



CITY OF WEST KELOWNA

MINUTES OF THE ECONOMIC DEVELOPMENT COMMITTEE MEETING

Wednesday, December 9, 2020
COUNCIL CHAMBERS
2760 CAMERON ROAD, WEST KELOWNA, BC

MEMBERS PRESENT: Chris Kotscha, Chair
Laurie Evans, Vice Chair
Tyler Neels
Michael Porter
Lorrie Whiteway
Nick Wizinsky

MEMBER ABSENT: Calvin Barr (arrived at 12:09 p.m.)
Krista Mallory

Staff Present: John Perrott, Economic Development & Tourism Manager
Stirling Scory, Planner II - Long Range
Hailey Rilkoff, Planner II
Natasha Patricelli, Recording Secretary
Taylor Mellen, Service Desk Technician

1. CALL THE ECONOMIC DEVELOPMENT COMMITTEE MEETING TO ORDER

The meeting was called to order at 12:03 p.m.

In response to the COVID-19 pandemic, the orders of the Provincial Health Officer and the Province of BC Ministerial Order No. M192, the Economic Development Committee meeting space was not open to the public. The meeting was webcast live and is archived on the City's website.

2. INTRODUCTION OF LATE ITEMS

3. ADOPTION OF AGENDA

It was moved and seconded

THAT the agenda be adopted as presented.

CARRIED UNANIMOUSLY

4. ADOPTION OF MINUTES

4.1 Minutes of the Economic Development Committee meeting held November 18, 2020 in the City of West Kelowna Council Chambers

It was moved and seconded

THAT the minutes of the Economic Development Committee meeting held November 18, 2020 in the City of West Kelowna Council Chambers be adopted.

CARRIED UNANIMOUSLY

5. PRESENTATIONS

6. DELEGATIONS

7. UNFINISHED BUSINESS

8. REFERRALS

9. CORRESPONDENCE AND INFORMATION ITEMS

9.1 Short Term Rental Regulations

Highlights of the presentation include:

- Draft regulations for Short Term Rentals;
- September 29, 2020 Council directed staff to prepare a DRAFT Regulation program for Short Term Rentals;
- Council asked that regulations be based on regionally consistent practices;
- Council asked that the public be engaged prior to bylaw amendments;
- Council identified enhanced and proactive enforcement should be included in the program;

Zoning Bylaw

- Currently prohibits vacation rentals (Short Term Rentals) in all Zones;
- Agri-tourism Accommodations permitted in A1 - Agriculture Zone;
- Bed and Breakfasts permitted in Agriculture (A1), Rural Residential (RU1 - RU5) and Residential (R1 and R1L) Zones;
- Resort Apartment and Resort Townhouses Uses permitted in the C6 - Tourist and Resort Commercial Zone and CD2 Zone (The Cove);
- Key difference with a Bed and Breakfast is the expectation that the operator/host is on-site during a guest's stay;

- Bed and Breakfast regulations at a glance:
 - Permitted within a Single Detached Dwelling;
 - Not permitted on properties with a Secondary Suite or Carriage House;
 - Up to 4 Guest Rooms (No more than 8 guests);
 - Operator must be the occupant of the Single Detached Dwelling;
 - Multiple bookings are permitted so different parties could book each room;
 - Parking requirements on-site;
 - Business Licence is required;

Regional Practices

- Reviewed regulations that have been adopted or are under consideration in other municipalities;
- Regional Municipalities: Kelowna, Lake Country, Penticton;
- Other BC Municipalities include: Gibsons, Nelson, Pemberton, Squamish and Tofino;
- Consistent regulation components include:
 - Requiring a business licence;
 - Principle residence requirement for operator;
 - Requiring on-site parking;
 - Maximum occupancies (# of bedrooms/# of guests);

Guiding Principles

- Short Term Rental regulations guided by regional goals, current context in West Kelowna and previous discussions with Council;
- Guiding Principles:
 1. Mitigate Negative Neighbourhood Impacts;
 2. Protect Long Term Rentals;
 3. Recognize Importance of Short Term Rentals for Tourism;
 4. Comprehensive Licenscing;

Proposed Short Term Rental Regulations

- Proposed to be permitted in Rural Residential (RU1 - RU5) and Residential (R1 and R1L) Zones;
- Will not affect permitted uses of Resort Apartment or Townhouse;
- It's proposed that Short Term Rentals:
 - Are only permitted in Single Detached Dwellings;
 - Must be operated by the occupant of the dwelling;
 - Have a maximum occupancy of 6 guests (3 bedrooms);
 - Require off-street parking (1 space per 2 bedrooms);
- Snapshot of Proposed Short Term Rental Regulations:
 - Permitted within a Single Detached Dwelling;
 - Not permitted on properties with a Secondary Suite or Carriage House;
 - Up to 3 Guest Rooms (No more than 6 guests);
 - Operator must be the occupant of the Single Detached Dwelling;
 - Only 1 booking at a time permitted;
 - Parking requirements on-site;
 - Business Licence is required;
- Key difference is that the operator could rent out the entire dwelling while they were away;
- Short Term Rental means the accessory use of a single detached dwelling, or a portion of it, that provides temporary accommodations for paying guests for a period of less than 30 days, but does not include Bed and Breakfast;
- Bed and Breakfast Key Differences:
 - The expectation that a B&B is hosted by the operator;
 - There may be multiple bookings at a B&B; and
 - B&B's maximum occupancy is 8 guests (up to 4 rooms);

Business Licensing

- Business Licence Required: fee to be determined with goal to offset program costs;
- Required Permissions: Proof of Owner Consent and/or Strata Permission;

- Proof of Principle Residence: Through Homeowner Grant, Drivers Licence, or Government Records;
- Annual Self Evaluation Safety Audit: Initial Licencing Inspection by Fire Department;
- Identified Local Contact: To respond to issues while operator is away;
- Good Neighbour Agreement: Signed by operator to acknowledge expected code of conduct;
- Short Term Rental Operators Must:
 - Operate only within a licenced dwelling;
 - Display their licence number;
 - Display the Fire Safety Plan;
 - Only have one booking at a time;

Public & Stakeholder Engagement

- Gather feedback and provide a lens from residents;
- Neighbourhood Associations will be invited to participate;
- Community and Industry stakeholders have been identified;
- All three Council Committees will be engaged for comments;
- Ongoing input from internal departments will be required;
- Online Questionnaire launched on November 30;
- Website is: westkelownacity.ca/shorttermrentals;
- Questionnaire is available until January 3, 2021 for public and stakeholder feedback;
- Looking to understand that proposed regulations are fit for our community or if there is anything that needs more consideration or editing;

Next Steps

- Public and Stakeholder Engagement - November 30, 2020 to January 3, 2021;
- Review of engagement results - January 2021;
- Refinement of proposed regulations - January/February 2021;
- Bylaw Amendments - Starting February 2021;

- 1st and 2nd Reading;
- Public Hearing;
- 3rd Reading;
- Adoption;
- Timeline identified to have proposed regulations in place before tourism season of April/May 2021.

Highlights of the discussion include:

- Asking for clarification that there is only 1 guest at a time and that there couldn't be 2 different suites in their house? The proposed regulations only permitted in one dwelling unit, the principle dwelling. Booking only for 1 party but up to 3 bedrooms.
- The regulations state that the Operator must be occupant of the Single Detached Dwelling but they don't have to be onsite. If they're away on vacation can they rent out their primary dwelling and the suite? Short Term rentals as proposed are only permitted within single detached dwellings, not permitted on properties with Secondary Suites or Carriage Houses. While the occupant is away on holidays they could rent out their entire home. The contact would have to be someone else in the community if the owner is out of town.
- Is the good neighbour agreement done by the operator? It is a signed agreement between the operator and business licensing officer as a code of conduct, agreement to expectations that the operator would uphold all of the bylaws required and a good neighbour and would respond timely to any complaints or issues. It's an agreement.
- Expect about 20% of people will be applying, if people are non compliant will they have to be reported? Potential number of licensing numbers are based off the City of Kelowna data after regulations were in place/ Proposed regulations are similar to what is in place for City of Kelowna.
- If there is non compliance will they have to be reported? Short Term Rental Regulations includes Bylaw compliance and enforcement strategy on proactive enforcement, proposed use of a 3rd party monitoring company that would monitor all short term rental listings on various platforms and they would identify properties who didn't use the appropriate licensing. Business Licencing department would work with them to bring them into compliance or stop the use of the Short Term Rental. Neighbours can always make enquiries and could make complaints to operators who may be operating without a license.

- Is there any obligation of the operator to engage the neighbours prior to a business licence being provided? In the proposed regulations that is not part of the business licensing requirements. It's an option that could be considered, operator may need to contact neighbours within a certain radius around the residence. If it came back as a high priority from the Community and Stakeholders, through the questionnaire, it may be considered. It is a tool that was seen in other communities who have Short Term Rental Regulations.
- Strata's have their own bylaws relating to short term rentals, who is going to check that? A requirement of any business licence application is to provide owner consent or strata consent if the property is within a strata. Eligibility requirements within the business license would require a letter from the strata or strata bylaws to ensure use was permitted under the strata bylaw.
- Only permitted within a Single Detached Dwelling, not a suite in a garage? As proposed it would not be permitted on properties with a secondary suite. Properties with Secondary Suites would not be eligible for Short Term Rental Business Licence.
- A suite in a garage but not in the main dwelling is not allowed? If they have a legal secondary suite or a carriage house on the property, the property would be ineligible for Short Term Rental use.
- Intent is to help protect the longer term rentals within the City.
- If it was a room in a garage with a bathroom and no kitchen - studio suite? More research required for that specific situation. *Staff confirmed after the meeting that a Short Term Rental within a detached garage (accessory) building would not be permitted under the proposed regulations.*
- Protect the longer term rentals as well and protect secondary suites.
- If someone wanted to rent out a portion of properties for boat storage would they need a Short Term Rental Business Licence? That would be a different use - storage of goods. A home based business license would be needed for storage use on the property. The draft regulations define Short Term Rentals for accessory use of a single detached dwelling for accommodation for paying guests.
- What does septic unless written approval mean? The requirement for community sewer connection or written approval of wastewater professional is required to confirm the septic has capacity for increased usage.

9.2 P 20-01, West Kelowna Community Vision (Phase 1 OCP Review)

Highlights of the presentation include:

- Community Visioning - one of Council's Strategic Priorities 2020-2022;

- March 2020: Initially planned to start Community Engagement;
- June 2020: Redesigned project and launched engagement (online engagement due to COVID-19);
- Visioning Process is to update the Official Community Plan;
 - Community Visioning process;
 - Options;
 - Draft Policy and Mapping;
 - Final OCP Bylaw;
- Process timeline:
 - Listening phase in the summer/fall 2020;
 - Building our Community Vision fall/winter 2020;
 - Finalizing our Vision and Preparing for Next Stages winter 2020/2021;
- Engagement Summary (Phase 1 - June 2020 to September 2020);
- Snapshot of Round 1 Engagement activities include: vision postcard submissions, photo contest submissions, 4 online topic meetings, 3 stakeholder meetings, kids activity books, main ideas questionnaire and weekly topic questionnaires;
- Connected with participants through: social media, questionnaires, organization outreach, posters, etc.;
- Who participated? Most were full West Kelowna residents, then came work and shop in West Kelowna, and more;
- Tracked time living in West Kelowna: most were over 21+ years and next highest was 1-5 years;
- Neighbourhood participation - Glenrosa, Smith Creek and South Bouchiere had lower rates of engagement;
- Low percentage of participation through youth and over 75 demographics;
- Older population is harder to reach and younger population is harder to engage;
- Draft vision document contains five foundational elements - our people, our connectivity, our adaptability, our prosperity and our places;
- Twenty key directions include: overview of what we heard, what we see in 2040 and signs of success;

Round 2 Engagement

- Want to hear more from the younger and older demographic;
- Open the discussion, this is a draft and we want to hear the feedback;
- Key activity: Online Feedback forms;
 - Interactive feedback forms to collect comments and suggestions;
 - 'Choose your Own' Adventure - 5 minutes to a few hours;
 - Online and paper versions available;
- Key activity: Online Vision Review Workshops were held on December 1 and 2, 2020;
- Key activity: Youth Activities
 - Adapted materials focused for a youth audience;
 - Collaboration to tailor materials for in-school opportunities;
 - Working with high school and middle schools;
- Round 2 Engagement Outreach trail - used the electronic road sign for areas that needed more engagement - received good feedback;
- Working Schedule:
 - Closing engagement December 18, 2020;
 - Round 2 Engagement Summary Mid January, 2021;
 - Final Draft Community Vision Document Late January, 2021;
 - Presentation to Council Early February, 2021;
 - Presentation to Council Committees Mid February, 2021;
- Please complete online feedback forms, encourage others to participate;
- Large number of participants still hear about this project through word of mouth.

10. OTHER BUSINESS

11. ADJOURNMENT OF THE MEETING

The meeting adjourned at 12:46 p.m.

CHAIR

RECORDING SECRETARY