, RQ, RF, RF-SS, RF-13, RF-G, RF-12, RF-12C, RF-10, RF-10S, RF-9, RF-9C, RF-9S, RF-SD, RM-D, RM-10, RM-15, RM-23, RM-30, RM-45, RM-70, RM-135, RMC-135, RMC-150, C-15, and C-35 Zones, and applicable CD Zones.

#### *Business License Bylaw*

The Business License Bylaw regulates businesses and licensing in the City. The proposed amendments are generally described below and detailed in Appendix "III".

- The definitions of "short-term rental", "principal residence", and "bed and breakfast" in the Zoning Bylaw will be adopted by the Business License Bylaw.
- A new section on short-term rental will be added to the Business License Bylaw to specify the conditions under which short-term rental may be permitted. Owners must:
  - Upon demand by the City, provide the City with evidence that the short-term rental is the owner's principal residence;
  - Not allow more than one booking at a time;

- Keep records regarding patrons for 2 years; and
- Register the short-term rental with the Province.
  
- A license fee of \$350.00 per year for Short-Term Rental businesses will be added to Schedule A.

*Bylaw Notice Enforcement Bylaw*

The Bylaw Notice Enforcement Bylaw identifies the types of bylaw offences for which staff may issue Bylaw Notice Enforcement tickets. The proposed amendments allow ticketing under the Bylaw Notice Enforcement Bylaw for failing to comply with the above-noted short-term rental requirements under the Business License Bylaw. The proposed ticketing provisions are detailed in Appendix “IV”.

*Municipal Ticket Information Bylaw*

The Municipal Ticket Information Bylaw identifies the types of bylaw offences for which staff may issue Municipal Ticket Informations. The proposed amendments allow ticketing under the Municipal Ticket Information Bylaw for failing to comply with the above-noted short-term rental requirements under the Business License Bylaw. The amendments are detailed in Appendix “V”.

**CONCLUSION**

With Council’s approval of the Short-Term Rental Policy on April 8, 2024 and the new provincial short-term rental legislation, bylaw amendments are proposed to implement the policy.

*Original signed by*

Don Luymes  
General Manager, Planning and Development

*Original signed by*

Joey Brar  
General Manager, Corporate Services

Appendix “I” – Short-Term Rental Policy

Appendix “II” – Proposed Amendments to Zoning Bylaw

Appendix “III” – Proposed Amendments to Business License Bylaw

Appendix “IV” – Proposed Amendments to Bylaw Notice Enforcement Bylaw

Appendix “V” – Proposed Amendments to Municipal Ticket Information Bylaw

**SHORT-TERM RENTAL POLICY**

1. Principal Residence and Accommodation Type
  - A Short-Term Rental (“STR”) must be operated in a principal residence. A range of housing types are included, such as a principal residence single-family dwelling and its secondary suite or coach house; principal residence whole townhouse; and principal residence apartment and its lock-off suite (if applicable).
2. Duration of Short-Term Rentals
  - A STR is for a period of less than 90-days. There is no limit on the maximum number of bookings per customer per year.
3. Business Licence
  - A STR requires a business licence. The cost is \$350 per year plus any applicable application fees.
4. Who Can Host a Short-Term Rental
  - A STR is restricted to the owner of the property.
5. Zoning
  - A STR is permitted in all residential zones, mixed-use zones, and agricultural zones.
6. Compliance and Enforcement
  - The City will issue bylaw notice enforcement tickets for non-compliance with STR Bylaw regulations.

CITY OF SURREY

BYLAW NO. XXXX

A bylaw to amend the provisions of Surrey Zoning  
By-law, 1993, No. 12000, as amended.  
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The Council of the City of Surrey ENACTS AS FOLLOWS:

1. Surrey Zoning By-law, 1993, No. 12000, as amended, is hereby further amended as follows:
  - a. Part 1, Definitions is further amended as follows:
    - i. Delete "**Bed and Breakfast**" in its entirety and replace with the following:

**"Bed and Breakfast**  
means a business operation carried on by the owner of the property as a *home occupation* to provide temporary sleeping accommodations, with or without meals, where the maximum length of occupancy by any patron is not more than 30 days in a 12-month period."
    - ii. Insert a new Definition "**Principal Residence**" immediately before "**Principal Use**" the following:

**"Principal Residence**  
means a *dwelling unit* occupied by the owner as the owner's residence for a minimum of 184 days in a calendar year."
    - iii. Insert a new Definition "**Short-Term Rental**" immediately before "**Side Lot Line**" the following:

**"Short-Term Rental**  
means the renting of a *dwelling unit* by its owner to members of the public for temporary accommodation for a period of less than 90 consecutive days for each patron."
  - b. Part 4, General Provisions is further amended as follows:
    - i. Delete Section B.7 "Bed and Breakfast and Boarding and Lodging" in its entirety and replace with the following:

"Bed and Breakfast, Boarding and Lodging, and Short-Term Rental:

      - (a) Bed and Breakfast:  
Where a *bed and breakfast* use is permitted, the following conditions shall apply:
        - i. Not more than 6 patrons (not including the owner and their family) shall be accommodated within the *dwelling unit*;

- ii. Not more than 3 bedrooms (not including any bedrooms occupied by the owner and their family) shall be used for the *bed and breakfast* operation;
- iii. No *cooking facilities* or other facilities for the keeping of food shall be provided for within the bedrooms intended for the said operation;
- iv. Parking of cars, trucks, *utility trailers, house trailers, campers* or boats operated by the patrons shall be provided for within the *lot*; and
- v. The owner must occupy the *dwelling unit* during the *bed and breakfast* use.

(b) Boarding and Lodging:

Where *boarders* or *lodgers* are permitted, the following conditions shall apply:

- i. Not more than 2 boarders and lodgers shall be accommodated within a *dwelling unit* at any time;
- ii. No *cooking facilities* or other facilities for the keeping of food shall be provided for within the bedrooms intended for the said operation;
- iii. Parking of cars, trucks, *utility trailers, house trailers, campers* or boats operated by the patrons shall be provided for within the *lot*; and
- iv. The owner must occupy the *dwelling unit* during the *boarding and lodging* use.

(c) Where both *bed and breakfast* use and *boarders* or *lodgers* are permitted the maximum number of patrons accommodated for both uses at any time is 6.

(d) Short-Term Rental

*Short-Term Rental* use is only permitted in the following types of *dwelling unit*, and only if the *dwelling unit* or another *dwelling unit* located on or within the same *lot* is the *principal residence* of the individual who owns the *lot* and operates the *Short-Term Rental* use:

- i. *single family dwellings*;
- ii. a maximum of one *secondary suite* or *coach house* on any *lot*;
- iii. *multiple unit residential dwellings*;
- iv. a maximum of one *lock-off suite* on any *lot*.

c. In each of the zones listed in Appendix A to this amending bylaw, the following is added to the list of permitted accessory uses for the zone, and in the case of a zone that does not already include a list of permitted accessory uses, a new "Accessory Uses" heading is added immediately following the list of permitted uses as follows: "Short-Term Rental in accordance with Section B.7 of Part 4 General Provisions." and reorganize and renumber existing sections and subsections accordingly.

- d. Part 52 Comprehensive Development Zone is further amended as follows:
  - i. Insert a new section "**Short-Term Rental**" immediately after "**C. Secondary Suite-Use – Schedule K**" as follows:
    - "D. **Short-Term Rental**  
 In CD Zones that permit a *multiple unit residential dwelling, lock-off suite, single family dwelling, secondary suite, or coach house, short-term rental* is permitted in accordance with Section B.7 of Part 4 General Provisions."
  - ii. After section **D. Short-Term Rental**", renumber the subsequent section to "**E. List of Comprehensive Development (CD) Zones**".

2. This Bylaw shall be cited for all purposes as "Surrey Zoning By-law, 1993, No. 12000, Amendment Bylaw, 2024, No. **XXXX**".

PASSED FIRST READING on the    th day of    , 2024.

PASSED SECOND READING on the    th day of    , 2024.

PUBLIC HEARING HELD thereon on the    th day of    , 2024.

PASSED THIRD READING on the    th day of    , 2024.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the    th day of    , 2024.

\_\_\_\_\_MAYOR

\_\_\_\_\_CLERK

- I. Part 10, General Agriculture Zone | A-1
- II. Part 11, Intensive Agriculture Zone | A-2
- III. Part 12, One-Acre Residential Zone | RA
- IV. Part 13, Acreage Residential Gross Density Zone | RA-G
- V. Part 14, Half-Acre Residential Zone | RH
- VI. Part 15, Half-Acre Residential Gross Density Zone | RH-G
- VII. Part 15A, Cluster Residential Zone | RC
- VIII. Part 15B, Single Family Residential Oceanfront Zone | RF-O
- IX. Part 15C, Quarter Acre Residential Zone | RQ
- X. Part 16, Single Family Residential Zone | RF
- XI. Part 16A, Single Family Residential Secondary Suite Zone | RF-SS
- XII. Part 16B, Single Family Residential (13) Zone | RF-13
- XIII. Part 17, Single Family Residential Gross Density Zone | RF-G
- XIV. Part 17A, Single Family Residential (12) Zone | RF-12
- XV. Part 17B, Single Family Residential (12) Coach House Zone | RF-12C
- XVI. Part 17C, Single Family Residential (10) Zone | RF-10
- XVII. Part 17D, Special Single Family Residential (10) Zone | RF-10S
- XXVIII. Part 17E, Single Family Residential (9) Zone | RF-9
- XIX. Part 17F, Single Family Residential (9) Coach House Zone | RF-9C
- XX. Part 17G, Special Single Family Residential (9) Zone | RF-9S
- XXI. Part 17H, Semi-Detached Residential Zone | RF-SD
- XXII. Part 18, Duplex Residential Zone | RM-D
- XXIII. Part 20, Multiple Residential 10 Zone | RM-10
- XXIV. Part 21, Multiple Residential 15 Zone | RM-15
- XXV. Part 21A, Multiple Residential 23 Zone | RM-23
- XXVI. Part 22, Multiple Residential 30 Zone | RM-30
- XXVII. Part 23, Multiple Residential 45 Zone | RM-45
- XXVIII. Part 24, Multiple Residential 70 Zone | RM-70
- XXIX. Part 25, Multiple Residential 135 Zone | RM-135
- XXX. Part 26, Multiple Residential Commercial 135 Zone | RMC-135
- XXXI. Part 27, Multiple Residential Commercial 150 Zone | RMC-150
- XXXII. Part 37, Town Centre Commercial Zone | C-15
- XXXIII. Part 38, Downtown Commercial Zone | C-35



CITY OF SURREY

BYLAW NO. XXXX

A bylaw to amend the provisions of Business License By-law, 1999, No. 13680, as amended.  
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The Council of the City of Surrey ENACTS AS FOLLOWS:

1. Business License By-law, 1999, No. 13680, as amended, is hereby further amended as follows:

a. **Interpretation** section 2. is further amended by deleting "Bed and Breakfast" in its entirety and replacing it with the following:

"Bed and Breakfast

means a business operation carried on by the owner of the property as a home occupation to provide temporary sleeping accommodations, with or without meals, where the maximum length of occupancy by any patron is not more than 30 days in a 12-month period."

b. Insert a new section 60.1 "**Short-Term Rental**" immediately before "**Social Escort Services**" section 61 as follows:

**"Short-Term Rental**

60.1 (1) Terms used in section 60.1(2) that are defined in Surrey Zoning By-law, 1993, No. 12000 but not in this bylaw shall be defined in accordance with Surrey Zoning By-law, 1993, No. 12000.

(2) Every proprietor of a Short-Term Rental business must:

- (a) On request of the Inspector, provide the Inspector with such information as the Inspector reasonably requires to confirm that any dwelling unit being used for Short-Term Rental purposes is the proprietor's principal residence, or is a secondary suite, coach house or lock-off suite on the same lot as the proprietor's principal residence. Such information may include, without limitation, utility bills, government-issued photo identification, vehicle registration, and insurance;
- (b) Not offer or accept more than 1 booking, or otherwise allow occupancy of the Short-Term Rental by more than one person or group, at one time;
- (c) Keep records of the name, address, telephone number, and email address of all patrons, including dates of arrival and departure, for a period of 2 years from the date of arrival; and
- (d) Register the Short-Term Rental business with the Province of British Columbia's short-term rental registry and provide proof

of registration to the Inspector as soon as such proof is available."

- c. Schedule "A" is further amended by inserting a new row immediately before " Sign Painter/Manufacturer/Installation" as follows:

"  
Short-Term Rental

\$350.00 per year

"

2. This Bylaw shall be cited for all purposes as "Business License By-law, 1999, No. 13680, Amendment Bylaw, 2024, No. ~~XXXXX~~".

PASSED FIRST READING on the    th day of    , 2024.

PASSED SECOND READING on the    th day of    , 2024.

PASSED THIRD READING on the    th day of    , 2024.

PUBLIC HEARING HELD thereon on the    th day of    , 2024.

NOTICE OF INTENTION ADVERTISED in the SURREY NOW LEADER, PEACE ARCH NEWS and CLOVERDALE REPORTER newspapers on the    th and    th day of    , 2024 and posted on the Public Notice Posting Place and the City's website from    th day of    , 2024 to    th day of    , 2024.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the    th day of    , 2024.

\_\_\_\_\_MAYOR

\_\_\_\_\_CLERK

CITY OF SURREY

BYLAW NO. XXXX

A bylaw to amend the provisions of Surrey Bylaw Notice Enforcement Bylaw, 2016, No. 18691, as amended.

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The Council of the City of Surrey ENACTS AS FOLLOWS:

- 1. "Surrey Bylaw Notice Enforcement Bylaw, 2016, No. 18691", as amended, is hereby further amended as follows:
  - a. **SCHEDULE A - CONTRAVENTIONS AND PENALTIES** is further amended by inserting new rows at the end of the table in Part 1, as follows:

"

13680	60.1(2)(a)	Fail to provide information	\$300.00	\$250.00	\$350.00	Yes
13680	60.1(2)(b)	More than 1 booking	\$300.00	\$250.00	\$350.00	Yes
13680	60.1(2)(c)	Fail to record information	\$300.00	\$250.00	\$350.00	Yes
13680	60.1(2)(d)	Fail to register with Province	\$300.00	\$250.00	\$350.00	Yes

"

- 2. This Bylaw shall be cited for all purposes as "Surrey Bylaw Notice Enforcement Bylaw, 2016, No. 18691, Amendment Bylaw, 2024, No. XXXXX".

PASSED FIRST READING on the    th day of    , 2024.

PASSED SECOND READING on the    th day of    , 2024.

PASSED THIRD READING on the    th day of    , 2024.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the    th day of    , 2024.

\_\_\_\_\_MAYOR

\_\_\_\_\_CLERK

CITY OF SURREY

BYLAW NO. XXXX

A bylaw to amend the provisions of Surrey Municipal Ticket Information Utilization By-law, 1994, No. 12508, as amended.

The Council of the City of Surrey ENACTS AS FOLLOWS:

- 1. "Surrey Municipal Ticket Information Utilization By-law, 1994, No 12508", as amended, is hereby further amended as follows:
a. Schedule 3 is further amended by inserting new rows immediately after row "9." as follows:

Table with 3 columns: Description, Code, and Amount. Rows include: 10. Fail to provide information (60.1(2)(a), \$1000.00), 11. More than 1 booking (60.1(2)(b), \$1000.00), 12. Fail to record information (60.1(2)(c), \$1000.00), 13. Fail to register with Province (60.1(2)(d), \$1000.00)

- 2. This Bylaw shall be cited for all purposes as "Surrey Municipal Ticket Information Utilization By-law, 1994, No. 12508, Amendment Bylaw, 2024, No. XXXXX".

PASSED FIRST READING on the th day of , 2024.

PASSED SECOND READING on the th day of , 2024.

PASSED THIRD READING on the th day of , 2024.

RECONSIDERED AND FINALLY ADOPTED, signed by the Mayor and Clerk, and sealed with the Corporate Seal on the th day of , 2024.

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