



District of Port Hardy

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GUIDE TO SHORT-TERM VACATION RENTALS AND BED & BREAKFASTS IN PORT HARDY

PURPOSE

There are many reasons why a property owner/occupier may consider operating a Bed & Breakfast (B&B) or a Short-Term Vacation Rental (STVR) accommodation. The content provided in this package is to guide operators in ensuring their accommodation rental is compliant with all applicable zoning, building, fire, health and safety, and licensing requirements prior to the operation of an accommodation rental in the District of Port Hardy.

DEFINITIONS

STVR and B&B accommodations are defined as follows in the District of Port Hardy's Zoning Bylaw No. 1010-2013:

Bed & Breakfast means the provision of nightly accommodation and breakfast only for transient accommodation, as an accessory use within a single detached dwelling.

Short-Term Vacation Rental means a rental of a residential dwelling unit for periods of less than 31 consecutive days.

ZONING REQUIREMENTS

B&B and STVR accommodations are permitted in zones prescribed in the Zoning Bylaw No. 1010-2013 (see bylaw for permitted zones) and are subject to the following conditions:

STVR REGULATIONS

- One per property may be permitted
- One STVR per property owner
- Short-term vacation rentals may be operated offering accommodation of the home, secondary suite or carriage dwelling
- Apartment buildings with common entrance and access are prohibited from having a short-term vacation rental
- Mobile home parks and strata's may be permitted to have a short-term vacation rental with approval from the property owner or the Strata Council.
- Must comply with all BC Building Code and BC Fire Code requirements as stated for vacation rental/hotel/B&B use.
- Operators may only provide for the use of a STVR or B&B, but not both on the same property.
- A short-term vacation rental shall not alter the residential character and appearance of the single detached dwelling.
- Off-street parking shall be provided in conjunction with the requirements for residential dwelling units associated with the use of the building.

B&B REGULATIONS

- It shall only be operated as an accessory use within a single detached dwelling or carriage home dwelling.

- A B&B shall contain a maximum of three sleeping rooms for guests and shall accommodate a maximum of six guests at any time.
- A B&B shall not alter the residential character and appearance of the single detached dwelling.
- The holder of the business licence of a bed and breakfast shall reside in the dwelling in which it is located.
- Off-street parking shall be provided in conjunction with the requirements for a major home occupation or rural home occupation, whichever is applicable.

BUSINESS LICENCING

Operators of a B&B or a STVR accommodation within the District of Port Hardy are required to obtain a valid Business Licence. The amount to be levied or collected for each twelve (12) month licence period shall be based on the annual licence fee as per the current User Rates and Fees Bylaw. Rates will not be pro-rated. Fire and safety inspections are required for a new licence.

- Rentals operating within the District of Port Hardy must not be advertised or operated without a valid business licence issued by the District.
- The business licence shall be displayed in a visible location from the street.
- Rentals are only rented out by the property owner OR with written authorization from the owner(s) of the property of which the rental is located.
- The property owner must ensure that the occupants do not create any form of nuisance that is disruptive to the surrounding resident's quiet enjoyment of their property.

The licence may be subject to a review if repeated infractions or nuisance issues have been filed.

BUILDING, FIRE, & PLUMBING CODE REQUIREMENTS

ALL B&B and STVR accommodations **MUST COMPLY** with the current BC Building Code, Fire Code, and Plumbing Code requirements as stated for vacation rental/hotel/B&B use.

Refer to the checklists below to ensure that your operation meets the building and fire code requirements. These conditions must be met prior to the issuance of a business licence.

BUILDING CODE

- Bedroom windows are to open without obstruction. The opening cannot be less than 0.35 m² (3.8 sqft) with no dimension less than 380 mm (15"). Where a window opens into a window well, a clearance of not less than 760 mm (30") shall in front of the window. There should be no security grilles that require keys, tools, or special knowledge of the opening mechanism.
- Pathways to exterior exits such as hallways and stairs shall be free and clear of obstructions at all times.
- Stairs, guards, and handrails are to be sturdy and in good general condition without missing or damaged steps. Treads shall have appropriate rise and run dimensions and with compliant landings. Older homes may require additional or replacement of existing stairs, guards and handrails.
- Decks and balconies are to be in good condition with sturdy guardrails where required. The surfaces are to be firm without dry rot or holes. Stoops and steps from the deck are to comply with applicable code.
- The door from a garage to the home must be a solid door with weather-stripping and self-closing hinges.
- A certificate or receipt from a WETT certified technician is required for dwellings that have wood burning fireplaces advising that the appliance has been reviewed and/or cleaned within the last year.

- Hot tubs require a lockable cover and sited outside property setbacks. Hot tubs on decks or balconies may require review by a structural engineer. Hot tubs near the edge of a balcony may require fall protection.
- Swimming pools must be surrounded by a minimum of 1.2m (4') fence with self-closing and latching gates.

FIRE CODE

- Mount one 3A10BC Rechargeable Fire Extinguisher per floor, in a visible and accessible location. If the fire extinguisher is mounted in a cabinet or closed, the door cover must be clearly labeled. Extinguishers are to be serviced annually by a certified Fire Protection Technician.
- Smoke Alarms (S/A) shall conform to CAN/ULC-S531 with a battery back-up; hardwired to 120-volt power supply on or near the ceiling; and located: on each storey, in each sleeping room, in a location between the sleeping rooms and the remainder of the storey, and in a hallway. The S/A shall be wired (or wirelessly interconnected) so that the activation of one alarm will cause all alarms within the dwelling to sound.
- Carbon monoxide (CO) Alarms are required in dwelling units that have fuel fired appliances (gas or wood) or attached garages and are to conform to CAN/CSA-6.19 "Residential Carbon Monoxide Alarming Devices".
- If a door within the suite leads to the principle dwelling unit, this door needs to have a minimum 20-minute fire protection rating confirming to CAN/ULC-S113.

PLUMBING CODE

- Plumbing fixtures must be supplied with potable water supply.
- Fixtures must have hot on the left and cold on the right.
- Drainage fixtures must have a trap to ensure sanitary gases will not enter the dwelling.
- Hot water tanks shall be installed per Code including a temperature and pressure relief valve, safe gas lines, flue vent, and combustion air. An overflow pan and expansion tank are required when installed within the finished space.

RENOVATIONS

A building permit may be required if renovations are needed to meet the requirements to operate a B&B or a STVR. The permit application must be reviewed, processed and approved including receipt of payment of any applicable building permit fees, prior to the commencement of renovations. Permit applications must include all required documentation including drawings showing the proposed construction), incomplete applications will not be accepted or reviewed and will be returned to the applicant for completion. The renovation work must be inspected by the Municipal Inspector before a business licence is issued and the operation of the B&B/STVR accommodation can begin.

STANDARD HEALTH & SAFETY REQUIREMENTS

- House and dwelling unit addressing shall be clearly visible from the street. Numbers should be a minimum of 100 mm (4 inches) with a contrasting colour to the house.
- A basic floor plan of the rental unit must be posted at or near the front door entrance. The plan must clearly illustrate the location(s) of fire extinguishers, smoke, and carbon monoxide alarms, electrical panel, and utilities and also include "Call 9-1-1 in case of emergency" and the property address.

- Post “Call 9-1-1 in case of emergency” and the property address on or near the back of every sleeping room door.

EMERGENCY PLAN

Every household accepting paying guests shall have an emergency plan and it should be rehearsed to ensure it works. The plan should include what action to take in case of fire and provide alternate routes of escape to a safe meeting place where everyone can be accounted for. The plan should account for the presence of any guests in the house who may require assistance getting to safety. The planned route shall be clearly marked on a sketch and posted on the inside of the door in each bedroom/sleeping room provided for paying guests.

OCCUPANT LOAD

It is important that the use of B&B premises remains primarily that of a single-family residence. A B&B home shall be operated as a secondary use only within the principal building, with a maximum of three (3) sleeping rooms (maximum six guests per B&B). A maximum of two (2) persons per sleeping room. A fire alarm is required where the combined occupant load of the single-family residence and B&B accommodation exceeds 10 (sleeping accommodations).

SIGNAGE

Display of signage for a B&B/STVR accommodation must comply with the regulations as per the Sign Regulation Bylaw No. 08-2009.

- Signs shall face the front road & are allowed in R1 & R2 zones.
- Signage shall not exceed .6 m² (6 square feet) in area.
- Any signage shall be the only “Home Occupation Sign” located on subject property.

Free Standing Bed & Breakfast signs must not be located within two (2) m of the front lot line. In the case of a corner lot, the sign must come no closer to the intersection than the area bounded by the intersection lot lines at a street corner and a line joining points along said lot line six (6) m from their points of intersection.

HOTEL TAX COLLECTION

Operators are required to register for Hotel Tax collection to comply with BC provincial regulations.

ADDITIONAL CONSIDERATIONS

It is the operator’s responsibility to ensure that their B&B/STVR complies with ALL current zoning, building, fire, health and safety and any other requirements prior to the operation of the accommodation rental. Further, these requirements must be satisfied prior to the issuance of a business license. Failure to do so may result in a denial of your business license application and/or bylaw enforcement action which may include fines, suspensions, and/or removal and cancellation of advertising listings from advertising platforms.

EXAMPLES AND TEMPLATES

Example of a Sleeping Room Information

IN CASE OF EMERGENCY

Know 2 ways out of every room.

It is important to find 2 ways out of every room in the house in case one exit is blocked or dangerous to use.

**ADDRESS OF RENTAL
NAME AND PHONE NUMBER OF
PROPERTY CONTACT**

 Test alarms at least once a month by pushing the test button.

 Some people, especially children and older adults, may need help to wake up. Make sure someone will wake them if the smoke alarm sounds.

 Replace all smoke alarms when they are 10 years old or if they do not sound when tested.

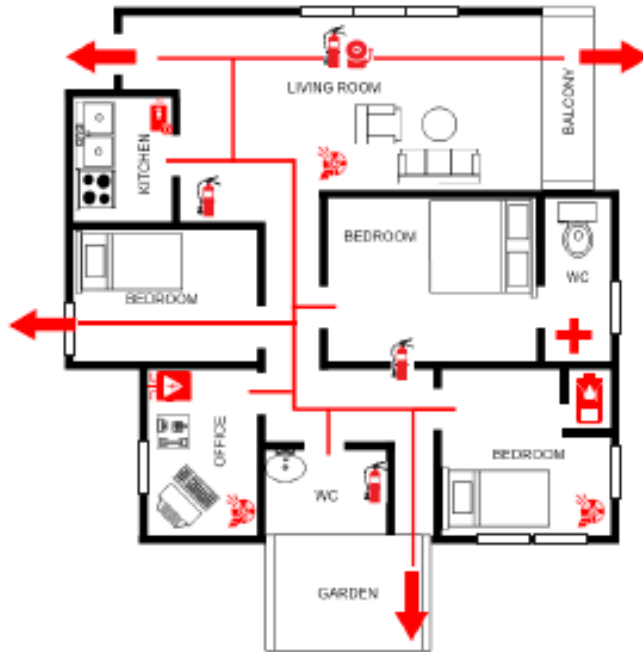
 When the smoke alarm sounds, get outside and stay outside. Go to your outside meeting place.

 Call 911 from a cell phone or neighbors phone. Stay outside until emergency crew says it is safe to go back inside.

EXAMPLES AND TEMPLATES CONTINUED

Example of a Floor Plan

CALL 911 IN CASE OF EMERGENCY



FIRE ALARM	ELECTRICAL PANEL	Property Address Here
FIRE EXTINGUISHER	FURNACE	
FIRST AID	SMOKE & CARBON MONOXIDE ALARMS	
EMERGENCY EXIT	HOT WATER TANK	
ROUTE		