

City of Kelowna
Regular Council Meeting
AGENDA



Tuesday, November 21, 2023
3:00 pm
Council Chamber
City Hall, 1435 Water Street

Pages

1. Call to Order

I would like to acknowledge that we are gathered today on the traditional, ancestral, unceded territory of the syilx/Okanagan people.

This evening, Council will hold both a Public Hearing and a Regular Meeting.

The purpose of the Hearing is to hear from the public on matters contained in the various bylaws which, if adopted, will amend Zoning Bylaw No. 12375.

After the close of the Public Hearing, Council will then debate and vote on the proposed bylaws at the Regular Meeting that follows.

Council has been provided with the information, correspondence, petitions or reports that have been received concerning the subject bylaws. This information is available to the public online at Kelowna.ca/council or by request to the Office of the City Clerk.

For those participating this evening, or who have already submitted letters to Council, a reminder that this Hearing and the Meeting is open to the public and all representations to Council form part of the public record. A live audio-video feed is being broadcast and recorded on kelowna.ca.

Following the close of the Public Hearing, no further information from the applicant or members of the public will be accepted by Council.

2. Reaffirmation of Oath of Office

The Oath of Office will be read by Councillor Lovegrove.

3. Confirmation of Minutes

Tuesday Meeting - October 17, 2023

1 - 10

4. Call to Order the Public Hearing

5. Individual Bylaw Submissions

5.1 START TIME 3:00 PM - Short-Term Rental Accommodation Regulatory Amendments - TA23-0013 (BL12590) - City of Kelowna

11 - 47

To amend the Zoning Bylaw by removing short-term rental accommodation as a secondary use from all zones.

6. Termination

7. Call to Order the Regular Meeting

8. Bylaws Considered at Public Hearing

8.1 START TIME 3:00 PM - Short-Term Rental Accommodation Regulatory Amendments - BL12590 (TA23-0013) - City of Kelowna

48 - 50

To give Bylaw No. 12590 second and third reading.

9. Termination

10. Procedure on each Bylaw Submission

- a) Brief description of the application by City Staff (Development Planning);
- (b) The applicant has up to 15 minutes to make representations to Council regarding the project.
- (c) The Chair will call for representation from the public participating in person and online as follows:
 - (i) Any person wishing to make representations during the Hearing will have the opportunity to do so.
 - (ii) Speakers have up to 5 minutes to share their remarks.
- (d) Final calls for representation (ask three times). Unless Council directs that the Public Hearing on the bylaw in questions be held open, the Chair shall state to participants the the Public Hearing on the Bylaw is closed.
- (e) Once the public has had an opportunity to comment, the applicant is given up to 10 minutes to respond to any questions raised.
- (f) Questions of 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.

Note: Any applicant or member of the public may use electronic visual aids to assist in their presentation or questions. Online participants must be able to share their screen to display the item.



City of Kelowna Regular Council Meeting Minutes

Date: Tuesday, October 17, 2023
Location: Council Chamber
City Hall, 1435 Water Street

Members Present Mayor Tom Dyas, Councillors Ron Cannan, Maxine DeHart, Charlie Hodge, Gord Lovegrove, Mohini Singh, Luke Stack*, Rick Webber and Loyal Wooldridge

Staff Present City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Divisional Director, Planning, Climate Action & Development Services, Ryan Smith; Urban Planning Manager, Jocelyn Black*; Planner, Mark Tanner*; Community Energy Specialist, Todd Brunner*; Climate Action and Environment Manager, Chris Ray*; Planner Specialist, Trisa Atwood*; Legislative Coordinator (Confidential), Rebecca Van Huizen*

Staff Participating Remotely Legislative Coordinator (Confidential) Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

Mayor Dyas called the meeting to order at 4:08 p.m.

2. Reaffirmation of Oath of Office

The Oath of Office was read by Councillor Hodge.

3. Confirmation of Minutes

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

THAT the Minutes of the Public Hearing and Regular Meeting of September 12, 2023 be confirmed as circulated.

Carried

4. Call to Order the Public Hearing

Mayor Dyas called the Hearing to order at 4:10 p.m.

5. Individual Bylaw Submissions

5.1 START TIME 4:00 PM - Cara Glen Way 1691 - Z23-0033 (BL12573) TA23-0008 (BL12574) - Rutherford Crestview Developments Ltd., Inc. No. Aoo8598o

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Paul McVey, Urban Options Planning Corp, Applicant Representative

- Introduced Randy Sieben, Developer of the site.
- Rezoning a small portion of the subject property to the same zone as the property to the south in order to amalgamate with the neighbouring property; with the remainder of the property, 3.29 ha, which will be dedicated to the City as parkland.
- This proposal is consistent with the Official Community Plan Policy.
- Believes the staff report provided adequate background of what is being proposed.

Randy Sieben, Lamont Land Group

- The staff report and summary provided by Paul McVey is sufficient and will be available for questions.

City Clerk invited anyone participating online or in the gallery who deemed themselves affected to indicate they wish to speak followed by comments from Council.

Gallery:

Carrie Daniels, Cara Glen Way

- Raised concern regarding egress; there is only one way in and out of the development.
- Questioned why a certain area is receiving notification of what is happening with the development but other areas are not.
- Raised concern regarding parking and that the area is already congested.
- Opposed to this application.

Applicant in Response:

- There hasn't been any new information regarding the development since June, 2023; have followed direction of City of Kelowna rules and regulations regarding consultation.
- Details of the development site will be part of the form and character development permit that will be brought forward to Council shortly.
- Parking requirements are more adequately dealt with through PLR for all parking requirements; adequate egress has been dealt with and signed off by the Parks Department.

Staff:

- Responded to questions from Council.

Applicant:

- Responded to questions from Council.

There were no further comments.

6. Termination

The Hearing was declared terminated at 4:28 p.m.

7. Call to Order the Regular Meeting

Mayor Dyas called the meeting to order at 4:28 p.m.

8. Bylaws Considered at Public Hearing

8.1 START TIME 4:00 PM - Cara Glen Way 1691 - BL12573 (Z23-0033) - Rutherford Crestview Developments Ltd., Inc. No. Aoo8598o

Moved By Councillor Wooldridge/Seconded By Councillor Stack

THAT Bylaw No. 12573 be read a second and third time.

Carried

8.2 START TIME 4:00 PM - Cara Glen Way 1691 - BL12574 (TA23-0008) - Rutherford Crestview Developments Ltd., Inc. No. Aoo8598o

Moved By Councillor Stack/Seconded By Councillor Wooldridge

THAT Bylaw No. 12574 be read a second and third time.

Carried

9. Termination

The meeting was declared terminated at 4:30 p.m.

10. Call to Order the Public Hearing

Mayor Dyas called the Hearing to order at 4:30 p.m.

11. Individual Bylaw Submissions

11.1 START TIME 4:00 PM - Amendments Regarding Electric Vehicle Readiness Requirements - TA23-0009 (BL12582) - City of Kelowna

Staff:

- Displayed a PowerPoint Presentation summarizing the proposed Text Amendment.

City Clerk invited anyone participating online or in the gallery who deemed themselves affected to indicate they wish to speak followed by comments from Council.

On-Line:

Tracey Davis, Lake Avenue

- In support of the text amendment.
- Raised concerns with applicability to strata properties.
- Does not believe there will be a negative impact on affordability.

David Crawford, Greene Road

- In support of the text amendment.
- Commented on the reasonable cost of installation.

Gallery:

Suzanne Aimes, Abbott Street

- In support of the text amendment.
- Represents Kelowna South-Central Neighbourhood Association (KSAN).
- Raised concern with the requirement to install a meter in single-family homes as they already have one.
- Made comment on the climate review of the 2040 Official Community Plan.
- Made comments on sidewalk construction and placement of electrical conduits for future access for a charging meter; vehicles could charge on the street.

Ian Grannary, Lakeshore Road

- Professional Engineer.
- Displayed a PowerPoint Presentation.
- Commented that the building infrastructure also needs to be upgraded at \$4,000 per unit.
- EV readiness increases construction costs in addition to BC Step Code requirements.
- Removal of gas in buildings is a concern.
- Commented that EV's are part of the fossil fuel problem.
- Raised concern with increased cost to developers and homeowners.

Robert Stupka, Scott Road

- In support of the text amendment.
- Encouraged Council to think of the big picture when it comes to climate leadership.

Anne Laurie, Abbott Street

- In support of the text amendment.
- Made comment regarding the importance of building this infrastructure in houses.
- Commented on the higher cost of retrofitting older or newer homes.

Online:

Harmony Bjarnason, Gore Street

- In support of the text amendment.
- Spoke to the hurdles of installing an EV charger in their single family home.
- Believes that the cost of EV installation in homes will only increase in the future.

Peter Truch, Calder Court

- In support of the text amendment.
- Encouraged Council to include EV chargers in rental units.
- Encouraged Council to add EV charging units on streets.

Staff:

- Responded to questions from Council.

There were no further comments.

12. Termination

The Hearing was declared terminated at 5:31 p.m.

13. Call to Order the Regular Meeting

Mayor Dyas called the meeting to order at 5:31 p.m.

14. Bylaws Considered at Public Hearing

14.1 START TIME 4:00 PM - Amendments Regarding Electric Vehicle Readiness Requirements - BL12582 (TA23-0009) - City of Kelowna

Moved By Councillor Lovegrove/Seconded By Councillor Hodge

THAT Bylaw No. 12582 be read a second and third time.

Carried
Councillor Cannan - Opposed

The meeting recessed at 5:43 p.m.

The meeting reconvened at 5:53 p.m.

15. Development Permit and Development Variance Permit Reports

15.1 START TIME 5:00 PM - St Paul St 1405 - DP21-0123 DVP21-0124 - Abacio Properties Ltd., Inc. No. C1384016

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Leonard Kerkhoff, Kerkhoff Construction, Applicant

- Displayed a PowerPoint Presentation.
- Acknowledged that the Planning Department did a good job presenting the proposal.
- Commented on other projects in Kelowna the company has worked on and their history.
- Spoke to the proposed project timeline and approvals.
- Spoke to the proposed grocery store to be incorporated on the main floor similar to One Water Street development; designed the building for that specified use in mind and believe it is a positive contribution.
- Collaborated closely with staff to ensure staff support and made significant contribution to the podium design; believes a good job of balancing variables of design and construction costs has been achieved.
- The proposal is located in the core of the community and noted the many services and amenities nearby.
- Believes the proposal is the appropriate use and density for this location.
- Spoke to Healthy Housing in the Official Community Plan; this proposal provides a healthy housing mix.
- Spoke to the public Open Plaza benefits and the unified Architectural concept, paying respect to the UBCO design.

Lauren Macaulay, Architect, Arcadis, Ellis Street

- Continued with the PowerPoint Presentation.
- Commented that the podium and tower were refined to meet objectives and that it complies with the Zoning Bylaw.
- Spoke to the four requested variances and provided rationale for each variance.

Leonard Kerkhoff, Kerkhoff Construction, Applicant

- Commented on Key messages such as the proposal addressing the housing shortage especially with UBCO demand, supports healthy housing mix and the public realm benefit.
- Provided concluding comments.

City Clerk invited anyone participating online or in the gallery who deemed themselves affected to indicate they wish to speak followed by comments from Council.

Gallery

Dean McAuley, Sunset Drive

- Resident of One Water Street and resident of Kelowna for 20 years.
- Also representing several other residents at One Water Street.
- Spoke to the bicycle variances and questioned whether they would be constructed as depicted.
- Raised concerns that the bicycle storage regulations were not implemented at One Water Street.

Douglas Reimer, Sunset Drive

- Resident of One Water Street and resident of Kelowna since 1972.
- Raised concerns with bicycle variances; vertical stalls decrease the footprint of the bike storage facility which is better for the developer and not the residents.
- Questioned how easy the proposed bicycle storage will operate.
- Opposed to this application.

Chris Donalds, Doyle Avenue

- Representing the neighbouring Strata.
- Raised concern with traffic and safety impacts that the proposed podium will make worse.
- Raised concern the proposed podium will negatively impact their views.
- Raised concern with potential ground shifting impacts.

Barbara Frim, Doyle Avenue

- Raised concern with building footprint and impacts on safety sight lines.
- Raised concern that it will be dangerous turning left from the laneway onto Doyle Avenue.
- With the increased population in the immediate area inquired whether the City would add streetlights for safety.

Davis Kyle, Stewart Road W

- Generally in support of this application.
- Currently the VP of Kelowna Area Cycling Coalition.
- Raised concern with bicycle variances and proposed storage arrangements; spoke to different types of bikes that cannot go onto wall mounts.
- Raised accessibility concerns for bike parking.

Online:

Tracey Davis, Lake Avenue

- Raised concern that there is only vertical bicycle racks and having to lift the back wheel.
- Believes this is an accessibility issue.

Applicant in Response:

- Commented on remarks from One Water Street owners.
- Made comments on rationale for proposed bike storage; could provide 10% of bike storage being horizontal format for the accessibility standard.
- Made comment that there will be laneway widening and improvements.
- Commented that the podium height is under the 16 m zoning requirement.
- Commented that the UBCO development is impacting the neighborhood as well this subject property; this proposal is not going below ground level and will have a substantially less impact on neighbouring properties.

Staff:

- Responded to questions from Council.

Applicant:

- Responded to questions from Council.

There were no further comments.

Council considered the variances prior to considering the development permit and the following resolutions were adopted:

Moved By Councillor Stack/Seconded By Councillor Wooldridge

THAT Council authorizes the issuance of Development Variance Permit No. DVP21-0124 for Lot A District Lot 139 ODYD PLAN 25942, located at 1405 St Paul St, Kelowna, BC subject to the following;

THAT variances to the following sections of Zoning Bylaw No. 12375 be granted:

Table 9.11: Tall Building Regulations

To vary the maximum floor plate above 16.0 m for residential use from 750 m² GFA required to 1,002 m² GFA proposed for Level 6;

Table 9.11: Tall Building Regulations

To vary the maximum floor plate above 16.0 m for residential use from 750 m² GFA required to 769 m² GFA proposed for Level 7 to Level 12.

Carried
Councillors Hodge and Lovegrove - Opposed

Moved By Councillor DeHart/Seconded By Councillor Wooldridge

THAT variances to the following sections of Zoning Bylaw No. 12375, as amended, be granted:

Section 8.5.6(c)i: Parking and Loading, Off-Street Bicycle Parking

To vary the minimum ground-anchored long-term bicycle parking from 50% required to 10% proposed;

Table 8.5.1: Minimum Dimensions for Bicycle Parking

To vary the minimum distance between vertical bicycle racks (for racks that accommodate no more than one bicycle) from 0.45 m required to 0.35 m proposed.

Carried

Moved By Councillor Cannan/Seconded By Councillor Lovegrove

THAT Council defer further consideration of Development Permit No. DP21-0123, for the applicant and staff to consider form and character amendments based on Council comments, including the potential for a grocery store restrictive covenant.

Carried

The meeting recessed at 7:41 p.m.

Councillor Stack left the meeting at 7:41 p.m.

The meeting reconvened at 7:53 p.m.

15.2 START TIME 6:00 PM - Lawson Ave 1021 - BL12559 (Z23-0015) - 1288384 B.C. Ltd., Inc. No. BC1288384

Moved By Councillor Lovegrove/Seconded By Councillor Hodge

THAT Bylaw No. 12559 be adopted.

Carried

15.3 START TIME 6:00 PM - Lawson Ave 1021 - DP23-0042 DVP23-0043 - 1288384 B.C. Ltd., Inc. No. BC1288384

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

THAT Council continue the Regular Meeting past 8:00 p.m.

Carried

Kevin Ryan, BlueGreen Architecture Inc., Applicant

- Displayed a PowerPoint Presentation.
- Proposing a 5 storey building with 22 rental units in a MF3r zoned neighbourhood.
- Provided a summary of the proposed form and character of the building.

- Made comment that this is a great location for ease of walkability and rideability.
- Spoke to the enclosed parkade that houses 15 stalls and 2 surface stalls totaling 17 parking spaces, which exceeds the number of stalls required.
- Made comment on the easy access of the Modo Car Share space.
- Commented on the 29 long term bicycle parking stalls on the main floor.
- Commented on the amenity room with direct access to the patio.
- Spoke to the proposed variances being requested.
- Believes this proposal addresses the need for greater variety of unit types in the core neighbourhood.
- Available to answer any questions.

City Clerk invited anyone participating online or in the gallery who deemed themselves affected to indicate they wish to speak followed by comments from Council.

Gallery :

Karen Korey, Bernard/Lawson Avenue

- Referenced petition previously submitted to Council.
- Raised concern with shadow casting implications on the neighbourhood.
- Raised concern with the number of on-site parking spaces and the potential of overflow parking on Lawson Avenue.
- Raised concern regarding firefighting implications and limited access should an event occur.
- Raised concern regarding lack of green space on the proposed development with no play area for children or a relief area for pets.
- Raised concern with visual impacts of balconies especially Lawson Avenue street view.
- Raised concern with the allocation of unit types within the building and believe it is not very family friendly.
- Believes there are too many units for such a small piece of property.
- No objection to development of a 6 or 8 plex which would be more suitable for families and the surrounding area.

Eileen Zakowski, Bernard/Lawson Avenue

- Read a letter of concerns on behalf of Victoria McKenzie that lives at the Fusion on Graham Street.
- Raised concern with the removal of trees.
- Raised concern with lack of greenspace and lack of units for families.
- Believes the strata lot at 1495 Graham Street will be negatively impacted; raised concern with views of a cement wall.
- Opposed to this application.

Bill Watson, Bernard Avenue

- Questioned what a om lot line variance meant.

Andre Ruman, Lawson Avenue

- Owner of the neighbouring property to the west of the proposal.
- Raised concern with potential ground disturbance due to this extensive project right next to his house.
- Raised concern for local safety.
- Raised concern with increased traffic and congestion.
- Questioned who would pay for any damage to his property.

Jackie Weimer, Graham Street

- Resides across the street from the proposed building.
- Raised concern with massing of the building on the lot size.
- Raised concern with increased on-street parking.
- Raised concern with extra road congestion.
- Believes this proposal negatively impacts the character of the neighbourhood.

Moved By Councillor Singh/Seconded By Councillor Hodge

THAT Council continue the Regular Meeting past 8:30 p.m.

Carried

Jamie Hystad, Lawson Avenue

- Raised concern with their large Maple tree in the backyard and the impacts of construction on the tree.

Staff:

- Responded to questions from Council.

Applicant in Response:

- Confirmed what a 0.0 m lot line means.
- Commented that the Arborist report noted the ability to care for existing trees; there are no major concerns with the Maple tree as the roots are favoured away from the development.
- Proposing to bring 7 trees on site and there are currently none.
- Addressed parking concerns and noted there are 2 street accesses for firefighting.
- Addressed construction concerns.
- With storage spaces within the development as well as bike storage and access to a BBQ space does not think there will be issues with balconies being exposed with clutter.

Architect:

- Addressed ground disturbance concerns and whose responsible during construction period.

Staff:

- Responded to questions from Council.

Applicant:

- Responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor Singh

THAT Council continue the Regular Meeting past 9:00 p.m.

Carried

There were no further comments.

Moved By Councillor Wooldridge/Seconded By Councillor Lovegrove

THAT Council authorizes the issuance of Development Permit No. DP23-0042 and Development Variance Permit No. DVP23-0043 for Lot A District Lot 138 ODYD Plan EPP121306, located at 1021 Lawson Ave, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land be in accordance with Schedule "B";
3. Landscaping to be provided on the land be in accordance with Schedule "C";
4. The applicant be required to post with the City a Landscape Performance Security deposit in the amount of 125% of the estimated value of the Landscape Plan, as determined by a Registered Landscape Architect;

AND THAT variances to the following sections of Zoning Bylaw No. 12375 be granted:

Table 7.2 – Tree & Landscaping Planting Requirements

To vary the minimum ratio between tree size from minimum 50% large trees and maximum 25% small trees permitted to 0% large trees and 100% small trees proposed.

Table 7.2 – Tree & Landscaping Planting Requirements

To vary the minimum growing medium area from 75% soil based landscaping permitted to 35% soil based landscaping proposed.

Section 13.5 – Multi-Dwelling Zones, Development Regulations

To vary the minimum side yard setback (west) from 3.0 m permitted to 0.0 m proposed.

Section 13.5 – Multi-Dwelling Zones, Development Regulations

To vary the minimum side yard setback (east) from 3.0 m permitted to 0.0 m proposed.

Section 13.5 – Multi-Dwelling Zones, Development Regulations

To vary the minimum rear yard setback for parkade with lane access which does not project more than 2.3 m above finished grade from 1.5 m permitted to 0.3 m proposed.

Section 13.5 – Multi-Dwelling Zones, Development Regulations

To vary the minimum building setback from the front yard from 3.0 m permitted to 2.2 m proposed.

AND THAT the applicant be required to contribute \$15,000 to the City of Kelowna Tree Planting Fund prior to issuance of the Development Permit;

AND THAT the applicant be required to complete the above noted conditions of Council’s approval of the Development Permit Application in order for the permits to be issued;

AND FURTHER THAT this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

Defeated
Councillors Cannan, Hodge, Lovegrove and Webber - Opposed


16. **Reminders** - Nil.

17. **Termination**

The meeting was declared terminated at 9:26 p.m.

Mayor Dyas

SF/acm



City Clerk

REPORT TO COUNCIL

Text Amendment



Date: October 23, 2023
To: Council
From: City Manager
File No.: TA23-0013

1.0 Recommendation

THAT Zoning Bylaw Text Amendment Application No. TA23-0013 to amend City of Kelowna Zoning Bylaw No. 12375 as outlined in Schedule "A" attached to the Report from the Development Planning Department dated October 23, 2023, be considered by Council;

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

AND THAT Council directs Staff to stop accepting applications for new short-term rental accommodation business licences in accordance with the Business Licence and Regulation Bylaw No. 7878 and Short-Term Rental Accommodation Business Licence and Regulation Bylaw No. 11720 until the outcome of Zoning Bylaw Text Amendment Application No. TA23-0013 has been determined;

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.

2.0 Purpose

To amend the Zoning Bylaw by removing short-term rental accommodation as a secondary use from all zones.

3.0 Background

At a Council workshop during the July 10, 2023 PM Meeting, Staff were directed to bring forth changes to short-term rental accommodation regulations within the Zoning Bylaw for further consideration.

Previous Council Resolution

Resolution	Date
<p>THAT Council receives, for information, the report from the Development Planning Department dated July 10, 2023, with respect to the short-term rental regulatory review;</p> <p>AND THAT Council directs Staff to bring forth changes to Zoning Bylaw No. 12375 and Short-Term Rental Accommodation Business Licence and Regulation Bylaw No. 11720 as outlined in the report from the Development Planning Department dated July 10, 2023.</p>	<p>July 10, 2023</p>

4.0 Development Planning

The City's short-term rental accommodations regulations were adopted by Council on April 8, 2019. The regulations were based on guiding principles endorsed by Council as well as best practice research and input from residents and stakeholders. The regulations were carried through to Zoning Bylaw No. 12375.

The guiding principles that directed the development of the short-term rental accommodation regulations were based on Kelowna's housing context, concerns about potential nuisance impacts in residential areas, and establishing a fair approach among short-term accommodation providers. These three guiding principles that were 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; and
3. Ensure equity among short-term accommodation providers.

Following the July 10, 2023, Council workshop on proposed changes to short-term rental regulations, Staff have considered the comments and direction received from Council. Given the findings of the recently presented Housing Needs Assessment, Staff have proposed regulations that are more considerate of long-term housing needs than the originally endorsed Council direction. The recommended amendments to Zoning Bylaw No. 12375 are:

Proposed Amendment #1 – Amend the current short-term rental accommodations definition and remove reference to short-term rental accommodation as a secondary use within Section 5 – Definitions & Interpretations. The reference to short-term rental accommodation as a secondary use within the definition should be deleted as it is no longer required, and it helps for regulation clarity to emphasize that residents and owners cannot engage in any short-term rental activity unless the zone explicitly allows it as a principal use.

Proposed Amendments #2, #3, and #4 – Delete the ratio of parking sizes for short-term rental accommodation and the minimum parking requirements for short-term rental accommodation in Agriculture & Rural zones and Single & Two Dwelling zones and amend the specific use regulation relating to the maximum number of sleeping units in Agriculture & Rural zones and Single & Two Dwelling zones. These changes would ensure the parking and specific use regulations would be consistent with the proposed changes.

Proposed Amendments #5, #6, #7, #8, #9, #10, #11, #12, #13 – Remove short-term rental accommodation as a permitted secondary use from the A1, A2, RR1, RR2, RU1, RU2, RU3, RU4, RU5, MF1, MF2, MF3, C1, C2, CA1, VC1, UC1, UC2, UC3, UC4, UC5, CD17, CD18 (Area II, Area III and Area IV), CD20, CD22 and CD26 zones. Additional rationale for this proposed change is detailed below.

This amendment proposes to remove short-term rental accommodation as a permitted secondary use for all zones, which includes all Agricultural & Rural, Single & Two Dwelling, Multi-Dwelling, Core Area & Other Zones, and Comprehensive Development zones. At this time, short-term rental accommodation would remain a permitted principal use in CD18 – McKinley Beach Comprehensive Development zone - Area I Village Centre only, as well as on properties with approved Site-Specific Regulations. The intent of the original planning, and subsequent CD18 – McKinley Beach Comprehensive Development zone adoption was to have more typical resort accommodations in Area I, which is recommended to continue to be permitted in this area only. Short-term rental accommodation would also remain permitted as a principal use in a number of exemption areas, which are listed in Attachment A. Additionally, all properties with valid short-

term rental accommodation business licences would be permitted to continue operating as a non-conforming use in accordance with Section 528 of the Local Government Act. Based on September 2023 Business Licensing data, approximately 427 properties would receive non-conforming status.

Operating short-term rental accommodation on any of these properties (listed in Attachment A) is subject to change as the City reviews additional information from the Province of British Columbia regarding the proposed Short-Term Rental Accommodations Act and associated regulations, including how the Act would be interpreted regarding the application of principal residence requirements and changes to legal non-conforming use protections.

Current Statistics

As of September 2023, there are currently 1,191 short-term rental accommodations with a valid business licence in Kelowna. This is an increase of 89% since 2020. Since the Council workshop in July 2023, an additional 44 new licences have been issued, which includes 21 non-principal residence licences and 23 principal residence licences. An additional 62 licences are currently in the queue waiting to be reviewed by Staff. A summary of the growth of the short-term rental program since 2020 is provided in Table 1 below.

Table 1 – Number of approved short-term rental (STR) business licences per year since 2020

Year	Approved STR as a Principal Use	Approved STR as a Secondary Use	Total Approved STR
2020	378	252	630
2021	477	333	810
2022	666	466	1,132
2023 (as of September)	693*	498**	1,191

* This is the current number of business licences issued where short-term rental accommodation is a permitted principal use (i.e. not in a principal residence). Short-term rental accommodation would remain as a permitted principal use in specific exemption areas, which are outlined in Attachment A, on properties with approved Site-Specific Regulations, as well as within Area I Village Centre of the CD18 – McKinley Beach Resort zone.

** This is the current number of business licences issued where short-term rental accommodation is a permitted secondary use (i.e. in a principal residence). These properties would be permitted to continue operating as short-term rental accommodation with non-conforming use status in accordance with Section 528 of the Local Government Act. There are some licences within this category that are also located within exemption areas. For example, this would include someone who owns a principal residence in an exemption area, where short-term rentals as a principal use is permitted, but operates the short-term rental as a secondary use instead.

A number of properties have been recognized by the City to have short-term rental accommodation as a permitted principal use, either based on historical zoning or through Site-Specific Regulations. These properties have been known as short-term rental accommodation exemption areas. As of September 2023, there were 764 active short-term rental accommodation business licences in these principal use or exemption areas (74 principal residence, 690 non-principal residence). An example of properties with permitted principal use, permitted non-conforming short-term rentals are those that had the C9 – Tourist Commercial zone in Zoning Bylaw No. 8000, which was a zone that was not translated into current Zoning Bylaw N. 12375. These properties have been listed in Attachment A. The properties where short-term rental accommodation will continue to be permitted to provide short-term rental accommodation are located throughout the City, with areas of concentration in the Downtown Urban Centre, South Padosy Urban Centre, Cook Truswell Village Centre and McKinley Beach. If the Province of British Columbia makes legislative changes relating to non-

conforming regulations regarding short-term rental accommodation, the status of short-term rental accommodation being permitted on these properties may be required to change.

Housing Crisis

The [Canada Mortgage and Housing Corporation \(CMHC\) report \(2020\)](#) on the impact of short-term rentals on Canadian housing found that approximately 31,000 homes across Canada have been taken off the long-term market in Canada. Kelowna-specific data about the direct impact to the long-term rental housing market is not available, however it is known that every time a unit is converted from the long-term housing market, housing availability and affordability is affected.

The City of Kelowna's Housing Needs Assessment has conducted a comprehensive analysis of the community's housing needs and found that there is a large existing deficit of housing in Kelowna, as well as expected ongoing need for housing into the future. Rental housing is in particular demand, and this demand is expected to grow. A target of 440-600 long-term market rental units are required annually to meet the needs of Kelowna residents. Housing that is converted from short-term rentals to long-term rentals could help to meet the City's market rental housing targets.

Since the July 10, 2023 Council workshop, short-term rental accommodation has continued to put pressure on the long-term housing market. Staff are concerned short-term rental accommodation has been operating contradictory to guiding principle #1. Short-term rentals are diverting units of housing out of the regular rental market during a housing and affordability crisis. As evidence of this, between 2019 and 2022, approximately 70 decommissioning permits have been issued for properties that subsequently applied for a short-term rental business licence. Under the current regulations, short-term rental accommodation is not permitted to operate within a carriage house or secondary suite, and for these properties, owners have removed a long-term rental unit in favour of a short-term rental instead. Staff are concerned this has influenced the capacity of Kelowna's long-term secondary rental housing market and may indicate a trend that is in contradiction of guiding principle #1 of the short-term rental program. Removing the use from these zones will prevent this from legally occurring in the future.

In addition, with the Province of British Columbia expected to table legislation that may allow multiple dwellings on single family lots within the City, Staff recommend proactively removing the short-term rental use from these zones in anticipation of future challenges. This would ensure any new dwellings are for the long-term housing needs of the City's residents.

Staff Capacity and Enforcement

Unlike many other large municipalities in British Columbia, Kelowna does not have Staff resources that are dedicated to the management and enforcement of the short-term rental accommodation program at a level that the growth and demands of the program currently warrant. The current Zoning Bylaw regulations have proven to be difficult to enforce and have occupied a significant amount of Staff time across multiple departments, including those in Development Planning, Business Licensing and Bylaw Enforcement. This proposed text amendment is intended to simplify the rules and, eventually, require less time for ensuring compliance and enforcement.

From 2019 through to the end of 2022, the Bylaw Enforcement Department received 294 specific service requests related to short-term rentals. These requests are associated with 146 unique properties. However, it's likely this number is higher as complaints, such as those related to noise, are not often known at the time

a complaint is received to be due to a short-term rental. There are also several properties that have become specifically problematic, generating over one hundred complaints, and taking Bylaw Enforcement Officers years to investigate and resolve. For example, in 2023 one property has received 19 unique complaints. Another property, which took from 2016 to 2020 to resolve, resulted in 115 calls to the Bylaw Enforcement Office. Complaints vary in nature and most commonly included those related to noise and nuisances, parking, solid waste bylaws, and Zoning Bylaw regulations, such as the number of people and guests. These can be some of the most challenging complaints for Bylaw Enforcement Officers to gather evidence and lay a charge on. The number and nature of service requests relating to short-term rentals is indicative that the current program is functioning contrary to guiding principle #2.

A significant Bylaw Enforcement challenge is related to the difficulties in being able to prove principal residency, where short-term rentals are a permitted secondary use. While many properties are compliant, Staff are aware of instances where ongoing abuse of the program is occurring, and this has been to the detriment of the broader housing needs of the community. To address this, Staff have proposed to remove short-term rental accommodation as a permitted secondary use from all zones in the City. This proposed amendment may result in an initial spike in enforcement requirements due to the number of illegally operating short-term rentals, but in the long-term these proposed amendments are anticipated to make enforcement of the program easier. New principal residence requirements that are included in the Short-Term Rental Accommodations Act proposed by the Province of British Columbia would assist with addressing this enforcement challenge.

Host Compliance is a software tool used by the City's Business Licensing Department to find and enforce short-term rental non-compliance, as well as to review each business license application that is received. Staff use this tool to review a property and ensure an online listing matches an application and regulations. It also supports Staff in the identification of short-term rentals operating out of carriage houses or secondary suites, as well as those operating contrary to their permitted bedroom and guest count. From 2019 to June 2023, Host Compliance was used to proactively identify 796 short-term rentals operating without a business license that were brought into compliance, without having to utilize Bylaw Enforcement for ticketing or further enforcement action. There are known challenges with Host Compliance in being able to identify illegal short-term rentals within the multiple dwelling housing context. A new Provincial short-term rental registry is proposed to be created and is scheduled to be launched in late 2024. This will require hosts to include a provincial registration number on their listing, as well as require platforms to remove listings without valid provincial registry numbers.

Compliance has been an on-going issue for the Business Licensing Department. There are approximately 900 non-compliant properties that have been identified by Host Compliance that have not yet obtained a short-term rental accommodation business licence, and a number of additional properties that have been flagged for further identification and investigation. Business Licensing Staff currently only have capacity to enforce on a small number of non-compliant short-term rentals at one time and it's been time-consuming on Staff to work towards bringing properties into compliance. Business Licensing Staff invest anywhere from several minutes to multiple days' work, depending on the property, issue and number of complaints received. Therefore, increased enforcement of short-term regulations is pivotal to mitigate any further loss of long-term housing stock, bring properties into compliance and hold hosts responsible to their legal obligations.

The proposed changes to Zoning Bylaw No. 12375 will not eliminate the need for dedicated Staff time related to ongoing enforcement and compliance. This proposed text amendment would see approximately 427 short-term rentals receive non-conforming status in accordance with Section 528 of the Local Government Act, as well as 693 current short-term rentals, which would be permitted to continue operating a permitted

principal use at this time. There are also currently 62 applications in the queue to be reviewed by Business Licensing Staff, which would be considered as in-stream prior to any bylaw change. As additional buildings that are on the exemption list and are currently under construction receive occupancy (such as Aqua, Caban and properties within CD18 – McKinley Beach Comprehensive Development Zone Area I Village Centre), the number of permitted principal use short-term rentals would be expected to increase, however this is subject to change pending additional information from the Province of British Columbia.

Summary and Next Steps

It is recognized that short-term rentals can supplement the accommodation market and provide homeowners with additional income opportunities. Nonetheless, an appropriately regulated process is required in order to preserve the housing stock for long term rentals while managing tourism impacts. The challenge faced by municipalities is to find a balance in regulation of short-term rental activity to continue to enhance benefits and opportunities of the industry, while reducing any detrimental effects on housing and neighbourhood livability. Kelowna is not alone with these challenges, and like many municipalities across Canada, are grappling with pressures from short-term rentals. Staff recognize the current Zoning Bylaw short-term rental regulations require amendments to address housing and enforcement related concerns, and are following Council direction from the July 10, 2023 workshop in bringing forward this proposed text amendment. Given the findings of the recently presented Housing Needs Assessment, Staff have proposed regulations that are more restrictive than the originally endorsed Council direction.

Due to current challenges associated with short-term rentals including implications to the current housing crisis, as well as ongoing enforcement demands, it is recommended short-term rental accommodation regulations be amended to eliminate them in single and multi-family forms of housing. This includes the removal of short-term rental accommodation as a permitted secondary use from all zones within the City. Short-term rental accommodation may continue to be permitted as a non-conforming use on properties with a valid short-term rental business licence, on properties with recognized exemption status (listed in Attachment A), on properties with approved Site-Specific Regulations, and in the CD18 – McKinley Beach Comprehensive Development zone in Area I Village Centre. However, operating short-term rental accommodation on any of these properties is subject to change as we obtain additional information from the Province of British Columbia regarding the proposed Short-Term Rental Accommodations Act and any associated regulations, including how the Act would be interpreted regarding the application of principal residence requirements and changes to legal non-conforming use protections. As of September 2023, there are 1,191 valid short-term rental accommodation licences that would be permitted to continue operating in the City. Over 60 additional business licence applications are considered to be in-stream which could obtain approvals prior to any regulatory amendment, and new applications could still be received on properties as outlined above. Accordingly, nearly 1,200 short-term rental accommodations will continue to be an option to help supplement the tourism market in a number of locations throughout the City at this time. This number will likely be reduced by the legislative changes introduced by the Provincial Government.

Should this proposed text amendment be supported by Council, Staff commit to reporting back to Council with an update on the program after one year for further review and discussion. This would give an opportunity to review regulatory changes from the Province of British Columbia, as well as evaluate how these proposed changes have affected housing availability and affordability in Kelowna. Furthermore, the industry continues to evolve, a review gives Staff and Council the opportunity to review the regulations as they relate to ongoing changes and challenges in both the accommodation industry as well as the City's housing needs. If supported by Council, a separate amendment to the City's Short-Term Rental

Accommodation Business Licence and Regulation Bylaw No. 11720 to further align with these changes and to strengthen enforcement options would follow.

Council can also anticipate an additional staff report related to the implementation of Provincial regulatory changes and their impact on properties that are presently zoned for Short Term Rentals as a primary use or that are currently protected by grandfathering regulations.

Staff recommend support for the proposed Zoning Bylaw Text Amending Bylaw to short-term rental accommodation regulations, as summarized above, and outlined in Schedule A. Additional complementary changes may be brought forward to Council at a later date depending on the implementation of Provincial legislative changes.

5.0 Current Development Polices

5.1 Kelowna Official Community Plan (OCP)

Objective 4.14 Protect the rental stock in Urban Centres (Chapter 4 – Urban Centres)		
Policy 4.14.3 Short-Term Rentals		Ensure short-term rental accommodations limits impact on the long-term rental housing supply.
		<i>This proposed text amendment will see the removal of short-term rental accommodations as a permitted secondary use from all zones within Urban Centres. As it would no longer be a permitted use, this would ensure short-term rental accommodation is prohibited from occurring on any property with a rental-only subzone and units could potentially be returned to the long-term rental housing supply.</i>

Objective 5.13 Protect the rental housing stock (Chapter 5 – The Core Area)		
Policy 5.13.3 Short-Term Rentals		Ensure short-term rental accommodations do not negatively impact the long-term rental housing supply.
		<i>This proposed text amendment removes short-term rental accommodations as a permitted secondary use from all zones within the Core Area. As it would no longer be a permitted use, this would ensure short-term rental accommodation is prohibited from occurring on any property with a rental-only subzone and units could potentially be returned to the long-term rental housing supply.</i>

Objective 6.10 Prioritize the construction of purpose-built rental housing (Chapter 6 – The Gateway)		
Policy 6.10.5 Short-Term Rentals		Ensure short-term rental accommodations limits impact on the long-term rental housing supply.
		<i>This proposed text amendment would see the removal of short-term rentals as a permitted secondary use from all zones, helping to ensure that the impact of short-term rental accommodations on the long-term rental housing supply are limited.</i>

5.2 Healthy Housing Strategy

Key Direction and Recommended Actions: Promote and protect rental housing

Report prepared by: Kimberly Brunet, Planner II
Reviewed by: Dean Strachan, Community Planning & Development Manager
Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Schedule A: Proposed Text Amendment to Zoning Bylaw No. 12375

Attachment A: List of Properties with Short-Term Rental Accommodation Permitted Principal Use or Non-Conforming Status

For additional information, please visit our Current Developments online at www.kelowna.ca/currentdevelopments.

Schedule A – Proposed Text Amendments*

No.	Section	Current Wording	Proposed Wording	Reason for Change																																				
1.	Section 5 – Definitions & Interpretations	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 excludes hotels and motels. Short-term rental accommodations shall not be permitted to operate within a boarding or lodging house, a carriage house, a group home, or within a secondary suite. If the short-term rental accommodation is a secondary use then the short-term rental accommodation must only occur within principal dwelling unit and must be operated by a resident who resides for more than 240 days of the year at that dwelling unit.	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 excludes hotels and motels. Short-term rental accommodations shall not be permitted to operate within a boarding or lodging house, a carriage house, a group home, or within a secondary suite. If the short-term rental accommodation is a secondary use then the short-term rental accommodation must only occur within principal dwelling unit and must be operated by a resident who resides for more than 240 days of the year at that dwelling unit.	Short-term rental accommodation is proposed to be removed as a secondary use from all zones. The reference to short-term rental accommodation as a secondary use within the definition should be deleted as it is no longer required, and it helps for regulation clarity to emphasize that residents and owners cannot engage in any short-term rental activity unless the zone explicitly allows it as a principal use.																																				
2.	Section 8 – Parking and Loading Section 8.2 Off-Street Parking Regulations Size and Ratio Table 8.2.7.b Ratio of Parking Space Sizes	<table border="1"> <thead> <tr> <th colspan="3">Table 8.2.7.b Ratio of Parking Space Sizes</th> </tr> <tr> <th>Uses:</th> <th>Min. Regular Size Vehicle parking spaces</th> <th>Max. Small Size Vehicle parking spaces</th> </tr> </thead> <tbody> <tr> <td>Short-term rental accommodation</td> <td>0%</td> <td>100%^{3, 4}</td> </tr> </tbody> </table>	Table 8.2.7.b Ratio of Parking Space Sizes			Uses:	Min. Regular Size Vehicle parking spaces	Max. Small Size Vehicle parking spaces	Short-term rental accommodation	0%	100% ^{3, 4}	<table border="1"> <thead> <tr> <th colspan="3">Table 8.2.7.b Ratio of Parking Space Sizes</th> </tr> <tr> <th>Uses:</th> <th>Min. Regular Size Vehicle parking spaces</th> <th>Max. Small Size Vehicle parking spaces</th> </tr> </thead> <tbody> <tr> <td>Short-term rental accommodation</td> <td>0%</td> <td>100%^{3, 4}</td> </tr> </tbody> </table>	Table 8.2.7.b Ratio of Parking Space Sizes			Uses:	Min. Regular Size Vehicle parking spaces	Max. Small Size Vehicle parking spaces	Short-term rental accommodation	0%	100%^{3, 4}	Removal of the size and ratio requirement for short-term rental accommodation is consistent with the proposed regulations. Only principal use short-term rental accommodations would be permitted which means the parking stalls associated with those dwelling units would need to meet the parking stall size ratio for the dwelling use (For example: Townhouse, Stacked Townhouses, Apartments, etc.).																		
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<p>4. Section 9 – Specific Use Regulations</p> <p>Section 9.10 Short Term Rental Accommodation</p>	<p>Section 9.10 Short Term Rental Accommodation Section 9.10.3</p> <p>The maximum number of sleeping units that may be used for short-term rental accommodation within dwelling units in the agriculture & rural zones and the single & two dwelling zones is three (3) sleeping units. The maximum number of sleeping units that may be used for short-term rental accommodation within dwelling units in the multi-dwelling zones and the core area & other zones is two (2) sleeping units.</p>	<p>Section 9.10 Short Term Rental Accommodation Section 9.10.3</p> <p>The maximum number of sleeping units that may be used for short-term rental accommodation within dwelling units in the agriculture & rural zones and the single & two dwelling zones is three (3) sleeping units. The maximum number of sleeping units that may be used for short-term rental accommodation within dwelling units in the multi-dwelling zones and the core area & other zones is two (2) sleeping units.</p>	<p>Removal of reference for maximum number of sleeping units for Agriculture & Rural Zones and Single & Two Dwelling Zones, as no permitted short-term rental accommodation uses would remain in any Agriculture & Rural Zones or Single & Two Dwelling Zones.</p>																																														
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<p>7. Section 13 - Multi-Dwelling Zones</p> <p>Section 13.3 – Permitted Land Uses</p>	<table border="1"> <thead> <tr> <th colspan="4">Section 13.3 – Permitted Land Uses</th> </tr> <tr> <th rowspan="2">Uses</th> <th colspan="3">Zones (‘P’ Principal Use, ‘S’ Secondary Use, ‘-’ Not Permitted)</th> </tr> <tr> <th>MF1</th> <th>MF2</th> <th>MF3</th> </tr> </thead> <tbody> <tr> <td>Short-Term Rental Accommodations</td> <td>S</td> <td>S</td> <td>S</td> </tr> </tbody> </table>	Section 13.3 – Permitted Land Uses				Uses	Zones (‘P’ Principal Use, ‘S’ Secondary Use, ‘-’ Not Permitted)			MF1	MF2	MF3	Short-Term Rental Accommodations	S	S	S	<table border="1"> <thead> <tr> <th colspan="4">Section 13.3 – Permitted Land Uses</th> </tr> <tr> <th rowspan="2">Uses</th> <th colspan="3">Zones (‘P’ Principal Use, ‘S’ Secondary Use, ‘-’ Not Permitted)</th> </tr> <tr> <th>MF1</th> <th>MF2</th> <th>MF3</th> </tr> </thead> <tbody> <tr> <td>Short Term Rental Accommodations</td> <td>S</td> <td>S</td> <td>S</td> </tr> </tbody> </table>	Section 13.3 – Permitted Land Uses				Uses	Zones (‘P’ Principal Use, ‘S’ Secondary Use, ‘-’ Not Permitted)			MF1	MF2	MF3	Short Term Rental Accommodations	S	S	S	<p>Removal of short-term rental accommodation as a permitted secondary use from the MF1, MF2 and MF3 zones. This change is proposed to address concerns regarding the short-term rental accommodation use contradicting guiding principle #1 and being a contributing factor to the current housing crisis, as well as contradicting guiding principle #2, as Staff capacity to deal with compliance and enforcement is currently challenged.</p>																
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<p>8. Section 14 - Core Area and Other Zones</p> <p>Section 14.9 – Principal and Secondary Land Uses</p>	<p>See Chart A</p>	<p>See Chart B</p>	<p>Removal of short-term rental accommodation as a permitted secondary use from the C1, C2, CA1, VC1, UC1, UC2, UC3, UC4 and UC5 zones. This change is proposed to address concerns regarding the short-term rental accommodation use contradicting guiding principle #1 and being a contributing factor to the current housing crisis, as well as contradicting guiding principle #2, as Staff capacity to deal with compliance and enforcement is currently challenged.</p>																																														
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**May be subject to further amendments based on the Province of British Columbia’s Short-Term Rental Accommodations Act and any associated regulations.*

	Section 15.3.3 – CD17 Permitted Land Uses			housing crisis, as well as contradicting guiding principle #2, as Staff capacity to deal with compliance and enforcement is currently challenged.																																																						
10.	Section 15 – Comprehensive Development Zones Section 15.4.3 – CD18 Permitted Land Uses	See Chart C	See Chart D	Remove short-term rental accommodations as a permitted secondary use from the CD18 – McKinley Beach Resort Comprehensive Development zone in Area II, III and IV. Short-term rental accommodation is proposed to remain as a permitted principal use in CD18 – McKinley Beach Resort Comprehensive Development zone Area I only. This is consistent with the original vision of McKinley Beach where the single family would be treated similar to the rest of the City in terms of short-term rental accommodation regulations and Area I was intended to be the resort accommodation area.																																																						
11.	Section 15 – Comprehensive Development Zones Section 15.5.3 – CD20 Permitted Land Uses	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><th colspan="2">Section 15.3.3 – CD20 Permitted Land Uses</th></tr> <tr><th>Uses</th><th>('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)</th></tr> <tr><td>Short-Term Rental Accommodations</td><td style="text-align: center;">S</td></tr> </table>	Section 15.3.3 – CD20 Permitted Land Uses		Uses	('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)	Short-Term Rental Accommodations	S	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><th colspan="2">Section 15.3.3 – CD17 Permitted Land Uses</th></tr> <tr><th>Uses</th><th>('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)</th></tr> <tr><td>Short-Term Rental Accommodations</td><td style="text-align: center;">S</td></tr> </table>	Section 15.3.3 – CD17 Permitted Land Uses		Uses	('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)	Short-Term Rental Accommodations	S	Removal of short-term rental accommodations as a permitted secondary use from the CD20 - University Comprehensive Development zone. The renting of student residences (dorm rooms) in summer months has been functioning as a hotel / motel, which remains a permitted secondary use in the CD20 zone, and removing the short-term rental accommodation use will not limit the ability of the University (North Campus only) to continue these summer rentals.																																										
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12.	Section 15 – Comprehensive Development Zones Section 15.6.3 – CD22 Permitted Land Uses	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><th colspan="7">Section 15.6.3 – CD22 Permitted Land Uses</th></tr> <tr><th rowspan="2">Uses</th><th colspan="6">('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)</th></tr> <tr><th>Sub Areas A & B²</th><th>Sub Areas C & G²</th><th>Sub Areas D²</th><th>Sub Areas E & F²</th><th>Sub Areas H²</th><th>Sub Areas I²</th></tr> <tr><td>Short-Term Rental Accommodations</td><td style="text-align: center;">S</td><td style="text-align: center;">S</td><td style="text-align: center;">S</td><td style="text-align: center;">S</td><td style="text-align: center;">S</td><td style="text-align: center;">S</td></tr> </table>	Section 15.6.3 – CD22 Permitted Land Uses							Uses	('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)						Sub Areas A & B ²	Sub Areas C & G ²	Sub Areas D ²	Sub Areas E & F ²	Sub Areas H ²	Sub Areas I ²	Short-Term Rental Accommodations	S	S	S	S	S	S	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><th colspan="7">Section 15.6.3 – CD22 Permitted Land Uses</th></tr> <tr><th rowspan="2">Uses</th><th colspan="6">('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)</th></tr> <tr><th>Sub Areas A & B²</th><th>Sub Areas C & G²</th><th>Sub Areas D²</th><th>Sub Areas E & F²</th><th>Sub Areas H²</th><th>Sub Areas I²</th></tr> <tr><td>Short-Term Rental Accommodations</td><td style="text-align: center;">S</td><td style="text-align: center;">S</td><td style="text-align: center;">S</td><td style="text-align: center;">S</td><td style="text-align: center;">S</td><td style="text-align: center;">S</td></tr> </table>	Section 15.6.3 – CD22 Permitted Land Uses							Uses	('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)						Sub Areas A & B ²	Sub Areas C & G ²	Sub Areas D ²	Sub Areas E & F ²	Sub Areas H ²	Sub Areas I ²	Short-Term Rental Accommodations	S	S	S	S	S	S	Removal of short-term rental accommodations as a permitted secondary use from the CD22 - Central Green Comprehensive Development zone. This change is proposed to address concerns regarding the short-term rental accommodation use contradicting guiding principle #1 and being a contributing factor to the current housing crisis, as well as contradicting guiding principle #2, as Staff capacity to deal with compliance and enforcement is currently challenged.
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13.	Section 15 – Comprehensive Development Zones Section 15.7.3 – CD26 Permitted Land Uses	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><th colspan="2">Section 15.7.3 – CD26 Permitted Land Uses</th></tr> <tr><th>Uses</th><th>('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)</th></tr> <tr><td>Short-Term Rental Accommodations</td><td style="text-align: center;">S</td></tr> </table>	Section 15.7.3 – CD26 Permitted Land Uses		Uses	('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)	Short-Term Rental Accommodations	S	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><th colspan="2">Section 15.7.3 – CD26 Permitted Land Uses</th></tr> <tr><th>Uses</th><th>('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)</th></tr> <tr><td>Short-Term Rental Accommodations</td><td style="text-align: center;">S</td></tr> </table>	Section 15.7.3 – CD26 Permitted Land Uses		Uses	('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)	Short-Term Rental Accommodations	S	Removal of short-term rental accommodations as a permitted secondary use from the CD26 - Capri Centre Comprehensive Development zone. This change is proposed to address concerns regarding the short-term rental accommodation use contradicting guiding principle #1 and being a contributing factor to the current housing crisis, as well as contradicting guiding principle #2, as Staff capacity to deal with compliance and enforcement is currently challenged.																																										
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**May be subject to further amendments based on the Province of British Columbia's Short-Term Rental Accommodations Act and any associated regulations.*



Chart A

Section 14.9 – Principal and Secondary Land Uses																					
Uses	Zones (‘P’ Principal Use, ‘S’ Secondary Use, ‘-’ Not Permitted)																				
	C1	C2	CA1	VC1	UC1	UC2	UC3	UC4	UC5	I1	I2	I3	I4	P1	P2	P3	P4	P5	HD1	W1	W2
Short-Term Rental Accommodations	S	S	S	S	S	S	S	S	S	-	-	-	-	-	-	-	-	-	-	-	-

Chart B

Section 14.9 – Principal and Secondary Land Uses																					
Uses	Zones (‘P’ Principal Use, ‘S’ Secondary Use, ‘-’ Not Permitted)																				
	C1	C2	CA1	VC1	UC1	UC2	UC3	UC4	UC5	I1	I2	I3	I4	P1	P2	P3	P4	P5	HD1	W1	W2
Short-Term Rental Accommodations	S	S	S	S	S	S	S	S	S	-	-	-	-	-	-	-	-	-	-	-	-

Chart C

Section 15.4.3 – CD18 Permitted Land Uses				
Uses	(‘P’ Principal Use, ‘S’ Secondary Use, ‘-’ Not Permitted)			
	AREA I Village Centre ⁴	AREA II Winery and Resort Accommodation ⁴	AREA III Hillside Resort Accommodation ⁴	AREA IV Waterfront Resort Accommodations ⁴
Short-Term Rental Accommodations	P	S	S	S

Chart D

Section 15.4.3 – CD18 Permitted Land Uses				
Uses	(‘P’ Principal Use, ‘S’ Secondary Use, ‘-’ Not Permitted)			
	AREA I Village Centre ⁴	AREA II Winery and Resort Accommodation ⁴	AREA III Hillside Resort Accommodation ⁴	AREA IV Waterfront Resort Accommodations ⁴
Short-Term Rental Accommodations	P	S ₋	S ₋	S ₋

**May be subject to further amendments based on the Province of British Columbia’s Short-Term Rental Accommodations Act and any associated regulations.*

Principal Use	Principal Use with 6-month restriction *	Principal Use, Permitted Non-Conforming
3699 Capozzi Rd	1088 Sunset Dr	1873 - 1875 Country Club Dr
3700 Capozzi Rd	1128 Sunset Dr	
3800 Capozzi Rd	1075 Sunset Dr	1350 St Paul St
<i>(Aqua Project - Permitted in Zoning Bylaw No, 12375, Section 14.15 Site Specific Regulations, Item #5)</i>	1083 Sunset Dr	1290 St Paul St
	1089 Sunset Dr	1215 St Paul St
	1093 Sunset Dr	1471 St Paul St
	1099 Sunset Dr	1585 Abbott St
	1123 Sunset Dr	3477 - 3499 Lakeshore Rd
CD18/ Area I Village Centre <i>(Permitted in Zoning Bylaw No. 12375 CD18 – McKinley Beach Comprehensive Development Zone, Section 15.4.3 – CD18 Permitted Land Uses)</i>	1129 Sunset Dr	925 Leon Ave
	1133 Sunset Dr	1083 KLO Rd
	1139 Sunset Dr	3880 Truswell Rd
		3398 McKinley Beach Lane
648-654 Cook Rd <i>(Permitted in Zoning Bylaw No, 12375, Section 14.15 Site Specific Regulations, Item #9)</i>		3475 Granite Close / 3434 McKinley Beach Dr
		3377 Lakeshore Rd

* The short-term rental accommodation must maintain at least 6 months a year of long-term residential use. For example, the 6 months long term residency could be owner occupied or monthly rentals.

Will be subject to change based on the Province of British Columbia’s Short-Term Rental Accommodations Act and any associated regulations.



City of
Kelowna

Short-term Rental Accommodation Regulatory Changes

TA23-0013

Purpose

- ▶ To amend the Zoning Bylaw by removing short-term rental accommodation as a secondary use from all zones. |

Background

- ▶ The three guiding principles 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; and
 3. Ensure equity among short-term accommodation providers.

- ▶ Created based on Kelowna's housing context, concerns about potential nuisance impacts in residential areas, and establishing a fair approach among short-term accommodation providers

Background

- ▶ April 8, 2019 – STR Regulations were adopted
- ▶ July 10, 2023 - STR Workshop with Council
- ▶ Sept 11, 2023 - Housing Needs Assessment
- ▶ October 16, 2023 – Province of BC introduces STR legislation

Proposed Amendments

- ▶ **Proposal: Remove short-term rental accommodation as a permitted secondary use from all zones**

- ▶ **Proposed Amendments #1 to #4**
 - ▶ Amend current short-term rental accommodation definition
 - ▶ Remove reference to secondary use
 - ▶ Ensure all regulations are consistent with proposed changes
 - ▶ Parking requirements and max. sleeping units

Proposed Amendments

- ▶ **Proposal: Remove short-term rental accommodation as a permitted secondary use from all zones**

- ▶ **Proposed Amendments #5 to #13**
 - ▶ Removal of short-term rental accommodation as a permitted secondary use from all zones.
 - ▶ This includes the following zones:
 - ▶ A1, A2, RR1, RR2, RU1, RU2, RU3, RU4, RU5, MF1, MF2, MF3, C1, C2, CA1, VC1, UC1, UC2, UC3, UC4, UC5, CD17, CD18 (Area II, Area III and Area IV), CD20, CD22 and CD26

- ▶ Future amendments may be required based on the Province of BC's STR Accommodations Act & any associated regulations

Permitted Uses

- ▶ At this time, STR would remain permitted:
 - ▶ as a principal use in CD18 – McKinley Beach Comprehensive Development Zone Area I Village Centre
 - ▶ as a principal use on properties with approved Site-Specific Regulations
 - ▶ permitted on properties with recognized non-conforming/exemption status
 - ▶ on any other properties (not included above) with valid STR business licences
 - ▶ Non-conforming properties – Section 528 LGA
- ▶ Will be subject to change pending regulation by the Province of BC
- ▶ Ongoing monitoring for compliance with licence conditions

Permitted Use and Non-Conforming Areas

The proposed amendment to remove STR as a secondary use does not affect current principle use on these properties

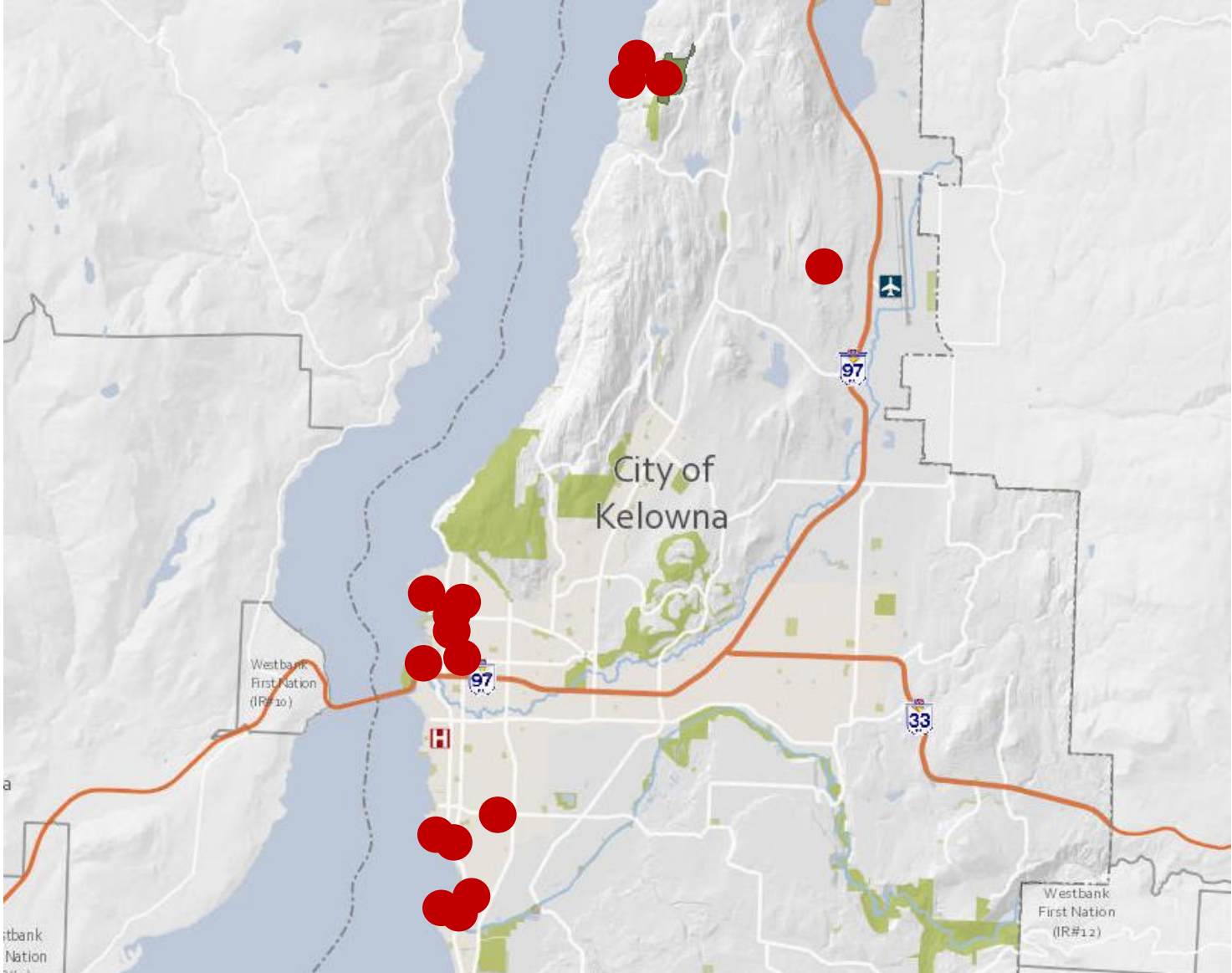
Principal Use	Principal Use with 6-month restriction *	Principal Use, Permitted Non-Conforming
3699 Capozzi Rd	1088 Sunset Dr	1873 - 1875 Country Club Dr
3700 Capozzi Rd	1128 Sunset Dr	1350 St Paul St
3800 Capozzi Rd	1075 Sunset Dr	1290 St Paul St
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	1133 Sunset Dr	3880 Truswell Rd
	1139 Sunset Dr	3398 McKinley Beach Lane
648-654 Cook Rd <i>(Permitted in Zoning Bylaw No, 12375, Section 14.15 Site Specific Regulations, Item #9)</i>	<i>(Permitted in Zoning Bylaw No, 12375, Section 14.15 Site Specific Regulations, Item #8)</i>	3475 Granite Close / 3434 McKinley Beach Dr
		3377 Lakeshore Rd

As of September 2023, there are:

- 764 Active STR business licences in these areas
 - 74 principal residence
 - 690 non-principal residence
- Several buildings still under construction
 - Aqua (415 units) – Permitted principal use
 - Caban (127 units) – Permitted non-conforming
 - McKinley Beach - Area I – Permitted principal use - Still actively being built out

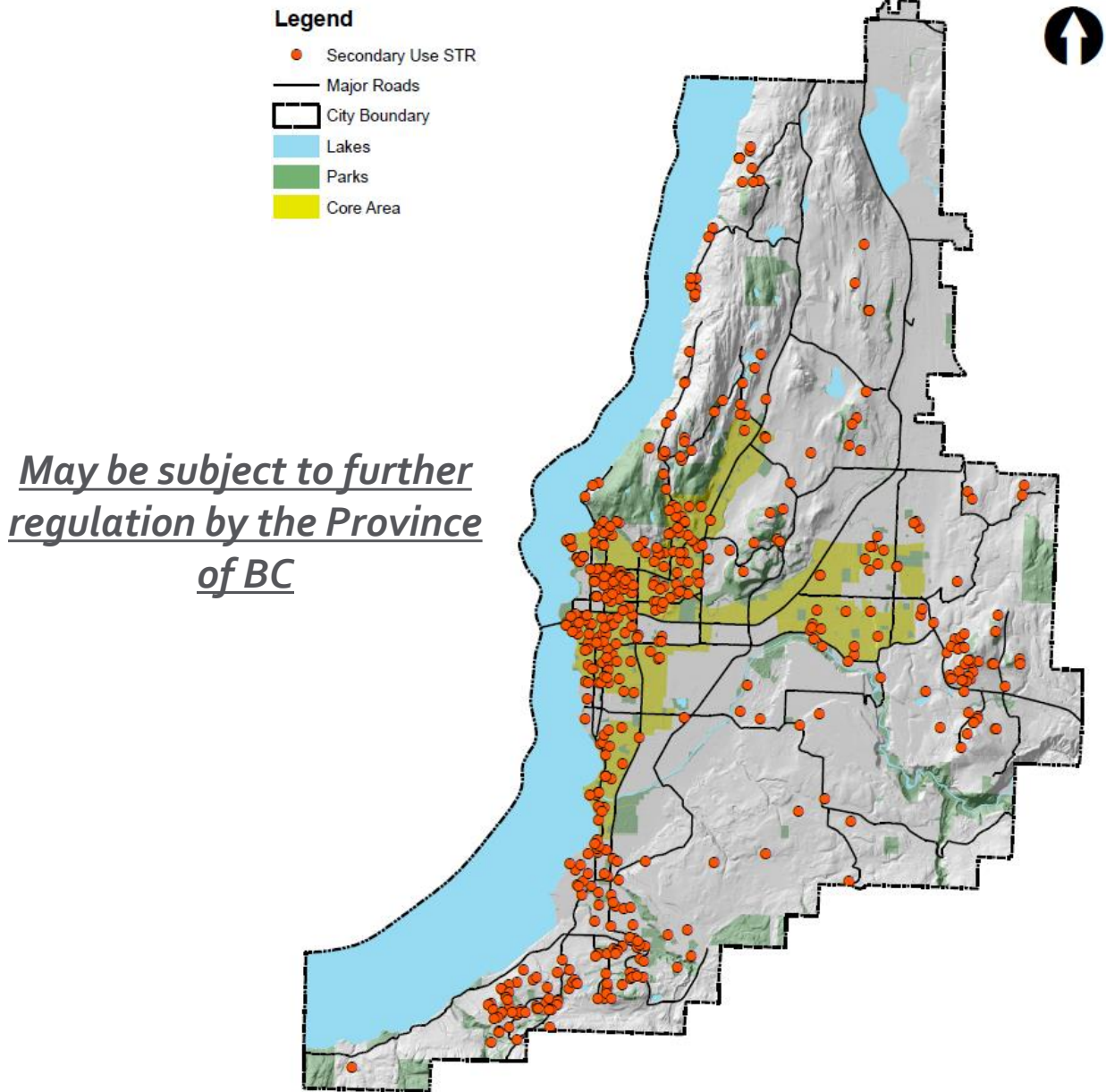
- **Will be subject to change based on the Province of BC's Short-Term Rental Accommodations Act and any associated regulations**

STR Principal Use and Non-Conforming Areas



• Will be subject to further regulation by the Province of BC

STR Valid Secondary Use Licences



May be subject to further regulation by the Province of BC

Licence conditions:

- Not permitted within a secondary suite or carriage house
- Max. # of sleeping units
- Max. # of adults per sleeping unit
- On-site parking (where applicable)
- Principal residence requirements

Provincial Changes vs. Staff Recommended Changes

Provincial Changes*	Staff Recommended Changes
New principal residence requirement	Remove STR as a secondary use from all zones
Changes to legal non-conforming use protections	Associated amendments to ensure consistency in Zoning Bylaw regulations
Establishment of a Provincial Host & Platform Registry	
Data Sharing (Platforms -> Province -> Municipalities)	
New Provincial Compliance and Enforcement Unit	
Increasing Fines	
<i>*Anticipated to apply to all STR's (pending review of regulations)</i>	

STR Currently Has a Valid Business Licence

Permitted Principal Use

- Includes Aqua, Playa del Sol, McKinley Beach Area I and Sunset Dr Properties* (* with restrictions).
- Use permitted to continue at this time
- Will be subject to new provincial principal residence requirement effective May 1, 2024
 - Staff to review regulations late Nov/early Dec
 - Staff to return to Council in early 2024 with interpretation & application

Permitted Non-Conforming

- Includes several properties on St. Paul St., in Quail Ridge, McKinley Beach (outside of Area I), Caban etc.
 - See Attachment A for complete list.
- Use permitted to continue at this time
- Will be subject to new provincial principal residence requirement and changes to legal non-conforming use protections effective May 1, 2024
 - Staff to review regulations late Nov/early Dec
 - Staff to return to Council in early 2024 with interpretation & application

Current Permitted Secondary Use

- Currently approx. 427 valid business licences
- Conditions of business licence to continue to be enforced
 - Includes restrictions to max. number of sleeping units
 - Transfer of licences not permitted

If TA23-0013 is Supported by Council

- Use permitted to continue on all properties with a valid business licence at this time
- Will be subject to new provincial principal residence requirement effective May 1, 2024
 - Existing Zoning Bylaw principal resident requirement has been challenging to enforce and many properties operating not in compliance

STR Currently Has a Valid Business Licence

Permitted Principal Use

- Includes Aqua, Playa del Sol, McKinley Beach Area I and Sunset Dr Properties* (* with restrictions).
- Use permitted to continue at this time
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 - Staff to return to Council in early 2024 with interpretation & application

Permitted Non-Conforming

- Includes several properties on St. Paul St., in Quail Ridge, McKinley Beach (outside of Area I), Caban etc.
 - See Attachment A for complete list.
- Use permitted to continue at this time
- Will be subject to new provincial principal residence requirement and changes to legal non-conforming use protections effective May 1, 2024
 - Staff to review regulations late Nov/early Dec
 - Staff to return to Council in early 2024 with interpretation & application

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If TA23-0013 is Supported by Council

- Use permitted to continue on all properties with a valid business licence at this time
- Will be subject to new provincial principal residence requirement effective May 1, 2024
 - Existing Zoning Bylaw principal resident requirement has been challenging to enforce and many properties operating not in compliance

STR Does NOT Currently Have a Valid Business Licence

Permitted Principal Use

- Includes Aqua, Playa del Sol, McKinley Beach Area I and Sunset Dr Properties* (* with restrictions).
- Use permitted to continue at this time
- Applications for new business licences will be accepted following outcome of TA23-0013
- Will be subject to new provincial principal residence requirement effective May 1, 2024
 - Staff to review regulations late Nov/early Dec
 - Staff to return to Council in early 2024 with interpretation & application

Permitted Non-Conforming

- Includes several properties on St. Paul St., in Quail Ridge, McKinley Beach (outside of Area I), Caban etc.
 - See Attachment A for complete list.
- Use permitted to continue at this time
- Applications for new business licences will be accepted following outcome of TA23-0013
- Will be subject to new provincial principal residence requirement and changes to legal non-conforming use protections effective May 1, 2024
 - Staff to review regulations late Nov/early Dec
 - Staff to return to Council in early 2024 with interpretation & application

Current Permitted Secondary Use

- Applications for new business licences not being accepted at this time, pending the outcome of TA23-0013

If TA23-0013 is supported by Council

- No new secondary use STR
- Non-compliant properties operating without licences to be brought into compliance

If TA23-0013 is NOT supported by Council

- Licences for new secondary STR's will be accepted
- Existing regulations challenging for Staff to enforce and contradict guiding principles
- New provincial registry in late 2024
- Will be subject to new provincial principal residence requirement

STR Does NOT Currently Have a Valid Business Licence

Permitted Principal Use

- Includes Aqua, Playa del Sol, McKinley Beach Area I and Sunset Dr Properties* (* with restrictions).
- Use permitted to continue at this time
- Applications for new business licences will be accepted following outcome of TA23-0013
- Will be subject to new provincial principal residence requirement effective May 1, 2024
 - Staff to review regulations late Nov/early Dec
 - Staff to return to Council in early 2024 with interpretation & application

Permitted Non-Conforming

- Includes several properties on St. Paul St., in Quail Ridge, McKinley Beach (outside of Area I), Caban etc.
 - See Attachment A for complete list.
- Use permitted to continue at this time
- Applications for new business licences will be accepted following outcome of TA23-0013
- Will be subject to new provincial principal residence requirement and changes to legal non-conforming use protections effective May 1, 2024
 - Staff to review regulations late Nov/early Dec
 - Staff to return to Council in early 2024 with interpretation & application

Current Permitted Secondary Use

- Applications for new business licences not being accepted at this time, pending the outcome of TA23-0013

If TA23-0013 is supported by Council

- No new secondary use STR
- Non-compliant properties operating without licences to be brought into compliance

If TA23-0013 is NOT supported by Council

- Licences for new secondary STR's will be accepted
- Existing regulations challenging for Staff to enforce and contradict guiding principles
- New provincial registry in late 2024
- Will be subject to new provincial principal residence requirement

Licensing

- ▶ Currently 1,191 valid business licences for STR (Sept 2023)
 - ▶ 693 as an approved principal use
 - ▶ 498 as an approved secondary use
 - ▶ Majority would become recognized as a non-conforming use (Section 528 LGA)
 - ▶ Approx. 427 STR valid business licences would receive non-conforming status
 - ▶ Would be subject to confirming principal residence requirement regulated by the Province of BC
 - ▶ 60+ applications currently in queue to be reviewed
- ▶ 89% increase in STR business licences since 2020

Revenue/Expenses

▶ Revenue

- ▶ 2023 (to-date) revenue generation from STR BL's is \$682,740
- ▶ 2023 revenues from the Online Accommodation Platforms are estimated at just shy of \$1.0 M.

▶ Expenses

- ▶ 0.5 FTE in Bylaw Enforcement Department
- ▶ 1.0 FTE in Business Licensing Department
- ▶ 2022 - \$70,300 on a contract with Host Compliance

Housing Needs Assessment

- ▶ Target of 440-600 long-term market rental units required annually
 - ▶ Any new housing used for STR does not contribute towards the housing target
 - ▶ When long-term rental units are converted to STR, this detracts from this target
- ▶ Concern STR is operating contrary to guiding principle #1
 - ▶ 2019-2022 – 70 decommissioning permits for suites -> subsequent application for STR BL
 - ▶ STR affecting housing availability and affordability
- ▶ New Provincial housing legislation
 - ▶ Proactively ensuring new dwellings will be for long-term housing needs

Enforcement and Staff Capacity

- ▶ Challenges in 2023 Tourist Season for multiple departments
- ▶ Business Licensing
 - ▶ Host Compliance
 - ▶ Software to find and enforce STR non-compliance
 - ▶ Recommended to continue use at this time
 - ▶ Approximately 900+ non-compliant properties currently identified
- ▶ Provincial Registry to launch in late 2024
 - ▶ Requires platforms to remove listings without valid provincial registry numbers

Enforcement and Staff Capacity

- ▶ Bylaw Enforcement
 - ▶ Current regulations are difficult to enforce
 - ▶ Common STR-related complaints to Bylaw Enforcement are some of the most challenging to gather evidence and lay charges on
 - ▶ Operating contrary to guiding principle #2
- ▶ Increased enforcement is pivotal to mitigate further loss of the long-term housing supply and bring properties into compliance
- ▶ Proposed changes will not eliminate the need for dedicated Staff time
 - ▶ Ongoing Staff capacity for enforcement and ensuring compliance

Questions from Initial Consideration

- ▶ Temporary Farm Worker Housing and Agri-Tourism
 - ▶ Separate use categories in Zoning Bylaw
 - ▶ Not affected by this proposal
 - ▶ Agri-Tourist Accommodation was removed as a permitted use in Oct 2016
 - ▶ Province is looking in to Agri-tourism & more details may be forthcoming in regulations
- ▶ CD20 – University
 - ▶ Does not meet regulations for a secondary use STR (operated by resident who resides for more than 240 days in that dwelling)
 - ▶ No current business licences for STR
 - ▶ Hotels/Motels are a permitted secondary use in CD20

Summary

- ▶ Staff are proposing a text amendment to the Zoning Bylaw
 - ▶ Remove short-term rental accommodation as a *secondary use* from all zones
 - ▶ Ensure Zoning Bylaw regulations are consistent with the proposed changes
- ▶ Current permitted principal use and non-conforming properties will be subject to the Province of BC's Short-Term Rental Accommodations Act and any associated regulations

Staff Recommendation

- ▶ Staff recommend support for the proposed Text Amendment
 - ▶ July 2023 – Direction from Council workshop
 - ▶ September 2023 - Housing Needs Assessment
 - ▶ Ongoing Enforcement and Staff Capacity Concerns
 - ▶ Determine next implementation steps of STR regulatory changes from the Province

- ▶ Staff will report back to Council in 2024
 - ▶ Provide update on implementation of Provincial regulatory changes

- ▶ Amendment to the City's Short-Term Rental Accommodation Business Licence and Regulation Bylaw No. 11720 to further align with these changes and to strengthen enforcement options to follow



Questions?

For more information, visit kelowna.ca.

CITY OF KELOWNA
BYLAW NO. 12590
TA23-0013 – Short-Term Rental Accommodation Regulatory
Amendments

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 12375".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT **Section 5 – Definitions & Interpretations, Section 5.3 – General Definitions, SHORT-TERM RENTAL ACCOMODATIONS** be amended by deleting the following:

"If the **short-term rental accommodation** is a **secondary use** then the **short-term rental accommodation** must only occur within **principal dwelling unit** and must be operated by a resident who resides for more than 240 days of the year at that **dwelling unit.**";

2. AND THAT **Section 8 – Parking and Loading, Section 8.2 – Off-Street Parking Regulations, Table 8.2.7.b Ratio of Parking Space Sizes** be amended by deleting the "Short-term rental accommodation" row in its entirety;
3. AND THAT **Section 8 – Parking and Loading, Section 8.3 – Required Off-Street Parking Requirements, Table 8.3.1a Other Residential Parking** be amended by deleting the "Short-Term Rental Accommodation: Agriculture & Rural Zones and Single & Two Dwelling Zones" row in its entirety;
4. AND THAT **Section 9 – Specific Use Regulations, Section 9.10 – Short-Term Rental Accommodation, 9.10.3** be amended by deleting the following:

"The maximum number of **sleeping units** that may be used for **short-term rental accommodation** within **dwelling units** in the **agriculture & rural zones** and the **single & two dwelling zones** is three (3) **sleeping units.**";

5. AND THAT **Section 10 – Agriculture & Rural Residential Zones, Section 10.3 – Permitted Land Uses** be amended by deleting the "Short-Term Rental Accommodations" row in its entirety;
6. AND THAT **Section 11 – Single and Two Dwelling Zones, Section 11.3 – Permitted Land Uses** be amended by deleting the "Short-Term Rental Accommodations" row in its entirety;
7. AND THAT **Section 13 – Multi-Dwelling Zones, Section 13.3 – Permitted Land Uses** be amended by deleting the "Short-Term Rental Accommodations" row in its entirety;

8. AND THAT **Section 14 – Core Area & Other Zones, Section 14.9 – Principal and Secondary Land Uses** be amended by deleting the “Short-Term Rental Accommodations” row in its entirety;
9. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.3 – CD17 – High Density Mixed Use Commercial, Section 15.3.3 – CD17 Permitted Land Uses** be amended by deleting the “Short-Term Rental Accommodations” row in its entirety;
10. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.4 – CD18 – McKinley Beach Resort, Section 15.4.3 – CD18 Permitted Land Uses, Short-Term Rental Accommodations** be amended by deleting the “S” under “AREA II Winery and Resort Accommodation”, under “AREA III Hillside Resort Accommodation”, and under “AREA IV Waterfront Resort Accommodations” and replacing it with “-”;
11. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.5 – CD20 – University, Section 15.5.3 – CD20 Permitted Land Uses** be amended by deleting the “Short-Term Rental Accommodations” row in its entirety;
12. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.6 – CD22 – Central Green, Section 15.6.3 – CD22 Permitted Land Uses** be amended by deleting the “Short-Term Rental Accommodations” row in its entirety;
13. AND FURTHER THAT **Section 15 – Comprehensive Development Zones, Section 15.7 – CD26 – Capri Centre, Section 15.7.3 – CD26 Permitted Land Uses** be amended by deleting the “Short-Term Rental Accommodations” row in its entirety;
14. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 23rd day of October, 2023.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk