



Land Use Bylaw Amendments – Vacation Rentals and Bed and Breakfasts

Electoral Division: All

File: 1013-197

Date:	July 8, 2025
Presenter:	Justin Rebello, Acting Manager
Department:	Planning

REPORT SUMMARY

The Governance Committee (Committee) received a presentation from Administration on March 11, 2025, proposing amendments to the *Land Use Bylaw* that would provide increased clarity and certainty in relation to the associated rules and regulations for the Vacation Rental use.

Following direction from the Committee, Administration is recommending amendments to the *Land Use Bylaw* that would:

1. Add a new section and regulations for the Vacation Rental use, which:
 - a. require that Vacation Rentals may only be approved on parcels where the use is located on a parcel which is the applicant/owner's primary residence;
 - b. limit the maximum number of guests allowed based upon the number of sleeping areas;
 - c. require all guest parking to be located on the subject parcel;
 - d. uphold any homeowners' association or condo board bylaw restrictions in relation to Vacation Rentals;
 - e. require submission of a site operations and noise mitigation plan; and
 - f. only allow for the approval of temporary development permits.
2. Amend the definition for the Bed and Breakfast use, together with amending the maximum term of a development permit issued for the use.

Administration recommends approval of the *Land Use Bylaw* amendments set out in Bylaw C-8640-2025 (Attachment A) in accordance with the principles supported by the Committee.

ADMINISTRATION'S RECOMMENDATION

THAT Bylaw C-8640-2025 be given first reading.

THAT Bylaw C-8640-2025 be given second reading.

THAT Bylaw C-8640-2025 be considered for third reading.

THAT Bylaw C-8640-2025 be given third and final reading.

Land Use Bylaw Amendments – Vacation Rentals and Bed and Breakfasts

BACKGROUND

Administration’s work plan includes continuous assessment and evaluation of current uses, rules and regulations contained within the *Land Use Bylaw*. Potential amendments have been prioritized that provide greater clarity and efficiency in implementation of the *Land Use Bylaw*.

On January 16, 2024, the Committee received a presentation from Administration proposing several amendments to the *Land Use Bylaw* including the Vacation Rental and Bed and Breakfast use. The Committee then directed Administration to present a review of the Vacation Rental and Bed and Breakfast uses back to the Committee no later than the end of Q2, 2024.

On June 18, 2024, the Committee received a presentation from Administration proposing amendments to the *Land Use Bylaw* for the Vacation Rental use. To ensure proposed rules and regulations reflect the Rocky View County context, Administration conducted a countywide public engagement campaign to receive feedback on the proposed amendments.

On March 11, 2025, the Committee received a presentation from Administration reviewing the public engagement feedback received on the proposed *Land Use Bylaw* amendments for the Vacation Rental use along with the proposed *Land Use Bylaw* amendments.

ANALYSIS

Vacation Rentals

The *Land Use Bylaw* defines a Vacation Rental as “a Dwelling Unit that is rented online via a hospitality service brokerage company that arranges lodging such as Airbnb, Vrbo, TurnKey, HomeAway etc.”

Although included in the *Land Use Bylaw*, the Vacation use currently has no associated regulations to manage the intensity of the proposed business or potential impacts. This has resulted in increased uncertainty in determining applications and appeals being submitted in relation to the use. Administration recommends the creation of regulations for the Vacation Rental use to ensure the use is complementary to surrounding land uses and mitigation measures are implemented. *Land Use Bylaw* amendments are proposed within Bylaw C-8640-2025 to implement new regulations and guide the form of these uses.

Land Use Bylaw Recommendations

Proposed Regulatory Area	Engagement Feedback <i>Vacation Rental Neighbours, Homeowners’ Associations and General Public</i>	Engagement Feedback <i>Vacation Rental Current and Interested Operators</i>	Administration’s Recommendation <i>Proposed Land Use Bylaw Amendments</i>
Vacation rentals may only be offered by applicants on parcels which are also their primary residence	Operators should be involved and have ownership of the home they are using as a Vacation Rental, and have accountability to the community they are operating in.	Consider Snowbirds who may choose to use their primary residence as a Vacation Rental during periods when they are away.	Vacation rentals shall only be applied for by applicants who are landowners of the parcel, and where the parcel is also their primary residence. This would include snowbirds if their primary residence in Canada is the subject parcel. Evidence will be required to provide the following: <ul style="list-style-type: none">➤ Applicants name listed on the land title;➤ Applicants name and subject parcel listed on a valid driver’s license;➤ Applicants name and subject parcel listed on a recent utility / service bill.

Land Use Bylaw Amendments – Vacation Rentals and Bed and Breakfasts

Proposed Regulatory Area	Engagement Feedback <i>Vacation Rental Neighbours, Homeowners' Associations and General Public</i>	Engagement Feedback <i>Vacation Rental Current and Interested Operators</i>	Administration's Recommendation <i>Proposed Land Use Bylaw Amendments</i>
Regulating the maximum number of guests allowed based upon the number of sleeping areas	Consider children and different sleeping arrangements, be flexible in this regard. Focus more on large homes to limit maximum number of adults to avoid large gatherings / parties etc.	Consider additional sleeping arrangements such as extra beds in common rooms, lofts, bunk beds. Ensure flexibility.	<p>Vacation Rentals shall have a maximum of two (2) adults (not including children), per bedroom or sleeping area.</p> <p>Each bedroom or sleeping area shall have a minimum of one (1) window with a minimum 0.35 sq. m openable portion for window egress.</p> <p>Maximum numbers will be reviewed depending on the context of the parcel and proximity to adjacent dwelling units.</p>
Requiring all guest parking to be located on the subject parcel	Ensure guest parking is on the parcel to prevent guests from using on-street parking.	Avoid tying in parking requirements to number of bedrooms. Some shared a preference for ensuring all parking is on the property.	<p>Vacation Rentals shall have a minimum of one (1) parking stall per bedroom or sleeping area.</p> <p>All guest parking in relation to the Vacation Rental use shall be located on the subject parcel.</p>
Upholding any homeowners' association or condo board bylaw restrictions in relation to Vacation Rentals	Respect current HOA bylaws, rules and regulations.	Only when restrictions are listed on title or a HOA bylaw.	Vacation Rentals shall only be considered on parcels where no restrictions exist in relation to restrictive covenants or any Homeowners Association and Condominium Board Bylaws.
Requiring a submission of a site operations and noise mitigation plan	Preserve the agricultural and residential integrity of areas, limit disruptive activities such as parties, fireworks, and other disturbances.	Most important consideration is proximity to neighbours. No concerns with providing a noise mitigation plan.	<p>Operators shall submit a site operations and noise mitigation plan including:</p> <ul style="list-style-type: none"> ➤ Operational arrangements/noise control measures for business use outdoor area(s); ➤ Limiting hours of operation for outdoor areas; ➤ A noise complaint response process.

Land Use Bylaw Amendments – Vacation Rentals and Bed and Breakfasts

Proposed Regulatory Area	Engagement Feedback <i>Vacation Rental Neighbours, Homeowners' Associations and General Public</i>	Engagement Feedback <i>Vacation Rental Current and Interested Operators</i>	Administration's Recommendation <i>Proposed Land Use Bylaw Amendments</i>
Only granting temporary Development Permits	Greater accountability for operators who receive complaints.	Preference for multi-year development permits for operators who do not receive complaints, primarily due to concerns about costs.	<p>Vacation Rentals shall only be issued temporary development permits and will only be granted renewals if it is not in violation of any conditions of the previous development permit at the time of permit renewal.</p> <ul style="list-style-type: none"> ➤ Length of Development Permits to range from maximum 1 year for the first permit to maximum of 5 years for renewal permits; ➤ Issue fines and cancel permit if needed.

Bed and Breakfast Use

More recently, applicants have tried to propose a Vacation Rental use under a Bed and Breakfast use. Consequently, there is a need to examine the regulations applied to the Bed and Breakfast use alongside the Vacation Rental use to ensure that the two uses are discreetly defined and managed.

The *Land Use Bylaw* defines Bed and Breakfast as “an accessory use of a principal dwelling and where temporary sleeping accommodation is provided for up to three guest rooms.”

An important feature distinguishing the Bed and Breakfast use from the Vacation Rental use is that the use is operated by the property owner and permanent residents who reside on-site and oversee business operations as hosts who may provide breakfast and other services to guests during their stay. The primary function of the property is a residence, with the bed and breakfast operation being a complementary or accessory use. This differs from a Vacation Rental use, where the entire residential property is generally used without the property owner being on-site to accommodate and monitor their guests.

Land Use Bylaw Recommendations

Bed and Breakfast uses have been less problematic than Vacation Rentals for surrounding residential and agricultural areas due to their nature as an accessory use to the principal residential use, and the scale of the use being limited to three guest bedrooms.

To provide further clarity and distinction from the Vacation Rental use, it is proposed to amend the *Land Use Bylaw* definition for the Bed and Breakfast use, confirming that the use is operated by permanent residents of the property who reside on-site and oversee business operations.

The *Land Use Bylaw* only allows temporary development permits for Bed and Breakfast uses; where the maximum term of a Development Permit issued is five (5) years. Due to the nature of the business, and lack of any enforcement related activity associated with existing Bed and Breakfast uses, it is proposed to amend the *Land Use Bylaw* to grant a permanent development permit, for uses that have previously been granted a one (1) and five (5) year temporary development permit, and are not in violation of the conditions of the second development permit at the time of permit renewal.

Land Use Bylaw Amendments – Vacation Rentals and Bed and Breakfasts

COMMUNICATIONS / ENGAGEMENT

To ensure that the proposed amendments to the *Land Use Bylaw* for the Vacation Rental use meet the needs of operators and residents, the project team conducted thorough public engagement in relation to the regulatory areas identified above from September 17, 2024, to October 15, 2024. This initiative was primarily carried out through a dedicated project webpage and an online survey designed to gather public opinions on the proposed regulations. The effort was promoted through various communication channels, including the County website, the County's YourView site, social media, e-newsletters, print newspapers, and road signs.

Feedback was collected from a diverse group, including current and future interested vacation rental operators, adjacent neighbours of currently approved vacation rental properties, homeowners' associations, and general County residents. During this engagement period, the project team received 448 survey responses and 2,226 comments.

Respondent	Number	Percentage
County Residents	301	67%
Neighbors of Approved Vacation Rental properties	75	17%
Current approved or future interested Vacation Rental property owners	60	13%
Homeowners Association Representatives	12	3%
Total	448	100%

A summary of the feedback received is contained in Attachment C.

Vacation Rental Neighbours, Homeowners' Associations, and General Public

Overall, residents generally supported the proposed regulatory areas, particularly those aimed at preserving the character of their neighbourhoods and ensuring greater accountability from operators.

There was support for different regulations in agricultural areas, and many residents shared their concerns about noise, large gatherings, and parking.

Homeowners and community associations strongly supported the proposed regulations, urging the County to enforce them more strictly and adhere to HOA bylaws in managing vacation rentals. Some residents were against the proposed rules and regulations, citing concerns about government overreach and control. A small number of participants believed that the County should not permit vacation rentals at all.

Vacation Rental Current and Interested Operators

Operators generally expressed a desire for flexibility in vacation rental regulations and provided mixed feedback on proposed regulations.

Many operators advocated multi-year permitting options for compliant operators, highlighting the need for stability and predictability in managing costs. They also shared concerns that regulations were too rigid and did not consider circumstantial needs.

Nearly all participants emphasized the importance of considering adjacent neighbours' needs and maintaining high community standards through responsible operation and management.

Land Use Bylaw Amendments – Vacation Rentals and Bed and Breakfasts

IMPLICATIONS

Financial

Regarding property assessments, Vacation Rentals in the County are generally properties intended to be used for permanent living accommodation. Section 297 of the *Municipal Government Act* (MGA) specifies these properties to be assigned a Residential class. This section also allows a council to pass a bylaw to divide the Residential class into a sub-class. Council could choose a subclass for residential vacation rentals. Section 354 of the MGA states the Tax Rate Bylaw must set all the tax rates to be imposed in the County. This section states that a tax rate must be set for each assessment class or subclass referred to in Section 297. The MGA would allow Council to set a tax rate for residential vacation rentals the same or different than other residential properties.

STRATEGIC ALIGNMENT

Key Performance Indicators			Strategic Alignment
Effective Service Delivery	SD3: Citizens are satisfied with Public Engagement opportunities and availability of information	SD3.2: Citizens satisfied with the public engagement opportunities provided by the County	Administration conducted thorough public engagement through a dedicated project webpage and survey and has responded to concerns shared by citizens in relation to more effective regulations for Vacation Rentals in the County.
Effective Service Delivery	SD4: Services are continually assessed for improvements in cost efficiency, effectiveness, and customer experience	SD4.1: Services that are assessed annually for innovation opportunities and have demonstrable efficiency improvements	The amendments focus on responding to previously identified priority <i>Land Use Bylaw</i> amendments in relation to the Vacation Rentals, which has previously proved problematic for the County.
Effective Service Delivery	SD4: Services are continually assessed for improvements in cost efficiency, effectiveness, and customer experience	SD4.2: Average customer experience rating for identified transactional services	The amendments focus on providing more certainty for stakeholders and decision-makers throughout the planning application process.
Thoughtful Growth	TG1: Clearly defining land use policies and objectives for the County –including types, growth rates, locations, and servicing strategies	TG1.3: Update Land Use By-law to implement land use strategies created in MDP and ASPs	The amendments focus on guiding Vacation Rental uses to appropriate areas in the County and increased regulations which aim to protect the integrity of Agricultural and Residential areas.

ALTERNATE DIRECTION

THAT Council refers Bylaw C-8640-2025 to Administration to allow Council to submit proposed amendments to the draft bylaw.

AND THAT Administration be directed to return with Bylaw C-8640-2025, and Council's proposed amendments, for consideration at a future Council meeting before the end of Q4, 2025.

Land Use Bylaw Amendments – Vacation Rentals and Bed and Breakfasts

ATTACHMENTS

Attachment A: Draft Bylaw C-8640-2025 & Schedule 'A' (*Land Use Bylaw* Amendments)

Attachment B: *Land Use Bylaw* Amendments (Redlined Version)

Attachment C: What We Heard Report – Proposed Rules and Regulations for Vacation Rentals

APPROVALS

Manager:	Justin Rebello, A/Manager, Planning
Executive Director/Director:	Dominic Kazmierczak, Executive Director, Community Services
Chief Administrative Officer:	Reegan McCullough, Chief Administrative Officer