CITY OF KELOWNA

BYLAW NO. 11766

TA19-0007 – Short Term Rental Accommodation

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

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

1. THAT **Section 2 – Interpretation,** sub- section **2.3 General Definitions** be amended by:

   a) deleting the definition for **APARTMENT HOTELS** in its entirety that reads as follows:

   "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**."

   b) adding the following to the end of the sentence of the definition for **RESIDENTIAL ZONES** ", except for **short-term rental accommodation** as a **secondary use**." and

   c) adding a new definition for **SHORT-TERM RENTAL ACCOMMODATION** in its appropriate location that reads as follows:

   "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**."

2. AND THAT **Section 6 – General Development Regulations,** sub- section **6.5 Accessory Development,** be amended by:

   a) by adding the words in sub-paragraph c "sleeping units" in the second sentence after the first word "**Bedrooms**" in sub- section **6.5.2 Accessory Building in Non-Residential Zones**; and

   b) by adding the words in sub-paragraph h "sleeping units" in the second sentence after the first word "**Bedrooms**" in sub- section **6.5.3 Accessory Building in Residential Zones**.

3. AND THAT **Section 8 – Parking and Loading, 8.1 Parking Schedule** be amended by:

   a) deleting in its entirety the section for **Apartment Hotels** that reads as follows:

Apartment Hotels	1.0 spaces per **sleeping unit**; 1.0 spaces per 7 **dwelling** units which shall be designated as visitor **parking spaces**

b) adding new sections for **Short-Term Rental Accommodation** as a **Secondary Use** and **Short-Term Rental Accommodation** as a **Principal Use** in their appropriate location that reads as follows:

Short-Term Rental Accommodation as a **Secondary Use**	1.0 medium space per two **sleeping units** 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**.
Short-Term Rental Accommodation as a **Principal Use**	Equivalent to **apartment housing** requirements for that **zone**

4. AND THAT **Section 9 – Specific Use Regulations,** sub- section **9.6 Bed and Breakfast Homes, 9** be amended by:

a) adding to the end of the sentence, in sub- section 9.6.1, sub-paragraph c the words "and be on site when the **bed and breakfast home** is operating."

b) deleting in sub-section 9.6.1, sub-paragraph c the word "or"

And replacing it with:

"of"

c) deleting sub- section 9.6.3 that reads:

"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."

And replacing it with:

"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."

d) adding a new sub- section **9.17 Short-Term Rental Accommodation** in its appropriate location that reads:

"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

Use	Maximum number of **sleeping units**
Single dwelling housing **Two dwelling housing** **Multiple dwelling housing** (including **apartment housing**) as a **principal use**	3
Three dwelling housing **Four dwelling housing** **Multiple dwelling housing** (including **apartment housing**) as a **secondary use**	2

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**."

5. AND THAT **Section 12 – Rural Residential Zones,** be amended by:

a) adding to Section **12.1 RR1 – Rural Residential 1 / RR1c – Rural Residential 1 with Carriage House,** sub- section **12.1.3 Secondary Uses,** a new sub-paragraph in its appropriate location for "**short term rental accommodation** subject to Section 9.17 of this bylaw ";

b) adding to Section **12.2 RR2 – Rural Residential 2 / RR2c – Rural Residential 2 with Carriage House,** sub- section **12.2.3 Secondary Uses,** a new sub-paragraph in its appropriate location for "**short term rental accommodation** subject to Section 9.17 of this bylaw"; and

c) adding to Section **12.3 RR3 – Rural Residential 3 / RR3c – Rural Residential 3 with Carriage House,** sub- section **12.3.3 Secondary Uses,** a new sub-paragraph in its appropriate location for "**short term rental accommodation** subject to Section 9.17 of this bylaw";

6. AND THAT **Section 13 – Urban Residential Zones,** be amended by:

a) adding to Section **13.1, RU1 – Large Lot Housing/Ru1c – Large Lot Housing with Carriage House/RU1h – Large Lot Housing (Hillside Area)/RU1hc – Large Lot Housing (Hillside Area) with Carriage House,** sub- section **13.1.3 Secondary Uses,** a new sub-paragraph in its appropriate location for "**short term rental accommodation** subject to Section 9.17 of this bylaw";

b) adding to Section **13.2, RU2 – Large Lot Housing/Ru2c – Large Lot Housing with Carriage House/RU2h – Large Lot Housing (Hillside Area)/RU2hc – Large Lot Housing (Hillside Area) with Carriage House,** sub- section **13.2.3 Secondary Uses,** a new sub-paragraph in its appropriate location for "**short term rental accommodation** subject to Section 9.17 of this bylaw";

c) adding to Section **13.3 RU3 – Small Lot Housing/RU3h – Small Lot Housing (Hillside Area),** sub-section **13.3.3 Secondary Uses,** a new sub-paragraph in its appropriate location for "**short term rental accommodation** subject to Section 9.17 of this bylaw";

d) adding to Section **13.4 RU4 – Low Density Cluster Housing/RU4h – Low Density Cluster Housing (Hillside Area),** sub- section **13.4.3 Secondary Uses,** a new sub-paragraph in its appropriate location for "**short term rental accommodation** subject to Section 9.17 of this bylaw";

e) adding to Section **13.5 RU5 – Bareland Strata Housing,** sub- section **13.5.3 Secondary Uses,** a new sub-paragraph in its appropriate location for "**short term rental accommodation** subject to Section 9.17 of this bylaw";

f) adding to Section **13.6 RU6 – Two Dwelling Housing / RU6 – Two Dwelling Housing with Boarding or Lodging House,** sub- section **13.6.3 Secondary Uses,** a new sub-paragraph in its appropriate location for "**short term rental accommodation** subject to Section 9.17 of this bylaw";

g) adding to Section **13.7 RM1 – Four Dwelling Housing,** sub- section **13.7.3 Secondary Uses,** a new sub-paragraph in its appropriate location for "**short term rental accommodation** subject to Section 9.17 of this bylaw";

h) adding to Section **13.8 RM2 – Low Density Row Housing / RM2h – Low Density Row Housing (Hillside Area),** sub- section **13.8.3 Secondary Uses,** a new sub-paragraph in its appropriate location for "**short term rental accommodation** subject to Section 9.17 of this bylaw";

i) adding to Section **13.9 RM3 – Low Density Multiple Housing,** sub- section **13.9.3 Secondary Uses,** a new sub-paragraph in its appropriate location for "**short term rental accommodation** subject to Section 9.17 of this bylaw";

j) adding to Section **13.10 RM4 – Transitional Low-Density Housing,** sub- section **13.10.3 Secondary Uses,** a new sub-paragraph in its appropriate location for "**short term rental accommodation** subject to Section 9.17 of this bylaw";

k) adding to Section **13.11 RM5 – Medium Density Multiple Housing,** sub- section **13.11.3 Secondary Uses,** a new sub-paragraph in its appropriate location for "**short term rental accommodation** subject to Section 9.17 of this bylaw";

l) deleting in Section **13.12 RM6 – High Rise Apartment Housing,** sub- section **13.12.3 Secondary Uses** sub-paragraph (e) that reads "**hotel/motel accommodation within a multiple residential unit"** and add in its appropriate location a new sub-paragraph that reads "**short-term rental accommodation** subject to Section 9.17 of this bylaw**";**

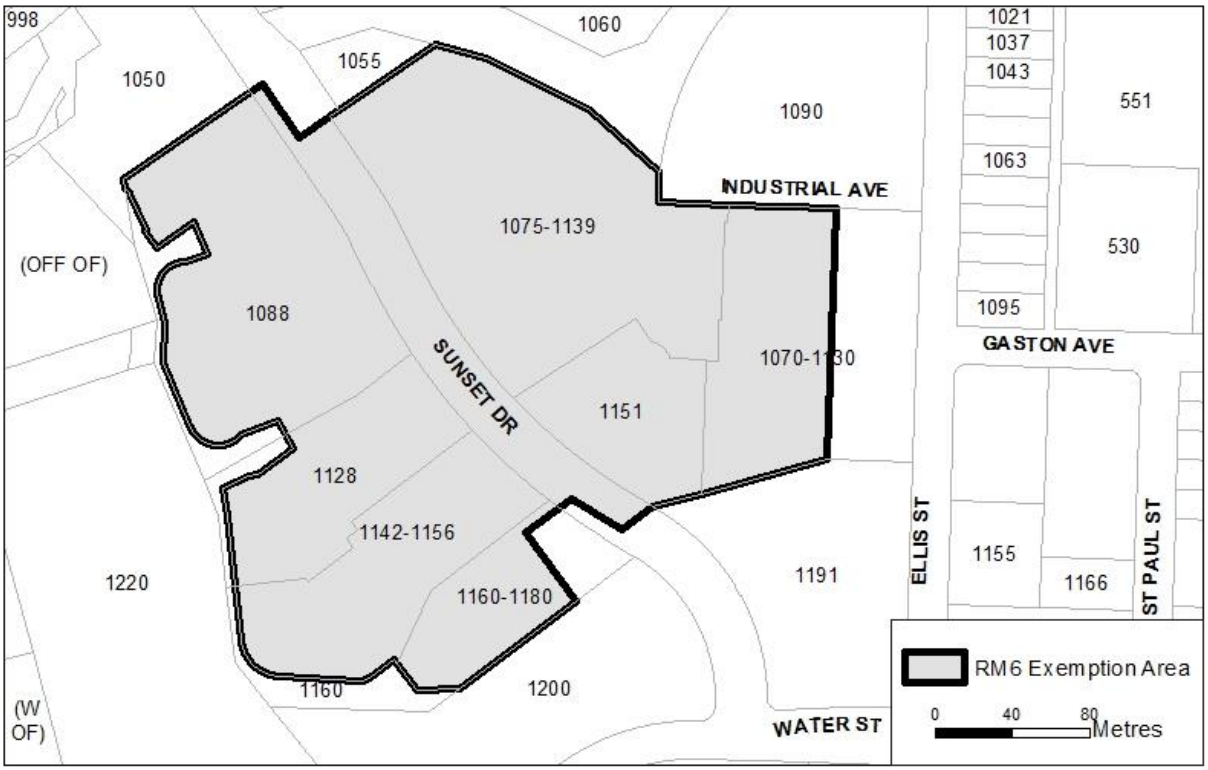
m) adding a new Section **13.12.8 Site Specific Uses and Regulations** in its appropriate location that reads:

"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:

	Legal Description	*Civic Address*	*Regulation*
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



n) adding to Section **13.14 RH1 – Hillside Large Lot Residential,** sub- section **13.14.4 Secondary Uses,** a new sub-paragraph in its appropriate location for "**short term rental accommodation** subject to Section 9.17 of this bylaw";

o) adding to Section **13.15 RH2 – Hillside Two Dwelling Housing,** sub- section **13.15.4 Secondary Uses,** a new sub-paragraph in its appropriate location for "**short term rental accommodation** subject to Section 9.17 of this bylaw";

p) adding to Section **13.16 RH3 – Hillside Cluster Housing,** sub- section **13.16.4 Secondary Uses,** a new sub-paragraph in its appropriate location for "**short term rental accommodation** subject to Section 9.17 of this bylaw"; and

q) adding to Section **13.17 RU7 – Infill Housing,** sub- section **13.17.3 Secondary Uses,** a new sub-paragraph in its appropriate location for "**short term rental accommodation** subject to Section 9.17 of this bylaw".

7. AND THAT **Section 14– Commercial Zones,** be amended by:

a) adding to Section **14.3 C3 – Community Commercial** in sub- section **14.3.3 Secondary Uses** in its appropriate location "**short-term rental accommodation,** subject to section 9.17 of this Bylaw";

b) deleting in Section **14.4 C4 –Urban Centre Commercial** in sub- section **14.4.2 Principal Uses** sub-paragraph (c) **apartment hotels**;

c) adding to Section **14.4 C4 –Urban Centre Commercial** in sub- section **14.4.3 Secondary Uses** in its appropriate location "**short-term rental accommodation,** subject to section 9.17 of this Bylaw";

d) deleting Section **14.4 C4 –Urban Centre Commercial,** sub- section **14.4.5 Development Regulations** sub-paragraph (c) that reads:

"(c) The maximum **height** is the lesser of 15.0 m or 4 **storeys** in the South Pandosy and Rutland Urban Centres. In the Springfield/Highway 97 Urban Centre, maximum **height** is the lesser of 15.0 m or 4 **storeys**, except that for **hotels**, **apartment hotels** and **apartment housing** it shall be the lesser of 37.0 m or 12 **storeys**. In all other areas, the maximum **height** shall be the lesser of 15.0 m or 4 **storeys.** 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 **public courtyard** and **green roof**, the maximum building height shall be the lesser of 25.0 m or 7 **storeys**."

And replace it with:

"(c) The maximum **height** is the lesser of 15.0 m or 4 **storeys** in the South Pandosy and Rutland Urban Centres. In the Midtown Urban Centre, maximum **height** is the lesser of 15.0 m or 4 **storeys**, except that for **hotels** and **apartment housing** it shall be the lesser of 37.0 m or 12 **storeys**. In all other areas, the maximum **height** shall be the lesser of 15.0 m or 4 **storeys.** 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 **public courtyard** and **green roof**, the maximum building height shall be the lesser of 25.0 m or 7 **storeys**.";

e) adding to Section **14.5 C5 – Transition Commercial** in sub- section **14.5.3 Secondary Uses** in its appropriate location "**short-term rental accommodation,** subject to section 9.17 of this Bylaw";

f) deleting Section **14.6 C6 –Regional Commercial,** sub- section **14.6.3 Secondary Uses** sub-paragraph (c) **apartment hotels;**

g) adding to Section **14.6 C6 –Regional Commercial,** sub- section **14.6.3 Secondary Uses** a new sub-paragraph in its appropriate **"short-term rental accommodation,** subject to section 9.17 of this Bylaw";

h) deleting Section **14.6 C6 –Regional Commercial,** sub- section **14.6.5 Development Regulations** sub-paragraph (c) that reads:

"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**."

And replacing it with:

"The maximum **height** is the lesser of 15.0 m or 4 **storeys** except for **hotels** and **apartment housing**, it shall be the lesser of 37.0 m or 12 **storeys**."

i) deleting in Section **14.6 C6 –Regional Commercial,** sub- section **14.6.6 Other Regulations** sub-paragraph (a) the words "**apartment hotels**";

j) deleting in Section **14.7 C7 –Central Business Commercial,** sub- section **14.7.2 Principal Uses** sub-paragraph (c) the words "**apartment hotels**";

k) adding to Section **14.7 C7 –Central Business Commercial,** sub- section **14.7.3 Secondary Uses** a new sub-paragraph in its appropriate location "**short-term rental accommodation**, subject to section 9.17 of this Bylaw";

l) deleting Section **14.8 C8 –Convention Hotel Commercial,** sub- section **14.8.3 Secondary Uses** sub-paragraph "(c) **apartment hotel"**;

m) adding a new Section **14.8 C8 –Convention Hotel Commercial,** sub- section **14.8.3 Secondary Uses** in its appropriate location a new sub-paragraph that reads "**short-term rental accommodation**, subject to section 9.17 of this Bylaw";

n) adding to Section **14.9 C9 – Tourist Commercial,** sub- section **14.9.2 Principal Uses** in its appropriate location a new sub-paragraph that reads "**short-term rental accommodation**, subject to section 9.17 of this Bylaw";

o) deleting Section **14.9 C9 – Tourist Commercial,** sub- section **14.9.2 Principal Uses** sub-paragraph "(c) **apartment hotels"**;

p) deleting Section **14.9 C9 – Tourist Commercial,** sub- section **14.9.5 Secondary Uses** sub-paragraphs (a) and (b) that reads:

"(a) The maximum **floor area ratio** is 0.5 except it is 1.5 for **apartment hotels** and **hotels**.

(b) The maximum **height** is the lessor of 11.0 m or 2 **storeys** except 22.0 m or 6 **storeys** for **apartment hotels** and **hotels**."

And replace it with:

"(a) The maximum **floor area ratio** is 0.5 except it is 1.5 for **multiple dwelling housing, short-term rental accommodation** and **hotels**.

(b) The maximum **height** is the lesser of 11.0 m or 2 **storeys** except it is 22.0 m or 6 **storeys** for **multiple dwelling housing, short-term rental accommodation** and **hotels**."

q) deleting Section **14.9 C9 – Tourist Commercial,** sub- section **14.9.6 Other Regulations** sub-paragraph (e) that reads:

"(e) **Apartment hotels**, **hotels**, and **motels** are permitted only when connected to **urban services**.

And replace it with:

(e) **Multiple dwelling housing**, **short-term rental accommodation**, **hotels**, and **motels** are permitted only when connected to **urban services**."

8. AND THAT **Section 17– Health District Zone,** be amended by:

a) adding to Section **17.2 Health District Zone, 17.2 HD2 – Hospital and Health Support Services**, sub-section **17.2.2 Principal Uses**, 17.2.2.1 a new sub-paragraph that reads "**short-term rental accommodation**, subject to section 9.17 of this Bylaw";

b) deleting Section **17.2 Health District Zone, 17.2 HD2 – Hospital and Health Support Services**, sub-section **17.2.3 Secondary Uses**, 17.2.3.1 sub-paragraph "(c) **apartment hotel**";

c) deleting from Section **17.2 Health District Zone, 17.2 HD2 – Hospital and Health Support Services**, sub-section **17.2.6 Parking Regulations specific to the HD2 zone**, sub-paragraph (a) & (b) the words "**apartment hotel**";

d) deleting from Section **17.2 Health District Zone, 17.2 HD2 – Hospital and Health Support Services**, sub-section **17.2.7 Other Regulations,** sub-paragraph (f) that reads:

"(f) **Apartment hotel** and **hotel** use shall only be permitted when secondary to **multiple dwelling housing** or **congregate housing**.";

e) deleting the title in Section **17.3 Health District Zone, 17.3 HD3 –Health Services Transitional**, sub-section "**17.3.2 Principal Uses"** and replace it with "**17.3.2 Uses**";

f) adding to Section **17.3 Health District Zone, 17.3 HD3 –Health Services Transitional**, sub-section **17.3.2 Principal Uses,** 17.3.2.2 a new sub-paragraph in its appropriate location that reads "**short-term rental accommodation,** subject to section 9.17 of this Bylaw";

9. AND THAT **Section 18– Schedule 'B' – Comprehensive Development Zones,** be amended by:

a) adding to the **CD1 – Comprehensive Development One,** sub-section 1.3 **Secondary Uses** a new sub-paragraph in its appropriate location that reads "**short-term rental accommodation**, subject to section 9.17 of this Bylaw";

b) adding to the **CD2 – Kettle Valley Comprehensive Residential Development,** sub-section 1.3 **Secondary Uses** a new sub-paragraph in its appropriate location that reads "**short-term rental accommodation**, subject to section 9.17 of this Bylaw";

c) adding to the **CD3 –Comprehensive Development Three,** sub-section 1.2 **Secondary Uses** a new sub-paragraph in its appropriate location that reads "**short-term rental accommodation**, subject to section 9.17 of this Bylaw";

d) adding to the **CD4 –Comprehensive Small Lot Residential,** sub-section 1.3 **Secondary Uses** a new sub-paragraph in its appropriate location that reads "**short-term rental accommodation**, subject to section 9.17 of this Bylaw";

e) adding to the **CD5–Multi-Purpose Facility/CD5lp – Multi-Purpose (Liquor Primary),** sub-section 1.3 **Secondary Uses** a new sub-paragraph in its appropriate location that reads "**short-term rental accommodation**, subject to section 9.17 of this Bylaw";

f) adding to the **CD10–Heritage Cultural,** sub-section 1.3 **Secondary Uses** a new sub-paragraph in its appropriate location that reads "**short-term rental accommodation**, subject to section 9.17 of this Bylaw";

g) deleting in **CD14–Comprehensive High-Tech Business Campus,** sub-section 1.3 **Secondary Uses** the sub-paragraph "(d) **apartment hotels**";

h) deleting in **CD14–Comprehensive High-Tech Business Campus,** sub-section 1.6 **Other Regulations** sub-paragraphs (e) and (f) that reads:

"(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 of **private open space** per **dwelling** with more than **one bedroom**."

i) deleting in the CD**17–Mixed Use Commercial – High Density/CD17rcs – Mixed Use Commercial – High Density (Retail cannabis Sales),** sub-section 1.1 **Principal Uses** sub-paragraph (a) **apartment hotels**;

j) adding to the **CD17–Mixed Use Commercial – High Density/CD17rcs – Mixed Use Commercial – High Density (Retail cannabis Sales),** sub-section 1.1 **Principal Uses** a new sub-paragraph in its appropriate location that reads "**multiple dwelling housing";**

k) deleting in the **CD17–Mixed Use Commercial – High Density/CD17rcs – Mixed Use Commercial – High Density (Retail cannabis Sales),** sub-section 1.2 **Secondary Uses** sub-paragraph (a) **apartment housing**;

l) adding to the **CD17–Mixed Use Commercial – High Density/CD17rcs – Mixed Use Commercial – High Density (Retail cannabis Sales),** sub-section 1.2 **Secondary Uses** a new sub-paragraph in its appropriate location that reads "**short-term rental accommodation**, subject to section 9.17 of this Bylaw";

m) deleting in the **CD18–McKinley Beach Comprehensive Resort Development,** sub-section 1.2 **PRINCIPAL AND SECONDARY USES, 1.2 (a) AREA 1 Village Centre, Principal Uses,** sub-paragraph (a) **apartment hotels**;

n) adding to the **CD18–McKinley Beach Comprehensive Resort Development,** sub-section 1.2 **PRINCIPAL AND SECONDARY USES, 1.2 (a) AREA 1 Village Centre, Principal Uses,** a new sub-paragraph in its appropriate location that reads "**multiple dwelling housing**";

o) adding to the **CD18–McKinley Beach Comprehensive Resort Development,** sub-section 1.2 **PRINCIPAL AND SECONDARY USES, 1.2 (a) AREA 1 Village Centre, Principal Uses,** a new sub-paragraph in its appropriate location that reads "**short-term rental accommodation**, subject to section 9.17 of this Bylaw";

p) deleting in the **CD18–McKinley Beach Comprehensive Resort Development,** sub-section 1.2 **PRINCIPAL AND SECONDARY USES, 1.2 (b) AREA 2 Winery and Resort Accommodation, Principal Uses,** sub-paragraph (a) **apartment hotels**;

q) adding to the **CD18–McKinley Beach Comprehensive Resort Development,** sub-section 1.2 **PRINCIPAL AND SECONDARY USES, 1.2 (b) AREA 2 Winery and Resort Accommodation, Principal Uses,** a new sub-paragraph in its appropriate location that reads "**multiple dwelling housing**";

r) adding to the **CD18–McKinley Beach Comprehensive Resort Development,** sub-section 1.2 **PRINCIPAL AND SECONDARY USES, 1.2 (b) AREA 2 Winery and Resort Accommodation, Secondary Uses,** a new sub-paragraph in its appropriate location that reads "**short-term rental accommodation**, subject to section 9.17 of this Bylaw";

s) deleting in the **CD18–McKinley Beach Comprehensive Resort Development,** sub-section 1.2 **PRINCIPAL AND SECONDARY USES, 1.2 (c) AREA III Hillside Resort Accommodation, Principal Uses,** sub-paragraph (a) **apartment hotels**;

t) adding to the **CD18–McKinley Beach Comprehensive Resort Development,** sub-section 1.2 **PRINCIPAL AND SECONDARY USES, 1.2 (c) AREA III Hillside Resort Accommodation, Secondary Uses,** a new sub-paragraph in its appropriate location that reads "**short-term rental accommodation**, subject to section 9.17 of this Bylaw";

u) deleting in the **CD18–McKinley Beach Comprehensive Resort Development,** sub-section 1.2 **PRINCIPAL AND SECONDARY USES, 1.2 (d) AREA IV Waterfront Resort Accommodation, Principal Uses,** sub-paragraph (a) **apartment hotels**;

v) adding to the **CD18–McKinley Beach Comprehensive Resort Development,** sub-section 1.2 **PRINCIPAL AND SECONDARY USES, 1.2 (d) AREA IV Waterfront Resort Accommodation, Principal Uses,** a new sub-paragraph in its appropriate location that reads "**multiple dwelling housing**";

w) adding to the **CD18–McKinley Beach Comprehensive Resort Development,** sub-section 1.2 **PRINCIPAL AND SECONDARY USES, 1.2 (d) AREA IV Waterfront Resort Accommodation, Secondary Uses,** a new sub-paragraph in its appropriate location that reads "**short-term rental accommodation**, subject to section 9.17 of this Bylaw";

x) deleting **CD18–McKinley Beach Comprehensive Resort Development,** sub-section **1.3 DEVELOPMENT REGULATIONS** sub-paragraph (g) that reads:

"(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 amenities) – maximum area of 150m^2 per unit floor area net.

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 350m^2 per unit (excluding garages). The main floor footprint (excluding garage) may not exceed 175m^2 per unit (excluding garages). Type B units must be served by a common on-site or off-site reservation centre(s)."

And replacing it with:

"(g) Dwelling units or resort accommodation which allows for short-term stays is made up of two types:

Type A:

Attached apartment, hotel, congregate housing, motel units or row housing units (units in buildings exceeding 4 units with common amenities) – maximum area of 150m^2 per unit floor area net.

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 350m^2 per unit (excluding garages). The main floor footprint (excluding garage) may not exceed 175m^2 per unit (excluding garages)."

y) deleting Section **CD22 – Central Green Comprehensive Development Zone,** sub-section 1.4 **Central Green General Regulations** sub-paragraph (c) that reads:

"(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 replace it with:

(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**;

Sub-Section **9.10 – Agriculture, Urban**; and
Sub-Section **9.17 – Short-Term Rental Accommodation."**

z) deleting Section **CD22 – Central Green Comprehensive Development Zone, Schedule 7 – CD22 Sub-Areas A & B Zoning, 7.2 Principal Uses** sub-paragraph (e) **apartment hotels**;

aa) adding to Section **CD22 – Central Green Comprehensive Development Zone, Schedule 7 – CD22 Sub-Areas A & B Zoning, 7.3 Secondary Uses** a new sub-paragraph in its appropriate location that reads "**short-term rental accommodation**, subject to section 9.17 of this Bylaw";

bb) adding to Section **CD22 – Central Green Comprehensive Development Zone, Schedule 8 – CD22 Sub-Areas C & G Zoning, 8.1 Permitted Uses, Secondary Uses** a new sub-paragraph in its appropriate location that reads "**short-term rental accommodation**, subject to section 9.17 of this Bylaw";

cc) adding to Section **CD22 – Central Green Comprehensive Development Zone, Schedule 9 – CD22 Sub-Area D Zoning, 9.1 Permitted Uses, Secondary Uses** a new sub-paragraph in its appropriate location that reads "**short-term rental accommodation**, subject to section 9.17 of this Bylaw";

dd) adding to Section **CD22 – Central Green Comprehensive Development Zone, Schedule 10 – CD22 Sub-Area E & F Zoning, 10.1 Permitted Uses, Secondary Uses** a new sub-paragraph in its appropriate location that reads "**short-term rental accommodation**, subject to section 9.17 of this Bylaw";

ee) adding to Section **CD22 – Central Green Comprehensive Development Zone, Schedule 11 – CD22 Sub-Area H Zoning, 11.1 Permitted Uses, Secondary Uses** a new sub-paragraph in its appropriate location that reads "**short-term rental accommodation**, subject to section 9.17 of this Bylaw";

ff) deleting Section **CD24 –Comprehensive Development Zone,** sub-section 1.4 **General Regulations of Comprehensive Site** sub-paragraph (c) that reads:

"c) **Section 9 – 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 replace it with:

(c) **Section 9 – 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."**

gg) deleting in Section **CD24 –Comprehensive Development Zone, Schedule 1 – CD24 Sub-Area A Zoning, 7.2.1 Principal Uses** sub-paragraph (a) **apartment hotels**;

hh) adding to Section **CD24 –Comprehensive Development Zone, Schedule 1 – CD24 Sub-Area A Zoning, 7.2.1 Principal Uses,** a new sub-paragraph in its appropriate location that reads "**short-term rental accommodation**, subject to section 9.17 of this Bylaw";

ii) deleting in Section **CD24 –Comprehensive Development Zone, Schedule 1 – CD24 Sub-Area A Zoning, 7.6 Private Open Space,** the words "'**apartment hotel unit**" and replacing it with the words "**short-term rental accommodation**.";

jj) deleting in Section **CD24 –Comprehensive Development Zone, Schedule 2 – CD24 Sub-Area B Zoning,** the title "**8.2.1 Secondary Uses"** and replacing it with "**8.2.2 Secondary Uses"**;

kk) adding to Section **CD24 –Comprehensive Development Zone, Schedule 2 – CD24 Sub-Area B Zoning, 8.2.1 Secondary Uses** a new sub-paragraph in its appropriate location that reads "**short-term rental accommodation**, subject to section 9.17 of this Bylaw";

ll) deleting in Section **CD26 – Capri Centre Comprehensive Development Zone/CD26rcs – Capri Centre Comprehensive Development Zone (Retail Cannabis Sales), 1.4 Principal Uses** sub-paragraph (c) **apartment hotels**;

mm) adding to Section **CD26 – Capri Centre Comprehensive Development Zone/CD26rcs – Capri Centre Comprehensive Development Zone (Retail Cannabis Sales), 1.5 Secondary Uses** a new sub-paragraph that reads "**short-term rental accommodation**, subject to section 9.17 of this Bylaw"; and

nn) adding to the **CD27 – Valley Land Subdivision,** sub-section 1.3 **Secondary Uses** a new sub-paragraph in its appropriate location that reads "**short-term rental accommodation**, subject to section 9.17 of this Bylaw".

10. 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 25th day February, 2019.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act this

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(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk