



CITY OF WEST KELOWNA PUBLIC HEARING AGENDA

Tuesday, March 16, 2021, 5:00 P.M.

COUNCIL CHAMBERS

2760 CAMERON ROAD, WEST KELOWNA, BC

Pages

1. CALL THE PUBLIC HEARING TO ORDER

It is acknowledged that this meeting is being held on the traditional territory of the Syilx/Okanagan Peoples.

In accordance with the Provincial Health Officer Order on Gatherings and Events, members of the public are restricted from attending public hearings in person. Public participation will be available by phone or by written submission and all representations to Council form part of the public record. This meeting is being webcast live and will be archived on the City's website.

2. INTRODUCTION OF LATE ITEMS

3. ADOPTION OF AGENDA

4. OPENING STATEMENT

5. PUBLIC HEARING

5.1. P20-16; Zoning Amendment Bylaw No.0154.99 (PH); Short Term Rental Regulations

3

Location: Throughout the City of West Kelowna

The proposed Zoning Bylaw amendments to regulate short term rentals include:

- Short term rentals allowing for principal residents to rent a portion of their home or their entire home as a vacation rental;
- The addition of new definitions to distinguish between a minor short term rental, which would include bed and breakfasts, and a major short term rental;
- Replacing the phrase "bed and breakfast" with "minor short term rental";
- Permitting short term rentals, minor and major, in all zones which

currently permit bed and breakfasts: Agricultural (A1), Rural (RU1 through RU5), Residential (R1 and R1L) and CD-1(E) Zones;

- Permitting short term rentals, minor and major, only within single detached dwellings and not allowing them on parcels with a secondary suite or carriage house;
- Requiring operators of short term rentals, minor and major, to be the principal resident of the dwelling;
- Restricting the occupancy of short term rentals, minor and major, to a maximum of two adults per bedroom;
- For a minor short term rental:
 - Requiring operators to remain on-site during guests' stays;
 - Reducing the maximum number of rentable bedrooms to three;
- For a major short term rental:
 - Allowing operators to be off-site during guests' stays;
 - Allowing four maximum rentable bedrooms;
 - Requiring one parking space per two bedrooms (0.5 spaces per bedroom, rounded up).

6. ADJOURNMENT OF THE PUBLIC HEARING

No other submissions from the public or applicant may be received by Council.

Copies of the proposed bylaws, information and reports are available for review at the City of West Kelowna Planning Department, 2760 Cameron Road, between 8:30 a.m. and 4:30 p.m., Monday through Friday (excluding statutory holidays), or online at <https://calendar.westkelownacity.ca/councilcommittee>.



PUBLIC HEARING REPORT

To: Paul Gipps, CAO

Date: March 16, 2021

From: Hailey Rilkoff, Planner II

File No: P20-16

Subject: **P20-16; Zoning Amendment Bylaw No.0154.99 (PH); Short Term Rental Regulations**

BACKGROUND

Bylaw No. 0154.99 (File P20-16) was given 1st and 2nd reading at the February 23, 2021 regular Council meeting (Attachment 1).

ADDITIONAL INFORMATION FOR PUBLIC HEARING

The potential opportunities and challenges that accompany regulation of short term rentals are broad and interconnected. Regulating short term rentals requires balancing competing priorities of tourism and housing as well as potential impacts on neighbourhoods, operators, and stakeholders.

Additional information and clarification is provided to complement the 1st and 2nd Reading Report and presentation to Council and to address some of the discussion and questions that stemmed from Council's initial consideration of the Zoning Bylaw amendments.

Guiding Principles

The proposed zoning amendments to regulate short term rentals were developed using the following Guiding Principles. Based on the order of priority of the Guiding Principles, maintaining long term rentals was given a higher priority than increasing tourism accommodations. Changing the order of priority for the Guiding Principles would result in substantial changes to the proposed regulations.

1. Mitigate Negative Neighbourhood Impacts
2. Protect Long Term Rentals
3. Recognize Importance of Short Term Rentals for Tourism
4. Comprehensive Licensing, Compliance & Enforcement

The number one priority was to address the negative neighbourhood impacts that residents have been experiencing due to un-hosted short term rentals operating in an unregulated environment. Having a comprehensive regulation program for short term rentals will address many of the negative impacts. It is noted that regulation of short term rentals has been seen to lead to a decrease in the overall number of listings in the

community¹. Protecting long term rentals was the second priority in the development of the regulations. Excluding short term rentals from secondary suites and carriage homes is intended to aid in maintaining the City's existing stock of affordable housing. It is recognized that providing options for short term rentals also contributes to the tourism industry and economy. A comprehensive licensing program has been designed and supported with resources to obtain compliance and enhance enforcement when necessary.

Minor vs. Major Short Term Rentals

The proposed zoning amendments include two new use definitions: Minor Short Term Rental and Major Short Term Rental.

SHORT TERM RENTAL, MINOR means the licensed use of a single detached dwelling by an occupant of the dwelling as a vacation rental where the operator remains on-site during guest stays; this use includes bed and breakfasts.

SHORT TERM RENTAL, MAJOR means the licensed use of a single detached dwelling by an occupant of the dwelling as a vacation rental where the operator may be off-site during guest stays.

These new use definitions acknowledge the various degrees of use of a residential property for short term accommodation for tourists or visitors. The definitions also acknowledge that there are many similarities between the two forms of short term accommodation rentals: **hosted²** and **un-hosted³** accommodations. Both utilize residential properties as a form of vacation rental to provide accommodation to tourists and visitors. Both require business licenses and inspections to ensure the buildings are safe for occupants and guests. Both require the operator of the short term rental to be the primary resident of the dwelling.

¹ The City of Kelowna saw a 60% reduction in the number of short term rental listings after regulations were in place for a year.

² A hosted accommodation is where the operator remains on-site during the guests stay. For example, a vacation rental of bedrooms within the operator's home where the operator is on-site to check guests in, answer questions and may offer breakfast.

³ An un-hosted accommodation is where the operator is off-site during the guests stay. For example, a vacation rental of the operator's home where the operator is out of town or off-site.

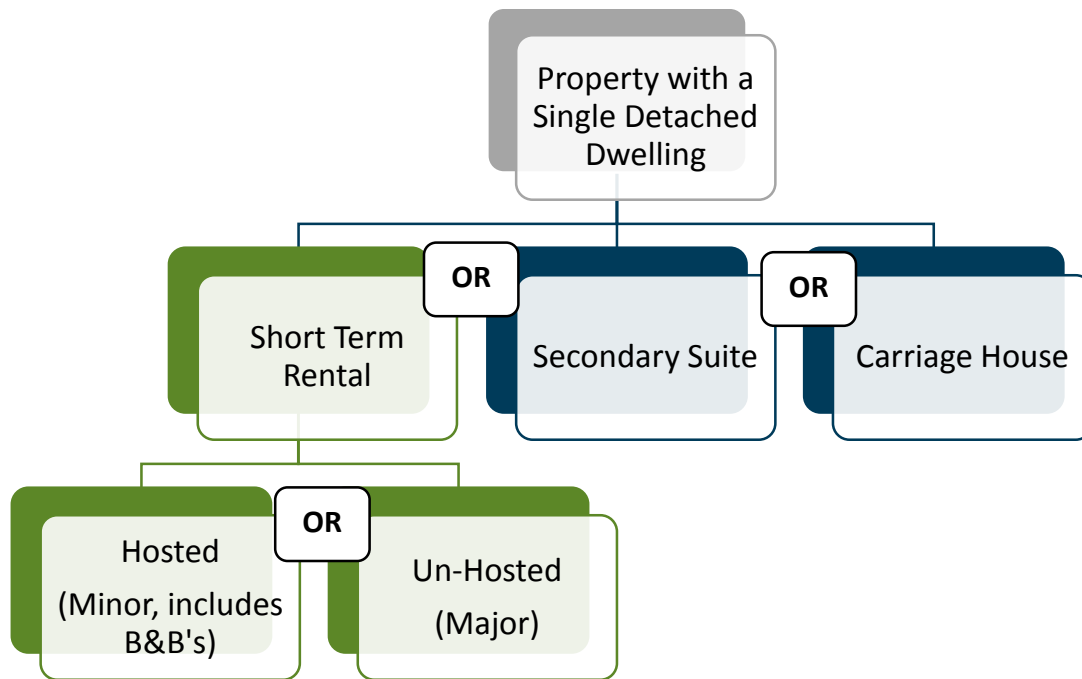


Figure 1 - Illustration of Permitted Secondary Uses

Figure 1 (above) clarifies the options for secondary uses on a single detached residential property. As the regulations are drafted, a property may have one of the following three secondary uses: short term rental, secondary suite or carriage house. If the secondary use is a short term rental, one of two forms may be chosen: a hosted (minor) short term rental or un-hosted (major) short term rental. In effect, a hosted (minor) short term rental operator would provide accommodation within a portion of their home, such as is seen in a traditional Bed and Breakfast, but would not be required to provide the guests breakfast. An un-hosted (major) short term rental operator rents their home while they are away.

The differences between the Minor and Major Short Term Rental uses within the Zoning Bylaw relate to occupancy, parking and operation:

Table 1 – Differences between Minor and Major Short Term Rentals		
	Short Term Rental, Minor	Short Term Rental, Major
Maximum Occupancy	3 Bedrooms (6 Adults)	4 Bedrooms (8 Adults)
During Operation	Operator must remain on-site during operation	Operator may be off-site during operation
Required Parking	1 space per bedroom	1 space per 2 bedrooms

Bed & Breakfast Changes

The phrase “Bed and Breakfast”, is commonly understood to mean the rental of rooms within an operator’s home for tourists and visitors. However, classifying the use under the name “Bed and Breakfast” does not necessarily require an operator to serve breakfast to be classified as such. Whether or not an operator of a short term rental offers their guests a breakfast does not have an impact on the use of the property or the impact to the

neighbourhood. The key factor which can contribute to nuisance issues is whether or not the operator is on-site.

Re-naming the “Bed and Breakfast” use to “Minor Short Term Rental” is intended to acknowledge that a hosted form of tourist accommodation typically results in a lower potential for negative impacts on the neighbourhood and surrounding properties.

Beyond changing the defined use to “Minor Short Term Rental”, there is one proposed major change to the current regulations for “Bed and Breakfasts”. This relates to the reduced occupancy from four bedrooms to three bedrooms. This is proposed in order to acknowledge that most currently licensed bed and breakfasts have three rooms or less. A four bedroom bed and breakfast is less common as it is difficult to provide the required parking spaces for the residence (two spaces) and bed and breakfast (four spaces) on a standard residential property.

The proposed changes to the Zoning Bylaw would not apply to existing bed and breakfast operators who have a valid Business Licence. Any bed and breakfasts currently operating and licensed for up to four bedrooms would be able to continue this use and would be considered “grandfathered”⁴ as a non-conforming use⁵. However, if the bed and breakfast use ceased on the property for a period greater than six months, the property would be subject to the new regulations (or any regulations in place at the time).

Any modifications to the proposed bed and breakfast regulations may be further amended at Council’s discretion.

Secondary Suites and Carriage Houses

The proposed regulations would not permit a short term rental to be operated on a parcel that has a secondary suite or carriage house. The Business Licensing and Regulations Bylaw defines a Secondary Suite and Carriage House as follows:

“Secondary Suite” means second dwelling unit which contains at least 3 rooms including a bedroom, kitchen and bathroom, but no more than 2 bedrooms, located within the structure of a single detached house that provides living accommodation based on rental periods of one month or greater.

“Carriage House” means a detached building containing a secondary dwelling, which may also contain one or more off street parking spaces for the single detached dwelling on the same parcel or for the carriage house.

There are currently approximately 515 licensed secondary suites and 17 carriage houses in West Kelowna⁶. There are an unknown number of unauthorized suites or carriage houses which may have been built without permits and are being used for long-term or short-term rentals. The rationale for not permitting short term rentals on parcels with

⁴ As a four bedroom Bed and Breakfast is permitted under the Zoning Bylaw currently.

⁵ “...if, at the time a land use regulation bylaw is adopted, the land does not conform to the bylaw, the use may be continued as a non-conforming use.” *Local Government Act* Section 528.1

⁶ 464 secondary suites identified through business licencing, 51 secondary suites with active building permits; 17 carriage houses identified through business licencing.

secondary suites or carriage houses is based on the City's policies which relate to secondary suites, affordable/rental housing policy and data, regional consistency (primarily City of Kelowna).

Existing City Policy – Secondary Suites

Secondary suites and carriage houses are a form of infill residential development that can offer an affordable rental housing option that form part of the secondary rental market. The Official Community Plan supports secondary suites as a form of affordable infill housing and identifies the critical need to maintain the existing stock of affordable housing (which includes affordable home ownership, affordable rentals and subsidized housing).

Council's Secondary Suites Policy (approved in 2014) has three core objectives, the first of which is to build and maintain secondary suites which provide affordable rental accommodation⁷ (*Attachment 2*). This policy also speaks to secondary suites as a “*means of achieving sensitive infill development with negligible impacts upon neighbourhood character.*”

To date, City policies have specifically identified secondary suites as a critical part of the community's affordable, and more specifically the affordable rental, housing supply. A more comprehensive review of residential and affordable housing policies in the OCP, amendments to Council's Secondary Suite Policy, and the completion of a Regional Housing Strategy should be considered if secondary suites are proposed to be used for vacation rentals rather than housing.

Affordable/Rental Housing

The Regional Housing Needs Assessment (RHNA) for the Central Okanagan indicates that almost two thirds of long term rental units are provided by the secondary rental market⁸ in the region as opposed to the primary rental market⁹ comprised of purpose-built rentals¹⁰. The RHNA provided a snapshot of available long term rental listings in the City of West Kelowna by scanning rental listings on Castanet in January of 2019. In 2019, there were 123 listings for long term rentals in West Kelowna. As of March 3, 2021, there were 24 long-term rental listings on Castanet for West Kelowna.

The current rental vacancy rate for West Kelowna was recently reported to have dropped to 1.0% by the Canadian Mortgage and Housing Corporation (CMHC) (*Attachment 3*). The CMHC vacancy rate only accounts for the primary rental market of purpose-built rental apartments and does not include secondary suites, carriage houses or single detached dwellings. Regionally, the vacancy rates also fell in Kelowna from 2.3% to 2.2%, Penticton from 1.9% to 0.8% and Vernon from 1.9% to 1.0% (data for Lake Country was not available).

⁷ 3.1.1 Secondary Suites – Council Policy Manual

⁸Secondary Rental Market – rental units that were not originally purpose-built for the rental market (including rented single-detached houses, rented secondary suites, rented carriage houses, rented duplexes, rented townhouses and rented apartments or condominiums)

⁹ Primary Rental Market – rental units in privately initiated apartment structures with at least three rental units

¹⁰ 5,772 primary rental market units; 10,073 secondary rental market units

Regional Regulation Consistency

Regionally in the Central Okanagan the use of accessory dwelling units (secondary suites or carriage houses) for short term rentals is varied:

- Kelowna does not permit “short-term rental accommodations” within either secondary suites or carriage houses.
- Lake Country allows a “short term vacation rental” within a secondary suite only.
- Penticton allows “vacation rentals” within secondary suites and carriage houses. However, only one dwelling on a property may be used for a “vacation rental”.

The proposed regulations were drafted to be primarily consistent with the City of Kelowna as the closest neighbouring municipality with regulations in place. However, across the province, there is also variation among which municipalities permit short term rentals in accessory dwelling units. Out of the ten additional municipalities short term rental regulations reviewed, seven permitted short term rentals in secondary suites and four permitted short term rentals in carriage houses.

Tourist Accommodation

Short term rentals are a part of the overall tourism industry in West Kelowna. Currently, there are 471 traditional accommodation units on the Westside which includes hotel/motel rooms (257), resort rooms (148) and bed and breakfasts (66)¹¹. With 378 short term rental listings in July of 2020, this means that last summer short term rentals made up approximately 40% of accommodations. This acknowledges that short term rentals do add increased competition for the traditional rental market. However, short term rentals also increase the capacity of the community to accommodate increasing numbers of visitors which contribute to increasing business at restaurants, wineries and tourist services. In addition, there is a new hotel under construction which services the Westside (Carrington Road) which is anticipated to add over 115 new hotel rooms to the community and the City’s Economic Development and Tourism department has had inquiries for additional hotel properties.

Overnight visitors to the area have been increasing year over year, and even with the COVID-19 pandemic, there was an increase of 5.5% in overnight total visitor trips¹². Based on tracking from the City’s Economic Development and Tourism department, the average occupancy of short term rentals in West Kelowna (~60%) outpaced the average occupancy of hotels for the Kelowna region (~40%) in 2020. This could be in part due to visitor choices influenced by COVID-19, but could also be attributed to an overall shift on consumer preferences and the rise of technology and the sharing economy.

Public Notification

In accordance with the *Local Government Act*, advertisements have been placed in the local newspaper (West K News), providing notification of the Public Hearing (March 3rd and March 10th). In addition, information on Short Term Rentals and the proposed public hearing has been included on the main page of the City’s website homepage, an email

¹¹ 66 Licenced Bed and Breakfasts as of August 2020 which includes both traditional Bed and Breakfasts and other forms of hosted vacation rentals.

¹² Kelowna Tourism Industry Indicators: <https://www.tourismkelowna.com/industry/tourism-research/monthly-industry-indicators/>

news-blast has been to be sent out to subscribers and the City has utilized social media channels to share information regarding the Public Hearing.

As of the date of writing this report, 15 written submissions have been received for the Public Hearing (*Attachment 4*). Common themes from the submissions received include:

- Confirmation that a principal residence requirement can address nuisance issues;
- Opposition to the idea that short term rentals affect the long term rental market;
- Support for secondary suites and carriage houses to be used for short term rentals;
- Identification that short term rentals provide financial opportunities for operators and support the tourism industry;
- Concern surrounding provincial regulations around long-term rentals (*Residential Tenancy Act*);
- Suggestions to increase the maximum occupancy to accommodate larger groups or families;
- Concern over the incorporation of traditional bed and breakfasts into a broader category of short term rental and impacts to the bed and breakfast industry.

In addition, correspondence from the Public has been received related to the proposed Bylaw Amendments outside of the Public Hearing submission process throughout the project timeline and the development of the regulations.

Next Steps

Following the completion of the Public Hearing staff will bring back a Report for Council outlining options for moving forward. Potential options could include:

- *Adopt Current Regulations*
 - This would move forward the current regulations as proposed.
- *Direction for Minor Amendments*
 - This would allow for minor amendments to the regulations that do not affect use or density, and would not require a new public hearing.
 - Examples of minor amendments could include changes to:
 - Terminology in the definitions to replace “Minor” and “Major”;
 - Maximum occupancy and number of bedrooms permitted to be rented;
 - Required number of on-site parking spaces.
- *Direction for Substantial Amendments*
 - This would allow for substantial amendments to the regulations, which could include changes that affect use or density and would require a new public hearing.
 - Examples of substantial amendments could include:
 - To expand opportunities to permit short term rentals in various dwelling forms (including secondary suites);
 - To change which zones would permit short term rentals;

- To cap the number of short term rentals in order to protect long-term rental housing stock.
- Any other changes which affect 'use' or 'density' related to the bylaw.

COUNCIL REPORT / RESOLUTION HISTORY

Date	Report Topic / Resolution	Resolution No.
February 23, 2021	THAT Council give first and second reading to the "City of West Kelowna Zoning Amendment Bylaw No. 0154.99, 2021"; and THAT Council direct staff to schedule a public hearing.	C092/21
January 26, 2021	Information Update for Council on Short Term Rental Engagement Results	-
November 24, 2020	THAT Council direct staff to further engage the community and stakeholders on the proposed Short Term Rental program as outlined in this report.	C300/20
September 29, We2020	Council provided direction to staff that short term rentals be regulated, and that the creation of regulations for short term rentals be done through the review of regional practices and consultation with both stakeholders and the public. Council's direction followed the decision points presented to Council.	-
September 17, 2019	THAT Council direct staff to investigate and report back to Council regarding Air BnB and short term rentals in West Kelowna within the next 6 months.	C327/19

REVIEWED BY

Brent Magnan, Planning Manager

Mark Koch, Director of Development Services

Shelley Schnitzler, Legislative Services Manager/Corporate Officer

APPROVED FOR THE AGENDA BY

Paul Gipps, CAO

Attachments:

1. Zoning Amendment Bylaw No. 0154.99 (Short Term Rental Regulations)
2. February 23rd Council Report: P20-16; Zoning Amendment Bylaw No. 0154.99 (1st and 2nd); Short Term Rental Regulations
3. Council's Secondary Suite Policy
4. CMHC Primary Rental Market Statistics
5. Submissions List – March 10, 2021



CITY OF WEST KELOWNA

BYLAW NO. 0154.99

A BYLAW TO AMEND "ZONING BYLAW NO. 0154"

WHEREAS the Council of the City of West Kelowna desires to amend "CITY OF WEST KELOWNA ZONING BYLAW NO. 0154" under the provisions of the *Local Government Act*.

THEREFORE BE IT RESOLVED that the Council of the City of West Kelowna, in open meeting assembled, hereby enacts as follows:

1. Title

This Bylaw may be cited as "CITY OF WEST KELOWNA ZONING AMENDMENT BYLAW NO. 0154.99, 2021".

2. Amendments

"Zoning Bylaw No. 0154" is hereby amended as follows:

- 2.1 By adding to Part 2 – Interpretation, Section 2.8 Definitions in appropriate alphabetical order the following:

SHORT TERM RENTAL, MINOR means the use of a single detached dwelling by an occupant of the dwelling as a vacation rental where the operator remains on-site during guest stays, this use includes bed and breakfasts.

- 2.2 By adding to Part 2 – Interpretation, Section 2.8 Definitions in appropriate alphabetical order the following:

SHORT TERM RENTAL, MAJOR means the use of a single detached dwelling by an occupant of the dwelling as a vacation rental where the operator may be off-site during guest stays.

- 2.3 By replacing the phrase "bed and breakfast" in subsection 3.3.1(b) with the phrase "short term rental".

- 2.4 By replacing the phrase "Bed and Breakfast" in subsection 3.16.7 with the phrase "short term rental".

- 2.5 By deleting Section 3.17 Bed and Breakfast in it's entirety and replacing it with the following:

3.17 Short Term Rental

- .1 A short term rental shall only be conducted within a principal single detached dwelling.

- .2 An occupant of the single detached dwelling shall be the operator of the short term rental. For certainty an occupant shall be a principal resident of the single detached dwelling.
- .3 No more than two adults may occupy a bedroom used for the short term rental.
- .4 Bedrooms shall only be rented for periods of less than one month.
- .5 A short term rental is permitted to have no more than one non-internally illuminated sign to a maximum size of 0.3 m² that is attached to the principal single detached dwelling or located elsewhere on the parcel and a minimum distance of 1.5 m from any parcel boundary.
- .6 There shall be no exterior indication that a short term rental is in operation on any parcel, except for permitted signage and required parking.
- .7 A short term rental shall not be permitted without connection to a community sewer system unless:
 - (a) The parcel receives the written approval of a Registered Onsite Wastewater Practitioner (ROWP) for septic disposal capacity.
- .8 A short term rental is not permitted on a parcel that contains a secondary suite or carriage house.
- .9 Short Term Rental, Minor:
 - (a) The operator of a minor short term rental must be on-site when the minor short term rental is operating; and
 - (b) No more than 3 bedrooms are permitted to be used for a minor short term rental.
- .10 Short Term Rental, Major:
 - (a) The operator of a major short term rental may be off-site when the major short term rental is operating; and
 - (b) No more than 4 bedrooms are permitted to be used for a major short term rental.
- 2.6 By replacing the phrase “bed and breakfast” in subsection 3.20.5 with the phrase “short term rental”.
- 2.7 By replacing the phrase “bed and breakfast” in subsection 3.26.15 with the phrase “short term rental”.
- 2.8 Amending Table 4.1 – Required parking spaces in Section 4.4 by deleting in it’s entirety the following section for Bed and breakfast / Agri-tourism accommodation

Bed and breakfast / Agri-tourism accommodation	1.0 per guest room
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And adding new sections for Agri-Tourism Accommodation and Short Term Rental in their appropriate location that reads as follows:

Agri-tourism accommodation	1.0 per guest room
Short term rental	Minor – 1.0 per bedroom Major – 0.5 per bedroom

- 2.9 By replacing the phrase “bed and breakfasts” in subsection 4.4.3(1).1 with the phrase “short term rentals”
- 2.10 By deleting Section 8.1.3(f) and adding to section 8.1.3 in appropriate alphabetical order, the following:
- “Short term rental, minor or major”
- 2.11 By deleting Section 9.1.3(b) and adding to Section 9.1.3 in appropriate alphabetical order, the following:
- “Short term rental, minor or major”
- 2.12 By deleting Section 9.2.3(d). and adding to Section 9.2.3 in appropriate alphabetical order, the following:
- “Short term rental, minor or major”
- 2.13 By deleting Section 9.3.3(e) and adding to Section 9.3.3 in appropriate alphabetical order, the following:
- “Short term rental, minor or major”
- 2.14 By deleting Section 9.4.3(f) and adding to Section 9.4.3 in appropriate alphabetical order, the following:
- “Short term rental, minor or major”
- 2.15 By deleting Section 9.5.3(j) and adding to Section 9.5.3 in appropriate alphabetical order, the following:
- “Short term rental, minor or major”
- 2.16 By deleting Section 10.4.3(b) and adding to Section 10.4.3 in appropriate alphabetical order, the following:
- “Short term rental, minor or major”
- 2.17 By deleting Section 10.6.3(b) and adding to Section 10.6.3 in appropriate alphabetical order, the following:
- “Short term rental, minor or major”
- 2.18 By deleting Section CD-1(E).1(c) from Part 14 CD1 – Westlake and adding to section CD-1(E).1 in appropriate alphabetical order, the following:
- “Short term rental, minor or major”

READ A FIRST AND SECOND TIME THIS 23RD DAY OF FEBRUARY, 2021
PUBLIC HEARING HELD THIS
READ A THIRD TIME THIS
APPROVED BY THE MINISTRY OF TRANSPORTATION THIS
ADOPTED THIS

MAYOR

CITY CLERK



COUNCIL REPORT

To: Paul Gipps, CAO

Date: February 23, 2021

From: Hailey Rilkoff, Planner II

File No: P 20-16

Subject: **P 20-16 – Proposed Short Term Rental Program**

RECOMMENDATION

THAT Council give first and second reading to the “City of West Kelowna Zoning Amendment Bylaw No. 0154.99, 2021”; and

THAT Council direct staff to schedule a public hearing.

STRATEGIC AREA(S) OF FOCUS

Economic Growth and Prosperity – Policies and advocacy to enhance economic prosperity; Continued growth in tourism.

EXECUTIVE SUMMARY

This report outlines the proposed Zoning Bylaw amendments and related regulations for short term rental accommodations in the City of West Kelowna. The regulations have been drafted based on regionally consistent practices and the Guiding Principles which prioritize mitigating neighbourhood impacts and protecting long term rentals. The regulations limit the use of short term rentals to within a single detached dwelling operated by the principal resident. The regulations differentiate between the use of *Minor Short Term Rental* (previously Bed and Breakfast) which require the operator to remain on-site and *Major Short Term Rental* which allows the operator to be off-site.

Proposed amendments to the Business Licensing and Regulation, Fees & Charges, Bylaw Enforcement Notice and Municipal Ticket Information Bylaws are also outlined in this report, however these Bylaws will be considered at the time of Third Reading of the proposed Zoning Bylaw amendments.

By regulating short term rentals, the City provides a fair and transparent process for operators as well as clear regulations to encourage compliance. The majority of community feedback was consistent with the City’s draft regulation program. Feedback from the online questionnaire and Council Committees has been incorporated into the draft regulations.

BACKGROUND

Current Regulatory Framework

Under current zoning and business licencing regulations, the use of residential units for less than 30 days are not permitted except for bed and breakfasts, agri-tourism accommodations, or resort apartment and townhouse uses. Agri-tourism accommodations are only permitted on agricultural properties with farm status and resort apartment and resort townhouse uses are permitted on the three resort properties in West Kelowna (Barona Beach, Boucherie Beach and The Cove). The new CD8 (Seclusion Bay) zone also allows for rentals of a single detached dwelling for less than 30 days as a principal use.

Project Timeline

A background of and timeline of the Short Term Rental project is presented below:

- September 17th, 2019 – Council directed staff to prepare a report regarding Air BnB and short term rentals in West Kelowna.
- September 29th, 2020 – Council directed staff to review best practices for Short Term Rentals within the Okanagan Region and to prepare a draft regulatory program for Short Term Rentals.
- November 24th, 2020 – Council received information on a draft Short Term Rental regulation program and directed staff to engage the community and stakeholders on the proposal.
- November 30th 2020 – January 3rd 2021 – Online Questionnaire open for community and stakeholder feedback (Engagement Period).
- December 2020 – January 2021 – Council Committee referrals and discussions (Engagement Period).
- January 26th, 2021 – Council received an information update with a summary of the online questionnaire feedback results.

Regulation Development

The development of the draft regulations were guided by consideration of regional consistency, the West Kelowna context and Council discussions on the topic. The Guiding Principles which guided the development were:

1. Mitigate Negative Neighbourhood Impacts
2. Protect Long Term Rentals
3. Recognize Importance of Short Term Rentals for Tourism
4. Comprehensive Licensing, Compliance & Enforcement

During the Engagement Period, over seven hundred (736) online questionnaire responses were received and two letters from stakeholder groups (Greater Westside Board of Trade and Gellatly Bay Goats Peak Community Association). Staff have reviewed the feedback from the questionnaire, public and stakeholder correspondence,

Council committee comments and resolutions, and ongoing research in the refinement of the proposed Short Term Rental regulations.

PROPOSAL

Proposed Short Term Rental Regulations

The regulations have been drafted based on regionally consistent practices and the Guiding Principles which prioritize mitigating neighbourhood impacts and protecting long term rentals. In addition, efforts were made to provide consistency with terminology and structure of the existing Zoning Bylaw. Feedback received from the community, stakeholders and Council committees has been incorporated in the proposed regulations.

Under the proposed amendments, a principal resident would be able to rent rooms in their dwelling while they are present (*Minor Short Term Rental*) or rent out their entire dwelling while they are away (*Major Short Term Rental*). Short term rentals would only be permitted within a single detached dwelling, meaning that accessory dwellings (secondary suites or carriage houses) could not be used for short term rentals even if they are occupied by a principal resident.

There are five bylaw amendments proposed in order to implement regulations for short term rentals. The land use bylaw (Zoning) amendments will be outlined in this report with a summary of proposed regulatory bylaw amendments provided which will be brought to Council for consideration following a Public Hearing on the land use amendments.

- Zoning Bylaw No. 0154 (*Attachment 1 - Zoning Amendment Bylaw No. 0154.99*)
- Business Licensing and Regulations Bylaw No. 0087
- Fees & Charges Bylaw No. 0028
- Bylaw Dispute Adjudication Bylaw No. 0093
- Municipal Ticket Information Utilization Bylaw No. 0095

Zoning Bylaw Amendments

Definitions

Amendments are proposed in order to clearly define and differentiate the uses of residential properties for vacation rentals. This will be achieved with new use definitions of Short Term Rental, Minor (previously Bed and Breakfast) and Short Term Rental, Major:

SHORT TERM RENTAL, MINOR means the licensed use of a single detached dwelling by an occupant of the dwelling as tourist accommodation where the operator remains on-site during guest stays; this use includes bed and breakfasts.

SHORT TERM RENTAL, MAJOR means the licensed use of a single detached dwelling by an occupant of the dwelling as tourist accommodation where the operator may be off-site during guest stays.

Zones

It is proposed that short term rentals be permitted in all of the zones which currently permit bed and breakfast uses. *Minor or Major Short Term Rentals* would be permitted within the Agricultural (A1), Rural (RU1, RU2, RU3, RU4, RU5), Residential (R1 and R1L) and CD1(E) zones and replace the existing use of bed and breakfast.

General Regulations

Establishing regulations for *Minor and Major Short Term Rental* will help clarify to residents how short term rentals can be operated within the City. Table 1 provides a summary of the proposed short term rental regulations within the Zoning Bylaw. Key changes from the draft regulations proposed in November and what has been included in the proposed bylaw amendments relate to maximum occupancy and changes to the bed and breakfast requirements. A redlined version of the Zoning Bylaw with all proposed changes is included as *Attachment 2*.

Table 1 – Short Term Rental Regulations At a Glance		
	Short Term Rental, Minor	Short Term Rental, Major
Permitted Dwelling Forms	Within a principal Single Detached Dwelling	Within a principal Single Detached Dwelling
Parcel Criteria	Not permitted on properties with a Secondary Suite or Carriage House	Not permitted on properties with a Secondary Suite or Carriage House
Maximum Occupancy	3 Guest Rooms; Maximum 2 adults per guest room	4 Guest Rooms; Maximum 2 adults per guest room
Operator	Must be the occupant of the Single Detached Dwelling	Must be the occupant of the Single Detached Dwelling
During Operation	Operator must remain on-site during operation	Operator may be off-site during operation

Parking

Off-street Parking requirements for both the *Minor and Major Short Term Rental* are in addition to the required off-street parking for the residential use(s) on the property. Off-street parking must be provided entirely on the same parcel as the use they serve, and are not permitted to encroach within road right of way. Examples of how the proposed amendments would result in required off-street parking are shown in Table 2 below:

Table 2 – Off-Street Parking Examples				
Property Use(s)	# of Bedrooms	Required Parking for Residential	Dedicated Parking for STR	TOTAL Required Parking
Minor STR	1 Bedroom	2.0 Spaces	1.0 Space	3.0 Spaces
	3 Bedrooms	2.0 Spaces	3.0 Spaces	5.0 Spaces
Major STR	1 Bedroom	2.0 Spaces	1.0 Space	3.0 Spaces
	4 Bedrooms	2.0 Spaces	2.0 Spaces	4.0 Spaces

Rationale for Zoning Amendments

A formal regulation program, as proposed, will allow operators of short term rentals to better understand the neighbourhood expectations of themselves as operators and of their guests as visitors to our West Kelowna neighbourhoods. By regulating short term rentals, the City provides a fair and transparent process for operators as well as clear regulations to encourage compliance.

Permitted Dwelling Form & Parcel Criteria

Short Term Rentals are proposed to only be permitted within a single detached dwelling (principal dwelling unit). Bed and breakfasts are currently prohibited on properties with a secondary suite or carriage house (accessory dwelling units).

The community feedback survey was almost evenly split as to whether properties with an accessory dwelling unit should be permitted to operate a short term rental. Council committee discussions also echoed this dilemma, and questioned whether restricting short term rentals from within accessory dwelling units was appropriate for West Kelowna.

Without a Housing Needs Assessment with West Kelowna specific data, the proposed bylaws provide a cautious first step in permitting short term rentals within residential neighbourhoods. In alignment with the Guiding Principle to protect long term rentals, staff propose that no short term rentals would be permitted on a property with an accessory dwelling unit. This also reflects the intent of the short term rental regulations to provide opportunities for home sharing as a form of tourism accommodation by only allowing short term rentals within a principal dwelling unit. If secondary suites and carriage houses were permitted as short term rentals, this would be closer to a commercial operation in a residential neighbourhood, as opposed to supplementary home based business type uses¹.

Maximum Occupancy

The original draft regulations proposed limiting the maximum occupancy to 6 guests. Both the community and Council committees reiterated that one of the key reasons short term rentals have grown in popularity is due to the ability for families and groups to travel together. There were concerns that the proposed occupancy limits were not in alignment with the use of short term rental accommodations as an alternative accommodation option for families and groups.

The maximum occupancy for a *Major Short Term Rental*, up to 4 guest rooms with a limit of 2 adults per guest room, results in a maximum of 8 adults. This provides more flexibility for families travelling together and allows greater flexibility for property owners wishing to rent their entire home while they are away. In order to differentiate between major and minor uses it is also proposed that the maximum occupancy for a *Minor Short Term Rental* be 3 guest rooms, with a limit of 2 adults per guest room resulting in a maximum occupancy of 6 adults².

¹ In addition, the ability to provide off-street parking for both an accessory dwelling and a short term rental use on the property would be difficult for many residential properties.

² The City's Business Licensing Department indicated that the majority of B&B licences are for 1 or 2 bedrooms, and that B&B's with 4 bedrooms are not as common. Although this information has not been tracked, staff estimate that less than 10% of B&B's offer up to 4 bedrooms

COMPLEMENTARY BYLAW AMENDMENTS

Summaries of the four additional regulatory bylaw amendments required in addition to the land use bylaw amendments are outlined below. These bylaw amendments will be brought to Council for consideration of first, second and third readings at the same time as third reading of Zoning Amendment Bylaw No. 0154.99.

Business Licencing Bylaw

Amendments to the Business Licencing and Regulation Bylaw No. 0087 will include a new section for Short Term Rentals (see *Attachment 3* for draft regulations). This new section will require that the operator of a *Minor or Major Short Term Rental* obtain a business licence in order to operate within the City of West Kelowna. The application for a Short Term Rental Business Licence would require the operator to provide the following information (see *Attachment 4* for a draft Short Term Rental Business Licence Application Form):

- Owner or Strata Consent/Approval (if applicable)
- Proof of Principal Residence
- Self-Evaluation Safety Audit (1st year requires an inspection)
- Floor Plan of the dwelling unit identifying guest rooms, guest beds and safety features (ie smoke alarms)
- Parking Plan of the site identifying all required off-street parking spaces for the residence and short term rental
- An alternate contact (Local Contact) for times when the operator is away (Major STR Only)

Valid Business Licence

Once licenced, the operator of the short term rental must ensure that any marketing materials or online listings include their valid business licence number. This will assist the Business Licencing department in identifying non-compliant short term rentals as well as link listings to valid business licences which may not have their address or contact information posted through online platforms.

Principal Residence

The operator of a short term rental must confirm that the dwelling in which they propose to operate is their principal residence. This could be confirmed by providing a minimum of two supporting documents including the homeowners grant, driver's licence, utility bills or government records in the operator's name at that address. This requirement is to ensure that the operator maintains the dwelling as their principal residence (where the operator lives, conducts daily affairs, and is generally the residence used for government records).

Local Contact

A local contact is required to be identified as part of the application for a Short Term Rental business licence. The local contact must be available to respond to City staff concerns within a reasonable time frame when the operator of a short term rental is away.

Good Neighbour Agreement

Operators applying for a Short Term Rental business licence will be required to sign a Good Neighbour Agreement, which outlines a code of conduct and expectations for the operator to adhere to, which will reiterate the applicable City bylaws and regulations, such as the Good Neighbour Bylaw. Operators who are found to be non-compliant with the Good Neighbour Agreement may be subject to a licence suspension if determined appropriate by the Licence Inspector (see *Attachment 4*).

Inspections

An initial Fire and Building Inspection will be required for all short term rentals as part of the initial application requirements. This is consistent with inspection requirements for bed & breakfasts which, as of 2020, only require an 'Initial Inspection' when they first apply for their business licence. Operators applying for a short term rental business licence will also be required to complete a Self-Evaluation Safety Audit annually, however inspections may be conducted randomly upon renewal or if necessary. Operators would complete the safety audit to attest that required safety devices and procedures are in place such as smoke alarms, fire extinguishers, carbon monoxide alarms, and fire safety plans.

Fees & Charges Bylaw

It is proposed that the Business Licence Fee for a Short Term Rental be set with the goal to offset the anticipated costs of implementing and ongoing provision of this program as shown in *Table 3*. The minor short term rental fee is consistent with the existing Licence Fees for bed and breakfasts (currently classified under Home Occupations).

Table 3 – Proposed Business Licence Fees	
Business Licence Category	Business Licence Fee
Resort Rental (Resort Apartment, Resort Townhouse, Single Detached Dwelling in CD8 Zone) ³	\$60
Minor Short Term Rental	\$135
Major Short Term Rental	\$500

Bylaw Notice and Municipal Ticket Information Utilization Bylaws

Fourteen (14) new bylaw ticket offences are defined in relation to various short term rental zoning and business licencing regulations. The maximum daily fine within the City's Municipal Ticket Information Utilization Bylaw No. 0095 (MTI Bylaw) will increase from \$500 to \$1,000 to act as a deterrent for non-compliance. Tickets under the MTI Bylaw can only be served in person and cannot be mailed.

A stepped level of offences is proposed for both contravening the Short Term Rental rules as outlined in *Table 4*.

³ New fee. Would only be applied if these units were being rented (short or long term) which is consistent with the City's regulations and fees for secondary suites or carriage houses.

Table 4 – Proposed New Bylaw Offences

Zoning Bylaw Offences	Maximum Daily Fine	
	Bylaw No. 0093 (Bylaw Notice)	Bylaw No. 0095 (MTI Bylaw)
Contravene Short Term Rental rules (1 st Offence)	\$250	\$250
Contravene Short Term Rental rules (2 nd Offence)	\$350	\$350
Contravene Short Term Rental rules (Continuing Offence)	\$500	\$1,000
Business Licencing Bylaw Offences	Maximum Daily Fine	
	Bylaw No. 0093 (Bylaw Notice)	Bylaw No. 0095 (MTI Bylaw)
Contravene Short Term Rental rules (1 st Offence)	\$250	\$250
Contravene Short Term Rental rules (2 nd Offence)	\$350	\$350
Contravene Short Term Rental rules (Continuing Offence)	\$500	\$1,000
Market short term rental without licence number	\$100	\$100
Fail to display local contact Information	\$100	\$100
Fail to display fire evacuation plan in each short term rental guest room	\$100	\$100
Fail to attend short term rental within required time period	\$250	\$250
Operate short term rental contrary to licence conditions	\$500	\$1,000
Permit multiple bookings at one time	\$500	\$1,000
Use unauthorized secondary suite or carriage house for short term rental	\$500	\$1,000
Use unauthorized guest room for short term rental	\$500	\$1,000

POLICY REVIEW & ENGAGEMENT

Official Community Plan Bylaw No. 0100

The City's Official Community Plan (OCP) identifies the importance of the diversity and character of neighbourhoods which contribute to the unique identity of the community. Neighbourhood objectives include maintaining and enhancing the character and livability of existing neighbourhoods. Residential policy encourages non-residential activities which do not cause substantial increases in traffic, parking demands or noise.

The OCP identifies the critical need to maintain the existing stock of affordable housing and increase opportunities for the development of new affordable housing. Affordable housing in the context of the City's OCP includes affordable home ownership, affordable rental accommodation and subsidized housing. The OCP supports secondary suites as a form of affordable infill housing, however the OCP's objectives, policies and actions do not currently address short term rentals. In terms of public health and safety, the OCP

aims to foster the development of a community where sense of place and neighbourliness are actively promoted and supported.

When considering tourism, the OCP's Economic Sustainability objectives encourage a sustainable tourism economy with a strong economic mix and providing services to a broad range of user groups. The OCP supports growth and change in the local economy, while placing importance on protecting residents' quality of life. Additional relevant OCP Policy is included in *Attachment 6*.

Council Committee Feedback

The draft Short Term Rental Regulations were presented to all three Council Committees between December 2020 and January 2021. The Agricultural Advisory Committee (AAC) discussed the benefits that fruit stands or wineries could experience with having tourists staying close by. The AAC did not provide a resolution for Council.

The Economic Development Committee (EDC) was generally supportive of regulation of short term rentals. There was some discussion as to whether the occupancy limit of 6 guests was appropriate and a desire for more flexibility in occupancy based on the size of the home. The committee discussed opportunities for accessory dwellings and structures, such as garages or yurts, without kitchen facilities to be used for short term rentals as they would not impact long term rental inventories. There was also discussion around the benefits that short term rentals may have in allowing visitors to stay longer in the community and how they can complement the hotel industry in the summer season while competing with hotels in the shoulder and off seasons. The EDC felt that the fee structure for short term rental licences should be revenue neutral. The EDC passed the following resolution for consideration by Council:

THAT the Economic Development Committee support the adoption of the Short Term Rental regulations with consideration for:

1. Evaluate:
 - a. Number of occupants permitted in a Short Term Rental
 - b. Use of accessory buildings for Short Term Rentals
2. Suggest clarification in materials regarding:
 - a. Single detached dwellings (strata properties)
 - b. On-site parking
3. Additional consultation with Economic Development Committee regarding proposed fee structure.

The Advisory Planning Commission (APC) also was generally in support of regulating short term rentals. The APC felt that prohibiting secondary suites to be used for short term rentals would eliminate a high number of existing operators in the City. The APC noted that many visitors choose short term rentals specifically in order to have their own kitchen and private space. The APC discussed consideration of a range of short term rental classifications and the need for user friendly regulations for everyone impacted by short term rental operations (operators and residents). There were discussions around compliance and enforcement in order to ensure that non-compliant properties are able to

be addressed effectively. There was a desire to see additional bylaw resources and a concern that third party monitoring may not assist in addressing ongoing nuisances. The APC passed the following resolution for consideration by Council:

THAT the Advisory Planning Commission recommend support for the adoption of Short Term Rental regulations subject to reconsideration of the following:

1. Council consider permitting the use of secondary suites and accessory homes for Short Term Rentals; and
2. Council consider providing more bylaw enforcement resources to address nuisance complaints in relation to Short Term Rentals.

Online Questionnaire and Community Feedback Summary

The majority of feedback from the online questionnaire and public correspondence was consistent with the City's draft regulation program. Key themes from the online questionnaire are highlighted for each of the Guiding Principles. Throughout this section, quotes from respondents to the online questionnaire have been integrated to provide voices to the valuable comments and varied perspectives heard from the community.

Mitigating Negative Neighbourhood Impacts

Impacts to neighbours and neighbourhoods was the most commonly referenced concern or topic. This reiterates the priority placed on mitigating negative impacts to the community as the number one Guiding Principle for the development of short term rental regulations. Some common themes were:

- Noise was the number one concern raised in relation to potential neighbourhood impacts.
- Increased traffic in neighbourhoods from multiple vehicles for each booking and new guests on a nightly or weekly basis.
- Protect the residential character of neighbourhoods.
- Regulate short term rentals to create a culture of respect.

"There are good ones and bad ones. Short Term Rental [Operators] who push the boundaries beyond acceptable should be curtailed, those who provide a good service and do not compromise their neighbours should be encouraged"

"Renters tend to be on vacation and are not always considerate of permanent residents and this can create problems in the neighbourhood"

In consideration of the locations and areas that short term rentals should be considered within, most comments reiterated concerns that this use has on residential neighbourhoods with common recommendations to:

- Use of neighbourhood limits or licence caps;
- Ensure only principal residences were permitted as short term rentals
- Support for the existing integration of bed and breakfasts

- Adequate off-street parking would be necessary to mitigate concerns related to parking and traffic on neighbourhood streets.

Many submission responses related to the proposed occupancy limits of short term rental:

- Larger groups travelling together have the potential to have more impact on neighbourhoods.
- Many families choose short term rentals as a more cost effective and convenient accommodation option.
- Short term rentals can provide amenities not always available at traditional accommodations such as kitchen facilities, separate bedrooms for children, and outdoor yard space.

"Parking is very important and many streets in West Kelowna do not have room for additional cars to park. Short Term Rentals should only be allowed where there is adequate parking on the property for all residents of the rentals."

"It is helpful for people with young children or pets especially that may need access to a kitchen to allow them to stay longer in the area and stick to their budget"

Protecting Long Term Rentals

The impacts on long term rentals did not receive very much direct attention from respondents. However, important key takeaways were:

- Short term rentals can be more attractive than long term rentals for property owners who have had negative experiences with some long term tenants.
- Short term rentals provide flexibility as well as the increased income potential as a "mortgage helper",
- Increases in short term rentals may lead to the increased cost and scarcity of available long term rentals.

The feedback received on the type of dwellings that short term rentals should be permitted within was fairly evenly split:

- Clear desire within the community for reconsideration of the opportunity to offer short term rentals on properties with secondary suites.
- A short term rental within a secondary suite was viewed as less likely to cause negative neighbourhood impacts.
- Difficulties for those moving to or within West Kelowna to find affordable rental accommodations.
- Concern over the transition of existing rentals from the market.

"Short term rentals should be allowed in carriage houses or in basement suites as long as parking is available. Owners who rent to students from September to April be able to switch from month to month rent to short term rental in the summer months"

"I did have an Airbnb rental in my home but changed it to a long term rental when I saw that west kelowna was not permitting them. I changed my mind as I evaluated the disadvantages of a month rental and so not currently run any rental opportunity In my home."

Recognize Importance of Short Term Rentals for Tourism

Many respondents spoke to the growing need to complement the existing tourism and accommodation industry with short term rentals, and to ensure consistency with neighbouring tourism destinations, such as Kelowna:

- Short term rentals bring to attract tourists to stay within the community near wineries and frequent local businesses
- Draw new residents to the community who get to experience the residential neighbourhoods
- Provide options for people to rent short term in between property transactions or during moves

"All of the short term rentals that I have provided in West Kelowna brought in individuals from outside of West Kelowna to stay and spend their money in our community. Without the option for cheaper accommodations, there is a significant possibility that these visitors would choose another place to visit that is more affordable."

"A substantial portion of tourism for West Kelowna is based around our wineries, agriculture, and outdoor activity amenities. The guests that coming for these activities are the prime demographic for short term rentals in unique locations, they don't want to stay in cold hotel rooms."

Comprehensive Licensing, Compliance & Enforcement

When asked about what regulation measures should be considered, almost 20% of the responses to this question mentioned the need for effective enforcement measures supported by fines. Key themes regarding licencing and compliance were:

- Desire for more bylaw department resources.
- Clear policy for operators who do not comply with the regulations and bylaws.
- Regulations that are simple and easy to navigate for potential operators.
- Neighbours of unregulated short term rentals are currently experiencing frustration.
- Weight of complaint based enforcement for short term rentals is unfairly placed on residents.
- Desire for proactive enforcement of short term rentals.

"Don't over regulate specifics. Lay out good operating practices with a way to fine those that don't follow them. Create a low cost licensing requirement. Recognize the values of \$ they bring into the area"

"My biggest issue is that there is some consideration of neighbours ability to enjoy their home. Not sure how best to deal with parking and noise violators, but having enforcement of these issues would be helpful to curb issues."

DISCUSSION

Impacts of proposed regulations on STR Market in West Kelowna

As of July 2020, there were approximately 378 short term rental units operating within the City of West Kelowna. Pre-pandemic, there were 420 active short term rental units in West Kelowna (January 2020). Most short term rental listings in West Kelowna are entire

dwelling (82%) and single detached residential properties (76%). These numbers include listings for secondary suites and carriage houses.

As it is proposed that short term rentals would only be permitted within single detached dwellings, this means that a minimum of 24% of existing operators would not be eligible for a short term rental business licence (multiple family residential). Out of existing operators, this would leave between 280 and 320 eligible properties based on the type of dwelling alone (single vs. multiple residential). However, as this number includes properties with secondary suites, a large percentage would be ineligible for a licence.

Other municipalities (City of Kelowna) experienced an overall reduction of 62% of active short term rental listings with the introduction of regulations for short term rentals. If West Kelowna experienced a similar rate of reduction (60%), there could be approximately 150 to 170 short term rentals operating in the City post regulation.

Temporary Use Permits for Non-Adhering Short Term Rentals

Throughout the engagement period, staff heard comments and discussion around the use of accessory dwelling units (secondary suites and carriage houses) for short term rentals. Staff understand that many existing operators of short term rentals may be operating from a secondary suite or carriage house. If the proposed Zoning Bylaw amendments are adopted, these properties would be ineligible to be used for short term rentals.

Council has the authority under the *Local Government Act* to issue a Temporary Use Permit (TUP) to allow a use that is not permitted in the applicable zoning regulations. A TUP may allow a use on a property for up to three years and specify conditions under which the use may be carried out. Any property owner whose zoning does not allow for short term rentals, or whose property cannot meet the Zoning Bylaw regulations, may apply for a Temporary Use Permit application to request the use of their property for a short term rental.

Council may wish to consider providing direction to staff if it is desired to have a higher application fee or business licence for such operators. Another alternative for Council to consider would be the implementation of a more formalized intake program to facilitate a batch of applications. This approach has been used in other municipalities where there was a desire to acknowledge the importance that short term rentals have in the tourism accommodation industry, while still prioritizing the use of accessory dwelling units for long term rentals. It is also a similar approach used for the intake of non-medical cannabis retail store rezoning applications in the City of West Kelowna.

Bylaw Compliance & Enforcement Program

The proposed Short Term Rental Compliance & Enforcement Program (*Attachment 5*), anticipates required staff resources, enforcement measures, identification of listed properties and proactive enforcement.

Table 5 - Proposed Short Term Rental Compliance & Enforcement Program	
Additional Staff Resources	<ul style="list-style-type: none">• Senior Business Licensing Officer;• Term 0.5FTE secretary/clerk reviewed for full-time status;

	<ul style="list-style-type: none"> • Casual clerk during initial intake period
Enhanced Enforcement Measures	<ul style="list-style-type: none"> • Short Term Rental regulations within Zoning & Business Licencing Bylaws; • Bulletin outlining requirements and expectations; • 14 Additional Offences and Fines with new regulations; • Increased maximum daily fine of \$1,000 under MTI Bylaw
Identification of Short Term Rental Properties	<ul style="list-style-type: none"> • Third party contractor to identify listings on multiple sites; • Ongoing identification of new listings
Proactive Enforcement	<ul style="list-style-type: none"> • Third party contractor to send automated compliance letters; • Second letter to be sent within 30 days if no response received; • Referred to Bylaw for enforcement action if compliance is not achieved.

NEXT STEPS

If the proposed short term rental Zoning Amendment Bylaw receives 1st and 2nd readings, a Public Hearing will be scheduled.

Bylaw amendments will be drafted to regulate the operation, licencing and enforcement of short term rentals for Councils consideration of 1st, 2nd and 3rd readings, to be considered following a Public Hearing and 3rd reading of the proposed short term rental Zoning Amendment Bylaw.

Approval from the Ministry of Transportation and Infrastructure will be required prior to adoption of the Zoning Amendment Bylaw.

FINANCIAL IMPLICATIONS

It is not anticipated that Business Licencing fees for short term rentals would be able to completely cover the required resources necessary to implement the program. Council has provided preliminary budget approval for a Senior Business Licencing Officer position within the Business Licencing department. Additional resources will be required to be allocated to the Short Term Rental program to achieve the proposed compliance and enforcement program including casual staff and extending or considering full time status for the 0.5 FTE Secretary/Clerk term position.

Based on the proposed regulations, estimations of post-regulation licencing eligibility and listing reductions, staff provide the following revenue projections for consideration based on the proposed fees:

Table 6 – Major Short Term Rental Revenue Estimations				
	Fee	Low 90 Licences	Med 130 Licences	High 170 Licences
Major Short Term Rental Business Licences	\$500	\$45,000	\$65,000	\$85,000

Potential annual costs for third party monitoring (based on a projected number of listings post regulation of up to 170) are estimated at \$3,000 CAD for compliance monitoring and \$5,000 CAD for address identification. This cost may be higher in the first year of regulation if listing numbers are higher.

COUNCIL REPORT / RESOLUTION HISTORY

Date	Report Topic / Resolution	Resolution No.
January 26, 2021	Information Update for Council on Short Term Rental Engagement Results	-
November 24, 2020	THAT Council direct staff to further engage the community and stakeholders on the proposed Short Term Rental program as outlined in this report.	C300/20
September 29, 2020	Council provided direction to staff that short term rentals be regulated, and that the creation of regulations for short term rentals be done through the review of regional practices and consultation with both stakeholders and the public. Council's direction followed the decision points presented to Council.	-
September 17, 2019	THAT Council direct staff to investigate and report back to Council regarding Air BnB and short term rentals in West Kelowna within the next 6 months.	C327/19

ALTERNATIVE MOTIONS

Alternative Motion 1 – First Reading Only

THAT Council give first reading to the “City of West Kelowna Zoning Amendment Bylaw No. 0154.99, 2021”.

Should Council wish to only give first reading to the bylaw, to indicate support in principle, it is requested that Council provide specific direction as to additional information Council requires or changes which should be made to the bylaw. Staff would bring back an amended Bylaw for consideration of second reading.

Alternative Motion 2 - Postponement

THAT Council postpone readings to the “City of West Kelowna Zoning Amendment Bylaw No. 0154.99, 2021”.

Should Council wish to postpone readings, it is requested that Council provide specific direction as to which changes should be made to the bylaw amendment prior to reconsideration.

REVIEWED BY

Brent Magnan, Planning Manager

Mark Koch, Director of Development Services

Shelley Schnitzler, Legislative Services Manager/Corporate Officer

APPROVED FOR THE AGENDA BY

Paul Gipps

Powerpoint: Yes ☒ No ☐

Attachments:

1. Zoning Amendment Bylaw No. 0154.99 (Short Term Rental Regulations)
2. Redlined Zoning Bylaw Changes
3. Draft Business Licencing Regulations for Short Term Rentals
4. Draft Business Licence Application Form for Short Term Rentals
5. Short Term Rental Compliance & Enforcement Program
6. OCP Policy in relation to Short Term Rentals

CITY OF WEST KELOWNA

BYLAW NO. 0154.99

A BYLAW TO AMEND “ZONING BYLAW NO. 0154”

WHEREAS the Council of the City of West Kelowna desires to amend “CITY OF WEST KELOWNA ZONING BYLAW NO. 0154” under the provisions of the *Local Government Act*.

THEREFORE BE IT RESOLVED that the Council of the City of West Kelowna, in open meeting assembled, hereby enacts as follows:

1. Title

This Bylaw may be cited as “CITY OF WEST KELOWNA ZONING AMENDMENT BYLAW NO. 0154.99, 2021”.

2. Amendments

“Zoning Bylaw No. 0154” is hereby amended as follows:

- 2.1 By adding to Part 2 – Interpretation, Section 2.8 Definitions in appropriate alphabetical order the following:

SHORT TERM RENTAL, MINOR means the use of a single detached dwelling by an occupant of the dwelling as a vacation rental where the operator remains on-site during guest stays, this use includes bed and breakfasts.

- 2.2 By adding to Part 2 – Interpretation, Section 2.8 Definitions in appropriate alphabetical order the following:

SHORT TERM RENTAL, MAJOR means the use of a single detached dwelling by an occupant of the dwelling as a vacation rental where the operator may be off-site during guest stays.

- 2.3 By replacing the phrase “bed and breakfast” in subsection 3.3.1(b) with the phrase “short term rental”.

- 2.4 By replacing the phrase “Bed and Breakfast” in subsection 3.16.7 with the phrase “short term rental”.

- 2.5 By deleting Section 3.17 Bed and Breakfast in it's entirety and replacing it with the following:

3.17 Short Term Rental

- .1 A short term rental shall only be conducted within a principal single detached dwelling.

- .2 An occupant of the single detached dwelling shall be the operator of the short term rental. For certainty an occupant shall be a principal resident of the single detached dwelling.
- .3 No more than two adults may occupy a bedroom used for the short term rental.
- .4 Bedrooms shall only be rented for periods of less than one month.
- .5 A short term rental is permitted to have no more than one non-internally illuminated sign to a maximum size of 0.3 m² that is attached to the principal single detached dwelling or located elsewhere on the parcel and a minimum distance of 1.5 m from any parcel boundary.
- .6 There shall be no exterior indication that a short term rental is in operation on any parcel, except for permitted signage and required parking.
- .7 A short term rental shall not be permitted without connection to a community sewer system unless:
 - (a) The parcel receives the written approval of a Registered Onsite Wastewater Practitioner (ROWP) for septic disposal capacity.
- .8 A short term rental is not permitted on a parcel that contains a secondary suite or carriage house.
- .9 Short Term Rental, Minor:
 - (a) The operator of a minor short term rental must be on-site when the minor short term rental is operating; and
 - (b) No more than 3 bedrooms are permitted to be used for a minor short term rental.
- .10 Short Term Rental, Major:
 - (a) The operator of a major short term rental may be off-site when the major short term rental is operating; and
 - (b) No more than 4 bedrooms are permitted to be used for a major short term rental.
- 2.6 By replacing the phrase “bed and breakfast” in subsection 3.20.5 with the phrase “short term rental”.
- 2.7 By replacing the phrase “bed and breakfast” in subsection 3.26.15 with the phrase “short term rental”.
- 2.8 Amending Table 4.1 – Required parking spaces in Section 4.4 by deleting in it’s entirety the following section for Bed and breakfast / Agri-tourism accommodation

Bed and breakfast / Agri-tourism accommodation	1.0 per guest room
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And adding new sections for Agri-Tourism Accommodation and Short Term Rental in their appropriate location that reads as follows:

Agri-tourism accommodation	1.0 per guest room
Short term rental	Minor – 1.0 per bedroom Major – 0.5 per bedroom

- 2.9 By replacing the phrase “bed and breakfasts” in subsection 4.4.3(1).1 with the phrase “short term rentals”
- 2.10 By deleting Section 8.1.3(f) and adding to section 8.1.3 in appropriate alphabetical order, the following:
- “Short term rental, minor or major”
- 2.11 By deleting Section 9.1.3(b) and adding to Section 9.1.3 in appropriate alphabetical order, the following:
- “Short term rental, minor or major”
- 2.12 By deleting Section 9.2.3(d). and adding to Section 9.2.3 in appropriate alphabetical order, the following:
- “Short term rental, minor or major”
- 2.13 By deleting Section 9.3.3(e) and adding to Section 9.3.3 in appropriate alphabetical order, the following:
- “Short term rental, minor or major”
- 2.14 By deleting Section 9.4.3(f) and adding to Section 9.4.3 in appropriate alphabetical order, the following:
- “Short term rental, minor or major”
- 2.15 By deleting Section 9.5.3(j) and adding to Section 9.5.3 in appropriate alphabetical order, the following:
- “Short term rental, minor or major”
- 2.16 By deleting Section 10.4.3(b) and adding to Section 10.4.3 in appropriate alphabetical order, the following:
- “Short term rental, minor or major”
- 2.17 By deleting Section 10.6.3(b) and adding to Section 10.6.3 in appropriate alphabetical order, the following:
- “Short term rental, minor or major”
- 2.18 By deleting Section CD-1(E).1(c) from Part 14 CD1 – Westlake and adding to section CD-1(E).1 in appropriate alphabetical order, the following:
- “Short term rental, minor or major”

READ A FIRST AND SECOND TIME THIS
PUBLIC HEARING HELD THIS
READ A THIRD TIME THIS
APPROVED BY THE MINISTRY OF TRANSPORTATION THIS
ADOPTED THIS

M A Y O R

CITY CLERK

PART 2 – INTERPRETATION

2.8 DEFINITIONS

SHORT TERM RENTAL, MINOR means the use of a single detached dwelling by an occupant of the dwelling as a vacation rental where the operator remains on-site during guest stays, this use includes bed and breakfasts.

SHORT TERM RENTAL, MAJOR means the use of a single detached dwelling by an occupant of the dwelling as a vacation rental where the operator may be off-site during guest stays.

PART 3 – GENERAL REGULATIONS

3.3 PROHIBITED USES AND STRUCTURES

- .1 The following uses are prohibited in every zone:
 - (a) Outdoor storage of materials beneath electrical power distribution lines; and
 - (b) Vacation rentals other than ~~bed and breakfast~~short term rental uses, agri-tourism accommodations, and the use of resort apartments and resort townhouses.

3.14 SECONDARY SUITES

- .1 A secondary suite shall be located only within a principal single detached dwelling.
- .2 A secondary suite shall have a maximum floor area of 90 m² (968.8 ft²) or 40 % of the habitable floor area of the principal dwelling, whichever is less.
- .3 The entrance to the secondary suite shall:
 - (a) be a separate exterior entrance from that of the principal dwelling unit; and
 - (b) be subordinate in appearance, to the satisfaction of the City, to the principle dwelling entrance, where it faces the same highway as the entrance to the principal dwelling unit.
- .4 A secondary suite shall not be permitted without connection to a community sewer system unless the parcel receives the written approval of a Registered Onsite Wastewater Practitioner (ROWP) for septic disposal capacity.
- .5 A secondary suite shall not be subdivided from the principal single detached dwelling.

- .6 A secondary suite shall only be rented for rental periods of one month or greater.
- .7 A secondary suite is not permitted on a parcel that contains a ~~Bed and Breakfast~~short term rental.

3.17 ~~BED AND BREAKFAST~~ SHORT TERM RENTAL

- .1 A short term rental shall only be conducted within a principal single detached dwelling.
- .2 An occupant of the single detached dwelling shall be the operator of the short term rental. For certainty an occupant shall be a principal resident of the single detached dwelling.
- .3 No more than two adults may occupy a bedroom used for the short term rental.
- .4 Bedrooms shall only be rented for periods of less than one month.
- .5 A short term rental is permitted to have no more than one non-internally illuminated sign to a maximum size of 0.3 m² that is attached to the principal single detached dwelling or located elsewhere on the parcel and a minimum distance of 1.5 m from any parcel boundary.
- .6 There shall be no exterior indication that a short term rental is in operation on any parcel, except for permitted signage and required parking.
- .7 A short term rental shall not be permitted without connection to a community sewer system unless:
- (a) The parcel receives the written approval of a Registered Onsite Wastewater Practitioner (ROWP) for septic disposal capacity.
- .8 A short term rental is not permitted on a parcel that contains a secondary suite or carriage house.
- .9 Short Term Rental, Minor:
- (a) The operator of a minor short term rental must be on-site when the minor short term rental is operating; and
- (b) No more than 3 bedrooms are permitted to be used for a minor short term rental.
- .10 Short Term Rental, Major:
- (a) The operator of a major short term rental may be off-site when the major short term rental is operating; and
- (b) No more than 4 bedrooms are permitted to be used for a major short term rental.
- ~~.1 A bed and breakfast shall only be conducted within a principal single detached dwelling.~~
- ~~.2 An occupant of the single detached dwelling shall be the operator of the bed and breakfast.~~

- ~~.3 No more than 4 guest rooms are permitted in a bed and breakfast and no more than 8 guests are permitted in a bed and breakfast at any one time.~~
- ~~.4 Guest rooms shall only be rented for rental periods of less than 1 month.~~
- ~~.5 A bed and breakfast is permitted to have no more than 1 non-internally illuminated sign to a maximum size of 3000 m² (465 in²) that is attached to the principal single detached dwelling or located elsewhere on the parcel and a minimum distance of 1.5 m (4.9 ft) from any parcel boundary.~~
- ~~.6 There shall be no exterior indication that a bed and breakfast is in operation on any parcel, except for permitted signage and required parking.~~
- ~~.7 A bed and breakfast shall not be permitted without connection to a community sewer system unless:

 - ~~(a) The parcel receives the written approval of a Registered Onsite Wastewater Practitioner (ROWP) for septic disposal capacity.~~~~
- ~~.8.1 A bed and breakfast is not permitted on a parcel that contains a secondary suite or carriage house.~~

3.26 CARRIAGE HOUSES

- .1 The minimum parcel area required to accommodate a carriage house on a parcel with a single detached dwelling is specified in Table 3.11.

Table 3.11 Minimum parcel area

Zone	Minimum Parcel Area
RC1 & RC2	650 m ² (6,996.5 ft ²)
R1	1100 m ² (11,840.3 ft ²)
R1L, RU1, RU2, RU3, RU4, RU5 & A1	2,500 m ² (26,909.7 ft ²)

- .2 The maximum floor area of a carriage house is specified in Table 3.12.

Table 3.12 Maximum gross floor area.

Zone	Maximum Gross Floor Area
RC1, RC2, R1, R1L, RU1,	90 m ² (968.7 ft ²) or 75% of the gross floor area of the principal dwelling, whichever is less
RU2, RU3, RU4, RU5, A1	140 m ² (1,506.9 ft ²) or 75% of the floor area of the principal dwelling, whichever is less

- .3 A carriage house requires a connection to a community water system unless:
 - (a) Connection to a community water system is not available to the parcel; and

- (b) The applicant for building permit for the carriage house provides to the City the certification of a professional engineer specializing in groundwater hydrology, registered to practice in the Province of B.C., that a sufficient supply of potable groundwater is available to serve the existing or proposed single detached dwelling and the proposed carriage house.
- .4 A carriage house requires a connection to a community sewer system unless:
 - (a) Connection to community sewer is not available to the parcel;
 - (b) The parcel has a minimum lot area of 1 ha (2.4 ac); and
 - (c) The applicant for building permit for the carriage house provides to the City evidence that all filings with Interior Health that are required by Section 8 of the Sewerage System Regulation have been made.
- .5 No portion of the roof of a carriage house shall be higher than the peak of the roof of the principal detached dwelling on the same parcel.
- .6 For carriage house in a 1.5 storey building, the upper storey shall have a maximum floor area of 75% of the main floor area.
- .7 Dormers are permitted on carriage house roofs provided that:
 - (a) The side walls of the dormer are set back horizontally a minimum of 0.9 m (2.9 ft) from a roof edge;
 - (b) The front face of the dormer is set back a minimum of 0.6 m (1.9 ft) from the outer edge of the parallel eave;
 - (c) The height of the dormer does not exceed the height of the peak of the roof; and
 - (d) The width of the dormer does not exceed 40% of the length of the roof from which the dormer projects.
- .8 The entrance to the carriage house shall be a separate exterior entrance that does not require passage through any part of the building used for motor vehicle parking or accessory uses.
- .9 A carriage house must be separated a minimum distance of 3 m (9.8 ft) from the single detached dwelling on the same parcel.
- .10 Where a carriage house is located within 25 m (82.02 ft) of a parcel boundary, a solid screen, consisting of either fencing or a hedge with a minimum height at maturity of 2.0 m (6.6 ft), must be provided and maintained along rear and interior side parcel boundaries adjacent to the carriage house and its outdoor amenity space only, where the parcel boundaries of a property maintaining a carriage house abut a residential or rural zone.
- .11 A carriage house shall not include any above ground patios or roof top decks.
- .12 A carriage house shall not be subdivided under the *Strata Property Act* building strata subdivision provisions from the principal single detached dwelling on the parcel.

- .13 A carriage house shall only be rented for rental periods of one month or greater.
- .14 A carriage house is not permitted on a parcel that contains a secondary suite.
- .15 A carriage house is not permitted on a parcel that contains a ~~bed and breakfast~~short term rental.
- .16 A carriage house is not permitted on a parcel that contains an agricultural worker dwelling.

PART 4 - OFF-STREET PARKING AND LOADING

4.4 STANDARD PARKING SPACES

.1 Number of Spaces

- (a) The number of required parking spaces is specified in Table 4.1.
- (b) Where seating accommodation is the basis for a unit of measurement in Table 4.1, each 0.5 m (1.6 ft) of length of benches, pews and similar types of seating shall be deemed to be one seat.

Table 4.1 – Required parking spaces.

USE	NUMBER OF REQUIRED PARKING SPACES
RESIDENTIAL AND RESIDENTIAL-RELATED	
Single detached dwelling, modular home, mobile home	2.0 per dwelling unit
Duplex	2.0 per dwelling unit
Secondary suite	1.0 per one bedroom dwelling 2.0 per two or more bedroom dwelling
Carriage house	1.0 per one bedroom dwelling 2.0 per two or more bedroom dwelling or 91 m ² (979.5 ft ²) of gross floor area or greater.
Townhouse	2.0 per dwelling unit
Apartment	
Bachelor or one bedroom	1.0 per dwelling unit
Two + bedroom	1.5 per dwelling unit
Congregate housing	0.5 per guest room
Group home	0.75 per guest room
Bed and breakfast / Agri-tourism accommodation	1.0 per guest room
<u>Agri-Tourism Accommodation</u>	<u>1.0 per guest room</u>
<u>Short term rental</u>	<u>Minor – 1.0 per guest room</u> <u>Major – 0.5 per guest room</u>
Home based business	1.0 per employee and 1.0 per client (except a care facility, minor which shall have 1.0 per employee)
Live/work unit	1.0 per unit
Caretaker unit	1.0 per unit

RESIDENTIAL – SPECIFIC REQUIREMENTS FOR WESTBANK CENTRE PLAN AREA ONLY (as defined in the 2011 Westbank Centre Revitalization Plan)	
Apartment or Townhouse	
Bachelor	1.0 per dwelling unit
One bedroom	1.0 per dwelling unit
Two bedroom	1.25 per dwelling unit
Three + bedrooms	1.5 per dwelling unit
AGRICULTURE	
Agriculture, general / intensive	1.5 per 100 m ² (1,076.4 ft ²) GFA for any commercial packaging or processing buildings
Agricultural market / produce stand	2.0 per 100 m ² (1,076.4 ft ²) GFA
Agricultural worker dwelling	1.0 per unit
COMMERCIAL AND INDUSTRIAL	
All uses in a Commercial Zone other than those specifically listed in this table	3.0 per 100 m ² (1,076.4 ft ²) GFA
All uses in an Industrial Zone, other than those specifically listed in this table	1.5 per 100 m ² (1,076.4 ft ²) GFA
Auctioneering establishment	5.0 per 100 m ² (1,076.4 ft ²)
Bank / financial services	2.5 per 100 m ² (1,076.4 ft ²) GFA
Building / garden supply	2.0 per 100 m ² (1,076.4 ft ²) GFA
Butcher, bakery, specialty grocery	4.0 per 100 m ² (1,076.4 ft ²) GFA
Bulk fuel depot	0.5 per 100 m ² (1,076.4 ft ²) GFA
Broadcasting studio	2.5 per 100 m ² (1,076.4 ft ²) GFA
Care facility	Minor – as per home based business requirement Major – 1.6 per 100 m ² (1,076.4 ft ²) GFA
Contractor services	2.0 per 100 m ² (1,076.4 ft ²) GFA
Entertainment facility, indoor	1.0 per 5 seats
Equipment repair or equipment rental	2.0 plus 1 per 100 m ² (1,076.4 ft ²) GFA
Food bank	2.0 per 100 m ² (1,076.4 ft ²) GFA
Funeral establishment	3.0 per 100 m ² (1,076.4 ft ²) GFA
Gasoline service station, vehicle washing facility	2.5 per 100 m ² (1,076.4 ft ²) GFA
Greenhouse or plant nursery (commercial)	6.0 per 100 m ² (1,076.4 ft ²) GFA
Grocery store	5.0 per 100 m ² (1,076.4 ft ²) GFA
Health / fitness facility	3.0 per 100 m ² (1,076.4 ft ²) GFA
Heavy industry, concrete plants and asphalt plants	1.0 per 100 m ² (1,076.4 ft ²) GFA

Hotel / motel / resort	1.0 per guest room
Industrial park	1.0 per 100 m ² (1,076.4 ft ²) GFA
Marina	1.0 per 2 boat slips
Motor vehicle sales, rental service and repair shops	1.7 per 100 m ² (1,076.4 ft ²) GFA
Office, general, postal or courier service, high technology business	2.5 per 100 m ² (1,076.4 ft ²) GFA
Office, medical / dental	4.0 per 100 m ² (1,076.4 ft ²) GFA
Outdoor storage	1.0 per 100 m ² (1,076.4 ft ²) GFA
Personal services establishment	As per retail requirement
Printing or publishing	1.5 per 100 m ² (1,076.4 ft ²) GFA
Restaurant/ Neighbourhood Pub/Cabaret/Bar/Lounge	1.0 per 4 seats (including patio seating)
Retail, unless otherwise specifically listed in this table	Units less than or equal to 1000 m ² (10,763.9 ft ²) GFA: 2.0 per 100 m ² (1,076.4 ft ²) Units greater than 1000 m ² (10,763.9 ft ²) GFA: 3.0 per 100 m ² (1,076.4 ft ²)
Salvage yard	1.5 per 100 m ² (1,076.4 ft ²) GFA, minimum of 5
Veterinary clinic	3.0 per 100 m ² (1,076.4 ft ²) GFA
Winery / cidery / brewery / distillery/ meadery	Units less than or equal to 100 m ² (1,076.4 ft ²) GFA tasting area: 2.0 per 100 m ² (1,076.4 ft ²) GFA Units greater than 100 m ² (1,076.4 ft ²) GFA tasting area: 4.0 per 100 m ² (1,076.4 ft ²) GFA Food and Beverage Service Lounge: 1.0 per 4 seats (including patio seating)
Temporary shelter service	1.0 per 100 m ² (1,076.4 ft ²) GFA, minimum of 3
Tourist cabin or campsite	1.1 per unit
Warehouse / commercial storage	0.5 per 100 m ² (1,076.4 ft ²) GFA
Wholesale sales	2.5 per 100 m ² (1,075.4) GFA
INSTITUTIONAL	
All uses in the Institutional and Assembly Zone (P2) other than those specifically listed in this table	2.5 per 100 m ² (1,076.4 ft ²) GFA
Community and assembly hall	2.0 per 100 m ² (1,076.4 ft ²) GFA
Extended medical treatment facility	1.6 per 100 m ² (1,076.4 ft ²) GFA or 2.0 per patient room, whichever is greater
Fire, police and ambulance service	2.5 per 100 m ² (1,076.4 ft ²) GFA

School, elementary	2.0 per classroom
School, secondary	5.0 per classroom
Temporary shelter services	1.0 per 5 beds
College, university and commercial school	10.0 per classroom
RECREATION AND CULTURE	
All uses in the Park and Open Space Zone (P1) other than those specifically listed in this table (except for park and playground uses which do not have a parking requirement)	2.5 per 100 m ² (1,076.4 ft ²) GFA
Bowling alley	2.0 per alley
Curling rink	4.0 per curling sheet
Golf course	4.0 per hole
Golf driving range	1.0 per tee
Library, museum, art gallery, archives	2.0 per 100 m ² (1,076.4 ft ²) GFA
Racquet clubs	3.0 per court
Recreation services, indoor	3.0 per 100 m ² (1,076.4 ft ²) GFA
Recreation services, outdoor	2.5 per 100 m ² (1,076.4 ft ²) GFA or 6 per ha, whichever is greater

.3 Development Standards

(a) Tandem Parking

- .1 Tandem parking is permitted only for single detached dwellings, manufactured homes, duplexes, townhouses, home-based businesses, ~~bed—and~~ breakfasts short term rentals, secondary suites and carriage houses.

(b) Access

- .1 All parking areas shall be designed and constructed to permit unobstructed access to and egress from each space at all times except where tandem parking is permitted.
- .2 All parking areas shall have access and egress via a driveway of the following widths:
 - (1) Minimum 3.0 m (9.8 ft) and maximum 7.0 m (23.0 ft) for single detached, duplex, manufactured home and townhouse uses.
 - (2) Minimum 4.5 m (14.8 ft) and maximum 9.0 m (29.5 ft) for industrial, commercial, apartment and congregate care and institutional uses.

PART 8 – AGRICULTURAL ZONES

8.1 AGRICULTURAL ZONE (A1)

.1 Purpose

To accommodate agricultural operations and related activities located on parcels that are typically within the Agricultural Land Reserve.

.2 Principal Uses, Buildings and Structures

- (a) Agriculture, general
- (b) Agriculture, intensive
- (c) Brewery, distillery or meadery
- (d) Kennels, service on parcels 4 ha or greater
- (e) Greenhouse or plant nursery
- (f) Mobile home
- (g) Modular home
- (h) Riding stable
- (i) Single detached dwelling
- (j) Winery or cidery

.3 Secondary Uses, Buildings and Structures

- (a) Accessory uses, buildings and structures
- (b) Agricultural worker dwelling
- (c) Agricultural worker dwelling, temporary
- (d) Agri-tourism
- (e) Agri-tourism accommodation
- ~~(f) Bed and breakfast~~
- ~~(g)~~(f) Care facility, minor
- ~~(h)~~(g) Carriage house
- ~~(i)~~(h) Home based business, major
- ~~(j)~~(i) Kennels, hobby
- ~~(k)~~(j) Portable saw mill or shake mill
- ~~(l)~~(k) Retail sales of farm products or processed farm products
- ~~(l) Secondary suite~~
- (m) Short term rental, minor or major

.4 Site Specific Uses, Buildings and Structures

- (a) On Lot 23, DL 486, Plan 761, ODYD (except Plan KAP71035): one additional single detached dwelling
- (b) On Lot A, DL 3796, ODYD, Plan 29609: one additional single detached dwelling
- (c) On Lot 80, DL 1934, Plan 5381, ODYD, except Plan 16601: one additional single detached dwelling
- (d) On Lot A, DL 3480, ODYD, Plan KAP67210: Outdoor Storage

Regulations Table

SUBDIVISION REGULATIONS		
(a)	Minimum parcel area	4.0 ha (9.9 ac), except it is: 2.45 ha (5.73 ac) on the western portion of DL 5075, ODYD, Except Plans 9213 and 12107
(b)	Minimum parcel frontage	30 m (98.4 ft) or 10% of the perimeter of the parcel, whichever is less
DEVELOPMENT REGULATIONS		
(c)	Maximum density:	
.1	Single detached dwelling, mobile home and modular home	Only 1 single detached dwelling or only 1 mobile home or only 1 modular home per parcel
.2	Agricultural worker dwelling including temporary	Subject to Sections 3.18 and 3.19
.3	Secondary suite and carriage house	Only 1 secondary suite or only 1 carriage house per parcel
(d)	Maximum parcel coverage:	
.1	For all uses, buildings and structures other than a greenhouse	35%
.2	Greenhouse	75% less the parcel coverage of other uses
(e)	Maximum building height is 15.0 m (49.2 ft) except for the following:	
.1	Single detached dwelling and modular home	12.0 m (39.4 ft)
.2	Agricultural worker dwelling and mobile home	9.0 m (29.5 ft) to a maximum of 3 storeys
.3	Barn	20.0 m (65.6 ft)
.4	Accessory buildings and structures	8.0 m (26.2 ft)
.5	Carriage house	5.0 m (16.4) to a maximum of 1 storey or 6.5 m (21.3 ft) to a maximum of 1.5 storeys where at least one parking space is provided in the same building

SITING REGULATIONS		
(f)	Buildings and structures shall be sited at least the distance from the feature indicated in the middle column below, that is indicated in the right-hand column opposite that feature:	
.1	Front parcel boundary	6.0 m (19.7 ft)
.2	Rear parcel boundary	3.0 m (9.8 ft)
.3	Interior side parcel boundary	3.0 m (9.8 ft)
.4	Exterior side parcel boundary	4.5 m (14.8 ft)
.5	Watercourses	Subject to Section 3.23
(g)	Despite 8.1.5(f), the following uses, buildings and structures shall be sited at least the distance from the feature indicated in the middle column below, that is indicated in the right-hand column opposite that feature:	
.1	Intensive agriculture	30.0 m (98.4 ft)
.2	Buildings housing animals (other than intensive agriculture), kennel, riding stable and greenhouse	15.0 m (49.2 ft)

.6 Other Regulations - Reserve

PART 9 – RURAL ZONES

9.1. COUNTRY RESIDENTIAL ZONE (RU1)

.1 Purpose

To accommodate rural, agricultural and residential uses on parcels of land that are 0.5 ha or greater.

.2 Principal Uses, Buildings and Structures

- (a) Agriculture, general
- (b) Greenhouse or plant nursery
- (c) Modular home
- (d) Single detached dwelling

.3 Secondary Uses, Buildings and Structures

- (a) Accessory uses, buildings and structures
- ~~(b) Bed and breakfast~~
- ~~(c)(b)~~ Care facility, minor
- ~~(d)(c)~~ Carriage House
- ~~(e)(d)~~ Home based business, major
- ~~(f)(e)~~ Kennel, hobby
- ~~(g)(f)~~ Retail sales of farm products or processed farm products
- ~~(g)~~ Secondary suite
- (h) Short term rental, minor or major

.4 Site Specific Uses, Buildings and Structures - *Reserved*

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	Minimum parcel area	0.5 ha (1.2 ac)
(b)	Minimum parcel frontage	30 m (98.4 ft)
DEVELOPMENT REGULATIONS		
(c)	Maximum density:	
.1	Single detached dwelling and modular home	Only 1 single detached dwelling or only 1 modular home per parcel
.2	Secondary suite and carriage house	Only 1 secondary suite or only 1 carriage house per parcel
(d)	Maximum parcel coverage:	
.1	For all uses, buildings and structures other than a greenhouse	20%
.2	Greenhouse	50% less the parcel coverage of all other uses, buildings and structures

(e)	Maximum building height is 15.0 m (49.2 ft) except for the following:	
.1	Single detached dwelling and modular home	9.0 m (29.5 ft) to a maximum of 3 storeys
.2	Barn	20.0 m (65.6 ft)
.3	Accessory buildings and structures	5.0 m (16.4 ft)
.4	Carriage house	5.0 m (16.4 ft) to a maximum of 1 storey or 6.5 m (21.3 ft) to a maximum of 1.5 storeys where at least one parking stall is provided in the same building
SITING REGULATIONS		
(f)	Buildings and structures shall be sited at least the distance from the feature indicated in the middle column below, that is indicated in the right-hand column opposite that feature:	
.1	Front parcel boundary	6.0 m (19.7 ft)
.2	Rear parcel boundary	7.5 m (24.6 ft)
.3	Interior side parcel boundary	4.5 m (14.8 ft)
.4	Exterior side parcel boundary	4.5 m (14.8 ft)
.5	A1 Zone or ALR	15.0 m (49.2 ft)
.6	Watercourses	Subject to Section 3.23
(g)	Despite 9.1.5(f), the following uses, buildings and structures shall be sited at least the distance from the feature indicated in the middle column below, that is indicated in the right-hand column opposite that feature from any parcel boundary:	
.1	Buildings housing animals, kennel and greenhouse	15.0 m (49.2 ft)

.6 Other Regulations - *Reserved*

9.2. RURAL RESIDENTIAL SMALL PARCEL ZONE (RU2)

.1 Purpose

To accommodate rural, agricultural, and residential uses on parcels of land that are 1 ha or greater.

.2 Principal Uses, Buildings and Structures

- (a) Agriculture, general
- (b) Greenhouse or plant nursery
- (c) Modular home
- (d) Single detached dwelling
- (e) Winery or cidery

.3 Secondary Uses, Buildings and Structures

- (a) Accessory uses, buildings and structures
- (b) Agri-tourism
- (c) Agri-tourism accommodation
- ~~(d) — Bed and breakfast~~
- ~~(e)~~(d) Care facility, minor
- ~~(f)~~(e) Carriage house
- ~~(g)~~(f) Home based business, major
- ~~(h)~~(g) Kennel, hobby
- ~~(i)~~(h) Secondary suite
- ~~(i)~~ Retail sales of farm products or processed farm products
- (j) Short term rental, minor or major

.4 Site Specific Uses, Buildings and Structures – *Reserved*

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	Minimum parcel area	1.0 ha (2.5 ac)
(b)	Minimum parcel frontage	30 m (98.4 ft)
DEVELOPMENT REGULATIONS		
(c)	Maximum density:	
.1	Single detached dwelling and modular home	Only 1 single detached dwelling or only 1 modular home per parcel
.2	Secondary suite and carriage house	Only 1 secondary suite or only 1 carriage house per parcel
(d)	Maximum parcel coverage:	
.1	For all uses, buildings and structures other than a greenhouse	10%
.2	Greenhouse	50% less the parcel coverage of all other uses, buildings and structures

(e)	Maximum building height is 15.0 m (49.2 ft) except for the following:	
.1	Single detached dwelling and modular home	9.0 m (29.5 ft) to a maximum of 3 storeys
.2	Barn	20.0 m (65.6 ft)
.3	Accessory buildings and structures	5.0 m (16.4 ft)
.4	Carriage house	5.0 m (16.4 ft) to a maximum of 1 storey or 6.5 m (21.3 ft) to a maximum of 1.5 storeys where at least one parking stall is provided in the same building.
SITING REGULATIONS		
(f)	Buildings and structures shall be sited at least the distance from the feature indicated in the middle column below, that is indicated in the right-hand column opposite that feature:	
.1	Front parcel boundary	6.0 m (19.7 ft)
.2	Rear parcel boundary	7.5 m (24.6 ft)
.3	Interior side parcel boundary	4.5 m (14.8 ft)
.4	Exterior side parcel boundary	4.5 m (14.8 ft)
.5	A1 Zone or ALR	15.0 m (49.2 ft)
.6	Watercourses	Subject to Section 3.23
(g)	Despite 9.2.5(f), the following uses, buildings and structures shall be sited at least the distance from the feature indicated in the middle column below, that is indicated in the right-hand column opposite that feature from any parcel boundary:	
.1	Buildings housing animals, kennel and greenhouse	15.0 m (49.2 ft)

.6 Other Regulations - *Reserved*

9.3. RURAL RESIDENTIAL MEDIUM PARCEL ZONE (RU3)

.1 Purpose

To accommodate rural, agricultural, and residential uses on parcels of land that are 2.0 ha or greater.

.2 Principal Uses, Buildings and Structures

- (a) Agriculture, general
- (b) Greenhouse or plant nursery
- (c) Modular home
- (d) Riding stables
- (e) Single detached dwelling
- (f) Winery or cidery

.3 Secondary Uses, Buildings and Structures

- (a) Accessory uses, buildings and structures
- (b) Agricultural retail sales
- (c) Agri-tourism
- (d) Agri-tourism accommodation
- ~~(e) Bed and breakfast~~
- ~~(f)~~(e) Care facility, minor
- ~~(g)~~(f) Carriage house
- ~~(h)~~(g) Home based business, major
- ~~(i)~~(h) Kennel, hobby
- ~~(j)~~(i) Secondary suite
- ~~(j)~~ Retail sales of farm products or processed farm products
- (k) Short term rental, minor or major

.4 Site Specific Uses, Buildings and Structures - *Reserved*

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	Minimum parcel area	2.0 ha (4.9 ac)
(b)	Minimum parcel frontage	30 m (98.4 ft)
DEVELOPMENT REGULATIONS		
(c)	Maximum density:	
.1	Single detached dwelling and modular home	Only 1 single detached dwelling or only 1 modular home per parcel
.2	Secondary suite and carriage house	Only 1 secondary suite or only 1 carriage house per parcel
(d)	Maximum parcel coverage:	
.1	For all uses, buildings and structures other than a greenhouse	10%

.2	Greenhouse	50% of the parcel area, less the parcel coverage of all other uses, buildings and structures
(e)	Maximum building height is 15.0 m (49.2 ft) except for the following:	
.1	Single detached dwelling, agricultural worker dwelling and modular home	9.0 m (29.5 ft) to a maximum of 3 storeys
.2	Barn	20.0 m (65.6 ft)
.3	Accessory buildings and structures	5.0 m (16.4 ft)
.4	Carriage house	5.0 m (16.4 ft) to a maximum of 1 storey or 6.5m (21.3 ft) to a maximum of 1.5 storeys where at least one parking stall is provided in the same building
SITING REGULATIONS		
(f)	Buildings and structures shall be sited at least the distance from the feature indicated in the middle column below, that is indicated in the right-hand column opposite that feature:	
.1	Front parcel boundary	6.0 m (19.7 ft)
.2	Rear parcel boundary	7.5 m (24.6 ft)
.3	Interior side parcel boundary	4.5 m (14.8 ft)
.4	Exterior side parcel boundary	4.5 m (14.8 ft)
.5	A1 Zone or ALR	15.0 m (49.2 ft)
.6	Watercourses	Subject to Section 3.23
(g)	Despite 9.3.5(f), the following uses, buildings and structures shall be sited at least the distance from the feature indicated in the middle column below, that is indicated in the right-hand column opposite that feature from any parcel boundary:	
.1	Buildings housing animals, kennel and greenhouse	15.0 m (49.2 ft)

.6 Other Regulations - *Reserved*

9.4. RURAL RESIDENTIAL LARGE PARCEL ZONE (RU4)

.1 Purpose

To accommodate rural, agricultural and residential uses on parcels of land that are 4 ha or greater.

.2 Principal Uses, Buildings and Structures

- (a) Agriculture, general
- (b) Agriculture, intensive
- (c) Greenhouse or plant nursery
- (d) Kennel, service on parcels larger than 4 ha
- (e) Modular home
- (f) Riding stable on parcels 2 ha or greater
- (g) Single detached dwelling
- (h) Veterinary clinic
- (i) Winery or cidery

.3 Secondary Uses, Buildings and Structures

- (a) Accessory uses, buildings and structures
- (b) Agricultural retail sales
- (c) Agricultural worker dwelling
- (d) Agri-tourism
- (e) Agri-tourism accommodation
- ~~(f)~~ ~~Bed and breakfast~~
- ~~(g)~~(f) Care facility, minor
- ~~(h)~~(g) Carriage house
- ~~(i)~~(h) Home based business, major
- ~~(j)~~(i) Kennel, hobby
- ~~(k)~~(j) Portable saw mill or portable shake mill
- ~~(l)~~(k) Secondary suite
- ~~(l)~~ Retail sales of farm products or processed farm products
- (m) Short term rental, minor or major

.4 Site Specific Uses, Buildings and Structures - *Reserved*

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	Minimum parcel area	4.0 ha (9.9 ac)
(b)	Minimum parcel frontage	30 m (98.4 ft)
DEVELOPMENT REGULATIONS		
(c)	Maximum density:	
.1	Single detached dwelling and modular home	Only 1 single detached dwelling or only 1 modular home per parcel
.2	Agricultural worker dwelling	Subject to Section 3.18

.3	Secondary suite and carriage house	Only 1 secondary suite or only 1 carriage house per parcel
(d)	Maximum parcel coverage:	
.1	For all uses, buildings and structures other than a greenhouse	10%
.2	Greenhouse	50% less the parcel coverage of all other uses, buildings and structures
(e)	Maximum building height is 15.0 m (49.2 ft) except for the following:	
.1	Single detached dwelling and modular home	12.0 m (39.4 ft)
.2	Agricultural worker dwelling	9.0 m (29.5 ft) to a maximum of 3 storeys
.3	Barn	20.0 m (65.6 ft)
.4	Accessory buildings and structures	8.0 m (26.2 ft)
.5	Carriage house	5.0 m (16.4 ft) to a maximum of 1 storey or 6.5 m (21.3 ft) to a maximum of 1.5 storeys where at least one parking stall is provided in the same building
SITING REGULATIONS		
(f)	Buildings and structures shall be sited at least the distance from the feature indicated in the middle column below, that is indicated in the right-hand column opposite that feature:	
.1	Front parcel boundary	6.0 m (19.7 ft)
.2	Rear parcel boundary	9.0 m (29.5 ft)
.3	Interior parcel boundary	4.5 m (14.8 ft)
.4	Exterior side parcel boundary	4.5 m (14.8 ft)
.5	A1 Zone or ALR	15.0 m (49.2 ft)
.6	Watercourses	Subject to Section 3.23
(g)	Despite 9.4.5(f), the following uses, buildings and structures shall be sited at least the distance from the feature indicated in the middle column below, that is indicated in the right-hand column opposite that feature from any parcel boundary:	
.1	Intensive agriculture	100.0 m (328.1 ft)
.2	Buildings housing animals (other than intensive agriculture), kennel, riding stable and greenhouse	15.0 m (49.2 ft)

.6 Other Regulations - *Reserved*

9.5. RURAL RESOURCE ZONE (RU5)

.1 Purpose

To accommodate rural, agricultural and residential uses on parcels of land that are 30 ha or greater.

.2 Principal Uses, Buildings and Structures

- (a) Agriculture, general
- (b) Agriculture, intensive
- (c) Greenhouse or plant nursery
- (d) Kennels, service on parcels larger than 4 ha
- (e) Modular home
- (f) Single detached dwelling
- (g) Riding stable on parcels 2 ha or greater
- (h) Veterinary clinic
- (i) Winery or cidery

.3 Secondary Uses, Buildings and Structures

- (a) Accessory uses, buildings and structures
- (b) Agricultural worker dwelling
- (c) Agricultural worker dwelling, temporary
- (d) Agri-tourism
- (e) Agri-tourism accommodation
- (f) Care facility, minor
- (g) Carriage house
- (h) Home based business, major
- (i) Kennel, hobby
- ~~(j) Bed and breakfast~~
- ~~(k)~~(i) Portable saw mill or portable shake mill
- ~~(h)~~(k) Secondary suite
- ~~(l)~~ Retail sales of farm products or processed farm products
- (m) Short term rental, minor or major

.4 Site Specific Uses, Buildings and Structures - *Reserved*

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	Minimum parcel area	30 ha (74.1 ac)
(b)	Minimum parcel frontage	30 m (98.4 ft)
DEVELOPMENT REGULATIONS		
(c)	Maximum density:	
.1	Single detached dwelling and modular home	Only 1 single detached dwelling or only 1 modular home per parcel

.2	Agricultural worker dwellings, including temporary	Subject to Sections 3.18 and 3.19
.3	Secondary suite and carriage house	Only 1 secondary suite or only 1 carriage house per parcel
(d)	Maximum parcel coverage:	
.1	For other uses, buildings and structures other than a greenhouse	10%
.2	Greenhouse	50% less the parcel coverage of all other uses, buildings and structures
(e)	Maximum building height is 15.0 m (49.2 ft) except for the following:	
.1	Single detached dwelling and modular home	12.0 m (39.4 ft)
.2	Agricultural worker dwelling	9.0 m (29.5 ft) to a maximum of 3 storeys
.3	Barn	20.0 m (65.6 ft)
.4	Accessory buildings and structures	8.0 m (26.2 ft)
.5	Carriage house	5.0 (16.4 ft) to a maximum of 1 storey or 6.5 m (21.3 ft) to a maximum of 1.5 storeys where at least one parking stall is provided in the same building
SITING REGULATIONS		
(f)	Buildings and structures shall be sited at least the distance from the feature indicated in the middle column below, that is indicated in the right-hand column opposite that feature:	
.1	Front parcel boundary	6.0 m (19.7 ft)
.2	Rear parcel boundary	10.0 m (32.8 ft)
.3	Interior side parcel boundary	4.5 m (14.8 ft)
.4	Exterior side parcel boundary	4.5 m (14.8 ft)
.5	A1 Zone or ALR	15.0 m (49.2 ft)
.6	Watercourses	Subject to Section 3.23
(g)	Despite 9.5.5(f), the following uses, buildings and structures shall be sited at least the distance from the feature indicated in the middle column below, that is indicated in the right-hand column opposite that feature from any parcel boundary:	
.1	Intensive agriculture	100.0 m (328.1 ft)
.2	Buildings housing animals (other than intensive agriculture), kennel, riding stable and greenhouse	15.0 m (49.2 ft)

.6 Other Regulations - *Reserved*

PART 10 – RESIDENTIAL ZONES

10.4 SINGLE DETACHED RESIDENTIAL ZONE (R1)

.1 Purpose

To accommodate low density single detached residential use on parcels of land that are 550 m² and larger.

.2 Principal Uses, Buildings and Structures

- (a) Single detached dwelling

.3 Secondary Uses, Buildings and Structures

- (a) Accessory uses, buildings and structures

~~(b) Bed and breakfast~~

~~(c)~~ (b) Care facility, minor

~~(d)~~ (c) Carriage house

~~(e)~~ (d) Home based business, major

(e) Secondary suite

(f) Short term rental, minor or major

.4 Site Specific Uses, Buildings and Structures

- (a) On Lot 1, Plan 44004, DL 581 ODYD, Except Plans KAP48178 & KAP53981: vineyard and one single detached/caretakers residence.

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	Minimum parcel area	550 m ² (5,920.2 ft ²)
(b)	Minimum usable parcel area	330 m ² (3,552.1 ft ²)
(c)	Minimum parcel frontage	16.0 m (52.5 ft)
DEVELOPMENT REGULATIONS		
(d)	Maximum density:	
.1	Single detached dwelling	1 per parcel
.2	Secondary suite and carriage house	Only 1 secondary suite or only 1 carriage house per parcel
(e)	Maximum parcel coverage	40%
(f)	Maximum building height:	
.1	Single detached dwelling	9.0 m (29.5 ft) to a maximum of 3 storeys
.2	Accessory buildings and structures	5.0 m (16.4 ft)
.3	Carriage house	5.0 m (16.4 ft) to a maximum of 1 storey or

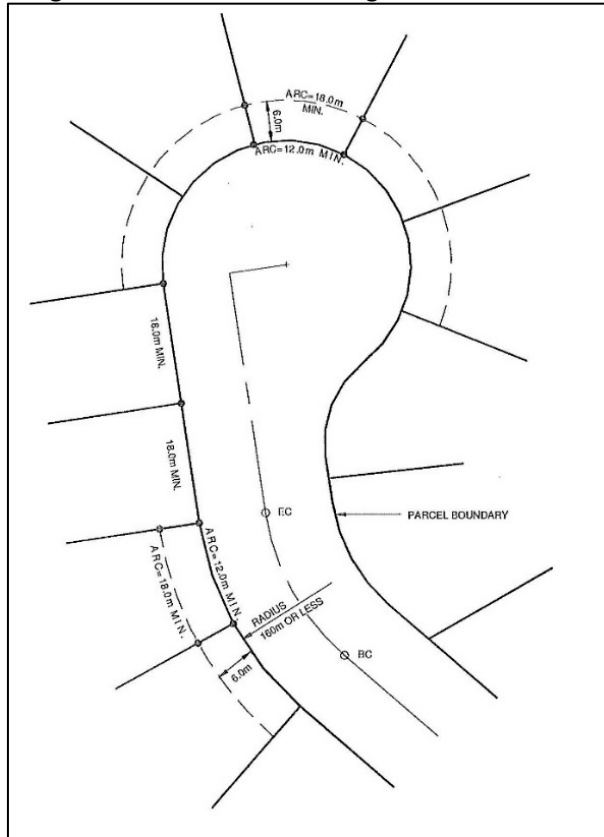
		6.5 m (21.3 ft) to a maximum of 1.5 storeys where at least one parking stall is provided in the same building
--	--	---

SITING REGULATIONS		
(g)	Buildings and structures shall be sited at least the distance from the feature indicated in the middle column below, that is indicated in the right-hand column opposite that feature:	
.1	Front parcel boundary or private access easement, whichever is closer	4.5 m (14.8 ft) except it is 6.0 m (19.7 ft) for a garage or carport having vehicular entry from the front
.2	Rear parcel boundary or private access easement, whichever is closer	3.0 m (9.8 ft)
.3	Interior side parcel boundary	1.5 m (4.9 ft)
.4	Exterior side parcel boundary or private access easement, whichever is closer	4.5 m (14.8 ft) except it is 6.0 m (19.7 ft) for a garage or carport having vehicular entry from the exterior side
.5	A1 Zone or ALR	15.0 m (49.2 ft) except it is 9.0 (24.6ft) if a level 1 buffer is provided.

.6 Other Regulations

- (a) Without limiting the application of the height regulation in Section 10.4.5(f).1, the height of any single building wall, measured from the lowest elevation of grade at the foot of the wall to the lower surface of the eave, or to the top of the wall in the case of a building without eaves, shall not exceed the lesser of 3 storeys or 9 m (29.5 ft).
- (b) Without limiting the application of the height regulation in Section 10.4.5(f).3, the height of any carriage house wall, measured from the lowest elevation of grade at the foot of the wall to the lower surface of the eave, or to the top of the wall in the case of a building without eaves, shall not exceed the lesser of 1.5 storeys and 6.5 m (21.3 ft).
- (c) Despite Section 10.4.5(c), the parcel frontage may be less than 16.0 m (52.5 ft) for parcels on a cul-de-sac provided that the radius of the curvature along the parcel frontage is less than 160 m (524.9 ft) and the arc length along the parcel boundary is at least 12.0 m (39.4 ft) as illustrated in Figure 10.1.

Figure 10.1 Minimum frontage on a cul-de-sac



.7 Siting Regulations for Approving Subdivisions

- (a) The regulations requiring a minimum distance between garages or carports having vehicular entry from parcel boundaries or private access easements, that is greater than the minimum distance required for other buildings and structures, and
- (b) The regulations requiring that the siting of a building or structure be determined in relation to the location of a private access easement, if it is closer to the building or structure than the relevant parcel boundary,

shall not apply to any parcel created by subdivision deposited in the Land Title Office before March 13, 2014 provided that the building permit authorizing the construction of the building or structure is issued before March 13, 2019.

10.6 LARGE PARCEL SINGLE DETACHED RESIDENTIAL ZONE (R1L)

.1 Purpose

To accommodate single detached residential development on parcels of land that are 2,500 m² or greater.

.2 Principal Uses, Buildings and Structures

- (a) Modular home
- (b) Single detached dwelling

.3 Secondary Uses, Buildings and Structures

- (a) Accessory uses, buildings and structures
- ~~(b) Bed and breakfast~~
- ~~(c)~~ (b) Care facility, minor
- ~~(d)~~ (c) Carriage house
- ~~(e)~~ (d) Home based business, major
- (e) Secondary suite
- (f) Short term rental, minor or major

.4 Site Specific Uses, Buildings and Structures – *Reserved*

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	Minimum parcel area	2,500 m ² (26,909.8 ft ²)
(b)	Minimum usable parcel area	330 m ² (3,552.1 ft ²)
(c)	Minimum parcel frontage	30 m (98.4 ft)
DEVELOPMENT REGULATIONS		
(d)	Maximum density:	
.1	Single detached dwelling and modular home	Only 1 single detached dwelling or only 1 modular home per parcel
.2	Secondary suite and carriage house	Only 1 secondary suite or only 1 carriage house per parcel
(e)	Maximum parcel coverage	20%
(f)	Maximum building height:	
.1	Single detached dwelling and modular home	9.0 m (29.5 ft) to a maximum of 3 storeys
.2	Accessory buildings and structures	5.0 m (16.4 ft)
.3	Carriage house	5.0 m (16.4 ft) to a maximum of 1 storey or 6.5 m (21.3 ft) to a maximum of 1.5 storeys where at least

		one parking stall is provided in the same building
SITING REGULATIONS		
(g)	Buildings and structures shall be sited at least the distance from the feature indicated in the middle column below, that is indicated in the right-hand column opposite that feature:	
.1	Front parcel boundary or private access easement, whichever is closer	6.0 m (19.7 ft) except it is 6.0 m (19.7 ft) for a garage or carport having vehicular entry from the front
.2	Rear parcel boundary or private access easement, whichever is closer	6.0 m (19.7 ft)
.3	Interior side parcel boundary	4.5 m (14.8 ft)
.4	Exterior side parcel boundary or private access easement, whichever is closer	4.5 m (14.8 ft) except it is 6.0 m (19.7 ft) for a garage or carport having vehicular entry from the exterior side
.5	A1 Zone or ALR	15.0 m (49.2 ft) except it is 9.0 (24.6ft) if a level 1 buffer is provided.

.6 Other Regulations

(a) Siting Regulations for Approved Subdivisions

- .1 the regulations requiring a minimum distance between garages or carports having vehicular entry from parcel boundaries or private access easements, that is greater than the minimum distance required for other buildings and structures, and
- .2 the regulations requiring that the siting of a building or structure be determined in relation to the location of a private access easement, if it is closer to the building or structure than the relevant parcel boundary,

shall not apply to any parcel created by subdivision deposited in the Land Title Office before March 13, 2014 provided that the building permit authorizing the construction of the building or structure is issued before March 13, 2019.

PART 14 – COMPREHENSIVE DEVELOPMENT ZONES

CD1 (A-G) – Comprehensive Development Zone (Westlake)

CD-1(E) Hillside Housing Single Family

1. Permitted Uses:

- (a) Single detached dwelling
- (b) Home based business, major
- ~~(c) Bed and breakfast~~
- ~~(d)~~(c) Care facility, minor
- ~~(d)~~ Secondary Suite
- (e) Short term rental, minor or major

Hillside Housing Single Family shall be developed in conformance with the “Compact Single Family Housing” of this zone except:

- (a) The density shall be 12 units per hectare
- (b) The minimum parcel size shall be 835 m²
- (c) Minimum frontage of 18.0 m, a reduction in frontage of down to 12.0 m will be permitted on a cul-de-sac provided the minimum arc length along the 6.0 m offset line is 18.0 m.
- (d) There shall be two trees per parcel or per unit which may be comprised of existing trees or new trees. Required trees should have a minimum clear-stem height of 1.5 m for deciduous trees, while coniferous trees should be at least 2.5 m high. The intention is to protect or restore the natural environment in order to screen the development on the hillside.
- (e) Parcels along the top of the ridge to the west of the Village Centre shall have a 10.0 m setback from the area designated “Open Space”. One additional coniferous tree shall be planted within this minimum siting distance per each unit facing onto it in order to screen the development.
- (f) A single lane emergency roadway connecting to a main road at each end may be constructed within the 10.0 m minimum siting distance mentioned above. This single lane road will double as a public walkway.



PROPOSED SHORT TERM RENTAL REGULATIONS

File No:

P 20-16

Subject:

Proposed Business Licencing Regulations for Short Term Rentals

Business Licencing and Regulations Bylaw No. 0087

SHORT TERM RENTALS

.1 A person must not carry on business as an operator of a short term rental unless the person holds a valid licence issued under the provisions of this Bylaw.

.2 Without limiting Section 2.1, a person applying for the issuance of a licence to operate a short term rental must, in addition to meeting the requirements of Zoning Bylaw No. 0154:

- (a) Make an application to the Licence Inspector on the form provided for short term rental business licence applications;
- (b) Provide, in the form satisfactory to the Licence Inspector, evidence that:
 - a. The operator owns the dwelling where the short term rental is offered, or
 - b. The owner of the property has consented to the use of the property as a short term rental;
- (c) When the property where the short term rental is offered is located within a Strata, provide a letter from the strata council confirming that the use of the dwelling for short term rentals does not contradict any bylaws of the strata corporation or applicable provisions of the Strata Property Act;
- (d) Provide in the form satisfactory to the Licence Inspector, evidence that the premises where the short term rental is offered is occupied by the operator as their principal residence;
- (e) Submit in the form satisfactory to the Licence Inspector a Self-Evaluation Safety Audit;
- (f) Submit in the form satisfactory to the Licence Inspector a Good Neighbour Agreement;
- (g) Provide a floor plan of the dwelling in which the short term rental is offered, identifying the location of smoke alarms, carbon monoxide alarms, fire extinguishers, fire exits, each guest room, the types of bed in each guest room and the location of any sofa beds (Fire Safety Plan);
- (h) Provide a parking plan which complies with the parking requirements of Zoning Bylaw No. 0154; and
- (i) Provide any other information the Licence Inspector may require for the purposes of ensuring compliance with the City's bylaws and other enactments.

.3 A person renewing a business licence for a short term rental must:

- (a) Submit in the form satisfactory to the Licence Inspector a Self-Evaluation Safety Audit; and

- (b) Provide any other information the Licence Inspector may require for the purposes of ensuring compliance with the City's bylaws and other enactments.

.4 The operator of a short term rental must ensure that any marketing or listing for the short term rental includes the licence number of a valid licence issued for that dwelling under this Bylaw.

.5 The operator or Local Contact of a short term rental must respond or attend at the dwelling within 2 hours of being requested to do so by the Licence Inspector.

.6 An operator of a short term rental must:

- (a) Operate a short term rental only within a licenced dwelling;
- (b) Display the licence inside the entry way to the dwelling;
- (c) Display in each approved bedroom, and in the entryway of the Short Term rental accommodation, a fire safety plan; and
- (d) Adhere to the Good Neighbour Agreement submitted with the application form.

.7 An operator of a short term rental must not:

- (a) Rent out any bedrooms or provide any sleeping accommodation within any secondary suite, carriage house, vehicle, recreational vehicle, tent or accessory building; or
- (b) Allow to be used as bedrooms, any rooms that are not approved and identified on the licence application for that dwelling for the short term rental.

.8 An operator of a major short term rental must:

- (a) Provide the name and contact information for a Local Contact who is designated by the operator as an alternate contact for the major short term rental accommodation;
- (b) Ensure that the name and contact information of the Local Contact is prominently displayed in the dwelling should the operator be absent overnight from their principle residence at a time when the major short term rental is rented; and
- (c) Ensure that no more than one booking is permitted for the major short term rental within the dwelling at one time.



CITY OF WEST KELOWNA
Development Services —Business Licensing
2760 Cameron Road West Kelowna, BC, V1Z
2T6
Phone: 778-797-8810, Fax: 778-797-1001

SHORT TERM RENTAL BUSINESS LICENCE APPLICATION

Section 1: Business and Operator Information

Short Term Rental Business Name:

Short Term Rental Operator Name(s):

Full Address:

City:

Province:

Postal Code:

Operator's Phone:

Operator's Email:

Emergency Phone:

Please provide proof of principal residence of the property by including either ☐ Provincial Homeowners Grant; or

At minimum 2 of the following:

☐ Drivers Licence or Government ID ☐ Utility Bills ☐ Government Records ☐ Tax Documents

Section 2: Short Term Rental Classification

☐ **Minor (includes Bed and Breakfasts)**

- Maximum 3 bedrooms (Maximum 2 adults per bedroom)
- Operator must be on-site during operation
- Multiple bookings permitted at a time

☐ **Major**

- Maximum 4 bedrooms (Maximum 2 adults per bedroom)
- Operator may be off-site during operation
- Only one booking permitted at a time

Section 3: Local Contact Information (Major Only)

Local Contact Name:

Local Contact Address :

City:

Province:

Local Contact's Phone:

Local Contact's Email:

Section 4: Short Term Rental Information

Number of Bedrooms to be rented: ☐ 1 bedroom ☐ 2 bedrooms ☐ 3 bedrooms ☐ 4 bedrooms (Major Only)

Number of Off Street Parking Spaces Provided for Short Term Rental: ☐ 1 Space ☐ 2 Spaces ☐ 3 Spaces

*** Off-street parking spaces for the short term rental are required in addition to the 2 required parking spaces for the principal residence**

Section 5: Required Additional Materials

☐ Site Plan showing the following:

- Dimensions of all required parking spaces.
- Location of available off-street parking for the short term rental;
- Location of the required parking spaces for the principal residence (2 spaces required).

☐ House Floor Plans showing the following:

- Which bedrooms are designated for the short term rental;
- Types of bed in each bedroom designated for the short term rental ;
- Location of any sofa beds available for the short term rental in living or common areas;
- Location of smoke and carbon monoxide alarms; and
- Location of fire extinguishers and fire exits.

☐ Self Evaluation Safety Audit (see attached form)

☐ Authorization to operate a short term rental

- If the Operator is not the owner of the property; and/or
- If the property is within a Strata

☐ Good Neighbour Agreement (see attached form)

Section 6: Inspections

A mandatory inspection is required for all short term rentals upon initial application for a business licence*. It is the responsibility of the applicant to arrange for the required inspections by calling the inspector directly to arrange a date and time.

- Fire Department: 778-797-3200
- Building Inspection: 778-797-8820

** A Self Evaluation Safety Audit must be completed annually and submitted with a short term rental business licence renewal.*

NOTE: If you will be doing any type of construction to the premises to which you are applying for a business licence, you may need to apply for a Building Permit. Section 7.2 of Building Bylaw No. 0086 states: ***"No person shall commence construction of any project for which a permit is required, without first obtaining a permit for that purpose from the Building Inspector."***

Section 7: Fees

Municipal Business Licence Fee—Short Term Rental

If you are unsure which tier your business falls into, please refer to Schedule 16 of Fees & Charges Bylaw 0028.

Minor Short Term Rental

☐ Full year: Jan 1-Dec 31, \$135 ☐ After April 1: \$101.25 ☐ After July 1: \$67.50 ☐ After October 1: \$33.75

Major Short Term Rental

☐ Full year: Jan 1-Dec 31, \$500 ☐ After April 1: \$375 ☐ After July 1: \$250 ☐ After October 1: \$125

Section 8: Signature

I/we understand that the granting of a business licence is dependent on being in compliance with the Bylaws of the City of West Kelowna and that the proposed business would not be carried out in contravention of the *Criminal Code* or the *Controlled Drugs and Substances Act*.

I/we undertake, if granted the licence applied for, to comply with each and every obligation contained in the Bylaws now in force or which hereafter come into force in the City of West Kelowna.

Signed: _____

Dated: _____

This form is an application only. Business operation is not permitted until this application has been approved by a Business Licensing Officer. Application processing time can take 2—6 weeks.

A mandatory inspection may be required for some businesses prior to receiving your business licence. It is the responsibility of the applicant to arrange for the required inspections by calling the department directly.

City of West Kelowna Fire Department: 778-797-3200

City of West Kelowna Building Department: 778-797-8820

Technical Safety BC (Electrical/Gas): 866-566-7233

The personal information on this form is collected under the authority of the Local Government Act/Community Charter for the purposes of processing this application, and is subject to the Freedom of Information and Protection of Privacy Act. Any questions regarding this collection should be directed to the Legislative Services Department, City of West Kelowna: 778-797-2250.

OFFICE USE ONLY

Business Licence Number:

Referrals:	Referral Date:	Comments:
Building		
Planning		
Fire Dept.		
Interior Health		
RCMP		
Utilities		

BUSINESS LICENSING OFFICER

Approved: ☐ Yes ☐ No

Date: _____

Signature: _____

CITY OF WEST KELOWNA
Development Services—Business Licensing
2760 Cameron Road, West Kelowna, BC, V1Z 2T6
Phone: 778-797-8810, Fax 778-797-1001



PROPOSED SHORT TERM RENTAL COMPLIANCE & ENFORCEMENT PROGRAM

File No: P 20-16
Subject: Proposed Compliance & Enforcement Program

Staff Resources

The addition of a new position, a full time Senior Business Licencing Officer has been requested. This position would be responsible for and oversee the strategic direction of business licensing services through planning, developing and monitoring internal processes. The Senior Business Licencing Officer would lead the implementation of an effective Short Term Rental regulation program, and manage the proactive enforcement of these regulations.

Currently the Business License Clerk position is located at the City Hall front counter and is a shared position with the Planning Department (0.5/FTE) for each department. The existing 0.5 business licensing clerk position term position is not anticipated to be able to also handle the expected influx of Short Term Rental applications. This 0.5 FTE term position will be reviewed later in 2021 for full time status. The additional application intake and review period (Spring/Summer 2021) will initially be supplemented with the use of a casual clerk as needed.

Enhanced Enforcement Measures

Utilizing the regionally consistent practices approach to regulating short term rentals was also applied when reviewing enforcement options. The Senior Business Licencing Officer would have the ability to suspend or recommend revocation a licence if compliance cannot be achieved within a reasonable time frame under the Business Licencing Bylaw.

New offences are proposed to be introduced as part of the bylaw amendments to the Business Licencing and Regulation Bylaw No. 0087, Bylaw Dispute Adjudication Bylaw No. 0093, and Municipal Ticket Information Utilization Bylaw No. 0095. It is proposed to increase the maximum daily fine for some offences, to act as a deterrent for non-compliance, from \$500 to \$1,000. It was important to ensure that the proposed regulations would be enforceable and it is proposed to introduce a graduating scale of penalties for non-compliance with the Short Term Rental regulations.

Offences which would carry the maximum daily fine of \$500 under the Bylaw Dispute Adjudication Bylaw No. 0093 and \$1,000 under the Municipal Ticket Information Utilization Bylaw No. 0095 include operating a short term rental without a licence, permitting multiple bookings at one time, and using a secondary suite or carriage house for a Short Term Rental.

Offence	Bylaw	Maximum Daily Fine		Existing Offence	Proposed Offence
		Bylaw No. 0093	Bylaw No. 0095		
Contravene permitted uses (specified in each Zone)	Zoning	\$500	\$1,000	X	
Contravene Short Term Rental rules (1 st Offence)	Zoning	\$250	\$250		X
Contravene Short Term Rental rules (2 nd Offence)	Zoning	\$350	\$350		X
Contravene Short Term Rental rules (Continuing Offence)	Zoning	\$500	\$1,000		X
Contravene parking and loading standards	Zoning	\$100	\$100	X	
No Business Licence	Business Licencing	\$500	\$1,000	X	X
Contravene Short Term Rental rules (1st Offence)	Business Licencing	\$250	\$250		X
Contravene Short Term Rental rules (2nd Offence)	Business Licencing	\$350	\$350		X
Contravene Short Term Rental rules (Continuing Offence)	Business Licencing	\$500	\$1,000		X
Marketing without Licence Number	Business Licencing	\$100	\$100		X
Fail to display Local Contact information	Business Licencing	\$100	\$100		X
Fail to attend short term rental within required time period	Business Licencing	\$250	\$250		X
Fail to display business licence	Business Licencing	\$50	\$50	X	
Fail to display fire evacuation plan in each short term rental guest room	Business Licencing	\$100	\$100		X
Operate short term rental contrary to licence conditions	Business Licencing	\$500	\$1,000		X
Permit multiple bookings at one time in major short term rental	Business Licencing	\$500	\$1,000		X
Use secondary suite or carriage house for short term rental	Business Licencing	\$500	\$1,000		X
Use unauthorized bedroom for short term rental	Business Licencing	\$500	\$1,000		X

Third Party Contractor

To mitigate impacts to staff resourcing, it is proposed that a third party company with the expertise and sophisticated software needed to cost effectively identify Short Term Rental properties be contracted. The procurement of a third party contract for these services would go through the Informal Quote or Formal Quote/Bid procurement process depending on the level of service determined to be required. This process could take up to 6-8 weeks prior to

selecting a contractor to provide the service. A third party company that is the successful proponent of this process could reasonably need an additional 4-6 weeks to implement their program.

Staff have been in contact with one potential contractor who has provided an overview of potential services and costs, with costs based on the number of listings requiring monitoring. Services proposed to be contracted include address identification of active listings, automated compliance letters for listings who are in contravention of any of the regulations, the ability to track the status and outcome of each compliance letter.

IDENTIFICATION OF SHORT TERM RENTAL PROPERTIES

Short Term Rental listings can be spread across multiple websites, with new platforms for Short Term Rental listings being introduced all of the time. There are over 50 potential platforms for listing Short Term Rentals including AirBnB, VRBO (Vacation Rentals By Owner), HomeAway, and Booking.com. Short Term Rental listings are constantly being added, changed or removed.

Without utilizing a sophisticated data base system, there would be a significant drain on staff time to identify non-compliant Short Term Rentals. Address data is usually hidden from listings, a third party contractor would use both software and human analysts to identify the exact address and owner information for each identifiable Short Term Rental.

PROACTIVE ENFORCEMENT

The use of the third party contractor is proposed to support the necessary compliance and enforcement efforts utilizing software capable of searching multiple listings across multiple online accommodation platforms to effectively provide accurate and enforceable information. The monitoring and communication services proposed would follow the below process with the assistance of the third party contractor:

- Identified non-compliant Short Term Rental properties would initially receive a letter advising of the compliance requirements;
- If there was no response, a second letter would be sent within 30 days;
- If compliance was not achieved or if there was still no response, the property would be referred to Bylaw for enforcement action.

The Business Licencing department would work to achieve compliance with the Short Term Rental through the letter notification process. The property would be referred to the Bylaw Department for follow up enforcement if compliance could not be achieved.

It is anticipated that the use of a third party company to carry out the above noted services will significantly reduce the amount of enforcement that would normally expected to be needed by Business Licensing and Bylaw Compliance Staff to obtain compliance. After the regulations for short term rentals have been in effect for some time, third party monitoring may no longer be required as operators become familiar with the regulations and staff work to gain compliance.



Official Community Plan Policy

File No: P 20-16
Subject: OCP Policy in Relation to Short Term Rentals

2.5 Guiding Principles

2.5.1 OCP Guiding Principles for Planning & Design

- Respect the Varied Needs of West Kelowna's Citizens
- Recognize and Help Create the Positive and Unique Characteristics of Place
- Create Compact, Complete and Safe Neighbourhoods
- Support an Economically Sound Community

3.2 Growth Management Designations (GMDs)

3.2.6 Neighbourhood

Neighbourhoods make up much of the land base in West Kelowna and their diversity and character contribute to the unique identity of the community.

Neighbourhood Objectives

1. Maintain and enhance the character and liveability of existing neighbourhoods.
2. Increase housing choice and neighbourhood amenities in a manner that complements existing neighbourhood character.

3.3 Land Use Designations

3.3.1 Residential

Residential Policies

9. In Neighbourhood GMD areas with a Low Density Multiple family Land Use Designation, encourage non-residential activities such as neighbourhood parks and minor utility/public service uses which do not cause substantial increases in traffic, parking demands or noise.

3.8 Social Sustainability

3.8.3 Affordable Housing

“...it is critical to maintain the existing stock of affordable housing and increase opportunities for the development of new affordable housing.”

“Affordable housing includes a variety of tenure forms including home ownership, co-housing, cooperative and rental housing.”

Affordable Housing Policies

1. Support the provision of housing choices for people of varying ages and incomes, across the housing continuum, from emergency and transitional housing to affordable homeownership, and support regional initiatives that work toward the provision of this spectrum of non-market housing choices.

2. Support secondary suites as a form of affordable infill housing

3.8.5 Public Health and Safety

“Safe and healthy communities are diverse, convenient and sustainable. They have a **sense of place** and neighbourliness, a clean, accessible, attractive and stable built environment...”

Public Health and Safety Objectives

2. Foster the development of a community that is healthy, safe, diverse and inclusive and where social interaction, physical activity, **sense of place** and neighbourliness are actively promoted and supported.

3.9 Economic Sustainability

“The economy, community and the environment are fundamentally linked, and affect social well-being.”

“...CWK is committed to fostering economic growth while focusing on diversification, revitalization and redevelopment to create a complete community where residents and visitors can live, work, shop and play.”

3.9.1 General Objectives and Policies

Economic Sustainability Objectives

2. Encourage economic development that supports the unique character of the community.

4. Encourage a sustainable tourism economy with a strong economic mix.

5. Encourage economic development that provides services to a broad range of user groups, acknowledging the current and future demographics and associated markets

7. Support growth and change in the local economy so that it contributes positively to the quality of life and the quality of the natural environment.



DISTRICT OF WEST KELOWNA

COUNCIL POLICY MANUAL



Pages: 1 of 5
Approval Date: February 11, 2014

SUBJECT: SECONDARY SUITES

1.0 Goal:

Secondary suites are an important form of affordable rental housing in the District of West Kelowna with recognized benefits for homeowners, tenants and the community. The District aims to ensure that the provision of secondary suites within the community is a safe, viable and attainable choice of rental housing.

2.0 Purpose:

The purpose of this policy is to outline municipal requirements in relation to both new and existing secondary suites in the District.

3.0 Objectives:

The objectives of the Secondary Suites Policy are:

3.1 To build and maintain an inventory of legal secondary suites in the District, which:

3.1.1 provide affordable rental accommodation; and

3.1.2 meet or exceed acceptable health and safety standards.

3.2 To decommission dangerous and illegal suites if they cannot meet acceptable BC Building Code health and safety standards within a reasonable period of time.

3.3 To maintain an accurate inventory of the housing stock for appropriate government administration (i.e. long-range planning, infrastructure servicing and obtaining population-related funding).

4.0 Policy:

The District's Zoning Bylaw outlines the parameters under which secondary suites may be established and includes regulations in terms of appropriate zones, maximum size of suites, and parking requirements. This policy aims to provide additional direction for the construction of new secondary suites, to bring existing secondary suites into compliance and the decommissioning of existing secondary suites.

4.1. New Secondary Suites in New Single Detached Dwellings

Development of new single detached dwellings presents a prime opportunity for the addition of new secondary suites to the community's housing inventory. The benefits of developing a suite at the time of initial home construction includes the ability to achieve full compliance with the British Columbia Building Code (BCBC) and lower suite development costs with initial home construction as opposed to renovation.

4.2. New Secondary Suites in Existing Single Detached Dwellings

The District has an abundant supply of existing single detached dwellings. Creating new secondary suites within existing dwellings is a means of achieving sensitive infill development with negligible impacts upon neighbourhood character. New secondary suites within existing dwellings are required to meet the same regulations as new secondary suites in new single detached dwellings where possible. For older dwellings unable to satisfy those requirements, it may be possible to bring the suite into compliance with the BCBC Alternative Life Safety Standards for existing suites, with specific regulation of such matters as:

- Separate egress to outdoors / safe exiting
- Interconnected smoke alarms
- Bedroom windows
- Fire separation /compartmentalization
- Ceiling height
- Proof of electrical and/or gas permits

4.3. Existing Non-Compliant Secondary Suites in Existing Single Detached Dwellings

Homeowners are encouraged to consult with the District to identify municipal requirements and potential building retrofits needed for their suites to become compliant. Owners will require an inspection, according to the rate established in the District's Fees and Charges Bylaw, by District staff to review the suite prior to application in order to discuss potential required building upgrades.

Following an inspection, a homeowner may choose to pursue legalization of the suite or to formally decommission the suite.

Existing suites are required to satisfy the same requirements as new secondary suites as outlined above.

4.4. Failure to Comply

If homeowners choose not to comply with the District's requirements, the District may use its authority to levy fines for non-compliance on a per diem basis (See Section 4.7 for further information). If it is not possible to upgrade the secondary suite to meet the BCBC Alternative Life Safety Standards and compliance with District bylaws is not achieved, approval by Council of an order to remove the secondary suite will be sought (pursuant to the provisions of the *Local Government Act* and *Community Charter*).

4.5. Decommissioning Existing Secondary Suites

A homeowner may choose, or be directed by Council, to decommission an existing Suite. There are two options for decommissioning a suite:

Option 1: Suite Decommission

The kitchen cooking functions of the non-compliant suite must be permanently removed to be considered decommissioned. The process for Option 1 includes:

1. Obtaining a building permit from the District.
2. Performing any required building alterations to comply with the District's Building Regulation Bylaw and any BCBC requirements.
3. Arranging for a District Building Inspector to inspect and verify the decommissioning of the suite.

Option 2 - Submitting a Statutory Declaration to the District of West Kelowna

Where both the primary dwelling and the compliant secondary suite are utilized solely by the owner of the property as one dwelling unit and all occupants of the home are living as one household, the suite can be considered to be decommissioned through statutory declaration. This option does not permanently eliminate the suite and there is potential for the suite to be reinstated for rental accommodation in the future.

Homeowners wishing to take advantage of this option must submit a sworn Statutory Declaration/Affidavit attesting that:

1. The suite is not being used for rental accommodation;
2. That the property is being used by only one household living communally; and
3. That, at such time as the suite will be used for rental accommodation, the homeowner shall notify the District of West Kelowna and comply with all necessary requirements to legalize the suite.

4.6. Taxes, Utilities and Fees for Secondary Suites

4.6.1. Utility Charges

Homeowners of all known but unregistered suites in the District of West Kelowna shall be charged sewer fees for the suites equal to the prescribed rate for a single detached dwelling. For legal suites, sewer fees for the suite shall be a reduced rate as specified in the District's Fees and Charges Bylaw.

A registered secondary suite will contribute to water and waste management related utility/infrastructure fees through the current process which requires that:

- A second flat rate be applied to all known illegal and legal suites. The water meter is set up to measure water use for the residential property in a manner that accounts for two units with a lower rate (note that if water usage for both units increases beyond the capacity of the initial unit rate, then the measured units would increase to the next unit level charge).

- Garbage collection is based on the number of bins and related usage charges (each single detached housing property requires a minimum of one set of garbage collection bins). In an effort to promote waste reduction within the community, additional bins for property owners with all known secondary suites will only be distributed upon request.

The current Development Cost Charges (DCC) Bylaw does not apply DCCs to the development of secondary suites; however this practice may be revisited at such a time when the DCC Bylaw is reviewed.

4.6.2. BC Assessment Notification

BC Assessment should be notified of all registered secondary suites via building permit applications to adjust property assessments accordingly. Conversely, BC Assessment should be asked to regularly update the District of known suites which it identifies through property disclosure statements.

4.6.3. Inspection Fee

All secondary suite Building Permit applications will require an on-site inspection by a Building Inspector for a fee outlined in the District's Fees and Charges Bylaw. Should the homeowner chose to pursue the legalization of the suite, this fee is eligible to be applied to the cost of the related building permit.

4.6.4. Registration Fee

All secondary suites are required to be registered with the District. Secondary suites can contribute to increased costs for the District related to the management of complaints and safety inspections. Registration fees are established in the District's Fees and Charges Bylaw and include two different categories of fees: a lesser fee for suites where legalization is achieved voluntarily and a greater fee for suites where legalization is achieved by way of enforcement. These fees help to offset the costs of processing secondary suite matters.

To be granted an exemption from the registration fee, a homeowner must not be using the secondary suite as an independent dwelling unit and/or for rental accommodation. Exemption approval will be granted following the receipt of a signed affidavit verifying that the suite is not being used as an independent dwelling unit and/or for rental accommodation and that the property is being utilized by a single household.

At such time the owner chooses to use the secondary suite as a rental accommodation or as an independent suite for family members, the owner shall inform the District to reinstate the secondary suite as an independent or rental accommodation through registration prior to its' use in this manner.

4.6.5. Business License

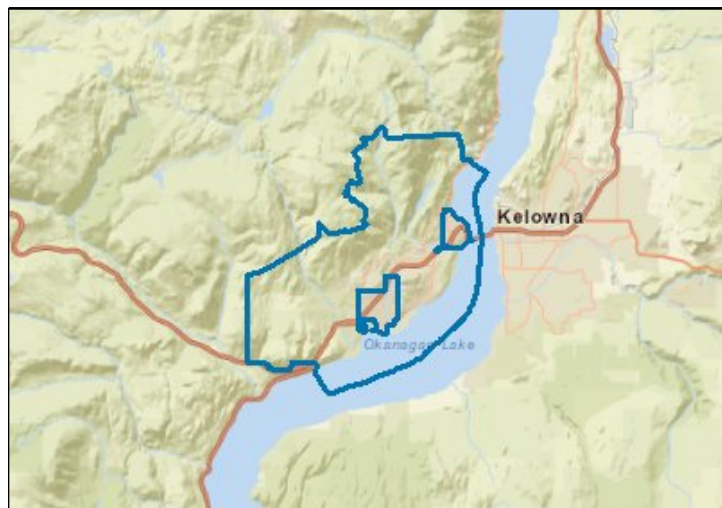
A Business Licence is required for all suites regardless of the occupant and their relationship to the other residents in the dwelling or whether rent is being charged; If a suite is utilized as an independent dwelling a business licence is required. This must be obtained prior to legalization and registration of a suite. The fee for a business license is established in the District's Fees and Charges Bylaw.

4.7. Enforcement

The District maintains a complaint-driven approach to enforcement and complaints are investigated on a case-by-case basis. Property owners found with non-compliant suites have an opportunity to either:

- Legalize and register their suites; or
- Decommission their suites.

Primary Rental Market Statistics — West Kelowna (DM)



Number of Private Apartment Units

	Oct-17	Oct-18	Oct-18
1 Bedroom		40	
2 Bedroom	4		44
3 Bedroom +	12		12
Total	16		96

Private Apartment Vacancy Rates (%)

	Oct-17	Oct-18	Oct-19	Oct-20
2 Bedroom	**	**	10.7 a	0.9 a
3 Bedroom +	**	**	**	0.0 a
Total	**	1.1 a	10.2 a	1.0 a
1 Bedroom	**	**	**	1.4 a

Private Apartment Average Rents (\$)

	Oct-17	Oct-18	Oct-19	Oct-20
2 Bedroom	**	**	1,586 a	1,674 a
3 Bedroom +	**	**	**	1,254 a
Total	**	1,429 a	1,499 a	1,564 a
1 Bedroom	**	**	**	1,439 a

Private Apartment Availability Rates (%)

	Oct-17	Oct-18	Oct-19	Oct-20
2 Bedroom	**	**	**	**
3 Bedroom +	**	**	**	**
Total	**	**	**	**
1 Bedroom	**	**	**	**

Private Apartment Estimate of Percentage Change (%) of Average Rent

	Oct-17	Oct-18	Oct-19	Oct-20
2 Bedroom	**	**	**	**
3 Bedroom +	**	**	**	**
Total	**	**	++	3.0 d
1 Bedroom	**	**	**	**

Source: CMHC Rental Market Survey

Notes:

The following letter codes are used to indicate the reliability of the estimates:

a - Excellent, b - Very good, c - Good, d - Fair (Use with Caution)

** Data suppressed to protect confidentiality or data not statistically reliable.

- No units exist in the universe for this category

n/a: Not applicable

++ Change in rent is not statistically significant. This means that the change in rent is not statistically different than zero (0). (Applies only to % Change of Average Rent Tables).

The Percentage Change of Average Rent is a measure of the market movement, and is based on those structures that were common to the survey sample for both years.

The information contained in this document is a printable version of information originally contained on CMHC website application <https://www03.cmhc-schl.gc.ca/hmiportal/>. CMHC makes considerable effort to ensure that the information and analysis on this application is reliable, but cannot guarantee that it is accurate or complete. The content of the application is general in nature and is not intended as a substitute for professional advice when making significant financial decisions. You understand and agree that by using this document and the information it contains, you will be bound by the terms of use of the CMHC website (http://cmhc.ca/en/imno/imno_003.cfm), and in particular, you agree that you may not hold CMHC liable for any consequences that arise if you choose to rely on this information and analysis to make a financial decision.

Oct-19	Oct-19	Oct-20		Oct-20
75		145		
	169			232
	12			19
	256			396



#1 March 3
2021
@ 2:16 PM

Meg Jacks

From: Lori and Bryan Scheelar [REDACTED]
Sent: March 3, 2021 2:16 PM
To: City of West Kelowna Submissions

We have our Airbnb in our primary residence so that doesn't effect us. Unfortunately our whole neighborhood is against vacation rentals and have put up signs all around the area and have probably instigated this change that you are talking about. I will send an email to the City of West Kelowna to support Airbnb's in this area and to encourage no radical changes that would effect hosts here in West Kelowna.

Sincerely,
Lori Scheelar

RECEIVED

MAR 03 2021

CITY OF WEST KELOWNA
Development Services

Meg Jacks

2
March 3,
2021 @ 3:38 pm

From: Anup B. [REDACTED]
Sent: March 3, 2021 3:38 PM
To: City of West Kelowna Submissions
Subject: Zoning Amendment Bylaw No. 154.99

Attn: City Clerk, File Number (P 20-16),

I am writing to you today because I cannot attend in person for the hearing,

The following is my objective to the restrictive bylaws being proposed for short term rentals:

1. the property is ours to do with what we feel is most economical to support my retirement income.
- 2, the property i have bought in West Kelowna is a condo for the sole purpose of investment , not to live as residence at this location currently but that may change in the future.
- 3 the assertion that you can only rent short on primary property is absurd at best.
4. If you cannot rent a secondary suite then what or how will west kelowna support tourism , local hotels do not have enough capacity and prices are extremely high.
5. The short term rental industry is the best thing that has come to tourism and it in no way hurts or affects local long term rentals.
5. the units being rented on short term , are very different product than what is rented on long term rental . INvestors and home ownerd simply cannot support the cost of operations on normal rental income; the values are too extreme.
6. The best way to manage is to have a small license fee to operate any form of housing as a short term, be it secondary unit , condo, or home itself, equal use policy is the best way to manage.
7. the current proposal will kill tourism and kill the short term rental and hotel / motel rates and capacity will be prohibitive .
7. you cannot have both contradictory restrictions of a property on short term must be primary and then say no secondary units can be rented on short, how can you achieve ANY short term rental under these restrictive criteria.

I am completely opposed to these Draconian policies brought on which in no way will help control rental capacity, pricing of rental homes, and market related availability of rentals.

This will only occur when the city actually approves more development , more quicly without red tape, anything else is simply diversion to the real issues.

Thanks

Anup Bhulabhai

409 - 3211 Skyview Lane , West Kelowna , BC.

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MAR 03 2021

CITY OF WEST KELOWNA
Development Services

#3 March 4, 2021
@ 8:18 AM

Meg Jacks

From: SHAWN THOMAS <[REDACTED]>
Sent: March 4, 2021 8:18 AM
To: City of West Kelowna Submissions
Subject: Short term rentals

Thank you for the opportunity

I am not in favour of short term rentals under any conditions

I have been on council and a president of strata councils in a number of buildings

Short term rentals are the number one challenge. Disruption to other residents. Damage. Wear and tear. Insurance claims. Behaviour. All of these are worse and heightened and correlate to short term rentals. The more Airbnb. The more of the above

Short term rentals are not a substitute for rental units or rent prices. And buildings that have Airbnb were never designed or intended for this purpose. They were built as homes. Not hotels. And there is a huge difference.

If as I assume that WK council will approve short term rental bylaws I would at least ask that they only be allowed in residences that are also the principal residence of the owner renting the room.

Thank you for your service to WK - both staff and elected. It is appreciated.

Shawn Thomas
Whitworth Road. West Kelowna.

Shawn Thomas
[REDACTED]

Sent from my TELUS iPhone

RECEIVED
MAR 04 2021
CITY OF WEST KELOWNA
Development Services

4 March 4, 2021
@ 11:26 AM

Meg Jacks

From: bessybunch1 <[REDACTED]>
Sent: March 4, 2021 11:26 AM
To: City of West Kelowna Submissions
Subject: Short Term Housing - Allow it

Follow Up Flag: Follow up
Flag Status: Flagged

RECEIVED
MAR 04 2021
CITY OF WEST KELOWNA
Development Services

Hello.

In regards to short term housing, I believe it should be allowed in West Kelowna in homes, and in secondary suites and carriage houses, even trailers on properties.

You want to grow this city? You want families and people that can afford to live here - Homes are NOT affordable for new families. This is a source of income that is necessary to just live here.

Paying off a mortgage to live in this city is hard enough. The thought that you can have a small amount of additional income to cover say, property tax fees, utilities, fixed costs or just groceries is how many families can even exist here - It is necessary.

And if the owner is living on the property at the same time, they are watching over the AirBnB so it is a win win. This isn't a bonus for people, it's a method of survival.

AirBnB's are a great solution when we get back to youth sports - Staying in hotels is hard and expensive with a group of people. Having a couple parents rent a home for 6 youth that they can cook decent healthy meals in for their athletes and have a living room and space to rest in is also a great reason to allow AirBnB in homes - and these people most likely buy gas in the city, go bowling, buy food - they bring value to West Kelowna as well - Don't shut this option down. Don't limit numbers or rooms, as this cancels this wonderful opportunity. Just because there is a group renting does not mean they will be terrible.

A 3 strike rule against party homes is a good solution to those homes that create problems, but most are not problematic.

I would bet that those who complain have comfortably owned their home when it was affordable to do so, and have little concept of what it takes to live here now.

People will not turn short term rentals into long term rentals -

A) A 1bdrm basement suite in Rose Valley is going for \$1700/mo. That is high and not affordable.

B) Bussing is ridiculous around West Kelowna neighborhoods, so thinking you will have people long term renting without cars is not going to happen. Extra Cars for a few weeks in the summer with AirBnB is a minor issue.

C) Long term rentals are problematic also - it is not worth the hassle that comes with the rights of renters and the loss of rights to the property owner.

Don't make mass rules and laws that affect the majority just to combat a few idiots. Allow common sense to dictate some things.

PS. We do need student housing on the westside - near bus loops and affordable.

Thank you for having a public hearing on this matter.

Sincerely,

Nancy B

Lakeview Heights Resident - Past resident of Rose Valley and Shannon Lake as well.

5

March 4, 2021
@ 12:08 PM

Meg Jacks

From: collin crabbe [REDACTED]
Sent: March 4, 2021 12:08 PM
To: City of West Kelowna Submissions
Subject: Short Term Rentals

Hello,

I am writing to voice my non-support of the bylaw amendments as presented. I do support Councillors Johnston, Zilkie, and Friesen in amending the bylaw to include suites and carriage homes. The personnel who provide a large portion of the agricultural and wine tourism to the area would prefer to have a stand-alone unit with some privacy vs a room in a shared house. The adult or elderly couples travelling to the Okanagan to experience our nature and wine tourism spend on average a considerable amount per trip at wineries, local restaurants, wine tours etc. If we do not provide this form of accommodation they will seek it elsewhere in the Okanagan. This form of accommodation has done very well in short term rentals as an alternate to the over-priced Okanagan hotel market during the summer.

I also do not agree with the statement about this preserving the long-term rental supply. There are numerous rental specific projects that are being constructed in West Kelowna to service this market and should continue to increase to serve market demands aided by government funded rental programs including the speculation tax. Purpose built planned rentals are much better served in our urban centre with access to services and public transportation. As an owner of multiple properties who has provided both long term and short term rentals through apps, I can tell you the experience is night and day. Short term renters are much more considerate, clean, less headaches and provide much greater investments into our local economy. All of my experiences with long term rental have been terrible with inconsiderate damage to my property and loss of income, I will not provide this service in the future, I would rather units sit empty.

RECEIVED

MAR 04 2021

CITY OF WEST KELOWNA
Development Services

6 March 4, 2021
@ 6:23 PM

Meg Jacks

From: Tanya Lister [REDACTED]
Sent: March 4, 2021 6:23 PM
To: City of West Kelowna Submissions
Subject: Short term rentals

Hello I currently run a bed and breakfast ei thing the city. I am in agreement with most Big the rules being set forth however, I do not agree with the max two adults per room. We have rented to many families in which the children are grown. We have had 8-10 stay in our three bedroom unit with no issues on many occasions. I think ensuring that the operators are the principal resident will take care of the party issue that could happen with larger groups. We are also in a unique situation in that we are on 7 acres. We have tons of parking as well.

I also do not agree with operators to be onsite for the guests stays in minor short term rentals. I am not sure why it would be different than for major short term rentals. As a homeowner and current Bed and a breakfast operator, if we are not around we always have someone checking on our place If this were a rule it would mean we could not leave our property for the whole summer. With the use of cell phones we can be contacted anytime. We also have a security system in place so we can monitor our property when we are not home.

I think the main problems that were arising were placed where homeowners did not live on the property and were not monitoring their renters. I also believe it is important for the rentals to have rules in place for the renters. Such as no parties, what happens if the rules are broken etc.

Thank you
I would be happy to answer any questions on put experiences

Sincerely
Tanya Lister
[REDACTED]

Sent from

RECEIVED

MAR 04 2021

CITY OF WEST KELLOWNA
Development Services

#7 March 5, 2021
@ 8:55 AM

Meg Jacks

From: Doug Ferguson [REDACTED]
Sent: March 5, 2021 8:55 AM
To: City of West Kelowna Submissions
Subject: Short term rentals

Trying to regulate people out of operating short term rentals isn't going to increase the number of long term rentals until the rules change so landlords have rights over their own property. Some people need the extra income provided by renting short term without the problems that come with long term renters. I had both long and short term rental units and found that the short term people respected and appreciated the property much, much better than long termers. By allowing short term rentals, you are supporting the people that live in the community, they can make some extra money, after all the taxes, and spend most of it locally. Until the rules change, I can't see more people renting long term, please don't ruin the landlords right to rent out his unit the way he sees fit.

Doug Ferguson

RECEIVED

MAR 05 2021

CITY OF WEST KELOWNA
Development Services

8 March 3,
2021

@ 8:43 PM

Gunthardt and Nicolette Albrecht

3318 Vineyard View Drive, West Kelowna, V4T 3M3

March 3, 2021

City of West Kelowna
Mayor and City Council

RE: Council consideration of allowing short term rentals in Licensed Basement Suites and Carriage Homes.

When we planned our new home on Vineyard View Drive we were pleased that suites were being encouraged in homes to increase affordable housing and were happy to incorporate one into our home. Our original thoughts were that family members were most likely to rent the suite from us (elderly parents, our adult children) and our first renters did turn out to be our oldest daughter, her husband and baby. They lived with us for 15 months, until they bought a unit in a four-plex in Kelowna. Because we prefer to keep the suite available for family who might need it we prefer only short term renters.

Shortly after our kids moved out we were approached by a friend of a friend who was moving to West Kelowna with a probationary job. His original intention was six months but ended up only staying two. Starting April 1st we have it rented out on a monthly basis to another couple in transition from home ownership and job in Edmonton to new job and new home here. They assume they will need the suite for about six months so this works well for us. We are leery of any long term rentals due to the Landlord/tenant regulations that place a large bias towards tenants rights over that of the landlord.

During the interval between these renters we made the suite available to several families. One was in the area to check out a new job (which he took and has since purchased a home in Rose Valley) and the other to oversee some renovations on newly purchased property on the Westside. We also housed a woman and her children who needed a safe place to go temporarily while she worked some things out with a wayward husband. Each of these tenants was only with us for a week so technically not "legal" and as such we didn't charge them but got "paid" in wine and gift baskets and thanks.

The reason we share these details is to make the point that not all "short term rentals" are vacationers looking to party until late hours of the night. We wish to have the flexibility to use the additional space in our home to fill short term accommodation needs and therefore support the use of basement suites and carriage homes for short term rentals, be it vacationers, future West Kelowna residents, visiting family members, job seekers, and yes people who may need a safe place for a night or more.

Sincerely yours,

Gux and Nicki Albrecht

#9 March 6, 2021
@ 7:16 AM

Meg Jacks

From: Susan Barton [REDACTED]
Sent: March 6, 2021 7:16 AM
To: City of West Kelowna Submissions
Subject: re: ZONING AMENDMENT BYLAW NO. 154.99

As a West Kelowna resident, here are my comments on the proposed Zoning Amendment Bylaw No. 154.99 for Short Term Rentals.

1. Do not include any new rules or regulations for Bed and Breakfasts.

As mentioned at the council discussion, there has never been a single solitary complaint submitted against a Bed and Breakfast. Leave their parking, their business license fees, and their number of bedrooms out of the STR Bylaw Amendment.

As mentioned in the discussion, Bed and Breakfasts have their own separate pre-existing set of legal requirements.

2. How will you make the operator of a STR prove it is their principal residence prior to issuing a license and prior to annual renewal of their license?

I strongly feel that having the STR be the principal residence of the owner will cut down on many of the party house abuses. But how will an operator prove that?

3. Will I, as a resident of West Kelowna, be able to get a list of all addresses that have a valid business license to operate a STR?

Thank you all for taking the time and spending enormous effort on trying to "get this right."

Susan Barton
2193 Essen Road
West Kelowna V1Z 1V2
[REDACTED]

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MAR 06 2021

CITY OF WEST KELOWNA
Development Services

submissions@westkelownacity.ca.

#10 March 6,
2021
@ 10:33 AM

West Kelowna Short term Rentals

Douglas Clark
1167 Peak Point Drive,
West Kelowna, BC
V1Z 4A9

I am in strong support of short and long-term non lease rental options in West Kelowna when the homeowner lives in the same dwelling. Of course, homeowners need to be respectful of neighbours and mindful of parking. Limits on numbers of vehicles allowed, or designated parking stalls for guests should be considered.

Short term rentals provide a safe comfortable option for people and families looking to visit Kelowna. The availability of cooking facilities makes their vacation stay affordable.

Tourism is a large part of our economic viability and short term rentals do much to encourage (much needed) tourism dollars flowing into our community. Short term rentals can also provide non-lease longer-term rental options. They provide accommodation options during the transition to a new home or for Canadians who are temporarily displaced from other countries due to Covid-19 restrictions. As well, short-term rentals provide non-lease options for people looking to live here seasonally.

Banning short-term rentals will do nothing to curb the practice as many people discovered this income stream allowing them to afford home ownership. The additional income may be a determining factor on their ability to live and raise their family in West Kelowna. As well, it allows seniors to remain in their homes during retirement.

West Kelowna would be amiss not to recognise the need and benefits by making available non-lease, short-term rental options

Kind Regards,

Douglas Clark


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MAR 06 2021

CITY OF WEST KELLOWNA
Development Services

#11 March 7, 2021
@ 8:35 pm

Meg Jacks

From: Greg Whitson [REDACTED]
Sent: March 7, 2021 8:35 PM
To: City of West Kelowna Submissions
Subject: ZONING AMENDMENT Bylaw No. 154.99

I have a one bedroom condo at Lake Okanagan Resort. I purchased this for short term rental opportunities. I am concerned about the legislation restricting my ability to rent the condo out to groups of more than Two. The proposal states that only Two adults per bedroom may rent a dwelling.

I have had groups of Three or Four adults stay in my condo in the past, as I have a fold-out bed in the main living space. Additionally, in some cases there have been families with Two adults and multiple children renting the space.

I request that the limit for adults in a space like the resort, which was primarily designed for short term rentals be upped to at least four, if there is another bed available in the main living space. It should be clarified that up to four children could be allowed in such a space as well (with two adults).

Thank you.

G.W.

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MAR 07 2021

CITY OF WEST KELOWNA
Development Services

#12 March 8, 2021
@ 12:34 PM.

March 8, 2021

Attention: City Clerk
Municipal Hall
2760 Cameron Road.
West Kelowna, BC
V1Z 2T6



Re: File Number P 20-16 – Zoning Amendment Bylaw No. 154.99

To the Mayor, Council & Municipal Staff:

We would first like to express our appreciation to the Mayor, Councilors and municipal staff of West Kelowna for listening to your residents and taking steps to address the multitude of problems associated with short-term rentals within our municipality.

My wife and I purchased our home in the quiet neighborhood of Gates Road, West Kelowna in April, 2017. Since that time, we have endured numerous sleepless nights while adjacent commercial enterprises have disrupted our neighborhood via their self-serving non-hosted unregulated parties. In fact, the [REDACTED] from our home advertise their investment property at [REDACTED] as a “hotel or villa”, allowing up to 18 adults per booking. Needless to say, these owners of Rosehill Estate do not reside within West Kelowna; the residence was purchased solely as a commercial enterprise and the owners reside in the Lower Mainland.

We believe that the crux of the problems associated with short term rentals pertains to the allowance of un-hosted facilities. In that regard, we fully support allowing principle residents to rent a portion of their home. In contrast, we are 100% opposed to allowing principle residents to rent their entire home as a vacation rental. We recognize that the requiring operators of short term rentals to be principle residents of the dwelling may help to address many of the existing problems and, therefore, support this portion of the amendment.

We are not opposed to allowing short term rentals within carriage homes or secondary suites of occupied dwellings and do not believe that this strategy would have any significant bearing upon the availability of longer term rental accommodations within our municipality.

For minor short term rentals, we support the requirement that the operator be on-site during their guests’ stay and would even support greater numbers of guests (eg. more than six), especially for registered Bed & Breakfast facilities.

For major short term rentals, we do not support allowing operators to be off-site during their guests’ stay. We firmly believe that this will perpetuate existing problems.

We fully support your recognition of additional staff to enforce the proposed Bylaw amendments and suggest that Bylaw officers need to be available on-call to deal with problems. It is our view that off-loading enforcement onto the RCMP is highly irresponsible in terms of overall costs and efficacy. The RCMP have many other higher priorities than responding to noise complaints after 11 pm.


No doubt West Kelowna staff will hear from the many owners of these “investment properties”, most who reside outside of the Okanagan, to outline the negative financial impacts associated with the proposed changes (i.e., Zoning Amendment Bylaw No. 154.99). We urge you to consider and prioritize the investments of those adjacent residents that have used their life savings to reside in this municipality. We purchased our home in good faith that the city would uphold the existing bylaws and prevent non-permitted commercial enterprises associated with un-hosted short term rentals from destroying the quality our homes and neighborhoods.

Thank you in advance for considering our views in this matter.

Sincerely,

(Signed copy in mail)

Dave & Nancy Dunbar
3531 Gates Road
West Kelowna, BC
V4T 1A2



#13 March 8
2021
@ 1:01 PM

Meg Jacks

From: Julie Davies [REDACTED]
Sent: March 8, 2021 1:01 PM
To: City of West Kelowna Submissions
Subject: ARBNB

Hi

We have a suite and do not rent it out as we do not want a tenant, so if you ban ARBNB in secondary suites it will not add another rental unit. There appears to be an assumption that restrictions on ARBNB will affect an increase in rental units, I think that is a misconception!

We enjoy ARBNB, as it gives us an opportunity to meet new people, serve as ambassadors for West Kelowna recommending local businesses etc. We also enjoy the flexibility, as we have the space available for family and friends visiting from out of town. Yes, and it's nice to have a small income for a couple of months a year, whereas the rest of the year our teenagers can hang out in the space.

Surely having a suite in your own house that rents out to ARBNB is less likely to have problems, whereas if you ARBNB whole houses more likely to have nuisance calls from neighbours. If anyone is noisy I am here and deal with it appropriately. However, to be perfectly honest, we have never had any issues with ARBNB visitors.

Please take into consideration your local tax payers views.

Regards

JCD

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MAR 08 2021
CITY OF WEST KELLOWNA
Development Services

#14 March 9
2021
@ 9:32 AM

Meg Jacks

From: Natasha Montgomery [REDACTED]
Sent: March 9, 2021 9:32 AM
To: City of West Kelowna Submissions
Subject: Attn: City Clerk, File Number (P20-16)

RECEIVED

MAR 09 2021

**CITY OF WEST KELOWNA
Development Services**

Dear City Clerk,

I am writing you today to voice my opinion regarding the new Zoning Amendment Bylaw No: 154.99.

1) Re: Hosts primary residence:

For those families who have a second home, I don't see why it is a threat, or should be wrong for them to share their home with others when they are not using it. My first introduction to VRBO was back in 2015 when my husband and I and our three kids at the time attended a wedding in Italy. My brother had just told me about VRBO, so I was keen to give it a try. We ended up staying in a family's villa just outside of Siena (where the family would holiday when not in Siena working). It was an incredible experience as the hosts were so gracious (providing travel tips and notes), the home was set up for family living (there were toys, books and crafting activities), and provided a more authentic visit to Italy (they left us a bottle of wine from their favorite local vineyard and gave us local tips on where to go and what to do). It was this unique and incredible gift of an experience that inspired me to share our family summer home in Kelowna with others.

2) Re: Restricting the number of guests you can have:

Airbnb and VRBO properties are providing accommodations that serve a real need in our community. My husband and I now have five children. When we holiday, we exclusively look for larger homes on Airbnb or VRBO that can accommodate our family of seven along with a set of grandparents or a nanny. With young children, hotel rooms can be difficult and less than ideal when we must be split up on family holidays. For homes that can comfortably accommodate larger groups - I don't see how it is fair or reasonable to limit the number of guests that can comfortably stay.

3) Final Commentary:

I understand the challenges with regulating vacation homes. I also understand the frustration neighbors might have if they live in a mature neighborhood with homes near each other if one home in their midst has a revolving door. I can understand how this would pose a problem and bother the individuals who live nearby. However, homes like our home in West Kelowna that are more isolated and private, do not pose the same concerns relating to neighbors. It has a private driveway and can only be seen by neighbors from on the water.

I urge you to consider the benefits and the service that VRBO and Airbnb homes like ours provide in the community of West Kelowna. I would be happy to answer any questions or to discuss things further if you would like to email me or call me at the number listed below.

Thank you kindly,
Natasha Montgomery

~~15~~ March 10, 2021
@ 1:38 pm

March 10th 2021

To Mayor and Council

Ref: CWK's proposed By-law No. 0154.99, 2021

RECEIVED
MAR 10 2021
CITY OF WEST KELOWNA
Development Services

The Proposed by-law is not only a detriment to our professional award-winning B&B but to the B&B industry as a whole, and to the future of professional B&B in the CWK— it gives unfair advantages to short term rental businesses while totally undermining the professional B&Bs that have thrived and want to thrive in West Kelowna for many years.

As Professional Innkeepers of the longest active running B&B in West Kelowna, we wish to express our very serious concern, frustration and disgust with the cities refusal to consider the impact of the bylaw changes on our livelihood, on our B&B, to our guests, and to that of our B&B colleagues' businesses and livelihoods. AND to the future of professional B&Bs in the CWK.

The bylaws for B&Bs have allowed to us to thrive in our West Kelowna neighbourhood for 39 years welcoming guests from every corner of the world.

Our B&B was established in 1982 by the Jarman Family who raised their family while running a very successful busy B&B. When we were looking to start our careers in Innkeeping, the B&B presented itself for us to raise our family and earn a decent living. We purchased the 4 room B&B in 2001 which we run year-round.

To have the City eliminate the current B&B bylaws and have the word Bed and Breakfast eliminated entirely from the proposed new by law to have us be deemed as a minor short-term rental, is a total insult to us, our profession, and our industry. Our B&B is well respected in our Lakeview Heights neighbourhood and our long-time neighbours enjoy us as neighbours. Our B&B, as with all professional B&BS, are not ever the subject of by-law complaints, as is the case with many short-term rentals.

We know all too well, first-hand, the struggle of the CWK to regulate and license the various types of short-term rentals. There have been 2 properties in our immediate neighbourhood that have caused quite a disruption to our neighbourhood, to our business, and to our guests, with multiple complaints to bylaws and the RCMP without much resolve.

We totally support the regulation and licensing of these kind of properties, but not at the expense of our B&B and our livelihood.

B&BS are a stand-alone, thriving and prosperous sector of the tourism industry and are not at all comparable to short term rentals by any means, the same way B&Bs cannot be at all compared to hotels. To no longer recognize professional B&Bs going forward is a huge loss for tourism and for tourism revenue. Guests who prefer to stay in quality B&Bs will just look elsewhere to enjoy the Okanagan and spend their tourism dollars.

If the proposed by-law were to pass, as written, it would be a substantial loss of income for us.

First - not being able to have a 4th room we would immediately lose 25% of our income. Second- by not being allowed to have more than 6 people we would lose another 15 %+ of our income. Both losses would make it cost prohibitive to stay in business as we rely on our income. We are not in the business of renting a room or two for some extra quick cash or as a mortgage helper.

Third- by not allowing us to continue on with our current 4 rooms with the capability of having what is known in the industry as the "third wheel" we would no longer be able to welcome some of our repeat guests and, we will no longer be able to work with European Tour Companies that bring over small groups of B&B guests or small family groups from across Europe resulting in another 10%+ loss of income.

Some of the examples of "third wheel tourism" that the proposed by-law would no longer welcome to the CWK, that we quite regularly have as wonderful guests are:

1. A couple traveling with an out of country relative or friend to showcase the Okanagan.
2. A couple travelling with a remaining parent for an Okanagan getaway or special event.
3. A couple with one or two adult children travelling for enjoyment or for a special event in the CWK – funerals, weddings, birthdays, etc.
4. A BC adult, or international student studying in BC, travelling with out-of-country visiting parents who may or may not speak English.
5. 3-4 sisters or girlfriends coming to celebrate a special birthday.
6. An out-of-country adult bringing elderly parents on a bucket list trip to Canada.
7. An adult bringing elderly parents for medical treatment at KGH.
8. Parents bringing their child to set up/pickup at UBCO.
9. 2 brothers and their dad from out of country to visit Canada.
10. 3-4 widowed ladies from around BC coming to meet in the Okanagan or coming from out of Country on a bucket list trip

We could list so many more examples, but we wanted to share the type of guest situations that the proposed bylaw would be literally shutting the door on.

How would these people react being told they weren't welcome to stay in the CWK?

What would we tell our repeat B&B guests?

It was suggested that the professional B&BS of CWK will be grandfathered in to the bylaw but the proposed by-law is completely silent, and has absolutely no mention of any by-laws to that effect. What it will say, or how it will work for our B&B?

Grandfathering just the current B&Bs only, will shut down the B&B industry in CWK for the future. As well it shuts down our business exit plan- As we had hoped, like the Jarman Family, to sell our B&B to Professional Innkeepers that will want to continue on with our award-winning, highly rated, and successful B&B and be able to earn a decent living. Prospective Professional Innkeepers will not be able to earn a respectable living with only 3 rooms and max 6 people so we will not be able to sell our business as a profitable business model.

As well, we will not be able to continue to earn a decent living and still maintain our professional B&B. Commercial Insurance, licensing, accreditations and professional memberships, along with the increased costs of utilities (especially CWK water rates) will make it cost prohibitive to continue on with the substantial loss of income we will experience, should this proposed bylaw be voted in as written.

B&Bs provide an authentic, unique experience with exceptional personalized service, welcoming hospitality with all with the guest comforts and safety in mind. To lose their identity in CWK is an unjust to our industry. Guests that seek out B&Bs will look to other municipalities to spend their tourism dollars if they cannot find reputable, quality and highly rated B&B accommodations in the CWK, resulting in tourism revenue losses.

In conclusion, we ask the CWK to reconsider the proposed by-law and how it will affect the B&Bs of today, and to make changes needed to secure the future of the professional B&B industry and its effect on tourism revenue now, and for the future.

Yes, we totally support a long overdue by-law to regulate and license short-term rentals of all types, but not at our expense, and not at the expense of the all the highly regarded and professional B&Bs.

Respectfully submitted,

Sue and Dann Willis

A View to Remember B&B

1090 Trevor Drive, WK

www.KelownaBandB.com

Member of www.AccreditedAccommodations.ca

2007, 2010 and 2013 recipient - BCInnkeepers Presidents Award

2018, 2020 GWBOT Environmental Sustainability Award

2020 GWBOT Business of the Year

<https://www.sustainabletourism2030.com> Gold Certified