1. **Call to Order**

THE CHAIR WILL CALL THE HEARING TO ORDER:

1. (a) The purpose of this Hearing is to consider certain bylaws which, if adopted, shall amend Kelowna 2030 - Official Community Plan Bylaw No. 10500 and Zoning Bylaw No. 8000.

(b) All persons who believe that their interest in property is affected by the proposed bylaws shall be afforded a reason-able opportunity to be heard or to present written submissions respecting matters contained in the bylaws that are the subject of this hearing. This Hearing is open to the public and all representations to Council form part of the public record. A live audio feed may be broadcast and recorded by Castanet.

(c) All information, correspondence, petitions or reports that have been received concerning the subject bylaws have been made available to the public. The correspondence and petitions received after February 27, 2019 (date of notification) are available for inspection during the course of this hearing and are located on the information table in the foyer of the Council Chamber.

(d) Council debate on the proposed bylaws is scheduled to take place during the Regular Council meeting after the conclusion of this Hearing. It should be noted, however, that for some items a final decision may not be able to be reached tonight.

(e) It must be emphasized that Council will not receive any representation from the applicant or members of the public after conclusion of this Public Hearing.

2. **Notification of Meeting**

The City Clerk will provide information as to how the Hearing was publicized.
3. Individual Bylaw Submissions

3.1 Altura Rd 30, Z18-0102 (BL11759) - David & Camille Harkins

To consider a development application to rezone to the RU2c – Medium Lot Housing with Carriage House zone to facilitate a proposed Carriage House on the subject property.

3.2 Short-Term Rental Accommodation Regulations TA19-0007 (BL11766) - City of Kelowna

To amend the Zoning Bylaw by creating a new short-term rental accommodation use with associated regulations, adding the use to select zones with residential and mixed-use commercial uses, and removing the existing apartment hotels use.

3.3 Short-Term Rental Accommodation Business Licence and Regulation No. 11720

To provide an opportunity for public input on the proposed Short-Term Rental Accommodation Business Licence and Regulation Bylaw.

4. Termination

5. Procedure on each Bylaw Submission

(a) Brief description of the application by City Staff (Community Planning);

(b) The Chair will request that the City Clerk indicate all information, correspondence, petitions or reports received for the record.

(c) The applicant is requested to make representation to Council regarding the project and is encouraged to limit their presentation to 15 minutes.

(d) The Chair will call for representation from the public in attendance as follows:

(i) The microphone at the public podium has been provided for any person(s) wishing to make representation at the Hearing.

(ii) The Chair will recognize ONLY speakers at the podium.

(iii) Speakers are encouraged to limit their remarks to 5 minutes, however, if they have additional information they may address Council again after all other members of the public have been heard a first time.

(e) Once the public has had an opportunity to comment, the applicant is given an opportunity to respond to any questions raised. The applicant is requested to keep the response to a total of 10 minutes maximum.

(f) Questions by staff by members of Council must be asked before the Public Hearing is
closed and not during debate of the bylaw at the Regular Meeting, unless for clarification.

(g) Final calls for representation (ask three times). Unless Council directs that the Public Hearing on the bylaw in question be held open, the Chair shall state to the gallery that the Public Hearing on the Bylaw is closed.

Note: Any applicant or member of the public may use visual aids (e.g. photographs, sketches, slideshows, etc.) to assist in their presentation or questions. The computer and ELMO document camera at the public podium are available. Please ask staff for assistance prior to your item if required.
REPORT TO COUNCIL

Date: February 25th 2019
RIM No. 0920-20
To: City Manager
From: Community Planning Department (LKC)

Application: Z18-0102  Owner: Harkins, David & Harkins, Camille
Address: 30 Altura Rd  Applicant: Urban Options Planning

Subject: Rezoning Application

Existing OCP Designation: S2RES – Single/Two Unit Residential
Existing Zone: RU2 – Medium Lot Housing
Proposed Zone: RU2c – Medium Lot Housing with Carriage House

1.0 Recommendation

THAT Rezoning Application No. Z18-0102 to amend the City of Kelowna Zoning Bylaw No.8000 by changing the zoning classification of Lot 1 Section 32 Township 26 ODYD Plan 35716, located at 30 Altura Rd, Kelowna, BC from the RU2- Medium Lot Housing Zone to the RU2c – Medium Lot Housing with Carriage House zone be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public hearing for further consideration;

2.0 Purpose

To consider a development application to rezone to the RU2c – Medium Lot Housing with Carriage House zone to facilitate a proposed Carriage House on the subject property.

3.0 Community Planning

Staff are recommending support for the proposed rezoning of the subject property to RU2c – Medium Lot Housing with Carriage House Zone as it is consistent with the Official Community Plan (OCP) Future Land Use designation and infill growth policies for the subject property. The property is located within the Permanent Growth Boundary, is fully serviced, and is located near Knox Mountain Park. The subject property has a Walk Score of 20 as almost all errands require a car, however, there are few transit stops near the subject property.
4.0 Proposal

4.1 Background

The subject property is adjacent to both Altura Road and Monte Road. There is a single family dwelling and accessory building on the property. Driveway access is provided from Altura Road. The existing accessory structure is proposed to remain as part of this application. The existing accessory building is a single car garage with a studio located above the garage. The room does not include a kitchen or a bathroom. The proposed rezoning is necessary to permit the development of a Carriage House on the property.

4.2 Project Description

A one and a half story Carriage House is proposed to be located on the west portion of the lot, between Altura Rd and the existing accessory building. A Development Variance Permit application has been received to vary section 6.5.3 (a) of the Zoning Bylaw to increase the maximum allowable lot coverage for accessory building footprint from 90m² to 117m² as the existing accessory building is proposed to remain on the property.

A second Variance to reduce the front yard setback from 9.0m to 5.5m is also required. The Variance is required to utilize the existing driveway, respect the existing slope on the site, and to avoid a utility right-of-way. A similar variance was granted for the adjacent property at 38 Altura Road in 2012 which allowed an accessory structure to be placed 6.0m from the front property line. Neither variance is expected to have a negative impact on the surrounding properties.

4.3 Site Context

The subject property is located in the Glenmore neighbourhood. The subject property is surrounded by properties zoned RR3 – Rural Residential, RR3c – Rural Residential with Carriage House, and RU1 – Large Lot Housing.

Subject Property Map: 30 Altura Rd.
5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Compact Urban Form.¹ Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

Carriage Houses & Accessory Apartments.² Support Carriage Houses and accessory apartments through appropriate zoning regulations.

6.0 Technical Comments

6.1 Development Engineering Department

See Attached Development Memorandum Dated September 20, 2018

7.0 Application Chronology

Date of Application Received: August 24, 2018
Date Public Consultation Completed: October 30, 2018

Report prepared by: Levan King Cranston, Planner 1

Reviewed by: Dean Strachan, Manager of Suburban and Rural Planning

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:
Schedule A: Site Plan
Schedule B: Application Letter
Schedule C: Development Engineering Memo

¹ City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).
² City of Kelowna Official Community Plan, Policy 5.22.12 (Development Process Chapter).
SCHEDULE A – Site Plan

Subject: 30 Altura Rd. (Application Z18-0102)
SCHEDULE B – Application Letter

Subject: 30 Altura Rd. (Application Z18-0102)

August 21, 2018

City Of Kelowna
Urban Planning Department
1415 Water Street
Kelowna, BC

RE: Rezoning and Development Variance Permit Applications for a Carriage House at 30 Altura Road

Dear Urban Planner:

We are planning to construct a carriage house at 30 Altura Road. The property is ideal for this type of infill development as it is located in an established residential neighbourhood, is ample in size, and is close to urban amenities. Careful consideration has been given to the location of the carriage house ensuring that it best suits the site grade conditions of the property.

A 1½ storey carriage house is proposed for the west portion of the lot, adjacent to Altura Road. The main entrance to the home is planned off of the existing driveway.

The private open space for the carriage house is accessed from a doorway and stairs from the upper level kitchen area located on the north side of the building. It is expected to be a nice place to site in the summer time. Much care has been taken to locate the building in such a way that retains much of the existing mature vegetation since the site has many trees, as well as to avoid an existing registered right of way on the property.

The carriage house design incorporates design elements to complement the existing home on the site. No changes are proposed for the principal dwelling. However, the exterior colour palettes of both buildings will be complementary. The existing free-standing garage and amenity room will remain. The Zoning Analysis table is provided for reference.

As the existing accessory building is to remain, the resulting site coverage for accessory buildings is 11.7%. A Development Variance Permit application has also been made as the Zoning Bylaw limits the maximum site coverage to 9.0%. However, the site coverage of the accessory buildings is only 4.5% of the site area, where the bylaw allows up to 14%.

This area has a good mix of single family, and nearby multiple residential dwellings. There are some homes with carriage houses as well as secondary suites in the area, thus we believe this carriage house is a good fit for the area and will contribute to positive infill density in this area of Kelowna.

Sincerely,

Blue Decours

URBAN OPTIONS Planning & Permits • Kelowna BC • 250-361-5260 • www.urbanoptions.ca
SCHEDULE C – Development Engineering Memo

Subject: 30 Altura Rd. (Application Z18-0102)

CITY OF KELOWNA
MEMORANDUM

Date: September 20, 2019
File No.: Z18-0102
To: Community Planning (AK)
From: Development Engineering Manager (JK)
Subject: 30 Altura Road RU2 to RU2c Carriage House

Development Engineering has the following comments and requirements associated with this application. The utility upgrading requirements outlined in this report will be a requirement of this development.

1. Domestic Water and Fire Protection
   This property is currently serviced with a 19mm-diameter water service. The service will be adequate for this application. One metered water service will supply both the main residence and the carriage house.

2. Sanitary Sewer
   a. Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service from Monte Rd. This proposed Carriage house cannot be service with this sanitary service. A new sanitary Service can be provided from Altura Rd by the City at the applicant’s cost. The applicant will be required to sign a Third Party Work Order for the cost of the service upgrade. For estimate inquiry’s please contact Ryan O’Sullivan, by email rsullivan@kelowna.ca or phone, 250-469-8519.

3. Development Permit and Site Related issues
   Direct the roof drains onto splash pads.

4. Electric, Power and Telecommunication Services
   It is the applicant’s responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for service upgrades to these services which would be at the applicant’s cost.

James Kay
Development Engineering Manager
RO
Recommendation:

THAT Zoning Bylaw Text Amendment Application No. TA19-0007 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in the Report from the Community Planning Department dated February 25, 2018 be considered by Council;

AND THAT the Zoning Bylaw Text Amending Bylaw be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT final adoption of the Zoning Bylaw Text Amending Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure.

Purpose:

To amend the Zoning Bylaw by creating a new short-term rental accommodation use with associated regulations, adding the use to select zones with residential and mixed-use commercial uses, and removing the existing apartment hotels use.

Background:

Staff propose the amendments to the Zoning Bylaw to implement new regulations for short-term rental accommodation in Kelowna. The regulations aim to balance the desire to allow short-term rentals as an option for tourists and visitors with the need to protect for long-term rentals and to limit impacts on neighbouring properties. Establishing these regulations will help provide clarity to residents about how short-term rentals can be operated. The amendments define short-term rental accommodation as a new use, identify more specific regulations associated with it, and introduce it as a principal or secondary use in the appropriate zones. The amendments also remove the ‘apartment hotels’ use from the Zoning Bylaw.
On December 3, 2018, Council directed staff to proceed with preparing bylaws to implement the proposed short-term rental accommodation regulations and licensing requirements related to the regulations. The proposed regulations were based on the guiding principles Council endorsed on July 16, 2018 as well as best practice research and input from residents and stakeholders.

The guiding principles that directed the development of the short-term rental regulations are based on Kelowna’s housing context, concerns about potential nuisance impacts in residential areas, and establishing a fair approach among short-term accommodation providers. The three guiding principles endorsed by Council are:

1. Ensure short-term rental accommodations do not impact the long-term rental housing supply in a negative way.
2. Ensure short-term rental accommodations are good neighbours.
3. Ensure equity among short-term accommodation providers.

In July 2018, staff also proposed limiting short-term rentals to an operator’s principal residence, with the exception of select commercial areas. This has been carried through to the regulations with some adjustments based on stakeholder and resident feedback. Generally speaking, the regulations would introduce short-term rental accommodation as a new secondary use in an operator’s principal residence in single / two unit residential, multi-unit residential, and mixed-use commercial zones. They would also remove the apartment hotel use that currently exists in the C4, C7 and some comprehensive development zones, replacing it with short-term rental accommodation as a secondary use and limited to an operator’s principal residence. Only certain tourist commercial areas could continue to have short-term rentals as a principal use and not in an operator’s principal residence.

The regulations are summarized in the two tables below, with further details outlined in Schedule ‘A’. It should be noted that while preparing the specific bylaw amendments, staff made some refinements to what was previously proposed to provide further clarity and alignment with the objectives, as follows:

- To better define principal residency, the regulations state that the short-term rental operator must reside at that dwelling unit for more than 240 days (8 months) of the year. This is consistent with the principal residency requirement to operate a home-based business.
- Provided a dwelling unit in a multi-family development (e.g. townhouse, apartment) has two parking spaces, an additional parking space would not be needed for short-term rental accommodation. Where short-term rental accommodation is a principal use, parking requirements would follow those for apartment housing in that zone.
- Instead of creating a new subzone for properties zoned RM6 – High Rise Apartment Housing where short-term rentals are not limited to the operator’s principal residence, the bylaw identifies the properties on Sunset Drive where the site-specific use regulations apply.
- To provide more options for short-term accommodation near Kelowna General Hospital, the HD2 – Hospital and Health Support Services allows short-term rentals as a principal use.
- The CD14 – Comprehensive High Tech Business Campus zone (Landmark area) does not allow any residential uses outside of apartment hotels. Since the apartment hotels use is being removed and the area is developed without apartment hotels, short-term rental accommodation is not being added to this zone.
<table>
<thead>
<tr>
<th>Zone Category</th>
<th>Principal Use</th>
<th>Secondary Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rural residential (RR1-RR3)</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Single/two unit residential (RU1-RU6, RH1, RH2)</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Single/two unit residential – health services transitional &amp; comprehensive development (HD3, CD2, CD4, CD10)</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Multi-unit residential (RU7, RM1-RM6, RH3)</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Multi-unit residential – health services transitional &amp; comprehensive development (HD3, CD1, CD2, CD3, CD5, CD17, CD22, CD26, CD27)</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Mixed-use commercial (C3-C8)</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Tourist commercial (C9) &amp; health district (HD2)</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>McKinley Beach (CD18) &amp; Hiawatha (CD24)</td>
<td>✓1</td>
<td>✓</td>
</tr>
</tbody>
</table>

1 Principal use in CD18 Area I Village Centre (Hilltown) and CD24 Area A only.

<table>
<thead>
<tr>
<th>Regulation</th>
<th>Rural and single / two unit residential</th>
<th>Multi-unit residential &amp; commercial</th>
<th>Principal use (C9, HD2, parts of CD18 &amp; CD24)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum # of adults per bedroom / sleeping unit</td>
<td>2</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Maximum # of bedrooms / sleeping units</td>
<td>3</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>Maximum # of bookings at a time</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Minimum # of parking spaces</td>
<td>1 space per 2 sleeping units</td>
<td>1 space per 2 sleeping units1</td>
<td>Follow zone’s apartment housing requirements</td>
</tr>
<tr>
<td>Allowed in secondary suites / carriage houses</td>
<td>No</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>Business license</td>
<td>Yes</td>
<td>Yes2</td>
<td>Yes2</td>
</tr>
<tr>
<td>Operator’s principal residence</td>
<td>Yes</td>
<td>Yes3</td>
<td>No</td>
</tr>
</tbody>
</table>

1 In multi-family developments, parking for short-term rental accommodation does not need to be in addition to the principal dwelling unit where the unit has two parking spaces.
2 A higher business license fee is applicable where it is not the operator’s principal residence.
3 Properties zoned RM6 along Sunset Drive are not restricted to the operator’s principal residence.

Non-Conforming Uses

Should Council move the proposed Zoning Bylaw amendments to Public Hearing, staff will present Council with information regarding non-conforming use provisions. Specifically, staff reviewed several projects that are currently in-stream to determine whether or not they qualify for non-conforming use protection under the Local Government Act. This information will be provided in a separate report.

Next Steps

Should the proposed Zoning Bylaw amendments be adopted, those looking to operate a short-term rental would be required to apply for and be issued a business license prior to operating. Staff will focus
on informing residents of the rules they must abide by, with the intent of achieving compliance through licensing and monitoring that will be supported by a third party short-term rental compliance company. Enforcement will be pursued as needed for those properties not in compliance.

Staff will also review and report back to Council after two tourist seasons following implementation of new regulations. Staff have received further comments from residents and stakeholders since the proposed regulations were brought forward on December 3, 2018. A review presents an opportunity to consider how the regulations are working, as well as to explore whether or not other suggestions should be incorporated into the regulation of short-term rental accommodation. Furthermore, the industry continues to evolve, and a review gives staff and Council the opportunity to review the regulations as they relate to ongoing changes in the accommodation industry.

Existing Policy:

*OCP Goal 2. Address Housing Needs of All Residents.* Address housing needs of all residents by working towards an adequate supply of a variety of housing.

*Healthy Housing Strategy Action:* Update regulations to protect the rental stock from the impacts of short-term rentals.

Financial/Budgetary Considerations:
Estimated $320,000 annually for business licensing and enforcement (approved in budget). Business license fees to support cost recovery.

Personnel Implications:
One new License and Bylaw Inspection Officer and one new Administrative Clerk needed to support licensing needs associated with short-term rental accommodation (approved in budget). The positions will be shared with the need for additional resources to support demands of new cannabis retail sales establishments and cannabis production facilities.

Considerations not applicable to this report:
Internal Circulation
Legal/Statutory Authority
Legal/Statutory Procedural Requirements

Submitted by:
L. Bentley, Community Planning Supervisor

Approved for inclusion: R. Smith, Community Planning Department Manager

Attachments:
Schedule ‘A’ – Short-Term Rental Accommodation Zoning Bylaw No. 8000 Text Amendments

cc:
G. Wise, Business License Manager
D. Gazley, Bylaw Services Manager
K. O’Rourke, Community Communications Manager
M. Kam, Sustainability Coordinator
## Schedule A – Short-Term Rental Accommodation Zoning Bylaw No. 8000 Text Amendments

### Part I – Text Amendment Table

<table>
<thead>
<tr>
<th>No.</th>
<th>Section</th>
<th>Relevant Existing</th>
<th>Proposed</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>2 – Interpretation 2.3 General Definitions</td>
<td>APARTMENT HOTELS means apartment housing having a principal common entrance, cooking facilities and furnishings within each dwelling. This does not include any commercial uses except when specifically permitted in the zone.</td>
<td>APARTMENT HOTELS means apartment housing having a principal common entrance, cooking facilities and furnishings within each dwelling. This does not include any commercial uses except when specifically permitted in the zone.</td>
<td>Remove definition of apartment hotels. To be replaced with new definition for short-term rental accommodation and all references revised accordingly.</td>
</tr>
<tr>
<td>2.</td>
<td>2 – Interpretation 2.3 General Definitions</td>
<td>RESIDENTIAL ZONES means any zones described in Sections 12 and 13 of this bylaw, or any CD zone in which the predominant use as determined by its general purpose and list of permitted uses is of a residential nature, and in which the minimum tenancy period is at least 1 month.</td>
<td>RESIDENTIAL ZONES means any zones described in Sections 12 and 13 of this bylaw, or any CD zone in which the predominant use as determined by its general purpose and list of permitted uses is of a residential nature, and in which the minimum tenancy period is at least 1 month, except for short-term rental accommodation as a secondary use.</td>
<td>Keep the minimum tenancy period of one month for residential zones and clarify that the new short-term rental accommodation use is an exception to that definition, provided it is carried out in accordance with the relevant regulations.</td>
</tr>
<tr>
<td>3.</td>
<td>2 – Interpretation 2.3 General Definitions</td>
<td>n/a</td>
<td>SHORT-TERM RENTAL ACCOMMODATION means the use of a dwelling unit or one or more sleeping units within a dwelling unit for temporary overnight accommodation for a period of 29 days or less. This use does not include bed and</td>
<td>Define new use for short-term rental accommodation as distinct from residential use, which has a minimum tenancy period of 30 days.</td>
</tr>
<tr>
<td>No.</td>
<td>Section</td>
<td>Relevant Existing</td>
<td>Proposed</td>
<td>Explanation</td>
</tr>
<tr>
<td>-----</td>
<td>---------</td>
<td>-------------------</td>
<td>----------</td>
<td>-------------</td>
</tr>
<tr>
<td>4.</td>
<td>6.5 – Accessory Development 6.5.2 Accessory Buildings in Non-Residential Zones</td>
<td>(c) Not withstanding Section 6.5.2(a), one half bathroom with a toilet and sink is permitted to a maximum area of 3 m². Bedrooms and / or full bathrooms are not permitted within an accessory building or structure, except one full bathroom is permitted in an accessory building or structure used exclusively as a pool house.</td>
<td>(c) Not withstanding Section 6.5.2(a), one half bathroom with a toilet and sink is permitted to a maximum area of 3 m².</td>
<td>Clarify that no space for sleeping is permitted in accessory buildings. Sleeping units and bedrooms are defined separately in the Zoning Bylaw.</td>
</tr>
<tr>
<td>5.</td>
<td>6.5 – Accessory Development 6.5.3 Accessory Buildings in Residential Zones</td>
<td>(h) One half bathroom with a toilet and sink is permitted to a maximum area of 3 m². Bedrooms and / or full bathrooms are not permitted, except one full bathroom is permitted in an accessory building or structure used exclusively as a pool house.</td>
<td>(h) One half bathroom with a toilet and sink is permitted to a maximum area of 3 m².</td>
<td>Clarify that no space for sleeping is permitted in accessory buildings. Sleeping units and bedrooms are defined separately in the Zoning Bylaw.</td>
</tr>
<tr>
<td>6.</td>
<td>8 – Parking and Loading Table 8.1 – Parking Schedule, Residential and Residential Related</td>
<td><strong>Apartment Hotels</strong>&lt;br&gt;1.0 spaces per sleeping unit; 1.0 spaces per 7 dwelling units which shall be</td>
<td><strong>See Part II</strong></td>
<td>Replace parking requirements for apartment hotels with short-term rental accommodation. Where short-term rentals are a secondary use, one medium parking space would need to be provided for every two sleeping units. Any operator in</td>
</tr>
<tr>
<td>No.</td>
<td>Section</td>
<td>Relevant Existing</td>
<td>Proposed</td>
<td>Explanation</td>
</tr>
<tr>
<td>-----</td>
<td>---------</td>
<td>-------------------</td>
<td>----------</td>
<td>-------------</td>
</tr>
<tr>
<td>7.</td>
<td>9.6 Bed and Breakfast Homes</td>
<td>9.6.1 Bed and breakfast homes shall comply with the following regulations: (c) The licensed operator or a bed and breakfast home must reside in the dwelling in which the bed and breakfast operation is located.</td>
<td>9.6.1 Bed and breakfast homes shall comply with the following regulations: (c) The licensed operator of a bed and breakfast home must reside in the dwelling in which the bed and breakfast operation is located and be on-site when the bed and breakfast home is operating.</td>
<td>Clarify requirements that the operator must be present when guests are staying at a bed and breakfast home.</td>
</tr>
<tr>
<td>8.</td>
<td>9.6 Bed and Breakfast Homes</td>
<td>9.6.3 All bed and breakfast homes shall comply with the other provisions of this Bylaw, the BC Building Code, the Agricultural Land Commission General Order No. 1157/93 where applicable, and other fire and health regulations.</td>
<td>9.6.3 All bed and breakfast homes shall comply with the other provisions of this Bylaw, the BC Building Code, the Agricultural Land Reserve Use, Subdivision and Procedure Regulation where applicable, and other fire and health regulations.</td>
<td>Update reference to relevant ALC regulations for bed and breakfast homes.</td>
</tr>
<tr>
<td>9.</td>
<td>9 – Specific Use Regulations</td>
<td>n/a</td>
<td>9.17 Short-Term Rental Accommodation See Part III</td>
<td>Add new use-specific regulations that outline principal residency, restriction</td>
</tr>
<tr>
<td>No.</td>
<td>Section</td>
<td>Relevant Existing</td>
<td>Proposed</td>
<td>Explanation</td>
</tr>
<tr>
<td>-----</td>
<td>---------</td>
<td>-------------------</td>
<td>----------</td>
<td>-------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Add in appropriate location: short-term rental accommodation, subject to section 9.17 of this Bylaw</td>
<td>for secondary suites and carriage houses, limits on number of adults and number of rooms used, maximum booking per unit, and requirement for a business license. See Part III for details.</td>
</tr>
<tr>
<td>10.</td>
<td>12 – Rural Residential Zones 12.1.3 RR1 Secondary Uses 12.2.3 RR2 Secondary Uses 12.3.3 RR3 Secondary Uses</td>
<td>n/a</td>
<td>Add in appropriate location: short-term rental accommodation, subject to section 9.17 of this Bylaw</td>
<td>Add short-term rental accommodation as a secondary use in all rural residential zones. Renumber accordingly.</td>
</tr>
<tr>
<td>11.</td>
<td>13 – Urban Residential Zones 13.1.3 RU1 Secondary Uses 13.2.3 RU2 Secondary Uses 13.3.3 RU3 Secondary Uses 13.4.3 RU4 Secondary Uses 13.5.3 RU5 Secondary Uses 13.6.3 RU6 Secondary Uses 13.7.3 RM1 Secondary Uses 13.8.3 RM2 Secondary Uses 13.9.3 RM3 Secondary Uses 13.10.3 RM4 Secondary Uses 13.11.3 RM5 Secondary Uses 13.14.4 RH1 Secondary Uses 13.15.4 RH2 Secondary Uses</td>
<td>n/a</td>
<td>Add in appropriate location: short-term rental accommodation, subject to section 9.17 of this Bylaw</td>
<td>Add short-term rental accommodation as a secondary use in all urban residential zones except RM6, which is addressed below, and RM7, which is for mobile home parks. Renumber accordingly.</td>
</tr>
<tr>
<td>No.</td>
<td>Section</td>
<td>Relevant Existing</td>
<td>Proposed</td>
<td>Explanation</td>
</tr>
<tr>
<td>-----</td>
<td>---------</td>
<td>------------------</td>
<td>----------</td>
<td>-------------</td>
</tr>
</tbody>
</table>
| 12. | 13.12 RM6 – High Rise Apartment Housing | (e) **hotel/motel accommodation within a multiple residential unit**  
13.12.3 Secondary Uses | (e) **hotel/motel accommodation within a multiple residential unit**  
(j) **short-term rental accommodation**, subject to section 9.17 of this Bylaw | Replace hotel/motel accommodation within a multiple residential unit use with short-term rental accommodation as a secondary use. |
| 13. | 13.12 RM6 – High Rise Apartment Housing | n/a | **13.12.8 Site Specific Uses and Regulations**  
See Part IV | Add new site-specific regulations for RM6 properties on Sunset Drive to continue to allow for short-term rental accommodation as a secondary use that is not restricted to the operator’s principal residence. This is in lieu of a new RM6 subzone for the area. See Part IV for details. |
| 14. | 14 – Commercial Zones | n/a | (h) **short-term rental accommodation**, subject to section 9.17 of this Bylaw | Add short-term rental accommodation as a secondary use in the Community Commercial and Transition Commercial zones. |
| 15. | 14.4 C4 – Urban Centre Commercial  
14.4.2 Principal Uses | (c) **apartment hotels** | -(c) **apartment hotels** | Remove apartment hotels as a principal use. |
<p>| 16. | 14.4 C4 – Urban Centre Commercial | n/a | (f) <strong>short-term rental accommodation</strong>, subject to section 9.17 of this Bylaw | Add short-term rental accommodation as a secondary use. |</p>
<table>
<thead>
<tr>
<th>No.</th>
<th>Section</th>
<th>Relevant Existing</th>
<th>Proposed</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>17.</td>
<td>14.4 C4 – Urban Centre Commercial  14.4.5 Development Regulations</td>
<td>(c) The maximum <strong>height</strong> is the lesser of 15.0 m or 4 <strong>storeys</strong> in the South Pandosy and Rutland Urban Centres. In the Springfield/Highway 97 Urban Centre, maximum <strong>height</strong> is the lesser of 15.0 m or 4 <strong>storeys</strong>, except that for <strong>hotels</strong>, <strong>apartment hotels</strong> and <strong>apartment housing</strong> it shall be the lesser of 37.0 m or 12 <strong>storeys</strong>. In all other areas, the maximum <strong>height</strong> shall be the lesser of 15.0 m or 4 <strong>storeys</strong>. For mixed-use developments located in Urban Centres, where parking is located entirely below natural grade and provides a co-op / car sharing program, and provides a <strong>public courtyard</strong> and <strong>green roof</strong>, the maximum building height shall be the lesser of 25.0 m or 7 <strong>storeys</strong>.</td>
<td>(c) The maximum <strong>height</strong> is the lesser of 15.0 m or 4 <strong>storeys</strong> in the South Pandosy and Rutland Urban Centres. In the Springfield/Highway 97 Midtown Urban Centre, maximum <strong>height</strong> is the lesser of 15.0 m or 4 <strong>storeys</strong>, except that for <strong>hotels</strong>, <strong>apartment hotels</strong> and <strong>apartment housing</strong> it shall be the lesser of 37.0 m or 12 <strong>storeys</strong>. In all other areas, the maximum <strong>height</strong> shall be the lesser of 15.0 m or 4 <strong>storeys</strong>. For mixed-use developments located in Urban Centres, where parking is located entirely below natural grade and provides a co-op / car sharing program, and provides a <strong>public courtyard</strong> and <strong>green roof</strong>, the maximum building height shall be the lesser of 25.0 m or 7 <strong>storeys</strong>.</td>
<td>Remove reference to apartment hotels as a building type for height regulations.</td>
</tr>
<tr>
<td>18.</td>
<td>14.6 C6 – Regional Commercial  14.6.3 Secondary Uses</td>
<td>(c) <strong>apartment hotels</strong> (i) <strong>short-term rental accommodation</strong>, subject to section 9.17 of this Bylaw</td>
<td>(c) <strong>apartment hotels</strong> (i) <strong>short-term rental accommodation</strong>, subject to section 9.17 of this Bylaw</td>
<td>Remove apartment hotels and add short-term rental accommodation as a secondary use.</td>
</tr>
<tr>
<td>No.</td>
<td>Section</td>
<td>Relevant Existing</td>
<td>Proposed</td>
<td>Explanation</td>
</tr>
<tr>
<td>-----</td>
<td>---------</td>
<td>-------------------</td>
<td>----------</td>
<td>-------------</td>
</tr>
</tbody>
</table>
| 19. | 14.6 C6 – Regional Commercial  
14.6.5 Development Regulations | (c) The maximum **height** is the lesser of 15.0 m or 4 **storeys** except for **hotels, apartment hotels** and **apartment housing**, shall be the lesser of 37.0 m or 12 **storeys**. | (c) The maximum **height** is the lesser of 15.0 m or 4 **storeys**, except for **hotels, apartment hotels** and **apartment housing**, it shall be the lesser of 37.0 m or 12 **storeys**. | Remove reference to apartment hotels as a building type for height regulations. |
| 20. | 14.6 C6 – Regional Commercial  
14.6.6 Other Regulations | (a) Apartment housing, **apartment hotels**, and **hotels** shall be developed according to the provisions of the RM6 zone. | (a) Apartment housing, **apartment hotels**, and **hotels** shall be developed according to the provisions of the RM6 zone. | Remove reference to apartment hotels as a building type for other regulations. |
| 21. | 14.7 C7 – Central Business Commercial  
14.7.2 Principal Uses | (c) **apartment hotels** | - (c) **apartment hotels** | Remove apartment hotels as a principal use. |
| 22. | 14.7 C7 – Central Business Commercial  
14.7.3 Secondary Uses | n/a | (e) **short-term rental accommodation**, subject to section 9.17 of this Bylaw | Add short-term rental accommodation as a secondary use. |
| 23. | 14.8 C8 – Convention Hotel Commercial  
14.8.3 Secondary Uses | (c) **apartment hotel** | (c) **apartment hotels**  
(n) **short-term rental accommodation**, subject to section 9.17 of this Bylaw | Remove apartment hotels and add short-term rental accommodation as a secondary use. Renumber accordingly. |
| 24. | 14.9 C9 – Tourist Commercial  
14.9.2 Principal Uses | (c) **apartment hotels** | (c) **apartment hotels**  
(h) **multiple dwelling housing**  
(l) **short-term rental accommodation**, subject to section 9.17 of this Bylaw | Remove apartment hotels and add multiple dwelling housing and short-term rental accommodation as principal uses, to ensure these continue to be permitted uses. Renumber accordingly. |
<p>| 25. | 14.9 C9 – Tourist Commercial | (a) The maximum <strong>floor area ratio</strong> is 0.5 except it is 1.5 for <strong>apartment hotels</strong> and <strong>hotels</strong>. | (a) The maximum <strong>floor area ratio</strong> is 0.5 except it is 1.5 for <strong>apartment hotels multiple</strong> | Replace references to apartment hotels with multiple dwelling housing and |</p>
<table>
<thead>
<tr>
<th>No.</th>
<th>Section</th>
<th>Relevant Existing</th>
<th>Proposed</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>14.9.5 Development Regulations</td>
<td>(b) The maximum <strong>height</strong> is the lessor of 11.0 m or 2 <strong>storeys</strong> except 22.0 m or 6 <strong>storeys</strong> for <strong>apartment hotels</strong> and <strong>hotels</strong>.</td>
<td><strong>dwelling housing, short-term rental accommodation and hotels.</strong>&lt;br&gt;(b) The maximum <strong>height</strong> is the lessor of 11.0 m or 2 <strong>storeys</strong> except it is 22.0 m or 6 <strong>storeys</strong> for <strong>apartment hotels</strong> <strong>multiple dwelling housing, short-term rental accommodation and hotels.</strong></td>
<td>short-term rental accommodation to reflect the change in terms. Clarify other terms to be consistent with other sections of the Zoning Bylaw.</td>
</tr>
<tr>
<td>26.</td>
<td>14.9 C9 – Tourist Commercial 14.9.6 Other Regulations</td>
<td>(e) <strong>Apartment hotels, hotels, and motels</strong> are permitted only when connected to <strong>urban services.</strong></td>
<td>(e) <strong>Apartment hotels-Multiple dwelling housing, short-term rental accommodation, hotels, and motels</strong> are permitted only when connected to <strong>urban services.</strong></td>
<td>Replace references to apartment hotels with multiple dwelling housing and short-term rental accommodation to reflect the change in terms.</td>
</tr>
<tr>
<td>27.</td>
<td>17.2 HD2 – Hospital and Health Support Services 17.2.2.1 Principal Uses</td>
<td>n/a</td>
<td>(i) <strong>short-term rental accommodation</strong>, subject to section 9.17 of this Bylaw</td>
<td>Add short-term rental accommodation as a principal use for the HD2 – Hospital and Health Support Services area east of Kelowna General Hospital to support accommodation options for families of hospital patients.</td>
</tr>
<tr>
<td>28.</td>
<td>17.2 HD2 – Hospital and Health Support Services 17.2.3.1 Secondary Uses</td>
<td>(c) <strong>apartment hotel</strong></td>
<td>(c) <strong>apartment hotel</strong></td>
<td>Remove apartment hotels as a secondary use, being added as a principal use. Renumber accordingly.</td>
</tr>
<tr>
<td>29.</td>
<td>17.2 HD2 – Hospital and Health Support Services 17.2.6 Parking Regulations specific to the HD2 Zone</td>
<td>(a) All residential, residential related uses, <strong>apartment hotel and hotel uses</strong> shall be calculated as 1 <strong>parking space</strong> per <strong>dwelling unit.</strong></td>
<td>(a) All residential, residential related uses, <strong>apartment hotel and hotel uses</strong> shall be calculated as 1 <strong>parking space</strong> per <strong>dwelling unit.</strong></td>
<td>Remove reference to apartment hotels as a building type for parking regulations.</td>
</tr>
<tr>
<td>No.</td>
<td>Section</td>
<td>Relevant Existing</td>
<td>Proposed</td>
<td>Explanation</td>
</tr>
<tr>
<td>-----</td>
<td>---------</td>
<td>-------------------</td>
<td>----------</td>
<td>-------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(b) Leasable areas that are not used for residential, residential related, <strong>apartment hotel</strong> and <strong>hotel</strong> uses shall be calculated as requiring 1.75 stalls per 100 m² of gross floor area.</td>
<td>(b) Leasable areas that are not used for residential, residential related, <strong>apartment hotel</strong> and <strong>hotel</strong> uses shall be calculated as requiring 1.75 stalls per 100 m² of gross floor area.</td>
<td>Remove reference to apartment hotels being secondary to multiple dwelling housing because short-term rental accommodation is being added as a principal use.</td>
</tr>
<tr>
<td>30.</td>
<td>17.2 HD2 – Hospital and Health Support Services 17.2.7 Other Regulations</td>
<td>(f) <strong>Apartment hotel</strong> and <strong>hotel use</strong> shall only be permitted when secondary to <strong>multiple dwelling housing</strong> or <strong>congregate housing</strong>.</td>
<td>(f) <strong>Apartment hotel</strong> and <strong>hotel use</strong> shall only be permitted when secondary to <strong>multiple dwelling housing</strong> or <strong>congregate housing</strong>.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>n/a</td>
<td>17.3.2 Principal Uses 17.3.2.2 The <strong>secondary uses</strong> in this zone are: (e) <strong>short-term rental accommodation</strong>, subject to section 9.17 of this Bylaw</td>
<td>Rename the section for clarity and add short-term rental accommodation as a secondary use.</td>
</tr>
<tr>
<td>31.</td>
<td>17.3 HD3 – Health Services Transitional</td>
<td>n/a</td>
<td>Add in appropriate location: <strong>short-term rental accommodation</strong>, subject to section 9.17 of this Bylaw</td>
<td>Add short-term rental accommodation as a secondary use in Comprehensive Development zones where residential uses are permitted as a principal use. Renumber accordingly.</td>
</tr>
<tr>
<td>32.</td>
<td>18 – Schedule B – Comprehensive Development Zones CD1 – Comprehensive Development One 1.3 Secondary Uses CD2 – Kettle Valley Comprehensive Residential Development 1.3 Secondary Uses CD3 – Comprehensive Development Three 1.2 Permitted Uses, Area 1 Secondary Uses</td>
<td>n/a</td>
<td></td>
<td></td>
</tr>
<tr>
<td>No.</td>
<td>Section</td>
<td>Relevant Existing</td>
<td>Proposed</td>
<td>Explanation</td>
</tr>
<tr>
<td>-----</td>
<td>---------</td>
<td>-------------------</td>
<td>----------</td>
<td>-------------</td>
</tr>
<tr>
<td></td>
<td>CD4 – Comprehensive Small Lot Residential 1.3 Secondary Uses CD5 – Multi-Purpose Facility 1.3 Secondary Uses CD10 – Heritage Cultural 1.3 Secondary Uses CD17 – Mixed Use Commercial – High Density 1.2 Secondary Uses CD27 – Valley Land Subdivision 1.3 Secondary Uses</td>
<td>(d) apartment hotels</td>
<td>(d) apartment hotels</td>
<td>Remove apartment hotels as a permitted use and do not add short-term rental accommodation. The purpose of the zone does not include residential or tourist commercial uses.</td>
</tr>
<tr>
<td>33.</td>
<td>CD14 – Comprehensive High Tech Business Campus 1.3 Secondary Uses</td>
<td>(e) Apartment Housing is allowed only above the first storey and requires access to grade separate from the commercial uses. (f) Apartment Housing and apartment hotels shall provide a minimum area of 6 m² of private open space per bachelor dwelling, 10 m² of private open space per one bedroom dwelling, and 15 m²</td>
<td>(e) Apartment Housing is allowed only above the first storey and requires access to grade separate from the commercial uses. (f) Apartment Housing and apartment hotels shall provide a minimum area of 6 m² of private open space per bachelor dwelling, 10 m² of private open space per one bedroom dwelling, and 15 m²</td>
<td>Remove regulations for apartment housing and apartment hotels as these will no longer be uses in the zone.</td>
</tr>
<tr>
<td>34.</td>
<td>CD14 – Comprehensive High Tech Business Campus 1.6 Other Regulations</td>
<td>(e) Apartment Housing is allowed only above the first storey and requires access to grade separate from the commercial uses. (f) Apartment Housing and apartment hotels shall provide a minimum area of 6 m² of private open space per bachelor dwelling, 10 m² of private open space per one bedroom dwelling, and 15 m²</td>
<td>(e) Apartment Housing is allowed only above the first storey and requires access to grade separate from the commercial uses. (f) Apartment Housing and apartment hotels shall provide a minimum area of 6 m² of private open space per bachelor dwelling, 10 m² of private open space per one bedroom dwelling, and 15 m²</td>
<td>Remove regulations for apartment housing and apartment hotels as these will no longer be uses in the zone.</td>
</tr>
<tr>
<td>No.</td>
<td>Section</td>
<td>Relevant Existing</td>
<td>Proposed</td>
<td>Explanation</td>
</tr>
<tr>
<td>-----</td>
<td>---------</td>
<td>------------------</td>
<td>----------</td>
<td>-------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td>of private open space per dwelling with more than one bedroom.</td>
<td>of private open space per dwelling with more than one bedroom.</td>
<td>Remove apartment hotels and add multiple dwelling housing, to ensure multiple dwelling housing (e.g. apartments) continues to be a permitted use. Renumber accordingly.</td>
</tr>
<tr>
<td>35.</td>
<td>CD17 – Mixed Use Commercial – High Density 1.1 Principal Uses</td>
<td>(d) apartment hotels</td>
<td>(d) apartment hotels (k) multiple dwelling housing</td>
<td>Remove apartment hotels as a secondary use, which is captured under multiple dwelling housing that is being added as a principal use (see above). Add short-term rental accommodation as a secondary use and renumber accordingly.</td>
</tr>
<tr>
<td>36.</td>
<td>CD17 – Mixed Use Commercial – High Density 1.2 Secondary Uses</td>
<td>(a) apartment housing</td>
<td>(a) apartment housing (b) short-term rental accommodation, subject to section 9.17 of this Bylaw</td>
<td>Remove apartment hotels and add multiple dwelling housing and short-term rental accommodation as principal uses. Renumber accordingly. In the McKinley Beach development, short-term rental accommodation would only be a principal use in the Village Centre (Hilltown) area of the McKinley Beach development.</td>
</tr>
<tr>
<td>37.</td>
<td>CD18 – McKinley Beach Comprehensive Resort Development 1.2(a) AREA I Village Centre</td>
<td>Principal Uses: (a) apartment hotels</td>
<td>Principal Uses: (a) apartment hotels (n) multiple dwelling housing (aa) short-term rental accommodation, subject to section 9.17 of this Bylaw</td>
<td>Remove apartment hotels and add multiple dwelling housing and short-term rental accommodation as principal uses. Renumber accordingly. In the McKinley Beach development, short-term rental accommodation would only be a principal use in the Village Centre (Hilltown) area of the McKinley Beach development.</td>
</tr>
<tr>
<td>38.</td>
<td>CD18 – McKinley Beach Comprehensive Resort Development</td>
<td>Principal Uses: (a) apartment hotels</td>
<td>Principal Uses: (a) apartment hotels (e) multiple dwelling housing</td>
<td>Remove apartment hotels and add multiple dwelling housing as a principal use, to ensure</td>
</tr>
<tr>
<td>No.</td>
<td>Section</td>
<td>Relevant Existing</td>
<td>Proposed</td>
<td>Explanation</td>
</tr>
<tr>
<td>-----</td>
<td>---------</td>
<td>-------------------</td>
<td>----------</td>
<td>-------------</td>
</tr>
<tr>
<td>1.2(b) AREA 2 Winery and Resort Accommodation</td>
<td>Secondary Uses: (i) short-term rental accommodation, subject to section 9.17 of this Bylaw</td>
<td>multiple dwelling housing (e.g. apartments) continues to be a permitted use. Add short-term rental accommodation as a secondary use. Renumber all accordingly.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>39.</td>
<td>CD18 – McKinley Beach Comprehensive Resort Development</td>
<td>Principal Uses: (a) apartment hotels</td>
<td>Principal Uses: (a) apartment hotels Secondary Uses: (e) short-term rental accommodation, subject to section 9.17 of this Bylaw</td>
<td>Remove apartment hotels as a principal use and add short-term rental accommodation as a secondary use. Renumber all accordingly.</td>
</tr>
<tr>
<td>40.</td>
<td>CD18 – McKinley Beach Comprehensive Resort Development</td>
<td>Principal Uses: (a) apartment hotels</td>
<td>Principal Uses: (a) apartment hotels (g) multiple dwelling housing Secondary Uses: (i) short-term rental accommodation, subject to section 9.17 of this Bylaw</td>
<td>Remove apartment hotels and add multiple dwelling housing as a principal use, to ensure multiple dwelling housing (e.g. apartments) continues to be a permitted use. Add short-term rental accommodation as a secondary use. Renumber all accordingly.</td>
</tr>
<tr>
<td>41.</td>
<td>CD18 – McKinley Beach Comprehensive Resort Development</td>
<td>(g) Resort accommodation which allows for short-term stays is made up of two types: Type A: Attached apartment hotel, hotel, congregate housing, motel units or row housing units (units in buildings exceeding 4 units with common</td>
<td>(g) Dwelling units or resort accommodation which allows for short-term stays is made up of two types: Type A: Attached apartment hotel, hotel, congregate housing, motel units or row housing units (units in buildings exceeding 4 units with common</td>
<td>Remove requirement for developments of four units or less to have a common on-site or off-site reservation centre to operate short-term rental accommodations. This supports a consistent approach to short-term rental accommodation in residential units across Kelowna and better reflects the</td>
</tr>
<tr>
<td>No.</td>
<td>Section</td>
<td>Relevant Existing</td>
<td>Proposed</td>
<td>Explanation</td>
</tr>
<tr>
<td>-----</td>
<td>---------</td>
<td>------------------</td>
<td>----------</td>
<td>-------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td>amenities) – maximum area of 150m² per unit floor area net.</td>
<td>units with common amenities) – maximum area of 150m² per unit floor area net.</td>
<td>development in the McKinley Beach area.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Type B: Single detached housing with or without secondary suites, semi-detached housing, row housing with four units or less, with amenities that may be in separate buildings. The maximum gross floor area is 350m² per unit (excluding garages). The main floor footprint (excluding garage) may not exceed 175m² per unit (excluding garages). Type B units must be served by a common on-site or off-site reservation centre(s).</td>
<td>Type B: Single detached housing with or without secondary suites, semi-detached housing, row housing with four units or less, with amenities that may be in separate buildings. The maximum gross floor area is 350m² per unit (excluding garages). The main floor footprint (excluding garage) may not exceed 175m² per unit (excluding garages). Type B units must be served by a common on-site or off-site reservation centre(s).</td>
<td></td>
</tr>
<tr>
<td>42.</td>
<td>CD22 – Central Green Comprehensive Development Zone</td>
<td>(c) Section 9 – Specific Use Regulations of this bylaw does not apply with the exceptions for: Sub-Section 9.2 – Home Based Businesses, Minor; Sub-Section 9.3 – Home Based Businesses, Major; and Sub-Section 9.10 – Agriculture, Urban</td>
<td>(c) Section 9 – Specific Use Regulations of this bylaw does not apply with the exceptions for: Sub-Section 9.2 – Home Based Businesses, Minor; Sub-Section 9.3 – Home Based Businesses, Major; and Sub-Section 9.10 – Agriculture, Urban; and Sub-Section 9.17 – Short-Term Rental Accommodation.</td>
<td>Add regulation that specific use provisions for short-term rental accommodation apply to the CD22 zone.</td>
</tr>
<tr>
<td>No.</td>
<td>Section</td>
<td>Relevant Existing</td>
<td>Proposed</td>
<td>Explanation</td>
</tr>
<tr>
<td>-----</td>
<td>---------</td>
<td>------------------</td>
<td>----------</td>
<td>-------------</td>
</tr>
<tr>
<td>43.</td>
<td>CD22 – Central Green Comprehensive Development Zone</td>
<td>(e) apartment hotels</td>
<td>(e) apartment hotels</td>
<td>Remove apartment hotels as a principal use. Short-term rental accommodation would only be a secondary use in the CD22 zone (see below).</td>
</tr>
<tr>
<td>44.</td>
<td>CD22 – Central Green Comprehensive Development Zone</td>
<td>n/a</td>
<td>Add in appropriate location: short-term rental accommodation, subject to section 9.17 of this Bylaw</td>
<td>Add short-term rental accommodation as a secondary use in all CD22 sub-areas and renumber accordingly.</td>
</tr>
<tr>
<td>45.</td>
<td>CD24 – Comprehensive Development Zone</td>
<td>(c) <strong>Section 9</strong> – Specific Use Regulations of this bylaw does not apply with the exception of: Sub-Section 9.2 – Home Based Business, Minor; Sub-Section 9.3 – Home Based Business, Major.</td>
<td>(c) <strong>Section 9</strong> – Specific Use Regulations of this bylaw does not apply with the exception of: Sub-Section 9.2 – Home Based Business, Minor; Sub-Section 9.3 – Home Based Business, Major; and Sub-Section 9.17 – Short-Term Rental Accommodation.</td>
<td>Add regulation that specific use provisions for short-term rental accommodation apply to the CD24 zone.</td>
</tr>
<tr>
<td>No.</td>
<td>Section</td>
<td>Relevant Existing</td>
<td>Proposed</td>
<td>Explanation</td>
</tr>
<tr>
<td>-----</td>
<td>---------</td>
<td>------------------</td>
<td>----------</td>
<td>-------------</td>
</tr>
</tbody>
</table>
| 46. | CD24 – Comprehensive Development Zone | a) apartment hotels | a) apartment hotels  
h) short-term rental accommodation, subject to section 9.17 of this Bylaw | Remove apartment hotels and add short-term rental accommodation as a principal use. Renumber accordingly. In the Hiawatha development, short-term rental accommodation would only be a principal use in Area A. |
| 47. | CD24 – Comprehensive Development Zone | A minimum area of 7.5 m² of private open space shall be provided per bachelor dwelling, apartment hotel unit, or congregate housing bedroom; 15 m² of private open space shall be provided per 1 bedroom dwelling, and 25 m² of private open space shall be provided per dwelling with more than 1 bedroom, except for hotel where no minimum private open space is required. | A minimum area of 7.5 m² of private open space shall be provided per bachelor dwelling, apartment hotel short-term rental accommodation unit, or congregate housing bedroom; 15 m² of private open space shall be provided per 1 bedroom dwelling, and 25 m² of private open space shall be provided per dwelling with more than 1 bedroom, except for hotel where no minimum private open space is required. | Replace reference to apartment hotels with short-term rental accommodation. |
| 48. | CD24 – Comprehensive Development Zone | 8.2.1 Secondary Uses | 8.2.12 Secondary Uses  
h) short-term rental accommodation, subject to section 9.17 of this Bylaw | Renumber section and add short-term rental accommodation as a secondary use. |
<p>| 49. | CD26 – Capri Centre Comprehensive Development Zone | (c) apartment hotels | (c) apartment hotels | Remove apartment hotels as a principal use. |</p>
<table>
<thead>
<tr>
<th>No.</th>
<th>Section</th>
<th>Relevant Existing</th>
<th>Proposed</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>50.</td>
<td>CD26 – Capri Centre Comprehensive Development Zone 1.5 Secondary Uses</td>
<td>n/a</td>
<td>(d) short-term rental accommodation, subject to section 9.17 of this Bylaw</td>
<td>Add short-term rental accommodation as a secondary use.</td>
</tr>
</tbody>
</table>
### Part II – Table 8.1 – Parking Schedule

<table>
<thead>
<tr>
<th>Apartment Hotels</th>
<th>1.0 medium spaces per two sleeping units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Short-Term Rental Accommodation as a Secondary Use</td>
<td>Where three dwelling housing, four dwelling housing, or multiple dwelling housing is the principal use, the dwelling unit is exempt from the requirement in section 8.1.2 to have parking spaces for secondary uses in addition the required parking spaces for the principal use, provided the dwelling unit has a minimum of 2 parking spaces; 1.0 spaces per 7 dwelling units which shall be designated as visitor</td>
</tr>
<tr>
<td>Short-Term Rental Accommodation as a Principal Use</td>
<td>Equivalent to apartment housing requirements for that zone</td>
</tr>
</tbody>
</table>
Part III – Section 9.17: Short-Term Rental Accommodation

9.17 Short-Term Rental Accommodation

9.17.1 Where short-term rental accommodation is a secondary use, it must be secondary to a dwelling unit as a principal use and must be operated by a resident who resides for more than 240 days of the year at that dwelling unit.

9.17.2 Short-term rental accommodation is not permitted in a secondary suite or carriage house.

9.17.3 Short-term rental accommodation is not permitted in combination with a bed and breakfast home.

9.17.4 No more than one booking or reservation for short-term rental accommodation is permitted in each dwelling unit at one time.

9.17.5 No more than two adults may occupy a sleeping unit used for short-term rental accommodation.

9.17.6 The maximum number of sleeping units that may be used for short-term rental accommodation in each dwelling unit is specified in Table 9.17.1.

Table 9.17.1 Maximum Sleeping Units for Short-Term Rental Accommodation

<table>
<thead>
<tr>
<th>Use</th>
<th>Maximum number of sleeping units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single dwelling housing</td>
<td></td>
</tr>
<tr>
<td>Two dwelling housing</td>
<td></td>
</tr>
<tr>
<td>Multiple dwelling housing (including apartment housing)</td>
<td>3</td>
</tr>
<tr>
<td>as a principal use</td>
<td></td>
</tr>
<tr>
<td>Three dwelling housing</td>
<td></td>
</tr>
<tr>
<td>Four dwelling housing</td>
<td></td>
</tr>
<tr>
<td>Multiple dwelling housing (including apartment housing)</td>
<td>2</td>
</tr>
<tr>
<td>as a secondary use</td>
<td></td>
</tr>
</tbody>
</table>

9.17.7 Parking must be provided in accordance with the parking and loading regulations of Section 8. Short-term rental accommodation may not use required visitor parking spaces.
Part IV – Section 13.12.8: RM6 Site Specific Uses and Regulations

13.12.8 Site Specific Uses and Regulations

Uses and regulations apply to the RM6 – High Rise Apartment Housing zone on a site specific basis as follows:

<table>
<thead>
<tr>
<th>Legal Description</th>
<th>Civic Address</th>
<th>Regulation</th>
</tr>
</thead>
</table>
| 1. See Map A      | 1070-1130 Ellis Street  
1075-1139 Sunset Drive  
1088 Sunset Drive  
1128 Sunset Drive  
1142-1156 Sunset Drive  
1151 Sunset Drive  
1160 Sunset Drive | Notwithstanding section 9.17.1, the operator of short-term rental accommodation does not need to be a resident who resides for more than 240 days of the year at that dwelling unit. |

Map A: Properties Zoned RM6 where Site Specific Use Regulation no. 1 Applies
TA19-0007 Short-Term Rental Accommodation
Zoning Bylaw Text Amendment
Purpose

- Introduce the new short-term rental accommodation use
- Define associated regulations
- Add the use to most residential & mixed-use commercial zones
- Remove the existing apartment hotels use
Overview

- Process
- Context
- Guiding principles & consultation
- Land use regulations
- Licencing & compliance strategy
- Non-conforming uses
- Next steps
Process

- Background research & survey
  - Fall 2017-Spring 2018
  - Public

- Guiding principles
  - Summer 2018
  - Council

- Draft regulations
  - Summer-fall 2018
  - Council

- Stakeholder review
  - Fall 2018
  - Public

- Proposed regulations
  - Fall 2018
  - Council

- Bylaws & public hearing
  - Winter 2019
  - Council & public
Context

- Housing Needs Assessment
  - Security of tenure & short-term rentals
- Healthy Housing Strategy
  - Key direction: Promote & protect rental housing

Action: Develop policy & regulations to protect the rental stock from the impacts of short-term rentals.
Short-Term Rental Listings

Number of Listings

<table>
<thead>
<tr>
<th></th>
<th>Unique Listings</th>
<th>Total Listings</th>
</tr>
</thead>
<tbody>
<tr>
<td>Feb-17</td>
<td>1,172</td>
<td>1,320</td>
</tr>
<tr>
<td>Nov-17</td>
<td>1,158</td>
<td>1,578</td>
</tr>
<tr>
<td>Apr-18</td>
<td>1,979</td>
<td>2,709</td>
</tr>
</tbody>
</table>
Short-Term Rental Listings

Median nightly rate: $220
## Long-Term Rentals

<table>
<thead>
<tr>
<th>Vacancy Rate</th>
<th>Secondary Rental Market</th>
<th>New Households Renting</th>
<th>New Rental Units Needed</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.9%</td>
<td>70% suites, carriage houses &amp; entire homes</td>
<td>73%</td>
<td>550 annually</td>
</tr>
</tbody>
</table>
Guiding Principles

1. Ensure short-term rental accommodations do not impact long-term rental housing supply in a negative way.
2. Ensure short-term rental accommodations are good neighbours.
3. Ensure equity among short-term accommodation providers.
Public & Stakeholder Consultation

- Public survey (fall 2017)
  - Over 2,600 responses
  - Initial input into developing regulations

- Stakeholder consultation (fall 2018)
  - Tourism & accommodation industry, business & neighbourhood associations, development industry, short-term rental platforms, Healthy Housing Advisory Committee, interested residents
  - Feedback on proposed regulations

- Responses reflect diverse community needs & interests
Short-Term Rental Accommodation

Short-term rental accommodation means the use of a dwelling unit or one or more sleeping units within a dwelling unit for temporary overnight accommodation for a period of 29 days or less. This use does not include bed and breakfast homes, hotels or motels.
## Zones & Uses

<table>
<thead>
<tr>
<th>Zone Category</th>
<th>Principal Use</th>
<th>Secondary Use</th>
<th>Principal Use</th>
<th>Secondary Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rural &amp; single / two unit residential</td>
<td></td>
<td></td>
<td></td>
<td>✓ 1</td>
</tr>
<tr>
<td>Multi-unit residential</td>
<td>✓ (RM6)</td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Mixed-use commercial</td>
<td>✓ (C₄, C₇)</td>
<td>✓ (C₆, C₈)</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Tourist commercial² &amp; health district</td>
<td>✓</td>
<td>✓ (HD₂)</td>
<td>✓</td>
<td></td>
</tr>
</tbody>
</table>

¹ Not allowed in secondary suites or carriage houses
² Tourist commercial: C₉, parts of CD₁₈ (McKinley Beach – Hilltown only) & CD₂₄ (Hiawatha – Area A only)
## Specific Use Regulations

<table>
<thead>
<tr>
<th>Regulation</th>
<th>Rural &amp; single / two unit residential</th>
<th>Multi-unit residential &amp; commercial</th>
<th>Principal use (C9, HD2, parts of CD18 &amp; CD24)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum # of adults per bedroom</td>
<td>2</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Maximum # of bedrooms</td>
<td>3</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>Maximum # of bookings at a time</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Minimum # of parking spaces</td>
<td>1 per 2 bedrooms</td>
<td>1 per 2 bedrooms¹</td>
<td>Same as apartment housing</td>
</tr>
<tr>
<td>Operator’s principal residence</td>
<td>Yes</td>
<td>Yes²</td>
<td>No</td>
</tr>
<tr>
<td>Business license required</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
</tbody>
</table>

¹ Not in addition to principal dwelling unit if unit has two parking spaces  
² RM6 properties along Sunset Dr are not restricted to the operator’s principal residence
Refinements

- Principal residency: min. 8 months of year
- Multiple dwelling housing parking requirements
- RM6 properties on Sunset Drive listed & identified on a map
- Principal use in HD2 (health district)
- No longer a use in CD14 (Landmark)
## Meeting the Principles

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Protect Long-Term Rentals</th>
<th>Good Neighbour</th>
<th>Short-Term Accommodation Equity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operator’s principal residence</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>No suites or carriage houses</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Max. number of people, bedrooms &amp; bookings</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Business license</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Online accommodation platform taxes</td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>
Licensing & Compliance

- Business licence will be required
  - Fees to support cost recovery
  - Documentation requirements
  - License conditions

- Third party monitoring & compliance
  - Proactive approach to enforcement
  - Provide additional tools
  - Limit impact on staff resources
Non-Conforming Uses

- *Local Government Act* provisions to protect property owners’ rights when bylaws change
- Existing buildings with apartment hotel use
  - Operated lawfully in last year
  - Continue use under current regulations
  - Applies to all residential units in a building
Criteria for In-Stream Projects

- Does the property's zoning allow for apartment hotels or equivalent?
  - No
  - Yes
    - Is the development for a residential use?
      - No
      - Yes
        - Does the development have an issued development permit?
          - No
          - Yes
            - Does the project have a rental housing agreement or other restriction prohibiting a short-term rental use?
              - No
              - Yes
                - Does the development have an issued building permit?
                  - Yes
                    - Qualifies - must receive occupancy within three years of bylaw adoption
                  - No
                    - Qualifies - development permit must not lapse, and must receive building permit and occupancy within three years of bylaw adoption
                  - No
                    - Does not qualify
In-Stream Projects

- Nearly 25 projects identified
- 7 do not qualify for non-conforming use provisions
  - Zone does not allow use
    - 1232 Ellis St (Ellis Parc)
  - DP application submitted, not yet approved
    - 105-115 Hwy 33 W, 165-179 Rutland Rd N, 430 Harvey Ave
  - Rental housing agreement
    - 1740 Richter St (Central Green Building B), 225 Rutland Rd S, 3477-3499 Lakeshore Rd (The Shore)
- Further due diligence
Next Steps

- Business License Bylaw
- Public Hearing
- Adoption & implementation
  - Education & application materials
  - Business license applications
  - Third party compliance company
- Ongoing monitoring & review
Staff Recommendation

- Recommend **support** for the Zoning Bylaw text amendment for short-term rental accommodation
  - Allows residents to operate short-term rentals
  - Aligns with previously endorsed guiding principles
  - Establishes clear regulations so the public understands the rules that apply to them

- Forward the text amendment bylaw to public hearing
Questions?
Sunset Drive
RM6 Area
## Case Studies

<table>
<thead>
<tr>
<th>Municipality</th>
<th>Location of Short-Term Rentals</th>
<th>Licensing &amp; Enforcement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nelson</td>
<td>Most zones Operator’s principal residence (some exceptions)</td>
<td>Municipal bylaw enforcement</td>
</tr>
<tr>
<td>Tofino</td>
<td>Limited locations Operator’s principal residence (some exceptions)</td>
<td>Third party compliance</td>
</tr>
<tr>
<td>Vancouver</td>
<td>Most zones &amp; locations Operator’s principal residence only</td>
<td>Business license must be included in listing Agreement with Airbnb</td>
</tr>
<tr>
<td>Victoria</td>
<td>Most residential areas Operator’s principal residence only</td>
<td>Business license must be included in listing Third party compliance</td>
</tr>
</tbody>
</table>
Short-Term Rental Listings

Growth in Global Listings

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of Listings (millions)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011</td>
<td>0.9</td>
</tr>
<tr>
<td>2012</td>
<td>1.1</td>
</tr>
<tr>
<td>2013</td>
<td>1.9</td>
</tr>
<tr>
<td>2014</td>
<td>2.9</td>
</tr>
<tr>
<td>2015</td>
<td>3.9</td>
</tr>
<tr>
<td>2016</td>
<td>5.3</td>
</tr>
<tr>
<td>2017</td>
<td>8.0</td>
</tr>
</tbody>
</table>
Report to Council

Date: March 4th, 2019
File: 0100-01
To: City Manager
From: Greg Wise, Business Licensing Manager
Subject: Short-Term Rental Accommodation Business Licence and Regulation Bylaw No. 11720

Recommendation:

THAT Council receives for information, the report from the Business Licensing Manager, dated March 4, 2019, with regards to creating a new Short-Term Rental Accommodation Business Licence and Regulation Bylaw;

AND THAT Bylaw No. 11720 being Short-Term Rental Accommodation Business Licence and Regulation Bylaw be forwarded for reading consideration;

AND THAT Bylaw No.11771 being Amendment Bylaw No. 23 to Bylaw Notice Enforcement Bylaw No. 10475 be forwarded for reading consideration;

AND THAT Council provide an opportunity for persons who consider themselves affected by this application to make representations to Council during the March 12, 2019, Public Hearing on the associated Text Amendment Bylaw No 11766;

AND FURTHER THAT Council direct staff to give notice of its intention to provide for public input on Bylaw No. 11720 being Short-Term Rental Accommodation Business Licence and Regulation Bylaw by advertising in the in the Daily Courier on Wednesday, March 6th, and Friday, March 8th; in the Okanagan Saturday edition on March 9th and by being posted on the City Hall Notice Board on Tuesday, March 5, 2019.

Purpose:

To consider a new Business Licence and Regulation Bylaw for Short-Term Rental Accommodations and to allow for members of the public to make representations to Council regarding the proposed Bylaw.
Background:

On December 3, 2018, Council directed staff to proceed with preparing bylaws to implement the proposed short-term rental accommodation regulations and licensing requirements related to the short-term rental accommodations. The proposed regulations were based on the guiding principles Council endorsed on July 16, 2018, as well as best practice research and input from residents and stakeholders.

Recent proposed Zoning amendments to allow short-term rental accommodation within Zoning Bylaw 8000, will require associated Business Licence regulations and conditions pertaining to the operation of such short-term rental accommodations.

The regulations aim to balance the desire to allow short-term rentals as an option for tourists and visitors with the need to protect long-term rentals and to limit impacts on neighbouring properties. Establishing these regulations will help provide clarity to residents about how short-term rentals can be operated. The zoning amendments define short-term rental accommodation as a new use, identify more specific regulations associated with it, and introduce it as a principal or secondary use in the appropriate zones. The proposed Licence regulations are in keeping with Council approved Guiding Principles and in step with the “Housing Needs Assessment”, and “Healthy Housing Strategy” and will further clarify regulations pertaining to the operation of such short-term rental units within the community.

Business Licencing

All short-term rentals, including legal non-conforming operations, will require a business license. Staff are proposing a business license fee of $345 where the short-term rental is in the operator’s principal residence, and a fee of $750 where it is not the operator’s principal residence. These fees are within range of several other BC Municipalities that have initiated regulations for short-term rentals and would be adjusted annually with the Consumer Price Index. Fees are intended to support cost recovery for licensing and compliance requirements associated with short-term rental accommodations and to provide equity among operators.

Staff will work with applicants to inform them of the license requirements and conditions. A comprehensive communications plan and support documentation has been developed to roll out the new program. It is anticipated following adoption and approval of the new bylaw, licencing will commence early Spring of 2019, a formal start date will be communicated to the public as part of a larger education package on the subject.

To support the first two guiding principles (protection of long-term housing, and ensure short-term rental accommodations are good neighbours) and that rental units are safe, staff propose the following documentation, conditions and operational requirements as part of the new license regime:

Highlights of licence requirements and conditions are as follows:

- All short-term rental accommodation operators are to hold an annual Business Licence.
- All operators are to sign a Good Neighbour Agreement with the City, agreeing to be a responsible good neighbour short-term rental operator.
Principal residence operators must provide documentation confirming the residential address is the operator’s principal residence.

Submit proof of property ownership, or if a tenant, documentation confirming approval of provision of the short-term rental accommodation by the applying tenant/operator.

Operators that are located within a strata, will need to provide documentation confirming the short-term rental does not conflict with any strata bylaws.

Operators, or the “Responsible Person” are required to respond to any complaints.

Operators will ensure all marketing of the short-term rental accommodation indicates a business licence number and the number of approved rental sleeping units (bedrooms).

Provide a self-evaluation safety audit and attestation form confirming fire and life safety measures are addressed.

Provide a floor plan indicating safety exits, fire alarm and fire extinguisher locations and display the plan in the accommodation.

Provide a parking plan which conforms to the parking requirements of the Zoning bylaw.

Compliance with Regulations:

Should the proposed regulations move forward, staff will initiate a communications plan to notify the public of these new regulation requirements, and will focus on education and information distribution in the initial quarter of the year, prior to directing resources to a proactive compliance model. To support compliance efforts and mitigate impacts to staff resources, staff propose contracting a third party company with software capable of searching listings across multiple online accommodation platforms to effectively provide accurate and enforceable information. These companies offer a range of services, including license application platforms and listings identification to more robust monitoring and communications services. Complaint-based enforcement through Bylaw Services will still form part of the compliance strategy, particularly as it relates to nuisance issues. Education will be the initial focus. Compliance will be pursued as needed in a fair but firm manner for those in breach of any bylaw conditions, including the Good Neighbour Agreement.

Next Steps

Should the proposed Zoning Bylaw amendments and Business Licence Bylaw regulations be adopted, those looking to operate a short-term rental would be required to obtain a business license prior to operating. Staff will provide communication and a simple application package for the operators to complete.

Staff will also review and report back to Council after two tourist seasons following implementation of new regulations. A review presents an opportunity to consider how the regulations are working, as well as to explore whether or not other suggestions should be incorporated into the regulation of short-term rental accommodation. Furthermore, as the industry continues to evolve, a review gives staff and Council the opportunity to review the regulations as they relate to ongoing changes in the accommodation industry and within our community.
Internal Circulation:
Community Planning Department Manager
Bylaw Services Manager
Community Communications Manager
Fire Chief

Legal/Statutory Authority:
Sections 8(6) and 15 of the Community Charter, S.B.C. 2003, c. 26

Legal/Statutory Procedural Requirements:
Community Charter 59(2) give notice of intention and to provide opportunity of those affected to make representation to Council
Community Charter S.59(3) advertise in a manner that Council considers reasonable

Financial/Budgetary Considerations:
Estimated $320,000 annually for business licensing and enforcement (approved in budget). Business license fees to support cost recovery.

Personnel Implications:
One new License and Bylaw Inspection Officer and one new Administrative Clerk needed to support licensing needs associated with short-term rental accommodation (approved in budget). The positions will be shared with the need for additional resources to support demands of new cannabis retail sales establishments and cannabis production facilities.

Communications Comments:
A comprehensive Communications plan has been developed to educate both internal departments and external stakeholders and the General Public of these new regulations and the licencing process requirements.

Submitted by:  Greg Wise, Business Licensing Manager

Approved for inclusion: Derek Edstrom, (Acting) Divisional Director
Community Planning and Strategic Investments

cc:  R. Smith, Community Planning Department Manager
L. Bentley, Community Planning Supervisor
D. Gazley, Bylaw Services Manager
T. Whiting, Fire Chief
S. Cronquist, Deputy Fire Chief Admin, Training, & Fire Prevention
K. O’Rourke, Community Communication Manager
Short-Term Rental Accommodation & Business Licence Bylaw

Bylaw No. 11720

March 4, 2019
Overview

- Regulation process
- Context
- Guiding principles
- Licence requirements & fees
- Licence application process
- Next steps
Regulation Process to date

- **Background research & survey**: Fall 2017-Spring 2018
- **Guiding principles**: Summer 2018
- **Draft regulations**: Summer-fall 2018
- **Stakeholder review**: Fall 2018
- **Proposed regulations**: Fall 2018
- **Bylaws & public hearing**: Winter 2019

**Public**
- Background research & survey
- Guiding principles
- Draft regulations
- Stakeholder review
- Proposed regulations

**Council**
- Guiding principles
- Draft regulations
- Stakeholder review
- Proposed regulations

**Council & public**
- Bylaws & public hearing
Context

- Housing Needs Assessment
  - Security of tenure & short-term rentals
- Healthy Housing Strategy
  - Key direction: Promote & protect rental housing

Action: Develop policy & regulations to protect the rental stock from the impacts of short-term rentals.
Guiding Principles

1. Ensure short-term rental accommodations do not impact long-term rental housing supply in negative way.

2. Ensure short-term rental accommodations are good neighbours.

3. Ensure equity among short-term accommodation providers.
Short-Term Rental Listings

**Current listings in Kelowna**

- Majority are whole home
- Median no. of rental days - 30
- Median nightly rate $220
- Median annual income $6600

Median nightly rate: $220

**Listing Types**

- Unknown: 82%
- Partial home: 5%
- Entire home: 13%

City of Kelowna
Licensing fee

- Business licence will be required to operate
  - Fees will support cost recovery and mitigate taxation
    Proposed fees:
    - $345 (principal residence) $750 (non-principal)

- Supports
  - Third party monitoring & compliance
    - Payment based off total listings found, not licenced
  - Staff
  - Compliance focused staff structure
# Fee Comparison

<table>
<thead>
<tr>
<th>Municipality</th>
<th>Licence Category #1</th>
<th>Licence Category #2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kelowna</td>
<td>$345.00</td>
<td>$750.00</td>
</tr>
<tr>
<td>Category desc</td>
<td>Principal Residence</td>
<td>Non-Principal Residence</td>
</tr>
<tr>
<td>Victoria</td>
<td>$150.00</td>
<td>$1500.00</td>
</tr>
<tr>
<td>Category desc</td>
<td>Principle Residence</td>
<td>Non-Principal Residence</td>
</tr>
<tr>
<td>Vancouver</td>
<td>$51.00</td>
<td>$109.00</td>
</tr>
<tr>
<td>Category desc</td>
<td>One fee only</td>
<td>Includes app fee</td>
</tr>
<tr>
<td>Tofino</td>
<td>$450.00</td>
<td>$750.00</td>
</tr>
<tr>
<td>Category desc</td>
<td>Short Term Rental 1 Rm</td>
<td>Short Term Rental 3 Rm</td>
</tr>
<tr>
<td>Nelson</td>
<td>$200.00</td>
<td>$450.00</td>
</tr>
<tr>
<td>Category desc</td>
<td>1 unit</td>
<td>3 units</td>
</tr>
</tbody>
</table>
Licensing & Compliance

- Business licence will be required
  - Fees to support cost recovery
  - Documentation requirements
  - License conditions

- Third party monitoring & compliance
  - Proactive approach to enforcement
  - Provide additional tools
  - Limit impact on staff resources
Application

- Proof of principal residence status
  - If applicable
- Identify responsible person
- Good neighbour agreement
- Safety audit attestation form
  - Confirming fire & safety standards are met
Application Process

- Simplified process
- Communications
  - Clear and easy
  - One package of information
- Submit form online PDF
  - Move to online with new system
### Meeting the Principles

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Protect Long-Term Rentals</th>
<th>Good Neighbour</th>
<th>Short-Term Accommodation Equity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operator’s principal residence</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>No suites or carriage houses</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Max. number of people, bedrooms &amp; bookings</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Business license</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Online accommodation platform taxes</td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>
Next Steps

- Business License Bylaw
- Public Hearing
- Adoption & implementation
  - Education & application materials
  - Business license application intake
  - Third party compliance company
- Ongoing monitoring & review
Questions?