

CITY OF KELOWNA

Bylaw No. 12767

Amendment No. 2 to Short-Term Rental Accommodation Business Licence and Regulation Bylaw No. 11720

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the Short-Term Rental Accommodation Business Licence and Regulation Bylaw No. 11720 be amended as follows:

1. Section 1 – Introduction

1.1. THAT **Section 1.2 Definitions** be amended as follows:

- 1.1.1. For the term 'Business Licence Bylaw' deleting "means the City of Kelowna Business Licence and Regulation Bylaw No. 7878, 1996; as amended or replaced from time to time." and replacing with "means the Business Licence and Regulation Bylaw, No. 12585."
- 1.1.2. Adding in its appropriate location the following new term and definition: "**dwelling unit** means 'dwelling unit' as defined in the **Zoning Bylaw**."
- 1.1.3. For the term 'Licence Inspector' deleting "means the officials appointed by Council under Section 14 of the Business Licence and Regulation Bylaw No. 7878, and also includes Building Inspectors and Plumbing Inspectors and Fire Inspection Officers." and replacing with "means an individual employed by the City as a Licensing and Property Use Inspector, or their designate. Also includes a Building Inspector, Plumbing Inspector, or a Fire Inspection Officer."
- 1.1.4. Deleting "'premises" means an area of land, including a lot or parcel of land with or without buildings." in its entirety.
- 1.1.5. For the term 'short-term rental property' deleting "where accommodation of paying guests for 29 days or less is a permitted use" and replacing with "where accommodation of paying guests for less than 90 consecutive days is a permitted use".

2. Section 4 – Licence Required

- 2.1. THAT **Section 4.1** be amended by deleting "Business Licence and Regulation Bylaw No. 7878" and replacing with "**Business Licence Bylaw**".
- 2.2. THAT **Section 4.2.a** be amended by deleting in its entirety and replacing with "submit an application to the City on the prescribed form approved by the **Licence Inspector**;"
- 2.3. THAT **Section 4.2.d** be amended by deleting it in its entirety and replacing with "when the **short-term rental accommodation** is offered within a **strata lot**, on the prescribed form approved by the **Licence Inspector**, **strata council** confirmation that a **short-term rental accommodation** does not contradict a bylaw of the affected **strata corporation**;"
- 2.4. THAT **Section 4.2.e** be amended by deleting it in its entirety and replacing with "provide in the form satisfactory to the **Licence Inspector**, evidence that the dwelling unit where the **short-term rental accommodation** will be offered is occupied by the **operator** as their **principal residence**, unless the **short-term rental accommodation** is exempt from **principal residence** requirements under the **Zoning Bylaw**;"
- 2.5. THAT **Section 4.2.f** be amended by deleting "when the short-term rental accommodation is a principal use,"
- 2.6. THAT **Section 4.2.i** be amended by deleting it in its entirety and replacing with "provide information whether parking will be provided for the **short-term rental accommodation**, in the form satisfactory to the **Licence Inspector**;"

- 2.7. THAT **Section 4.3** be amended by deleting it in its entirety and replacing with "The annual fee for a **short-term rental accommodation** licence (type code 7316) is \$345."
- 2.8. THAT Section 4.5 be amended by deleting in its entirety and replacing with "The **operator** of a **short-term rental accommodation** may not be a corporation or society unless the **short-term rental accommodation** is exempt from **principal residence** requirements under the **Zoning Bylaw**."
3. **Section 6 – Licence Number and Approved Sleeping Unit Count to be Included in Marketing**
 - 3.1. THAT the **section title** be amended by deleting "LICENCE NUMBER AND APPROVED SLEEPING UNIT COUNT TO BE INCLUDED IN".
 - 3.2. THAT **Section 6.1** be amended by deleting "under this Bylaw and the approved sleeping unit count." and replacing it with "under this Bylaw, the approved **sleeping unit** count, and whether parking will be provided."
4. **Section 7 – Responsible Person**
 - 4.1. THAT **Section 7.1** be deleted in its entirety.
 - 4.2. THAT **Section 7.2** be amended by deleting "An operator who operates a short-term rental accommodation in premises other than their principal residence" and replacing with "An **operator** of a **short-term rental accommodation**".
 - 4.3. THAT **Section 7.5** be deleted in its entirety.
 - 4.4. THAT **Section 7** be appropriately renumbered.
5. **Section 8 – Conditions of Licence**
 - 5.1. THAT **Section 8.1.n** be amended by deleting "have stayed on" and replacing with "have stayed at".
 - 5.2. THAT **Section 8.2.a** be amended by deleting "secondary suite, carriage house,".
6. **Section 9 – Offences and Penalties**
 - 6.1. THAT **Section 9.2** be amended by deleting "\$10,000.00" and replacing with "\$50,000.00".
7. **Section 11 – Transition Provisions**
 - 7.1. THAT **Section 11 – Transition Provisions** be deleted in its entirety.
8. THAT the sections be appropriately renumbered.
9. THAT the term "premises" be deleted and replaced with "**dwelling unit**" throughout the bylaw.
10. This bylaw may be cited as "Bylaw No. 12767 being Amendment No. 2 to Short-Term Rental Accommodation Business Licence and Regulation Bylaw No. 11720".
11. 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, second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk