



CITY OF WEST KELOWNA PUBLIC HEARING LATE ITEMS AGENDA

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

COUNCIL CHAMBERS

2760 CAMERON ROAD, WEST KELOWNA, BC

Pages

2. INTRODUCTION OF LATE ITEMS

***2.1. Correspondence received from the following:**

4

- Theodora Du Preez
- Melissa Page
- Ron Ganczar
- Sharon Sander
- Graham O'leary
- Chandra Paynter
- Brian Davis
- Janice Winckers
- Lisa Paynter and Philip Akins
- Manuel Zerwes and Nejat Sarp
- Murray Weeks
- Bea Kline, Green Bay Property Owners Association
- Richard Gill
- Chrissy and Steve Marston
- Nicole Richard
- Colin and Najia Haddock
- Heather Robinson, Greater Westside Board of Trade
- Sue Willis, Accredited BC Accommodations
- Michael and Martina Gyori
- Marilyn Schellenberg

- Dayne Bill Schmitt
- Ryan Holt
- Cindy Anderson
- Gates Rivest
- Shirley Pacholok
- Cherrie Mercer
- Lori Shoaf
- Jay and Jessie Clifford
- Sandra Davies
- Lynne and Barry Wright
- Sue McEwan
- Debra Critchley
- Sonny and Danielle Nielsen
- Diane Atchison and Ray Koebernick
- Jack Ramsay
- David Darichuk
- Suzie Doratti
- Anthony Bastiaanssen
- Troy Martens
- Dal Anderson
- Stephen Youl
- Rodney Wright
- Garrett Millsap
- Peter Mercer
- David and Linda Bello
- Jeffrey and Tiffany Li
- Ryan Glendinning
- Wayne Campbell
- Gellatly Bay Goats Peak Community Association

- Aimee Jensen
- Thomas and Angela Davis

PUBLIC HEARING SUBMISSIONS

Zoning Amendment Bylaw No. 154.99
(File No. P 20-16 Short Term Rentals)

NO.	Date RECEIVED	TIME RECEIVED	RECEIVED FROM
Submissions included with Public Hearing Report to Council			
1.	March 3, 2021	2:16 PM	Scheelar, Lori & Bryan
2.	March 3, 2021	3:38 PM	Bhulabhai, Anup
3.	March 4, 2021	8:18 AM	Thomas, Shawn
4.	March 4, 2021	11:26 AM	Nancy B
5.	March 4, 2021	12:08 PM	Crabbe, Collin
6.	March 4, 2021	6:23 PM	Lister, Tanya
7.	March 5, 2021	8:55 AM	Ferguson, Doug
8.	March 3, 2021	8:43 AM	Albrecht, Gunthardt & Nicolette
9.	March 6, 2021	7:16 AM	Barton, Susan
10.	March 6, 2021	10:33 AM	Clark, Douglas
11.	March 7, 2021	8:35 PM	Whitson, Greg
12.	March 8, 2021	12:34 PM	Dunbar, Nancy & Dave
13.	March 8, 2021	1:01 PM	Davies, Julie
14.	March 9, 2021	9:32 AM	Montgomery, Natasha
15.	March 10, 2021	1:38 PM	Willis, Sue & Dann
Submissions included with the Late Agenda Items to Council			
16.	March 10, 2021	4:01 PM	Du Preez, Theodora
17.	March 11, 2021	10:38 AM	Page, Melissa
18.	March 11, 2021	10:40 AM	Ganczar, Ron
19.	March 11, 2021	12:00 PM	Sander, Sharon
20.	March 11, 2021	2:55 PM	O'leary, Graham
21.	March 11, 2021	3:17 PM	Paynter, Chandra

PUBLIC HEARING SUBMISSIONS

Zoning Amendment Bylaw No. 154.99
(File No. P 20-16 Short Term Rentals)

22.	March 11, 2021	6:13 PM	Davis, Brian
23.	March 11, 2021	7:18 PM	Winckers, Janice
24.	March 11, 2021	8:59 PM	Paynter, Lisa & Akins, Philip
25.	March 11, 2021	10:24 PM	Zerwes, Manuel and Sarp, Nejat
26.	March 12, 2021	7:04 AM	Weeks, Murray (additional comments submitted)
27.	March 12, 2021	7:59 AM	Kline, Bea, Green Bay Property Owners Association
28.	March 12, 2021	8:37 AM	Gill, Richard
29.	March 11, 2021	6:14 PM	Marston, Chrissy & Steve
30.	March 12, 2021	10:56 AM	Richard, Nicole
31.	March 12, 2021	11:56 AM	Haddock, Colin & Najia (additional comments)
32.	March 12, 2021	12:52 PM	Robinson, Heather, Greater Westside Board of Trade
33.	March 12, 2021	1:24 PM	Willis, Sue, Accredited BC Accommodations
34.	March 12, 2021	2:26 PM	Gyori, Michael and Martina
35.	March 12, 2021	3:44 PM	Schellenberg, Marilyn
36.	March 12, 2021	4:12 Pm	Schmitt, Dayne Bill
37.	March 14, 2021	8:04 AM	Holt, Ryan
38.	March 14, 2021	8:36 AM	Anderson, Cindy (Submitted 2 – both included under #38)
39.	March 14, 2021	10:45 AM	Rivest, Gates
40.	March 14, 2021	11:20 AM	Pacholok, Shirley
41.	March 14, 2021	12:33 PM	Mercer, Cherrie
42.	March 14, 2021	12:44 PM	Shoaf, Lori

PUBLIC HEARING SUBMISSIONS

Zoning Amendment Bylaw No. 154.99
(File No. P 20-16 Short Term Rentals)

43.	March 14, 2021	4:36 PM	Clifford, Jay & Jessie
44.	March 14, 2021	5:24 PM	Davies, Sandra
45.	March 14, 2021	8:36 PM	Wright, Lynne & Barry
46.	March 14, 2021	9:17 PM	McEwan, Sue
47.	March 15, 2021	8:15 AM	Critchley, Debra
48.	March 15, 2021	8:40 AM	Nielsen, Sonny & Danielle
49.	March 15, 2021	10:15 AM	Atchison, Diane and Koebernick, Ray
50.	March 15, 2021	11:46 AM	Ramsay, Jack
51.	March 15, 2021	11:51 AM	Darichuk, David
52.	March 15, 2021	11:57 AM	Doratti, Suzie
53.	March 15, 2021	12:05 PM	Bastiaanssen, Anthony
54.	March 15, 2021	12:14 Pm	Martens, Troy
55.	March 15, 2021	12:31 PM	Anderson, Dal
56.	March 15, 2021	12:35 PM	Youl, Stephen
57.	March 15, 2021	1:34 PM	Wright, Rodney
58.	March 15, 2021	1:49 PM	Millsap, Garrett
59.	March 15, 2021	2:44 PM	Mercer, Peter
60.	March 15, 2021	2:53 PM	Bello, David & Linda
61.	March 15, 2021	3:03 PM	Li, Jeffrey & Tiffany
62.	March 15, 2021	3:11 PM	Glendinning, Ryan
63.	March 15, 2021	3:45 PM	Campbell, Wayne
64.	March 15, 2021	3:52 PM	Gellatly Bay Goats Peak Community Association
65.	March 15, 2021	3:57 PM	Jensen, Aimee

PUBLIC HEARING SUBMISSIONS

Zoning Amendment Bylaw No. 154.99
(File No. P 20-16 Short Term Rentals)

66.	March 15, 2021	3:53 PM	Davis, Thomas and Angela
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Meg Jacks

#16 March 10,
2021 @ 4:01 PM

From: Collette Beggs
Sent: March 10, 2021 4:37 PM
To: City of West Kelowna Submissions
Subject: FW: Luxury Residence for Rent
Attachments: [REDACTED] Residence.pdf

RECEIVED
MAR 10 2021
CITY OF WEST KELOWNA
Development Services

PH submission.

Thank you,



COLLETTE BEGGS | EXECUTIVE ASSISTANT | MAYOR'S OFFICE

2760 Cameron Road, West Kelowna, BC V1Z 2T6
778.797.2210 | www.westkelownacity.ca

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From: Theodora Du Preez [REDACTED]
Sent: March 10, 2021 4:01 PM
To: MayorAndCouncil <mayorandcouncil@westkelownacity.ca>
Subject: Fwd: Luxury Residence for Rent

Good afternoon

Just thought I would forward this to you for your information. It has come to my attention that this notification has been sent out to all major event planners in BC, and I believe across the country. This house is just around the corner from ours, and living in the area where we do, we have had to put up with much frustration due to short term rental accommodation in the past.

Please acknowledge receipt of this letter.

Thank you
Theodora Du Preez

"Unfortunately, the pandemic is a crisis in our Country, which has caused our vacations, trips, events and weddings to be postponed. Cancellation and lack of Venue space is the norm. We have decided for the summer to rent our resort like home as a new *venue* in the Okanagan, that of course comply with COVID restrictions. Our home offers unparalleled privacy located on 2 acres, with 9,000 sq.ft. of indoor and 5,000 sq.ft. of outdoor space. Stunning views of Lake Okanagan, and prominent wineries, Mission Hill and Quails Gate. Attached are some pictures along with a brief narrative. We will allow you to visit for showings and

bookings anytime after April 1, 2021. If you have interest, we would appreciate if you could get in touch with us at your earliest convenience.

Thank you so much and have an amazing day,



#17 March 11
2021
@ 10:38 AM

Meg Jacks

From: Jody & Melissa Page [REDACTED]
Sent: March 11, 2021 10:38 AM
To: City of West Kelowna Submissions
Subject: Bylaw Hearing - short term rentals

Hello,

We are writing in regard to the proposed changes to short term rentals. We are West Kelowna residents and, though we understand the need to regular "party houses", we oppose the inclusion of secondary suites. Not allowing secondary suites as STRs makes no guarantees that these homes will then be rented out for long term housing. Instead, it impacts owners contributing to the community through tourism and also impacts the tourism to West Kelowna as now guests are forced to stay in Kelowna.

Thank you,
Melissa

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MAR 11 2021

CITY OF WEST KELOWNA
Development Services

#18 March 11
2021
@ 10:40 AM

Meg Jacks

From: Ron Ganczar <[REDACTED]>
Sent: March 11, 2021 10:40 AM
To: City of West Kelowna Submissions
Cc: Ron G; Jim Stokes
Subject: Public Hearing P20-16 Short Term Rentals - Tallus Heights Lane

City Clerk, File P 20-16

Ron Ganczar
2022 Cornerstone Drive
West Kelowna

Require a change in parking space.

Should be 1.0 parking spaces per bedroom on owner property, for short term rentals.

Noticed a problem this last winter, in areas of extra suites, with extra vehicles parked on roadways, and snow clearing was incomplete, because of vehicles left on the roadways.

This had made some West Kelowna streets, slum like, with numerous vehicles parked on roadways, and snow clearing incomplete.

Driving in these areas is also a safety hazard, because of parking on both sides of the street. Extremely dangerous if children happen to be walking between parked vehicles.

Ron Ganczar,
West Kelowna

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MAR 11 2021

CITY OF WEST KELLOWNA
Development Services

Sent from my iPad

19 March 11
2021
@ 12:00 pm

Meg Jacks

From: Sharon Sander [REDACTED]
Sent: March 11, 2021 12:00 PM
To: City of West Kelowna Submissions
Subject: West Kelowna bylaws for Vacation rental

Hello,

I would like to oppose the current version of the listed bylaws. There seems to be a complete reversal of promoting the community for tourism and helping families to subsidize living in West Kelowna.

It would appear with the restrictions and extremely high fees that you want to penalize the majority of vacation rental owners for the few that have caused issues.

As well if you think that with the new rules that there will be more rental potential for the rental market these rules are not going to create that as most people including ourselves are not going to rent out the properties on a full time basis. We have had terrible experiences and huge costs associated with our rights as landlords and will not go there again anytime soon.

Please reconsider and look at different solutions then punishing the majority of citizens that rely on having a vacation suite for income.

We all agree that having rules is important but also supporting the hosts that attract income to the area for the wineries, restaurants, and the many retail stores is also very valuable to the community.

We hope you reconsider.

Thank you,

Sharon Sander

Sent from my iPad

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MAR 11 2021

CITY OF WEST KELLOWNA
Development Services

20 March 11
2021 @ 2:55 pm

Meg Jacks

From: Graham O'leary [REDACTED]
Sent: March 11, 2021 2:55 PM
To: City of West Kelowna Submissions
Subject: Short term rentals

Good day to city staff, Mayor and Council.

I would like to address the matter of enforcement with anything to do with any short term rental, if it be a suite, or a full house.

I think it is absolutely essential that some form of by law or some form of regulation is brought forward to deal with problem rentals.

If there are constant complaints from neighbors there should be a solid way of dealing with any form of problems that should arise with any renters.

I firmly believe taking a strong stance and having a by law with a strong backbone in place will be key moving forward. In having some of the regulations in the proposal does have restrictions in the amount of people at each location, which is good.

But making sure there is deeper and a stronger way to deal with potential party houses, and or constant problems at any such rental.

Thank you for your time and consideration in this matter.

Graham O'leary

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MAR 11 2021
CITY OF WEST KELOWNA
Development Services

21
march 11
2021
@ 3:17 PM

Meg Jacks

From: Chandra Stevenson [REDACTED]
Sent: March 11, 2021 3:17 PM
To: City of West Kelowna Submissions
Subject: Attn: City Clerk, File Number (P 20-16) Zoning amendment Bylaw No. 154.99

Attention: City Clerk, File Number (p 20-16)

Chandra Paynter
3565 Paynter Road
West Kelowna, B.C.
V4T 1R1

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MAR 11 2021
CITY OF WEST KELLOWNA
Development Services

"ZONING AMENDMENT Bylaw No. 154.99"

Allow short term rentals

A way to diversify income streams in a small farm is to have short term rentals. This will help maintain our picturesque town by making it possible for smaller family farmers to exist. This helps preserve the green rural agricultural landscape so attractive in pictures.

The South Okanagan has been advertised recently as the best place in Canada to vacation. In the March 11, Castanet, **"The South Okanagan is the place to be post-pandemic, according to Canadian online travel magazine Vacay.ca."** When the summer rush hits and the available large hotels are filled, it would be nice to have other smaller places available to rent to our visitors.

Please consider leaving short term rentals unregulated.

Thanks,

#22 March 11
2021
@6:13 PM

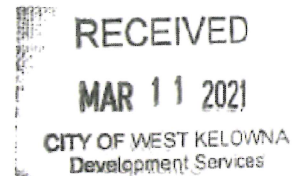
Meg Jacks

From: barbri barbri@telus.net [REDACTED]
Sent: March 11, 2021 6:13 PM
To: City of West Kelowna Submissions
Subject: Short Term Rentals

I am totally against short term rentals in residential areas. Nothing good can come of this. There will no doubt be neighbourhood conflicts as a result due to parking and traffic issues as well as noise and party concerns. Please try to restrict this.

Thank you,
Brian Davis

Cheers!



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MAR 11 2021

CITY OF WEST KELLOWNA
Development Services

#23 March 11, 2021
@ 7:18 PM

Meg Jacks

From: Janice Winckers [REDACTED]
Sent: March 11, 2021 7:18 PM
To: City of West Kelowna Submissions
Subject: Short term rentals in West Kelowna

Hello, I am a property owner in West Kelowna and I have been hosting guests for short term accommodations for almost 5 years.

I screen my guests through Airbnb and limit the numbers of guests to max of 3. I only invite people into my home who have met certain criteria as my personal safety and the safety of my children are my priority.

I have a modest home with a nice view near the wine trail. I've had many guests who have returned for 2 to 5 times in the time that I have been hosting.

My home has 4 bedrooms and I have 3 children so short term rentals offers me the flexibility to provide accommodations for my own family and friends when they come to town.

The space for which I offer short term rentals would not be appropriate for long-term as I need to access the space to get to some of my storage needs, my furnace to change my filter and adjust humidity, my hot water tank to ensure it's not leaking, to access my electrical panel, and to access my water main and irrigation shut offs, plus I need a place for my own family and friends and I need to safe guard my needs for quiet when sleeping between my shifts as a critical care RN

I am a single income earner and find that Airbnb is a helpful source of income to offset the constant rising costs of living that has not been met by any wage increase.

I report all of my earnings and pay additional house insurance to cover myself for any liabilities.
I provide a safe, clean alternative for visitors to the Okanagan who are not looking to stay in hotels or to share dining and or bathrooms in traditional BnB's.

I am a big promoter of local attractions and businesses throughout West Kelowna and Kelowna and have created a digital tour guide with links to restaurants, wineries, hiking trails and our museum, grocery stores etc...

I have on occasion rented out my space for consecutive months to help friends or acquaintances in need who were relocating here or going through separations, but these have been the only examples that have been able to work with my ability to access the area to flip the circuit breaker or turn off the water and to communicate boundaries around noise prevention when I'm sleeping during the day.

My home is set up as such that guests have their privacy and I have my security but it is not a home that would make for an ideal legal suite for the many reasons I listed above.

I should also note that in these almost 5 years that I have been offering short term accommodations, I have not had one single complaint from my neighbors. I have not had any issues with guests and my home has not sustained any damage. I am present for my guests and provide off street parking.

I am in support of a licensing fee and guidelines to ensure health and safety but this fee should be reasonable.

It is not realistic that I turn my space into a BnB because of my shift work and family duties and long term is not an option for the many reasons I have listed above.

Unfortunately I cannot attend the meeting on March 16 as I will be working.

Thank you for your time

With respect and in health,

Janice Winckers

24 March 11, 2021
@ 8:59 PM

Meg Jacks

From: Lisa Paynter [REDACTED]
Sent: March 11, 2021 8:59 PM
To: City of West Kelowna Submissions
Subject: Attn: City Clerk, File Number (P 20-16)

RECEIVED
MAR 11 2021
CITY OF WEST KELOWNA
Development Services

Your Worship and Councillors,

We are writing to you today about the short term rental proposed regulations and our concerns with not allowing carriage houses and secondary suits.

We agree with your proposed requirements with regards to: allowing principal residents to rent when they are away, having local contact, business license, parking, guests/bed limitations, and fines. We urge you to allow carriage houses and secondary suits as part of this by-law.

We understand the city's concerns with it affecting long term rentals, but we do believe that people who want long term renter will continue to have long term rentals. During normal times, landlords often rent to university students for the school year and then are able to rent to short term renters for the summer months. Others prefer to have it as a guest house for visiting family and friends, and only do short term rentals part of the year. What if the principal resident wanted to go away for a trip, could they not rent out their living space for short term rental, even though their property has a carriage house or secondary suite? This seems unfair that they would be excluded from this opportunity. This is a lost potential income for the city.

Allowing carriage houses and secondary suits would also deter the issue with having noise complaints as the owners would still be onsite and can manage the renters. Property owners, who live on site, should be within their rights to decide if they want to do long or short term rentals. With all the new rental residential units recently being built (or proposed to be built), the city has greatly increased the rental availability and it is not the regular citizen (property owners) responsibility to maintain rental stock.

Carriage houses and secondary suits are a preference for adults and families visiting any area, as they allow for flexibility and space that a hotel room or a B&B does not provide. We have personally enjoyed many trips where our family has opted to stay in carriage houses or suits so that we could have the option of self catering, access to larger indoor and outdoor spaces. Some of these locations have had us pay a tourist tax, and if hotels and the city are concerned that short term rentals are not paying an accomodation tax, then this might be an option to have them pay it too (if it is not too much!). Carriage houses and secondary suits are not party houses. That being said, short term renters spend lots of money in the area that they are visiting! If there are no carriage houses and suits available, they will just go to other Okanagan communities where their preferred accommodation exists and take their money to those communities.

Here are they challenges you have listed:

- Short Term Rentals may be a source of complaint in a neighbourhood as a result of noise, parking availability, and garbage - **Not a problem, as homeowners will be around, the carriage houses/suits already have available parking spaces, garbage will be disposed of by homeowners.**
- Short Term Rentals may be taking place of potential long-term rentals, which support our current and prospective residents - **Not a responsibility of homeowners, this is a responsibility of the city and they can create affordable housing programs/incentives.**

- West Kelowna has a low rental vacancy rate and high cost of living, which has resulted in a housing and renting affordability challenge - **Homeowners need rental income to support their mortgages/living in the Okanagan, short term rentals help homeownership.**
- Unregulated Short Term Rentals are not meeting the same health and safety standards or inspections requirements that traditional accommodation providers must meet - **Short term rentals should be regulated.**
- Unregulated Short Term Rentals are not regulated, and are therefore not being charged licencing fees, which is a loss of potential cost recovery or profit for the City - **a reasonable licencing fee should be included.**
- Potential revenue to contribute to tourism marketing and affordable housing programs or projects from an accommodation tax is lost. - **charge short term rentals a reasonable accommodation tax.**

For all these reasons listed above, we hope you will decide to include carriage houses and secondary suits into the proposed short term rentals bylaws.

Thank you for your time and service to our community.

Sincerely,

Lisa Paynter and Philip Akins

3651 Glencoe Road
West Kelowna, BC
V4T 1L8

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MAR 11 2021

CITY OF WEST KELOWNA
Development Services

#25
March 11, 2021
@ 10:24 PM

Meg Jacks

From: nejat sarp [REDACTED]
Sent: March 11, 2021 10:24 PM
To: City of West Kelowna Submissions
Cc: manuel Zerwes
Subject: NOTICE OF SHORT TERM RENTAL PUBLIC HEARING (P 20-16)
Attachments: SHORT TERM RENTALS; P 20 -16.pdf

Attn: City Clerk, File Number (P 201-)

Dear Madam/Sir,

Attached is our written submission as requested for the Public Hearing regarding File No: P 20-16 on March 16, 2021;

The City of West Kelowna Council is considering amendments to the Zoning Bylaw to regulate short term rentals in residential areas.

Please confirm receipt of the same via return email at your earliest convenience.

Thank you.

Sincerely yours,

Nejat Sarp
1384 Pinot Noir Drive

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MAR 11 2021

CITY OF WEST KELOWNA
Development Services

March 12, 2021

25
March 11, 2021
@ 10:24 PM

Dear Mr. Mayor and Council Members,

On behalf of 410 West Kelowna primary residents that have formally voiced their strong concerns for Short Term Rentals, we would like to provide input to the proposed new Zoning Bylaw amendments for regulating short-term rentals.

While we are disappointed that regulated short-term rentals will become a reality, it is crucial that proposed amendments continue to provide the quality of life for those residents that have chosen West Kelowna as their home.

With this in mind, please find below our comments; 'Pros' and 'Cons' on the proposed regulations for your attention and review;

'PROS':

1. Permitted within a single detached housing only
2. The operator of a short term rental must confirm that the dwelling in which they propose to operate is their principal residence
3. The operator of a Minor or Major Short Term Rental will be required to obtain a business licence in order to operate within the City of West Kelowna
4. The operator of the short term rental must ensure that any marketing materials or online listings include their valid business licence number
5. A local contact will be required as part of the application for a Short Term Rental business licence
6. Operators applying for a Short Term Rental business licence will be required to sign a Good Neighbour Agreement
7. An initial Fire and Building Inspection will be required for all short term rentals as part of the initial application requirements
8. 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

'CONS';

1. *'Limit' per Street*

In order to ensure the peace and tranquillity for ALL the neighbours, there must be a 'limit' as to the number of Major Short Term Rentals allowed per street within the proposed regulations.

2. *Time Limitation*

The suggested regulation does not state a time limit as to how long or how often a home could be rented out as a short-term rental during the lucrative high season.

In its current form, an operator/owner could travel from April to October (34 weeks) and list their dwelling as a Major Short Term rental, turning the house into a 'De facto Hotel'.

The pandemic understandably has adversely impacted the hotel industry; it will need our support in order to recover.

Allowing a platform for 'De facto hotels' to flourish will further compromise this industry and its ability to recover, which in turn will have a negative impact to our city/community.

3. *Maximum Occupancy;*

The proposal suggests maximum of 8 adults and does not specify children, potentially a daily pool party of 10 or more renters; not conducive to maintain peace and tranquility within the neighbourhood. There MUST a limit as to the number of occupants including children.

4. *Market Short Term Rental;*

Current monitoring process only holds accountable the homeowner. However in most cases marketing, servicing, and collecting of the rental fees are all conducted by a local vacation rental agency. They knowingly continue to rent illegally without any retribution.

The suggested daily fine of \$100 for these agencies that 'Market Short Term Rental Without License Number' will not deter the agencies from continuing there illegal practices, especially when they are renting homes for \$6000 to \$8000 a week.

Therefore our strong recommendation is for the daily fine to be the same for the agency as suggested for the Owner/Operator; \$1000 per day.

5. Local Contact;

Many of the Short Term Rentals are for a weekend or long weekends. As such, having the local contact responding within a reasonable time frame does not address the current challenges the neighbourhoods are facing with party houses.

Many of us are forced to keep our doors closed and avoid our patios in order to be able to hear ourselves speak when a party house is in close proximity.

Furthermore the disturbance usually occurs after hours.

There MUST be a much more effective monitoring process than suggested in the current proposal.

For example;

- a. How does a neighbour address a complaint after hours
- b. Local contact details MUST be circulated to the neighbours in close proximity to the Short Term Dwelling.

6. Enforcement for past offenders;

Currently within some neighbourhoods there are number of non-compliant homeowners that have ignored the existing regulations and refused to pay the fines issued by the Bylaw Officers.

Clearly these owners have no intention of observing 'Good Neighbour Agreement' nor regulations set out by the Council.

The neighbour's lives have been dramatically impacted by their behaviour.

How will the Council address this issue; will it shut down their illegal operation?

In closing we would like to express our appreciation to the Mayor, Council Members and the Planning Department for the close attention given to address this very delicate topic.

We look forward to your on-going support and direction.

Sincerely yours,

Manuel Zerwes
1464 Pinot Noir Drive

Nejat Sarp
1384 Pinot Noir Drive

26 March 12, 2021
@ 7:04 AM

Meg Jacks

From: Weeks, Murray [REDACTED]
Sent: March 12, 2021 7:04 AM
To: City of West Kelowna Submissions
Subject: Your story on Castanet

Dear City Council,

I am not in favour of short term rentals in residential areas, we don't have a short term rental problem, we have a shortage and a need to supply good affordable long term housing. Hotels and motels will service the short term requirement.

I have lived beside neighbours with short term rentals and it takes away from a typical family environment, in most cases the short term renter is here for a festive vacation with loud parties every night, this gets old quickly when you live next door, not to mention the increase in traffic and parking, a secondary suite just adds to the problem and gives owners another way to circumvent the rules by putting a family member in the suite while running a short term rental business in the main part of the residence.

Thank you for working hard and representing our City we appreciate it.

Murray Weeks
West Kelowna Resident since 1962

RECEIVED

MAR 12 2021

CITY OF WEST KELLOWNA
Development Services

26 Additional comments

Meg Jacks

From: Weeks, Murray <[REDACTED]>
Sent: March 12, 2021 6:57 PM
To: City of West Kelowna Submissions
Subject: Your story on Castanet

RECEIVED
MAR 12 2021
CITY OF WEST KELLOWNA
Development Services

See my note below in red Meg, I had send them after my initial comments, please make sure these get added to my record for Mayor and Council, so far I don't see them on your site?

Thanks Meg, I should clarify that I do support and we are fine with the traditional bed and breakfast model by it's true definition with or without food

Murray Weeks

From: Meg Jacks <[REDACTED]>
Sent: Friday, March 12, 2021 9:58 AM
To: Weeks, Murray <[REDACTED]>
Subject: RE: Your story on Castanet

Good Morning,

Thank you for you submission. This has been forwarded to the planner assigned to the file.

This submission will be included as a late agenda item. All late agenda items will be uploaded to the website on Tuesday March 16.

The City Clerk will announce all late agenda items at the beginning of the Public Hearing.

All submissions received before the close of the Public Hearing are provided to Council.

You submission will also be posted on the website here by the end of the day:

<https://calendar.westkelownacity.ca/default/Detail/2021-03-16-1700-Notice-of-Public-Hearing-P-20-16-Short-Term-Rental> [calendar.westkelownacity.ca]

Murray J Weeks
Real Estate & Construction



1540 Kalamalka Lake Rd.
Vernon, BC V1T 6V2

[REDACTED]
KalTire.com

27 March 12
2021
@ 7:59 AM

Meg Jacks

From: Bea Kline [REDACTED]
Sent: March 12, 2021 7:59 AM
To: City of West Kelowna Submissions
Subject: Your story on Castanet

Green Bay Property Owners Association have concerns with the party goers who are renting short term vacation homes.
How will the City control those late night parties ?
Will you have a Bylaws officer available for those complaints especially 24 hours a day for the peak months July and August ?

Best Regards
GBPOA

Sent from my iPhone

RECEIVED
MAR 12 2021
CITY OF WEST KELOWNA
Development Services

28 March 12, 2021
@ 8:37 AM

Meg Jacks

From: Richard Gill [REDACTED]
Sent: March 12, 2021 8:37 AM
To: City of West Kelowna Submissions
Subject: Attn: City Clerk, File Number (P 20-16)

RECEIVED

MAR 12 2021

CITY OF WEST KELLOWNA
Development Services

Good Morning,

One of the biggest, if not the biggest, problem with STRs is 'party houses' and as they can produce so much revenue over a few short months in the summer. Operators will go to great lengths to 'bend' the rules to avoid being shut down. The city is hoping to curb the problem of investors buying properties to operate as party houses by including the principal residence provision in the new bylaws. I cannot stress enough that the regulations around this particular provision must be extremely strong and enable the Bylaw Dept. to shut these properties down immediately. The season is from mid May until mid September, 4 months, and many operators know that it will take longer than this to be shut down so they flaunt the bylaws. The City of Kelowna decided that the designation for a principal residence was that the principal resident had to be living there for 8 months of the year. What happened when the bylaw was put in place was that the principal resident would vacate the property from mid May to mid September and rent it out as a party house, how is the City of West Kelowna going to avoid this loophole?

How is the City of West Kelowna going to regulate and enforce the principal residence provision of the STR bylaws to ensure the same problems do not occur in West Kelowna as are still happening in Kelowna and many other municipalities?

What is the City's definition for 'a principal resident in a single detached dwelling'? How many days of a year is a principal resident required to be in residence and how many days can a 'principal residence' be rented out without a 'principal resident' residing in the 'principal residence'? The City mentions: 'For certainty an occupant shall be a principal resident of the single detached dwelling'.

How will the City regulate the situation where two people who are in a relationship and live together and declare that each one of them is the occupant of two separate principal residences?

Will the operator of a STR be required to prove to the City that the subject property is in fact a 'principal residence' prior to license renewal every year?

Will the City make available to the public upon request a list of all addresses that have a valid business license to operate a STR?

Why are the new Bylaws punishing law abiding hosted and licensed Bed & Breakfast operators?

Why did the City staff see the need to roll existing B&B regulations into the new and/or amended STR Bylaws and not consult with Council first?

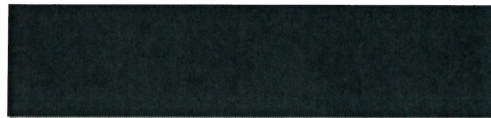
Thank you for taking the time to read and consider my input to this important public hearing for bylaws to regulate short term rentals in West Kelowna,

Richard Gill
3583 Ranch Rd
West Kelowna, BC
V4T 1A1

RECEIVED
MAR 11 2021
CITY OF WEST KELOWNA
Development Services

A View of the Lake Bed & Breakfast
1877 Horizon Drive
West Kelowna V1Z 3E4

29
March 11, 2021
@ 6:14 PM



Hello

We have a Bed and Breakfast business with 4 rooms all en suite for 15+ years.

We have a business license, bed & breakfast insurance and we pay PST and GST. We have been inspected over the years by B&B associations and until recent years BC tourism who inspected us yearly. We have tourism highway signs on highway 97 with our B & B name both east and west direction.

We have been legally abiding by all the government rules and regulations including fire recommendations from the West Kelowna fire chief who has inspected our premises on several occasions.

We have been B & B ambassadors for West Kelowna tourism restaurants, wineries and local businesses and we are recognized in the tourism sector along with the hotels.

We have been offering a different service experience to the tourism hotel industry we offer a unique experience to our guests with breakfast in the morning that is different from the hotel industry.

We have off street parking on our driveway for all our 4 rooms and garage parking for our own personal vehicles. We have been good members of the public with no problems or complaints from our neighbours.

We live on premises as this is our home and the B & B guests are living in our house, there is no catering facilities for guests and no apartments on our premises.

Owning a bed and breakfast is our lively hood and my husbands full time employment, he wears many hats, he checks the guests in, talks to them about where to visit and dine and is available throughout the day and in the morning he is the chef. We work very closely with the West Kelowna tourism and bed and breakfasts associations and have been a great asset to the tourism industry & the city of West Kelowna and we are recognized by all the wineries.

We were happy to hear that Air B & B was going to be addressed in a meeting, as there are no laws, no inspections and anyone can just open a door to a spare room with no locks on doors or an escape through locked windows in the rooms. There are no fire precautions as they are not checked or inspected. There is no declaring or paying the correct taxes and no bed and breakfast insurance not sure why they call it air B&B as they don't provide any breakfast and most of the time no one lives on the premises. The last couple of years we have seen many Air B & B in the area and we were pleased that the issue was going to be address to level the playing field as they are effecting the ligament business.

We would like to be at the next meeting, as hotels and bed and breakfasts are losing out due to Air B & B which has no rules.

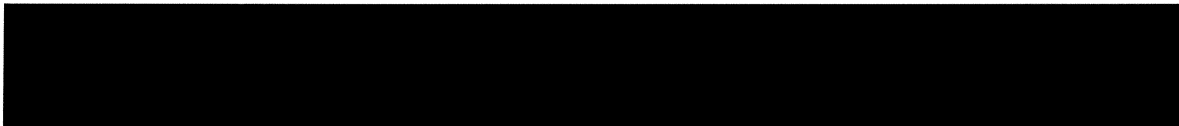
Concerns that need to be addressed

- 1. host lives on premises.**
- 2. Liability insurance.**
- 3 government monitored and regulated with inspections to a safety standard.**
- 4. off street parking.**
- 5. taxes are paid.**

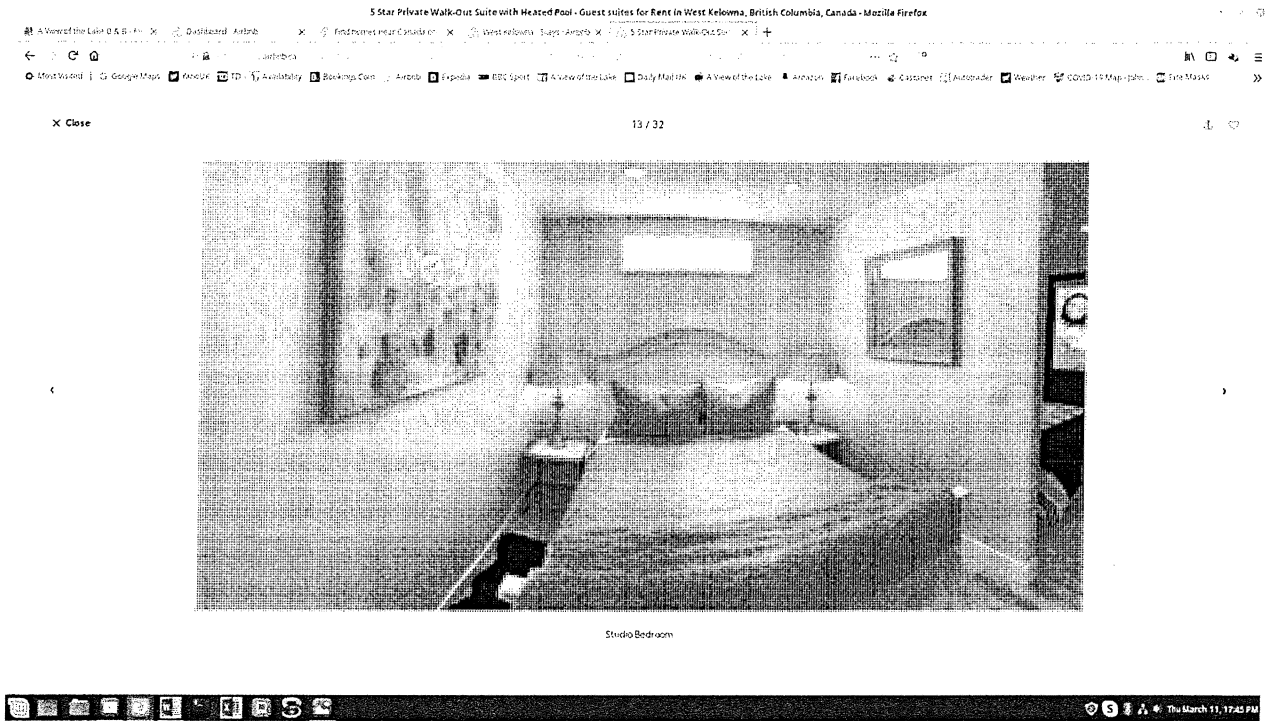
We have been grandfathered in for 4 rooms but how is it allowed that Air B & B can have as many rooms and people as they want.

Today I went on the Air B & B website and this is what I found for West Kelowna once again how can this be without any regulations and they can host over 12 to 14 people. I would hate to live next door to houses being rented out.

One property can hold 14 guests..... in West Kelowna. This is not right!



An air b & b that is below us never closed when everyone last year was shut down due to Covid, they had out of province number plates when we all abide to the non essential travel rule. One of the rooms does not even have windows that can open in case of an escape these are the issues that need to be addressed.



These are a couple of our concerns if you need to contact us please do.

Regards

Chrissy and Steve Marston.

RECEIVED

MAR 12 2021

30 March 12, 2021

@ 10:56 AM

Meg Jacks

CITY OF WEST KELLOWNA
Development Services

CITY OF WEST KELLOWNA
Development Services

MAR 12 2021

RECEIVED

From: Nicole [REDACTED]
Sent: March 12, 2021 10:56 AM
To: City of West Kelowna Submissions
Subject: Atten City Clerk File No. P 20-16

Dear Mr. Mayor and Council

I have concerns about the new short term by-laws for West Kelowna. In particular the clause omitting suites and carriage houses from being able to partake in the industry.

Tourism for our economy is everything. In my opinion we are not doing nearly as well as Kelowna or Peachland in bringing in summer business. Disallowing suites and carriage houses will decrease our tourism. It will hurt our Westside Wine Trail. It struck me the other day that 3 out of 4 of our family members have jobs in the wine industry. My 17 year old daughter works her summers for Quail's Gate. My husband, a high school teacher during the year, has driven wine tour busses in the summer months. As a photographer, some of my largest clients are wineries. These businesses are the heart of our economy. They are helping young adults afford college. They are putting food on the table and getting kids their music classes.

When modelling our short term rental bylaws off of Kelowna's we fail to recognise that our demographics are vastly different. We have so few hotels compared to Kelowna. So many of our visitors utilise short term rentals in suites and carriage houses.

I am extremely cognisant of the need for low income housing and affordable long term rentals. I understand the vital need for our residents. No part of this is lost on me. Is there not a way we can both safeguard long term rentals while at the same time not hurting our summer economy? Could we increase the short term rental fees to make long term rentals equally monetarily enticing? Could we reduce DDCs to give developers incentives to build long term rental facilities? Could we give tax incentives to home owners operating long term rental businesses? I know this is an EXTREMELY important issue. It needs to be addressed. I'm not confident that this is the way to do it.

Many thanks for considering my thoughts on this matter. And a huge thank you for all the hard work you all do on behalf of our community.

#WestIsBest

Nicole Richard,

1210 Sunnybrae Rd.

West Kelowna, BC

V1Z 2P1



#31
March 12, 2021
@ 11:56 AM

Cheers B&B Inc

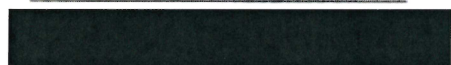
3282 Malbec Crescent

West Kelowna

British Columbia

Canada, V4T 3B5

www.cheersbnb.com



RECEIVED

MAR 12 2021

CITY OF WEST KELOWNA
Development Services

Dear Mayor and Council submissions@westkelownacity.ca

As owners of a licensed Bed & Breakfast in West Kelowna, we have reviewed the City's proposed ByLaw No. 0154.99, 2021"; under project and P 20-16 – Proposed Short Term Rental Program.

The staff approach and the Proposed By Law is detrimental to the professional hospitality industry and gives unfair advantages to casual rental businesses while undermining the quiet enjoyment of neighbourhoods throughout West Kelowna. We wish to express our serious concern and frustration with the council's refusal to consider the impact of such changes on our industry as well as the rights of homeowners. It appears that either the city is intent on favouring short-term rentals compared with Bed & Breakfasts, or has a mistaken understanding of our industry.

Facts:

1. Bed & Breakfasts have operated responsibly in the area for over 30 years, before the city was even created. We are not aware of any ByLaw complaints. The current regulations have worked to allow for a professional industry to work in harmony with neighbouring residents.
2. Bed & Breakfasts support the city's restaurants and tourist businesses to a greater area than do short-term rentals. Because B&Bs only provide breakfast, our guests eat lunch and dinner at local restaurants. Tourists at short-term rentals have the option of cooking meals at their accommodation.
3. Bed and breakfasts are not minor short-term rentals. They provide a boutique hotel experience which is their principal attraction.

By way of contrast, there have been numerous ByLaw complaints about the currently illegal short-term rentals, as documented in the city's own research. The main concerns involve parking, noise, and parties in quiet areas.

The proposed By-Law offers more generous regulations over capacity and parking for short-term rentals than those which currently apply to licensed Bed and Breakfasts. Despite suggestions which were previously submitted by us, by our fellow B&B innkeepers, and by the Greater Westside Board of Trade, it does not appear that our suggestions were ever communicated or appreciated by those drafting the proposed By Law. This is to yet again request that the following issues be addressed and that the proposed rule changes be amended accordingly.

Specific Concerns

Lumping licensed professionals with casual renters in inappropriate.

To categorize licensed Bed & Breakfast businesses as "minor short-term rentals" is misleading, unfair and insulting.

We and our fellow innkeepers operate to **professional hospitality standards**, carry commercial business insurance, are subject to inspection for building and fire code regulations, carry food service licences, and undergo peer review for quality standards.

Bed & Breakfasts are perceived by the City as being the same thing as an unregulated short-term rental. The City needs to be educated on the difference.

1. We offer our guests more than a clean bed and a meal. We educate ourselves on events and businesses in the area and promote them to our guests. We pride ourselves in farm-to-table restaurant quality meals and personal service. We create memorable, *branded* experiences for tourists.

This is not the same as a homeowner trying to monetize an empty room when little Johnny goes off to university, or even the entire house is rented out for a bit of extra income. The occupier, who may not even be the owner, simply lists on Airbnb or VRBO, or similar websites. There is no one to verify the cleanliness, safety or even the accurate representation of the premises to be rented out. The homeowner is not required to vet the people renting the property-indeed, there is no requirement for the operator to actually meet the people who will stay in a local property. There is no requirement for the homeowner to do anything at all.

2. Modification or revocation of a valuable licence without input or cause is improper.

Bed & Breakfast owners have invested in their premises, their professionalism, and their licences. The revocation of a category of licensed businesses without

their input is highly improper and would appear to conflict with the BC Community Code page 16, para 3.5 section 59, and para 3.6.1.1 section 60. It also contravenes the spirit of Federal Regulatory guidelines.

3. New capacity limits will shut down some long-standing B&Bs in West Kelowna and tip the competitive balance in favour of Kelowna B&Bs. The capacity limits proposed for “minor short-term rentals”, as the proposed, is 3 rooms, 2 persons per room. This is a retroactive reduction of limits under the existing Bed & Breakfast license under which we have operated.

We purchased and remodeled our property under these rules. Our house has an 800 square foot studio apartment on one floor that can accommodate 4 adults and two other bedroom suites on another floor of the house, for a total of 8 guest capacity. The proposed rule cuts our potential revenue by 25%.

Even if we are “grandfathered”, when the time comes for us to sell the house and the B&B business, the cornerstone of our final retirement investment, we will face a reduced potential market for buyers; why would a potential B&B buyer purchase a business in West Kelowna, when municipalities all around the area have much more supportive rules for licenced Bed & Breakfast businesses?

Not only do you propose to decrease our ability to compete with B&Bs in surrounding cities, you also make it harder to compete against the short term rentals that are allowed one additional room!

The proposal trashes the investment many B&B owners, including us, put into our businesses and puts all West Kelowna B&Bs and local tourism at a distinct competitive disadvantage for no justifiable reason.

4. Bed & Breakfasts must adhere to off-street parking regulations, (one space for every guest room, not in front of the owner's garage). Short Term rentals have less stringent constraints (one space for every two rooms). We share our neighbours' concerns about excessive street parking when unmanaged properties are rented out with no on-site supervision and no City regulation.
5. Lack of guest vetting or on-site management presence nullifies all other regulations.

We are concerned that the City is proposing to allow Operators to rent without ensuring someone remains on-site, or that the guests are even greeted by the Operator. No one is there to make sure only the registered number of people stay, that there are no illegal drugs, that noise is abated, and trash contained.

Despite our professional marketing and advertising, even we have faced situations in which the guest couple we were expecting arrive with three other people who were not registered guests who thought they could just “crash” with their friends.

6. There are no accommodation standards in the proposed plan.

There is no plan for inspections to ensure accommodations are as advertised, meet building code and public health standards, or that the Operator carries insurance to cover their liability to the public. Under the City's proposal, Operators can literally post fake images of the property, provide nothing (no sheets, towels, toilet paper, food, parking, or even utilities) and not run afoul of the regulations. The experience would give West Kelowna and B&Bs a black eye.

The existing licensed accommodation providers are the owners of the property. They take great pride in the quality of the experience they provide for visitors and self-govern to ensure our guests enjoy high-quality stays. We are not "minor short term rental operators", we are professional innkeepers and ***unofficial ambassadors for West Kelowna***.

Our guests contribute to the local economy more per capita than those staying in short term rentals. They eat at local restaurants for lunch and dinner, as they do not have the opportunity to cook at their rented establishment. They are encouraged by their hosts to visit various local establishments for dining and entertainment. We tell them of upcoming events when they make their reservation and assist them in acquiring tickets, much like a concierge in a hotel. Short term rental operators do nothing to promote the local tourist economy.

While media reports of Council's meeting on February 23 indicated that it was intended that existing Bed & Breakfasts would be "grandfathered", no grandfathering provision appears in the proposed By Law.

As directors of Accredited BC Accommodations, the association representing BC's B&B innkeepers, we have worked with other municipalities in developing rules for short term rentals that benefit the entire community. We have repeatedly offered to assist the city staff with this matter and were only given this opportunity at the last minute on March 11, 2021.

Recommendation

We respectfully submit that all present and future licensed Bed & Breakfasts should be treated as professional business entities separate from short-term rentals, and continue to be allowed to operate under the existing B&B rules (By Law 0154, section 3.17). To remove the unintended harmful impact on licensed Bed & Breakfast businesses, we recommend that the Proposed By-Law be amended to remove section 2.5 of the amendments. References to Bed and Breakfasts in the definition below should be removed.

"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."

The result should be a continuation of existing By Law 0154, section 3.17 for Bed and Breakfasts.

We will be speaking at the Public hearing on March 16.

Yours very truly,

Colin & Najia Haddock, owners
Cheers B&B Inc
3282 Malbec Crescent
West Kelowna, BC, V4T 3B5

Copies to

1. Ms. Hailey Rilkoﬀ, Planner 2
[REDACTED]
778-797-2229
2. Mark Koch, Director of Development Services
[REDACTED]
778-797-8833
3. John Perrott, Economic Development & Tourism Manager,
[REDACTED]
4. Ben Stewart, MLA Kelowna West
[REDACTED]
5. Dan Albas, MP, Okanagan-Similkameen-Nicola
[REDACTED]
6. Heather Robinson, Executive Director, Greater Westside Board of Trade,
[REDACTED]

#31 Additional
Comments

MAR 12 2021

Meg Jacks

RECEIVED

From: [REDACTED]
Sent: March 12, 2021 3:02 PM
To: Meg Jacks
Subject: Re: Submission re short term rentals for Public Hearing March 16

Follow Up Flag: Follow up
Flag Status: Flagged

RECEIVED

MAR 12 2021

CITY OF WEST KELOWNA
Development Services

Thanks Meg, while we recognize this is a municipal matter, but we wanted Dan to know that this could negatively impact the b&b industry and the local restaurants in west Kelowna. B&b guests eat lunch and dinner at local restaurants, whereas short term rentals tend to cook themselves.

We are also concerned that this measure contravenes the spirit of federal regulatory guidelines, as well as bc's community charter, in that businesses are negatively impacted with extremely limited consultation.

The Westside board of trade has expressed their concerns too

Thanks

Colin haddock [REDACTED]

Sent from my iPhone

On Mar 12, 2021, at 2:01 PM, Meg Jacks <Meg.Jacks@westkelownacity.ca> wrote:

Good Afternoon,

Thank you for you submission. This has been forwarded to the planner assigned to the file.

This submission will included in the agenda which will be uploaded to the website on Tuesday March 16.

All submissions received before the close of the Public Hearing are provided to Council.

Regards,

DO YOU HAVE A MINUTE? WE WANT TO HEAR FROM YOU! PLEASE COMPLETE THE DEVELOPMENT FEEDBACK SURVEY.

<image001.jpg> **MEG JACKS | DEVELOPMENT TECHNICIAN | CITY HALL**
2760 Cameron Road, West Kelowna, BC V1Z 2T6
778.797.8831 | www.westkelownacity.ca

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Greater Westside
BOARD OF TRADE

#32
March 12
2021
@ 12:52 pm

March 12, 2021

His Worship Gord Milsom & Council
West Kelowna City
2760 Cameron Road
West Kelowna, BC
V1Z 2T6

RECEIVED

MAR 12 2021

CITY OF WEST KELLOWNA
Development Services

Dear His Worship & Council;

These comments are in relation to the City's proposed ByLaw No. 0154.99, 2021"; under project P 20-16 – Proposed Short Term Rental Program.

The proposal to replace the existing Bed & Breakfast licensing regulations, and reclassify such businesses as "minor short-term rentals" is detrimental to the B&B member businesses. This will undercut some of the current economic benefits brought to the City's restaurants and tourist operators. Tourists staying at a Bed and Breakfast eat lunch and dinner at restaurants, whereas short term renters have the option of cooking for themselves.

There are differences between a licensed Bed & Breakfast and a Short-term Rental. Licensed Bed & Breakfasts operate to professional hospitality standards, carry commercial business insurance, are subject to inspection for building and fire code regulations, carry food service certification, and undergo peer review for quality standards. They also have on site management.

This is not the same as someone trying to monetize an empty room or a whole house. The operator, who may not even be the owner, simply lists on Airbnb, VRBO, or similar websites. There is no one to verify the cleanliness, safety or even the accurate representation of the premises to be rented out. We understand that the City wishes to regulate short-term rentals to alleviate the problems unlicensed "party houses" have caused. Licensed B&B businesses have operated responsibly for years with virtually no issues.

The proposed By-Law gives unfair advantages to casual rental businesses in terms of capacity limits and parking. The capacity limit for a B&B is currently 4 rooms and 8 people. The proposed By Law reduces this limit to 3 rooms and 6 people. This reduces the revenue capability of existing businesses and will discourage new businesses from operating. It is worth

2372 Dobbin Road, West Kelowna, BC V4T 2H9

noting that licensed Bed & Breakfasts in Kelowna may operate up to 4 rooms with 8 people. Meanwhile short-term rental operators will be allowed to rent 4 rooms to a maximum of 8 people, with no onsite management.

While media reports of Council's meeting on February 23 indicated that it was intended that existing Bed & Breakfasts would be "grandfathered", no grandfathering provision appears in the proposed By Law.

Recommendation:

To mitigate the potential harmful consequences on licensed Bed & Breakfast businesses, we recommend the Proposed By-Law be amended to remove section 2.5 of the amendments. References to Bed and Breakfasts in the definition below should be removed.

"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.

The result should be a continuation of existing By Law 0154, section 3.17 for Bed and Breakfasts. ***This should be corrected as a priority.***

Sincerely,

Heather Robinson
Executive Director
Greater Westside Board of Trade

Copies to

1. Ms. Hailey Rilkoff, Planner 2
[REDACTED]
2. Mark Koch, Director of Development Services
[REDACTED]
3. John Perrott, Economic Development & Tourism Manager,
[REDACTED]
4. Ben Stewart, MLA Kelowna West
[REDACTED]
5. Dan Albas, MP, Okanagan-Similkameen-Nicola
[REDACTED]

2372 Dobbin Road, West Kelowna, BC V4T 2H9

#33 March 12
2021
@ 1:24 PM

Meg Jacks

From: Sue Willis [REDACTED]
Sent: March 12, 2021 1:24 PM
To: City of West Kelowna Submissions
Cc: [REDACTED]
Subject: Letter to West Kelowna Mayor and Council
Attachments: Letter to Mayor and Council.pdf

RECEIVED

MAR 12 2021

CITY OF WEST KELOWNA
Development Services

Hello

Please find our attached letter to West Kelowna Mayor and Council regarding the public hearing on the City's proposed By-Law No. 0154.99, 2021"; under project and P 20-16 – Proposed Short Term Rental Program, which proposes to eliminate the B&B bylaws and lump B&B's into a bylaw that is designed to regulate short term rentals.

To categorize licensed Bed & Breakfast businesses as "minor short-term rentals" is misleading, unfair and insulting, especially as they have been a thriving respected sector of the tourism industry for many years.

As with every municipality, short term rentals/vacation rentals in neighbourhoods require bylaws to license and regulate them, so they can live harmoniously in city neighbourhoods. Bed and Breakfast bylaws have long been established in all areas of the Province that has allowed them to operate successfully in neighbourhoods for many years.

B&Bs create memorable, *branded* experiences for tourists, keeping the guest's utmost comfort and safety in mind. We are professional innkeepers and run our B&B's as businesses to make a living income.

A B&B experience cannot be compared to a homeowner trying to monetize an empty/spare room for a little extra income here and there,.

Accredited BC Accommodations Association a non for profit Association, as the voice of Bed & Breakfast owners in the Province of British Columbia. Our Association represents B&B's across the province and has done so since 1993.

The B&B Industry is a vibrant sector of the tourism industry and attracts guests from every corner of the world.

Hospitality is what attracts travellers to B&B's. 84.5% of the travellers picked hospitality as the main reason for staying at a B&B so says the survey done in BC, for the Bed and Breakfast industry.

72.5% of the travellers picked breakfast as their number 2 reason for choosing a B&B followed by Host Interaction 60.5% ,Home Atmosphere 53% and Host Knowledge of area 52.5%

Who is staying at B&B's in BC. The survey showed that 66% of the travellers were between the ages of 51- 60 followed by the age of group of 61-70 37% and the ages of 41-50 at 35%.

87.5% of the travellers had stayed in a B&B before and said that the main reason for their trip was for their annual vacation 43.5% and short getaways 25% followed by visiting friends and relatives 21.5 %

Travellers said they found their B&B's by using an Internet Search, or by a recommendation.

Travellers chose a particular B&B by the B&B's location, followed by the B&B's own website, its reputation, and then by price.

We have worked with other municipalities on regulations and bylaws for the much needed regulation and licensing of shared accommodations, short term rentals, and vacation rentals.

This is the first time that we have been made aware of a municipality that has wanted to eliminated B&B Bylaws in favour of short term rental bylaws, and not allow for the B&B industry to be recognized as a vibrant ,thriving professional sector of the tourism industry, which contributes huge tourism dollars to its community.

Sue Willis,

President
Accredited BC Accommodations
www.accreditedaccommodations.ca



ACCREDITED BC ACCOMMODATIONS
www.accreditedaccommodations.ca

Dear Mayor and Council, submissions@westkelownacity.ca

Our non-profit Association is the voice of Bed & Breakfast owners in the Province of British Columbia.

We have reviewed the City's proposed By-Law No. 0154.99, 2021"; under project and P 20-16 – Proposed Short Term Rental Program. The city staff approach and the Proposed By-Law is detrimental to the professional hospitality industry and gives unfair advantages to casual rental businesses while undermining the quiet enjoyment of neighbourhoods throughout West Kelowna. We wish to express our serious concern and frustration on behalf our members and the B&B industry as a whole, with the council's refusal to consider the impact of such changes on our industry as well as the rights of neighbouring homeowners.

Specific Concerns

1. Lumping licensed professional innkeepers with casual renters is inappropriate. To categorize licensed Bed & Breakfast businesses as "minor short-term rentals" is misleading, unfair and insulting.

The term "short term rentals" has negative connotations throughout the tourism industry, businesses and neighbourhoods. B&Bs would not want a license on display that says they are a licensed short-term rental. We would like to suggest that at the least, if the bylaw is to include all other types of accommodations available, be so named, to appropriately label accommodations/specialty lodging in a better light.

Our members' businesses operate to **professional hospitality standards**, carry commercial business insurance, are subject to inspection for building and fire code regulations, carry up to date Foodsafe certificates, and undergo peer review for quality standards. Many have operated successfully for decades. We are not aware of any By-Law complaints raised about licensed Bed & Breakfast businesses in West Kelowna.

We offer our guests an authentic B&B “experience”. We don’t “rent” rooms any more than you don’t “rent” a table at a restaurant- you have a dining “experience”. We offer luxury and unique accommodations with high quality amenities, personalized service and warm and welcoming hospitality. We educate ourselves on all the events and attractions, and network with businesses in West Kelowna to promote them to our guests.

B&Bs pride themselves in creating a breakfast experience with farm-to-table creative breakfasts featuring Okanagan fruit and local products.

B&Bs create memorable, *branded* experiences for tourists, keeping the guest's utmost comfort and safety in mind. We are professional innkeepers and run our B&Bs as businesses to make a living income. Many of our members guests return time and time again to enjoy what West Kelowna has to offer.

This experience cannot be compared to a homeowner trying to monetize an empty/spare room for a little extra income here and there. The homeowner simply lists on Airbnb, or similar website. There is no one to verify the cleanliness, safety or even the accurate representation of the premises to be rented out.

2. Revocation of a valuable license without input or cause is improper.

Bed & Breakfast owners have invested in their premises, their professionalism, and their licenses. The revocation of a category of licensed businesses without their input is highly improper and would appear to conflict with the BC Community Code page 16, para 3.5 section 59, and para 3.6.1.1 section 60. It also contravenes the spirit of Federal Regulatory guidelines.

3. New capacity limits may shut down some long-standing B&Bs and prevent professional B&BS from opening in West Kelowna and tip the competitive balance in favour of Kelowna B&Bs, creating a loss of tourism dollars to West Kelowna businesses. B&B guests look for high quality B&BS and will look B&Bs elsewhere in the Okanagan as that is their preferred choice of accommodations. They will find high rated quality B&Bs in other areas resulting in more lost tourism revenue to our area.

The capacity limits proposed for “minor short-term rentals”, as proposed, is 3 rooms, 2 persons per room. This is a retroactive reduction of limits under the existing Bed & Breakfast license under which members operate and market. B&B owners purchased and remodelled property under these rules and now the City proposes to undercut that investment.

4. To make matters worse, the proposed limits for this new category are lower than those proposed for short term rentals without hosts on site (4 rooms, 2 persons per room). They are lower than B&B limits in Kelowna where B&Bs can operate up to four rooms. **They put West Kelowna B&Bs and local tourism at a distinct competitive disadvantage for no justifiable reason.**

Some of our members have large rooms with 2 queen beds, which enable them to serve “3rd wheel” tourists who are quite used to sharing a room. This group of tourists comprises a significant segment of business for some B&B’s. By shutting down “3rd wheel” tourism markets, tourists will go in search of B&Bs in other municipalities that welcome them, resulting in a loss of tourism revenue for B&Bs and a loss of revenue for tourism for West Kelowna and local businesses.

5. As our members are residents in the community, they are concerned that the City is proposing to allow Operators to rent without ensuring someone remains on-site, or that the guests are even greeted by the Operator. No one is there to make sure only the registered number of people stay and that the bylaws are followed, along with respect for the neighbours. This almost guarantees that “party houses” will continue to operate to the detriment of neighbourhoods and smear the reputation of Bed & Breakfasts who are perceived by the City as being the same thing as a short-term rental. Our members know too well the struggles with these unregulated unlicensed operators, as it has affected their revenues, their business, and their guests, with these type of properties on their street or in their immediate neighbourhood.
6. The existing licensed B&B accommodation providers take great pride in the quality of the experience they provide for visitors and self-govern to ensure our guests enjoy high-quality stays. Professional Innkeepers are not “minor short-term rental operators”. Our guests contribute to the local economy more per capita than those staying in short term rentals. They look for culinary experiences such as personalized wine tastings and winery dining, eat at unique local restaurants, visit farm stands and farmers markets -They look for adventure experiences such as helicopter tours, boat tours and rentals. We do not offer cooking facilities nor do we offer our guest a place to party. B&B hosts are always on site and have consistently been good neighbours.
7. While media reports of Council’s meeting on February 23 indicated that it was intended that existing Bed & Breakfasts would be “grandfathered”, no grandfathering provision appears in the proposed By Law. Even with “grandfathering” the proposed By-Law acts as a disincentive to new B&Bs and limits the marketability of existing B&B’s when their owners decide to sell the house and business. With out clear clarification on this point, it would be confusing to neighbours and residents, new or future B&B operators who read a bylaw that doesn’t cover how they see a current B&B business operating in their neighbourhood.

Recommendation

We respectfully submit that licensed Bed & Breakfasts should be treated as professional business entities separate from short term rentals and continue to be allowed to operate under the existing B&B regulations. This can be achieved by removing "bed and breakfasts" from the definitions in section 2.1 and related sections, removing section 2.5 altogether.

We have worked with other municipalities such as Vancouver, Victoria, Nanaimo in developing regulations for short term rentals that benefit the entire community and would welcome the opportunity to assist the city staff with this matter.

Our members are disappointed that the city staff did not reach out to them through their business license, to include them in consultations especially since it severely impacts their licensing and their reputation, and the reputation and the licensing of the B&B industry as a whole in West Kelowna going forward. As an Association we were able to identify 20 B&Bs, most operating year-round, in West Kelowna with a total of 57 rooms available each night which equates to significant tourism revenue.

Please ensure that our comments are included in the Public Hearing March 16th.

Yours very truly,

Sue Willis, President
Accredited BC Accommodations

Copies to

1. Ms. Hailey Rilkoff, Planner
[REDACTED]
2. Mark Koch, Director of Development Services
[REDACTED]
3. John Perrott, Economic Development & Tourism Manager,
[REDACTED]
4. Ben Stewart, MLA Kelowna West
[REDACTED]
5. Dan Albas, MP, Okanagan-Similkameen-Nicola
[REDACTED]
6. Heather Robinson, Executive Director, Greater Westside Board of Trade,
[REDACTED]

West Kelowna and area Bed & Breakfasts who are members of Accredited BC Accommodations

A View To Remember B&B, owners, Sue & Dann Willis, [REDACTED]

Cheers B&B, owners Colin & Najia Haddock,, [REDACTED]

Lakeview Oasis B&B, Peachland, owners Sheila & Chris Hawthorne, [REDACTED]

A View of the Lake B&B, owners Steve & Chrissy Marston, [REDACTED]

RECEIVED

MAR 12 2021

CITY OF WEST KELLOWNA
Development Services

#34 March 21, 2021
@ 2:26 PM

Meg Jacks

From: Michael Gyori - [REDACTED]
Sent: March 12, 2021 2:26 PM
To: City of West Kelowna Submissions; Carol Zanon
Cc: Martina Gyori
Subject: Dismay about proposed short term rental bylaws and request to speak on March 16th
Attachments: Short Term Rental Letter to West Kelowna Council.pdf

Hi Carol and West Kelowna City Council,

I've written and attached a letter to council regarding their proposed bylaws for short term rental, in particular regarding our dismay with their plan to ban short term rentals on properties with carriage homes and secondary suites.

I also request to speak at the council meeting this coming Tuesday, March 16th. Please let me know how I can do that.

I've copied the contents of the letter below:

March 12, 2021

Dear West Kelowna Council (Attention: Carol Zanon),

With the upcoming bylaws to be created to manage short term rentals (STRs) in West Kelowna, council has an opportunity to help it's citizens or punish them.

We recently built a carriage home on our property for my elderly parents. It has been a joy having them close to our family. Our young children have been able to spend more time with them in the past few months than the previous years combined.

In addition to having our parents close (and not in a care home, especially during this pandemic!), we also saw value in having a small home on our property that family and close friends could use in the future after my parents passed. We were hoping that the short term rental bylaws that West Kelowna had procrastinated putting in place would eventually be setup and that they would enable us to have some short term rental (STR) in the carriage home at times during the summer when our family members were not using the home.

Now council is determined to prevent that, under the guise of adding to the long term rental pool and preventing party houses.

We certainly don't want long term renters in our carriage home. We want access to the home for family and friends. We did not build the carriage home to become landlords. We built it to be close to my parents in the final years of their lives, and afterward, for my brother, sisters, their families, and close friends, to have a place to stay when visiting us in the Okanagan from Vancouver and Seattle. Short term rental hosts and long term rental landlords are 2 very different people. Council is mistaken if they think that banning STR in carriage homes and secondary suites will translate most of those properties into long term rentals. This is simply not true.

Banning us from renting short term in our carriage home prevents us from getting much needed income to cover the significant costs in building it. The City of West Kelowna charged us over \$14,000 in permits and development costs to build the small 960sqft house, but now plans to vastly limits it's use with this ban on STR in carriage homes.

As former short term rental hosts we've always prided ourselves in being excellent hosts, ensuring that our neighbours are not impacted. We don't want parties in our home! Why does council think that restrictive short term rental bylaws will prevent party houses? If the City of West Kelowna can't enforce existing bylaws to punish negligent hosts that cause disturbance in their neighbourhoods, why does council think that punishing the many great short term rental hosts with restrictive new bylaws will somehow enable them to prevent party houses? Bad hosts will continue on with renting to party groups and flaunt any new rules just as they have in the past! Party houses are a problem with enforcement, not with bylaws.

Wouldn't council want hosts on the property in the main home right beside a carriage home so that they can monitor their guests and address any issues as soon as possible? Banning STR in carriage homes and secondary suites ensures that the host is NOT on the property and not aware of problems, enabling problems to escalate and disturb neighbours, causing more grief for the city than if hosts are on-hand, and able to address issues before they become significant.

We also enjoy meeting and hosting travelers. We love showing them this special place we call West Kelowna. We live in the heart of wine country and love sharing it with other great people from around the world.

If council bans STR in carriage homes and secondary suites, they are killing significant tourism in West Kelowna. Many travellers enjoy staying in local homes with local hosts nearby and these new proposed bylaws will just push those guests to other communities that have a more progressive view of travel accomodation in current times. Council has spent millions on upgrading the Wine Trail and showcasing the extensive and diverse wine industry in West Kelowna. Now they want to prevent tourists from staying locally? Do you want to encourage tourists bringing significant financial benefit to instead visit Summerland, Penticton, and Osoyoos?

Banning STR in secondary suites and carriage homes will not make any significant difference in the long term rental pool, nor will it prevent party houses. All it will accomplish is to punish West Kelowna families such as ourselves that built a carriage home on our property so that we could have my elderly parents close for the final years of their lives.

Sincerely,
Michael and Martina Gyori

35. March 12, 2021
@ 3:44 PM

Meg Jacks

From: Marilyn Schellenberg [REDACTED]
Sent: March 12, 2021 3:44 PM
To: City of West Kelowna Submissions
Subject: Your story on castanet re short term rental input - File No. P 20-16

We live at 3569 Galaview Drive in West Kelowna and were subjected to a short term/vacation rental house next door to us (at [REDACTED] for 4 years – (approximately 2013 to 2017). At this time short term rentals under 30 days were not allowed. However, our neighbour rented the property out for periods of one week, two weeks or whatever was requested and often to more than two families at a time. The owner of the property is the former mayor of [REDACTED] who knew about the bylaw but choose to ignore it as did his property manager Mark. My husband and our block Captain met with the Bylaw Department of the City of West Kelowna to discuss this matter and were told they had too much to do and couldn't look into every complaint – however, they would go and knock on the door! Fortunately for us Ivan sold the property and we acquired a lovely neighbour after 4 years of a living nightmare!

Before you vote to change the bylaw to allow short term rentals in a residential neighbourhood ask yourself if that's what you would like in your neighbourhood because I can tell you the answer is a resounding NO! These people are on vacation and don't adhere to quiet time from 11pm to 7am. Hotels, motels and places such as the Cove and Barona Beach Resort are zoned to accommodate vacationing people.

Respectively submitted by
Marilyn Schellenberg
3569 Galaview Drive
West Kelowna, B.C
[REDACTED]

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MAR 12 2021

CITY OF WEST KELLOWNA
Development Services

36 March 12, 2021
@ 4:12 PM

Meg Jacks

From: Bill Schmitt [REDACTED]
Sent: March 12, 2021 4:12 PM
To: City of West Kelowna Submissions
Subject: West K Short term rental

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MAR 12 2021

CITY OF WEST
Development Branch

Regarding this issue, I think a Nay vote may have some unintended consequences....example, I am a resident of Lakeview heights and due to an insurance loss, I am being displaced from my home for 3 weeks. Important to me is being close to my home, garden, and other amenities/local west kelowna businesses which I routinely support. If short term is not available to me (and other people in similar situations) and I am forced to go to kelowna where such accommodations are permitted, I look at this a lost opportunity for all, and frankly short sighted . No doubt not the intention by council but a negative outcome nevertheless

Stay Positive, Test Negative, Live Free!

Dayne Bill Schmitt

37 March 14, 2021
@ 8:04 AM

Meg Jacks

From: Ryan Holt [REDACTED]
Sent: March 14, 2021 8:04 AM
To: City of West Kelowna Submissions
Subject: File No. P 20-16 (NO to Short Term Rentals in Residential Neighborhoods)

ATTN: City Clerk
TOPIC: Short Term Rentals (please DO NOT ALLOW in residential areas)

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MAR 14 2021

CITY OF WEST
DEVELOPMENT

Hello City of West Kelowna,

RE: Short Term (vacation) rentals, my opinion is that these should be managed and controlled no different than BNB's have been for years.

- For primarily RESIDENTIAL areas: license required, owner on-site, strictly managed and heavy penalties/fines for disregarding the rules.
- For areas that are NOT primarily residential (downtown, around commercial or higher density areas), where zoning makes sense, allow short term vacation rentals.

Please do not allow our family neighbourhoods and residential areas to be destroyed by opportunistic investors who will profit short term to the detriment of tax-paying citizens who either own or rent long term in residential areas and who set roots in these areas **specifically** to avoid the noise and chaos of higher-density areas.

Conversely, what is the **upside** to allowing short term rentals for the community in general?

In my opinion, it is not fair, right or sensible to allow short term rentals in residential neighbourhoods as the pros are vastly outweighed by the cons.

Thank you,
Ryan Holt (current President of the Casa Loma Community Association)
2615 Campbell Road, West Kelowna, BC

#38 March 14, 2021
@ 8:36 AM.

Meg Jacks

From: CINDY ANDERSON [REDACTED]
Sent: March 14, 2021 8:36 AM
To: City of West Kelowna Submissions
Subject: short-term rentals

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MAR 14 2021
CITY OF WEST KELLOWNA
Development Services

Hi
I wanted to submit my thoughts on short term rentals in West Kelowna
I am in favour of short term rentals in West Kelowna. I feel that the negative impacts of short terms rentals can be addressed to legislation that we already have in place, our city by-laws. An example of this would be our noise by-laws. Especially during the pandemic where some people are struggling to make ends meet this method of generating revenue should not be denied to residents.

Cindy

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MAR 14 2021

#38 March 14, 2021
@ 8:36 AM

Meg Jacks

CITY OF WEST KELLOWNA
Development Services

From: CINDY ANDERSON [REDACTED]
Sent: March 14, 2021 8:40 AM
To: City of West Kelowna Submissions
Subject: short term rentals. submission Tues March 16 council meeting

To Whom it may concern,

I wanted to submit my thoughts on short term rentals in West Kelowna. I live in Casa Loma.

I am in favour of short term rentals in West Kelowna. I feel that the negative impacts of short terms rentals can be addressed to legislation that we already have in place, our city by-laws. An example of this would be our noise by-laws. I feel a well managed property and city has all the legislative power in place to meet the needs that arise from short term rentals.

Especially during the pandemic, where some people are struggling to make ends meet, this method of generating revenue should not be denied to residents.

Cindy Anderson
537 Zdralek Cove
West Kelowna

#39 March 14, 2021
@ 10:45 AM

Meg Jacks

From: Gates G [REDACTED]
Sent: March 14, 2021 10:45 AM
To: City of West Kelowna Submissions; Craig McCulloch
Subject: Public Hearing - Short Term Rentals

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MAR 14 2021

CITY OF WEST KELLOWNA
Development Services

Good day City Clerk,

We are looking at applying for short term rentals as a part of the Mt Boucherie business plan. We are located at 829 Douglas rd, West Kelowna. Please advise for access.

We would like to be present for this online webcast in regards to **File Number (P 20-16)**

Thanks in advance,

Gates Rivest
Director of Construction

[REDACTED]

W: www.purewestproperty.com
12395 Horseshoe Way, Richmond, BC,
Canada, V7A 4X6



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MAR 14 2021

40 March 14, 2021
@ 11:20 AM

Meg Jacks

CITY OF WEST KELLOWNA
Development Services

From: Shirley Pacholok [REDACTED]
Sent: March 14, 2021 11:20 AM
To: City of West Kelowna Submissions
Subject: File No. P 20-16 (NO to Short Term Rentals in Residential Neighborhoods)

Hello City of West Kelowna,

In regards to short term rentals(STR), my opinion is that they should only be considered, in any policy, with criteria that an **owner/responsible-representative be present to be responsible for their guests stay**, and for the **CWK to have in place prompt and effective controls and enforcement resources including RCMP**.

Unfortunately, CWK has not done a good job enforcing the existing policies on STR & B&Bs, many many many complaints have been made with inadequate response from the city (citing they are overwhelmed with complaints,) so the community has reason to not have faith going forward that giving more latitude to STR & BnB, that the enforcement would be any better. To me, solve this issue and the others will take care of themselves.

A commitment from CWK and effective enforcement resources, cooperation between City and police, need to be part of any new policy.

STR should be properly overseen and managed by "present" ownership and rules strictly controlled and enforced by CWK.

- CWK license
- required,owner/representative on-site
- strictly managed
- prompt attention and resolution to complaints
- penalties/fines for disregarding the rules.

Please do not allow our family neighbourhoods and residential areas to be disrupted by non-present owners, those who will profit from STR to the detriment of tax-paying citizens who make their home and set roots in these areas specifically to avoid the noise and chaos of higher-density areas.

The real question is...does the city have the budget and resources to enforce any STR policy they make, one that directly impacts the quality of life of families and neighbourhoods?

Regards, Shirley

41 March 14, 2021
@ 12:33 PM

Meg Jacks

From: Cherrie Mercer [REDACTED]
Sent: March 14, 2021 12:33 PM
To: City of West Kelowna Submissions
Subject: Short term rentals File #P 20-16

RECEIVED

MAR 14 2021

CITY OF WEST KELLOWNA
Development Services

Council Members. I would like to express my thoughts of short term rentals and bed and breakfasts in West Kelowna. Owners are treating these places as resorts, not respecting them as neighborhoods where people live in their homes. The renters use them as party houses, loud and disrespectful, and bring down the values of our homes.

The B&B at [REDACTED] is a prime example. The owners primary residence is in Vancouver where they reside, they bought the West Kelowna property to run the B&B in the tourist summer season. They advertise 5 bedrooms for rent. The owners are NOT on sight when they have renters, do NOT stay in the home when renters are there. There typically are 10 and MORE renters staying there on weekends during the 6 months tourist season. They also hold large weekend corporate events with people being dropped off by shuttle bus, 20+ cars parked on the roadway, many spending the weekend. Their renters are loud, drunken, and obnoxious late at night ruining our summers when we are outdoors trying to enjoy our properties and view. The owners are NOT there to observe or control the behaviour.

This B&B has been turned in numerous times by distraught neighbors yet absolutely nothing has been done by West Kelowna to enforce the laws. The next door neighbor finally sold their home and moved because of the noise, cars, and disrespect.

Unless laws are going to be enforced, short term rentals should not be allowed in West Kelowna neighborhoods. We all have worked hard to buy our homes, pay our taxes, support our community. Our properties and lifestyle are being negatively affected by these resort-style rentals by investors interested only in their financial bottom line.

Short term rentals are needed to support tourism and legal, LAW ABIDING B&Bs do this well. But weekend rentals, 10 cases of beer and groups of party goers has nothing to do with tourism. If West Kelowna isn't going to enforce the laws and protect the neighborhoods, if we don't have the people and resources to do so, then all short term rentals need banned.

Sincerely,
Cherrie Mercer
1524 Vineyard Drive
West Kelowna V4T 2Y7

Sent from my iPad

42, March 14, 2021
@ 12:44 PM

Meg Jacks

From: Lori Shoaf [REDACTED]
Sent: March 14, 2021 12:44 PM
To: City of West Kelowna Submissions
Subject: Short Term Vacation Rental Submission Reference File No. P 20-16

Attention: Mayor and Council

I take exception to the Major Short-Term Rental regulations which allow an operator/owner to be absent while their property is rented to one party. I believe that has been the crux of the problem that neighbours have complained about. If there is undue disruption the only option to deal with the offenders is to call authorities which takes them away from more urgent duties. I do not object to the maximum 8 persons but only that the rental will not be supervised by an on-site operator, which leads the temporary renters largely to their own questionable devices.

Thank you for the opportunity to voice my opinion.

Respectfully,
Lori Shoaf
3005 Shannon Lake Road, West Kelowna V4T1T6

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MAR 14 2021

CITY OF WEST KELOWNA
Development Services

RECEIVED

MAR 14 2021

CITY OF WEST KELLOWNA
Development Services

#43 March 14, 2021
@ 4:36 pm

Meg Jacks

From: [REDACTED]
Sent: March 14, 2021 4:36 PM
To: City of West Kelowna Submissions
Cc: [REDACTED]
Subject: Zoning Amendment Bylaw No. 154.99 (Short Term Rentals)

Attention: submissions@westkelownacity.ca
Municipal Hall
2760 Cameron Road
West Kelowna, BC V1Z 2T6

Re: Zoning Amendment Bylaw No. 154.99

To the Mayor, council members, and municipal staff:

We want to thank Major Gord Milsom, the councillors, and the city staff, who have put in a lot of work to bring us to where we are today with the proposed regulation of short-term rentals.

My wife and I have been operating Adela's Bed and Breakfast (Business License 6414) in West Kelowna since 2018. We left our careers in Ontario to follow our dream of owning a Bed and Breakfast. We chose West Kelowna over any other city/town in Canada. Our B&B is open all year round, and it is our primary source of income. Please consider our feedback on the proposed regulations, which should echo our response to the online survey from the third quarter of 2020.

Redefining Bed and Breakfasts as Short Term Rental Minor is an insult to our industry. We offer much more to our guests and the tourism sector than the idea of a short-term rental does. We are professional innkeepers, not someone looking to rent out a room to earn some extra money. We are licensed by the City of West Kelowna, carry commercial insurance to protect ourselves and our guests, we are FoodSafe certified. Our guests enjoy the breakfast prepared each morning, and then they eat at restaurants for lunch and dinners. We are on-site and make it our business to know what to recommend to our guests regarding things to see and do in the area. Our knowledge and recommendations support many businesses in the area.

The distinction of Major and Minor Short Term Rentals as presented is not balanced as shown below:

Major Short Term Rental – Owner off-site

Major Short Term Rentals still allow for potential "party houses" as the homeowner is not required to be present when the guests rent the property. If the owner is not present, who is there to greet the guest and ensure that no more than the registered number of people arrive. The proposed regulations give the city more power through licensing and fines

to reduce the “party houses”. However, it still transfers the responsibility of reporting the “party house” when the owner is not present to their neighbours.

Parking Requirements Inequality

Minor Short Term Rental: 1 space per bedroom vs. Major short term rental: 1 space per two bedrooms.

The parking should be determined by the number of bedrooms that meet the building/fire/electrical codes. How is it fair to have two different requirements for essentially the same accommodations?

Occupancy Inequality

Minor Short Term Rental: 3 Bedrooms (6 Adults) vs. Major Short Term Rental: 4 Bedrooms (8 Adults)

The number of bedrooms should be determined by the building/fire/electrical codes, not on a license definition. It would be fair to make them both four bedrooms / 8 adults.

Most successful Bed and Breakfasts look to the resale value of their home as a Bed and Breakfast. If the new owner could not continue as a four-bedroom B&B, you are taking away 25% of their future income and thereby making the property decrease in value.

From the Council Report dated February 23, 2021, by Hailey Rilkoff, Planner II (File P 20-16)

“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.”

If the owner is not away, will they be limited to 6 guests? How would you enforce this?

Enforcement and Fines

Will the city have a bylaw officer available 24 hours a day, 7 days a week, to deal with the complaints that are typically reported on short-term rentals when the owner is not present?

If the short-term rental owner chooses not to pay their fines, what recourse does the city have? Can they add on the property tax bill?

Someone once said: “If it is not broken, don’t fix it.” In closing, we would like to say that the existing bylaws for Bed and Breakfasts in the City of West Kelowna have been working fine for many years. The problem is with unlicensed short-term rentals and, more specifically, short-term rentals that the owner is not present in the home. Please fix the problem with short-term rentals without penalizing the Bed and Breakfast owners.

We thank you for the opportunity to voice our concerns.

Respectfully,

Jay & Jessie Clifford
Adela’s Bed and Breakfast
(Business License No. 6414)

3077 Stoneridge Drive
West Kelowna, BC V4T 2Y5

44 March 14
2021
@ 5:24 PM

Meg Jacks

From: John Davies [REDACTED]
Sent: March 14, 2021 5:24 PM
To: City of West Kelowna Submissions
Subject: Short Term Renters in West Kelowna, B.C.

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MAR 14 2021

CITY OF WEST KELLOWNA
Development Services

Sandra Davies - 1546 Pinot Gris Dr. West Kelowna, B.C.

OWNER: SANDRA DAVIES - 1546 Pinot Gris Dr. West Kelowna, B.C. V4T 2Y7

Unable to attend but would like the following to be registers to all Council Members.

Disruptions, in our neighborhoods.

Council's bylaws do not go far enough to address concerns the Neighborhoods have in West Kelowna. We need more rules and regulations so we don't have to go through this year after year.

Council must listen and address the Home Owners who pay taxes to live in peace with no or little disturbances to their neighborhoods. This was already voted on and in the bylaws but not being enforced.

The general meeting on Sept. 29, 2020, did not discuss the fact that these Homeowners have to live amongst the rowdy noise that short-term rentals disrupt day in and day out.

We all live in the environment that these Owners of Short term housing are creating for us. We have a right by Councils bylaws and being a Homeowner, to have this privilege; Not to be disrupted due to drinking, loud music, swearing, screaming, and showing off body parts by the pool as some of the neighbors have indicated. If and, when we do approach these houses to ask their cooperation, we are sworn at say to mind our own business, making us afraid to complain. I'm sure you would appreciate our concerns and the lack of a safe environment.

Council and Bylaw Enforcement need to come up with a plan and enforce it. By possibly, enforcing this, and to develop framework penalties from \$500 - \$1000. OH, Actually, these Penalties will not dieter as the business will only charge the tenants this penalty, not effecting the businesses profit of which we understand is quite high. Your staff needs some direction on how to proceed with enforcement, pro-active strategies & enhanced enforcement.

This is not the neighborhood we had in the past. We knew everyone by name and helped our neighbors when needed, this is what us Canadians do. We had block parties introducing new Owners to our neighborhoods and being so proud of West Kelowna and the streets we live on. But not anymore, we don't know these renters from one week to the next, just that they brought to us more cars on our streets and the above information already mentioned.

If the Council can please indicate to us Owners in these neighborhoods.

Police enforcement - who to call for disturbances.

Who to again call for a list of Owners, so we can discuss the problems their renters are causing.

The renters come with Boats, trailers, lots of friends taking up more parking then listed. Who now to call to enforce?

These and more questions don't seem to be addressed, and should be.

RECEIVED

MAR 14 2021

CITY OF WEST KELLOWNA
Development Services

45 March 14, 2021
@ 8:36 pm

To: Whom it may concern at the City of West Kelowna with regards to Short Term Rentals. Please distribute this document accordingly.

From: Lynne & Barry Wright, 1147 Gregory Road, West Kelowna, [REDACTED]

Date: March 14, 2021

My understanding is that the WK council meeting being held on March 16 is only discussing ZONING for Short Term Rentals. I have asked for my name to be on the speakers list to address what I believe are zoning concerns. However, I have many other concerns about Major STRs that I don't think are zoning issues, but still need to be addressed. I have listed these concerns below (attached to a bylaw point, where possible). If any of these concerns are actually zoning issues, would you please be sure to bring them to the attention of the proper people prior to the deadlines for written submissions for the March 16 meeting. Thank you.

The following are my concerns (about Major STRs) regarding various documents on the STR site at the West Kelowna site.

Business Licencing and Regulations Bylaw No. 0087

.3 No more than 3 guest rooms are permitted in a short term rental and no more than 6 guests are permitted in a short term rental at any one time.

ME: While I am not a fan of STRs, if one intention is to help families vacation when a hotel room is just not adequate, is there a way to make this rule easier for large families? What about a family with more than four children (the current limit now according to your wording above) or a family with four children who wants to bring Grandma and Grandpa along? Is there a way that this rule could allow ONE family with its immediate family members to rent a STR? In my humble opinion, renting to FAMILIES is a better option for our residential neighbourhoods than renting to party animals.

.4 Should the operator of a short term rental be absent overnight from their principle residence at a time when the short term rental is rented, the operator must ensure that the name and contact information of the Local Contact is prominently displayed in the dwelling.

ME: If you are not allowing secondary suites or carriage houses to be used for STRs, where do you expect the occupants of the houses to live while they are renting their house to STR guests? I think it is obvious that the operator of a STR will be absent DAY AND NIGHT from the STR while it is being rented. The name

and contact information of the Local Contact must be prominently displayed in the dwelling **AT ALL TIMES**. The name and contact information of the Local Contact must also be available to **ALL NEIGHBOURS** who might have a problem with noise or nuisance from the STR guests. Allowing neighbours to directly contact the Local Contact rather than the City could save your city offices a lot of hassles if things could be handled at a personal level.

.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.

ME: Two hours can seem like forever if you are being held hostage in your house because you can't go outside because it's not safe due to noise or nuisance from STR party idiots. If your grandchildren can't go outside because of the obscene things and vocabulary happening next door, you shouldn't have to wait two hours. If a person is acting as a Local Contact, s/he should be obliged to make her/himself available immediately, which means **the Local Contact stays in cell phone range**. If the Local Contact can't "fix the problem" within **ONE HOUR** then there should be a penalty imposed.

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

Rent out any guest rooms or provide any sleeping accommodation within any secondary suite, carriage house, vehicle, recreational vehicle, tent or accessory building;

ME: Where do you expect the owner/operator to live while renting out his/her house to the tourists? How can you expect a person to be available to control the behaviour of the renters if he/she can't be living on the property in a Carriage House or a Secondary Suite? Or why not allow Carriage Houses and/or Secondary Suites to be rented as STRs while the owner lives in his/her house (or vice versa) and controls the behaviour of the renters? The biggest concern I have about STRs is that **NOBODY** is present to be responsible for the behaviour of the renters. By not allowing secondary suites or carriage houses, you effectively "kick the owner off the property" so nobody can be there to control the renters. If you are serious about "helping people pay their mortgages" and about "providing families a place to vacation that is bigger than a hotel room" (quotes from City Council members) then why not allow recreational vehicles to be rented as STRs (obviously requiring its own special requirements)? We all know that there are not enough campground spaces in BC.

PARKING REGULATIONS

ME: The chart that shows parking regulations does not take into account the number of parking places that must also be available for the home owners/occupants.

Most residential roads in West Kelowna are narrow, without sidewalks, and extremely dangerous for pedestrians and cyclists. Off-street parking must be provided for the Short Term Renters. While I agree with your concept, I think you need to ensure that the owners/residents of the house ALSO have off-street parking available. Many home owners have their garage filled with stuff and have to park on the driveway. If they rent their house out as a STR they may give up their driveway space to the renters and then park on the street themselves. They would be following your rule of providing space for the renters to park, but not following the intent of the rule by keeping parked cars off the streets.

PROPOSED SHORT TERM RENTAL BYLAW COMPLIANCE & ENFORCEMENT PROGRAM

ME: I don't see anything in the chart listing fines for non-compliance about breaking the "Good Neighbour Agreement". Am I just not understanding this chart?

The results of the STR Survey clearly showed that residents are concerned about the noise, vulgarity and disruptions to their residential community that STRs can have. There need to be large fines for STR owners who do not control their guests.

PROACTIVE ENFORCEMENT

Staff propose the use of the third party contractor to support the necessary compliance and enforcement efforts 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.*

ME: These time periods are way too long. A person could run a non-compliant STR all summer and not be stopped. The postal system is good enough that a maximum **TEN BUSINESS DAY** time period should replace the 30 days listed above.

The following statement is from West Kelowna City documents about STRs:
"Stakeholders have been identified and include Short Term Rental operators, accommodation and tourism providers, and industry associations."

I take offence that I am not considered a Stakeholder yet I am a resident of WK whose money, effort, heart and soul have gone into my home. The surveys done by WK clearly showed that parties and disrupting neighbourhoods are the main concern of WK residents, citizens, tax payers. Yet when I look at the documents being presented at this time, these issues are not adequately addressed.

I do not see anything about several issues that were listed on the SURVEY done last year. I would like to address many of these issues:

Annual Rental Limit - A limit to the number of nights a Short Term Rental may be rented each year

ME: Rather than a yearly limit, there should be a limit per MONTH. Since most rentals will happen in the summer, please give some relief to the neighbours by limiting the number of rental nights to 15 out of every 30 nights. OR, to a maximum of 30 out of 60 nights. By limiting the number of rental nights to "half-time" (half the summer) it gives our residential neighbourhoods at least a partial opportunity to have neighbours rather than strangers living next door.

Licence Caps - A limit to the total number of Short Term Rentals in the City or in specific neighbourhoods

ME: A limit in the city AND in neighbourhoods is definitely needed. But more importantly, residents/home owners should be able to VETO having a STR within 200 meters of their home. People who have bought their homes in a residential neighbourhood, expecting to have neighbours and a sense of community and safety, should not be forced to have a STR next to them that would destroy all that and replace it with strangers.

Another option, in addition to a veto policy, would be to ONLY allow STRs in NEW subdivisions or developments. That way, buyers know ahead of time what type of community they are buying into.

Neighbour Notification - Operator is required to provide contact information to nearby residents

ME: Absolutely! AND the operator must be AVAILABLE while renting his place. If the owner/operator does not answer or respond to a phone call within 15

minutes, there should be a penalty in place (and it should count as TWO strikes — one for the problem and another one for not being available). There is no point to having contact information if nobody answers.

Can you think of other measures which could be used to Regulate Short Term Rentals?

ME: I may have missed this, but I don't see anywhere that you mention home insurance. Could you please ensure that all home owners applying for a business license to operate a STR must show proof of a home insurance policy that covers operating a home business such as a STR. Would I be correct in presuming that all other WK home businesses (Bed & Breakfasts, Hair Salons, Dog Grooming, Massage Spas, etc.) must show proof of proper home insurance (that includes operating a business in the home) in order to receive a business license?

Thank you for your consideration of my concerns. As a property owner in West Kelowna I am worried that my residential neighbourhood will be turned into a wild party zone due to STRs. If I wanted to live at a hotel or resort I would not have bought my house in a residential neighbourhood. Please don't ruin my life.

Sincerely,
Lynne Wright (& Barry Wright)

46 March 14, 2021
@ 9:17 PM

Meg Jacks

From: Sue McEwan [REDACTED]
Sent: March 14, 2021 9:17 PM
To: City of West Kelowna Submissions
Cc: MayorAndCouncil
Subject: Short Term Rentals Public Hearing

RECEIVED

MAR 14 2021

CITY OF WEST KELOWNA
Development Services

Hello,

Thank you for the opportunity to submit my concerns with the proposed short term rental in West Kelowna.

My husband and I moved to our neighbourhood on Trevor Drive in 1977. Most of our current neighbours were already living here, in homes built in the late 60's and early 70's.

Many years ago, a B&B was established adjacent to the back of our property. I have never had any issue with the owners. They are extremely respectful of the neighbours, and strive to make their business a credit to West Kelowna. A registered B&B should not have the 2 person limit per room, as they are a perfect location for visiting families and groups travelling together.

In the last few years, we have had several AirBnB's appear. One is 3 doors down, one is 4 doors up, one is across the street from our back boundary, and there is another just up around the corner from us. There may be more that I am unaware of, as well.

Of the AirBnB's only 1 has the owner in residence, the others are the entire home.

The short term with the owner present runs as it should, with correct parking and noise level.

Unfortunately, the other 3 are responsible for being loud, "party" houses, particularly in the summer months. The police have been called numerous times, as has the bylaw officer. Because the noise occurs late at night, typically 2-3 am, the bylaw officer is unavailable, and the police are often already occupied, and unable to send a car to the address.

Parking is also an issue, as Trevor Dr has no room to safely park on the side of the street. This was a particular concern in the winter, with darkness and icy conditions. As well, it sits shortly before a major curve and intersection, so visibility can be a concern.

These short term rentals with no on-site owner are extremely difficult to monitor and control.

Long term rentals do help support homeowners. An absentee owner of a short term rental only contributes to lack of affordability and availability in the rental market, of which there is a shortage. The short term rental creates a business, where the real estate is purchased with the sole purpose of making money from AirBnB, thus pushing out young families from moving to West Kelowna.

Under the Regulation Development, number 2 of the Guiding Principles states "to protect long term rentals". Short term rentals endanger long term rentals.

As 2 of the absentee owners of our local major short term rentals do not live in the house, they contribute to decreased affordability for purchase, as well. The homes in West Kelowna are certainly not the owners principal residence.

West Kelowna is in the process of creating more rental and affordable housing. I commend those efforts. I do feel that long-established neighbourhoods should be allowed to remain as single family dwellings as they were originally designated.

Thank you

47 March 15, 2021
@ 8:15 AM

Meg Jacks

From: [REDACTED]
Sent: March 15, 2021 8:15 AM
To: City of West Kelowna Submissions
Subject: Short term rentals

RECEIVED

MAR 15 2021

CITY OF WEST KELOWNA
Development Services

To whom it may concern,

I am writing to provide input to the hearing regarding short term rentals. I am opposed to short term rentals. They have a tendency to radically alter neighbourhoods. West Kelowna is still small enough that we have a sense of community and neighborhoods. I have lived in and owned different condos in West Kelowna, its very upsetting to suddenly find yourself living in what feels like a hotel. When folks purchase a home, particularly a condo and then overnight it becomes a short term rental, well that changes everything. Instead of getting to know your neighbour, getting to know who lives around you, developing a sense of community, sense of personal safety, you have people coming and going. I didn't buy a condo to live in a hotel. Let me say that again, I didn't buy a condo to live in a hotel. West Kelowna has enough short term vacation rentals with hotels, B&B, motels and resorts. There is a risk associated with this ...many European cities have experienced entire neighbourhoods becoming short term rentals, consider what that could look like and how you would address "clusters" of short term rental neighbourhoods. In a world that already feels pretty cold at times, I strongly believe that preserving neighbourhoods is key to healthy, safe and livable communities. Short term rentals can cause many problems, many expensive ones. I love West Kelowna and short term rentals will significantly change this city in a negative way. I urge Mayor and Council to reject short term rentals.

Yours Truly,
Debra Critchley
3303-3832 Old Okanagan Hwy
West Kelowna BC
[REDACTED]

Sent from my iPad

48 March 15
2021
@ 8:40 AM

Meg Jacks

From: Sonny Nielsen [REDACTED]
Sent: March 15, 2021 8:40 AM
To: City of West Kelowna Submissions
Cc: 'Danielle Nielsen' [REDACTED]
Subject: ZONING AMENDMENT Bylaw No. 154.99 - letter of support

RECEIVED

MAR 15 2021

CITY OF WEST KELOWNA
Development Services

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

Good morning,

My wife and I are writing to council with our endorsement of the proposed bylaws to permit short term rentals here in West Kelowna. It is obvious there is significant demand for more short term rentals in the area. These visitors to our region support our local economy, our businesses and overall well-being of our community. Creating some order only makes sense as it will mitigate or even eliminate some of the issues we have seen. The proposed bylaws seem an appropriate step in which we are support of.

Thank you
Sonny and Danielle Nielsen
Residence - 3568 Royal Gala Drive West Kelowna
Rental at The Cove - 216-4204 Gellatly Road West Kelowna

If you do not want to receive emails about our products and services please visit vancity.com/OptOut.

49
March 15, 2021
@ 10:15 AM

MARCH 13, 2021.

CITY COUNCIL.

This letter is to respond to your posting on Castanet, of the meeting on Tuesday to discuss short term rentals in West Kelowna.

This is not a change of bylaws and rules to be made by a few people on Council with minimal voices at a meeting, ... in a pandemic. It is a meeting to be brought to ALL Homeowners in West Kelowna by way of a vote and referendum. There is time to do this in mail outs.

As a senior, my safety is paramount, and I don't need a party house rental moving in next door to promote tourism, and strangers coming and going. Even families with children must be considered.

You as a council have failed miserably to even respect the lives of homeowners and families. You have failed to respect all people of West Kelowna, and this is no way to make a quick \$ BUCK for the coffers. - There are plenty of hotels in this area to accomodate tourists. The policing and monitoring of short term rentals is impossible.

This is not a council vote, it is a homeowners vote.

Olivia Atchison

34-1750 LENZ RD. West Kelowna, B.C.

Rae Koebner

40 - 1750 LENZ RD. WEST KELOWNA, B.C.



50 March 15, 2021
@ 11:46 AM

Meg Jacks

From: Jack Ramsay [REDACTED]
Sent: March 15, 2021 11:46 AM
To: City of West Kelowna Submissions
Subject: Submission / Letter for Public Hearing on STR's
Attachments: council speech.docx

RECEIVED
MAR 15 2021
CITY OF WEST KELLOWNA
Development Services

Dear Council,

I am writing in support of Short Term Rentals in West Kelowna. I feel it would be a terrible experiment with devastating effects on tourism if they were to shut down all Air BnB's. People travel all over the world, staying at unique Air BnB's. When it comes to all that West Kelowna has to offer, Air BnBs are a major part of the visitor experience.

People are visiting West Kelowna and they're looking for five star accommodations. Not everyone wants to stay at the Holiday Inn, Super 8, or Best Western and be looking out over a parking lot. Furthermore, the idea that tourists would be forced to cohabitate with the homeowner in traditional BnB setup is not going to cut it for most people. People want their privacy. They want their own West Kelowna experience.

What West Kelowna is currently proposing is to fix a problem that does not exist. Just imagine what tourism would look like in West Kelowna if all Air BnBs disappeared tomorrow. Imagine how dead the wineries would be. Where would everyone even stay? We don't have enough hotel rooms to accommodate them all. In fact we don't even have enough Air BnBs.

I am an Air BnB Superhost. I take great pride in being an ambassador of West Kelowna to my guests. And I have not had one single complaint ever from any of my neighbors. Only compliments.

While I am not naïve to the other problems being addressed (Party houses, and Long Term Rental shortages) these must be handled as separate issues. The proposal to ban STRs when the owner does not live on premises would seem to solve everything. As for the long term rental shortage, that is an issue all on it's own. STR hosts and LTR landlords are entirely different breeds of people. Shutting down an Air BnB does not gain you an LTR suite. I know many Landlords who don't have the entrepreneurial passion to host an Air BnB. Conversely I know many Air BnB hosts who simply do it to supplement their income but would never in a million years want to have anyone full time living in their home. It's apples and Oranges.

West Kelowna should get it's piece of the pie via STR/Air BnB licensing fees... Not by chasing down and handing out fines to Air BnB hosts. What a waste of a great opportunity.

Last year was a difficult year for us. My business was completely dead in the water. The ONLY thing that kept us afloat and saved us was our Air BnB (during the time frames when BC tourists were allowed to travel within BC).

You can travel the world and stay in unique locations. But not in West Kelowna? Why not?

Andrew Graham
Jack.R.

#51 March 15, 2021
@ 11:51 AM

Meg Jacks

From: david darichuk [REDACTED]
Sent: March 15, 2021 11:51 AM
To: City of West Kelowna Submissions
Subject: Air B&B

RECEIVED

MAR 15 2021

CITY OF WEST KELLOWNA
Development Services

Attention Council Members

With regards to the property at [REDACTED] This home is an existing B&B that is operating and continuing to break every bylaw This home is surrounded by homes that pay annual taxes in excess of 10000 dollars per year. Over the past couple of years there has been numerous complaints to bylaw but seem to have no impact One time they hosted a weekend retreat for Fix Auto, there were 20 company cars from all over the province parked all over the street - A complaint was made and bylaw did nothing?

Last year there were fourteen people partying all weekend drinking and using drugs all day and night throwing all the patio furniture and barbecue into the pool and totally out of control Is this the kind of thing you would want living next to you?

I personally called bylaw and he told me there was nothing he could do because he goes home at 6 O'clock but if I wanted to make a formal complaint I would have to appear in court and testify against them myself.

If your going to make rules and never enforce them because you are incapable do you really think that your being publicly responsible.

Perhaps the council should take a step backwards and rethink how to enforce what they are considering to approve! You could try by calling this property and asking him if you can bring twelve people and he will say no problem , how hard is it to figure out that they just don't care about your bylaws or your fines Something needs to be done to stop this madness?

Dave Darichuk
1528 Vineyard Drive
[REDACTED]

Sent from my iPad

52 March 15
2021
@ 11:57 AM

Meg Jacks

From: Doratti, Suzie [REDACTED]
Sent: March 15, 2021 11:57 AM
To: City of West Kelowna Submissions
Subject: Fwd: Airbnb in West Kelowna

RECEIVED

MAR 15 2021

CITY OF WEST KELLOWNA
Development Services

Suzie Doratti
Managing Broker, Licensed Partner
ENGEL & VÖLKERS, Okanagan
Licensee of Engel & Völkers Canada
1429 Ellis Street
Kelowna, BC
Canada
V1Y2A3
[REDACTED]

Internet www.okanagan.evcanada.com
[REDACTED]

----- Forwarded message -----

From: Doratti, Suzie [REDACTED]
Date: Mon, Mar 15, 2021 at 11:34 AM
Subject: Airbnb in West Kelowna
To: <submissions@weskelownacity.ca>

I would like to express my extreme support for council hearing and considering a more lenient approach to allowing and ENCOURAGING airbnb's in our Community. I was one of the first Host in West Kelowna, when I started sharing my principal home 10 years ago.

I have hosted people from over 16 countries, welcoming them in to our town, and passing on my passion for this wonderful lifestyle and location we all share. I sent many to numerous wineries, Paynter's market, dining at local restaurants and encouraging them to really enjoy the majority of their vacation on the Westside! Many people who stayed with me had medical issues that brought them here, short term (contract) employment or were wanting to relocate and needed time to find that perfect house. These people stayed for longer stays - and became part of the family!

Two of my guests even bought homes in West Kelowna after visiting here !

There is no replacement for a good airbnb experience. I have enjoyed stays in San Fransico, Hawaii, Spain , Washington State, Vancouver and numerous other cities and countries. As a guest, getting to know a local and staying where the locals live really allows you to get to know and area, and see if from a whole different perspective.

As a host, I found that this was a part time job. As a single mom , it helped me pay for a lot of extras back in the day, and increased my quality of life. My neighbours have never once complained to me or anyone because it is

integral that a good airbnb host is PRESENT and accountable to their neighbors, just as they would be for guests that came via any other way. Whether its noisy family members or airbnb guests, we all have a set of bylaws that govern noise and disturbance - and more important, a moral need to just be a good neighbour. I believe that these are the types of hosts that are great at this as a side job , that can not only just help support their families and pay bills, but the kind of people that act as Ambassadors for the Okanagan. I can't overstate the number of times I've told guests ' the westside is the bestside! "

Please consider people like me- entrepreneurs and good neighbours when considering constructing these guidelines. If the host is present it should not matter the type of dwelling we choose to share : whether its a room in our house, a suite or a carriage home. As a home owner I believe we should get to choose to furnish and care for this space if we are willing to share it -whether it be short or long term. This gives us ultimate flexibility and offers a variety of products to people who are coming to our community, for whatever reason or length of stay.

Clear guidelines and fair licensing costs will encourage more people to participate and allow the market to dictate whether or not someone is successful at creating an airbnb experience that is viable.

I am opposed to allowing entire homes be rented that do not have a commercial zone. When no one is present, there is no accountability to the neighborhood or community.
Thank you for your time

Suzie Doratti

#53 March 15, 2021
12:05 PM

Meg Jacks

From: Anthony Bastiaanssen [REDACTED]
Sent: March 15, 2021 12:05 PM
To: City of West Kelowna Submissions
Subject: P20-16

RECEIVED
MAR 15 2021
CITY OF WEST KELLOWNA
Development Services

It is great to see the City to move forward with creating policy around short term rentals. As society continues to evolve, and something like the proliferation of the sharing economy continues to grow, ignoring it is a poor strategy for managing it and having our community benefit.

Developing effective policies and regulations to enhance the benefits of short term rentals for West Kelowna, as well as mitigate any related issues is not something that should be rushed at the cost of getting it right. The idea that something needs to be pushed through before the "tourist season" certainly doesn't make sense. Short term rentals have been operating in the absence of regulation and licencing for many years already. The typical way that the system works, I would estimate that a huge percentage of the "tourist season" has already been booked. Implementing new regulations that make fundamental changes to existing operators could have a devastating effect on 100's of people and families (residents and visitors) that have already made plans to spend their time and money here in our community.

Companies like AirBnb and VRBO have grown to be what they are because of one primary thing: Demand. Just like the evolution of services like Uber and Lyft have redefined transportation and Netflix and Crave have redefined how people obtain their video entertainment, how people want to travel and experience new places has changed as well. Short term rentals provide an important accommodation option for visitors in addition to existing hotel and resort accommodations. People choose the experience they want to have. One of the primary considerations is kitchen facilities that may allow them to make the odd meal in their space as a cost saving compared to needing to eat every meal in a restaurant.

Home sharing or short term rentals as it is now commonly described is not new. In many cases, short term rentals are just a variation on B and B's. Typically the operation of short term rentals in a suite or accessory accommodation is basically the same as a B&B offering except they typically have a kitchen and take care of breakfast themselves. The idea that current B & B operators are somehow different or "better" than the operator of a short term rental on their own property is misguided.

How is it fair and balanced to say that B&B operators are fine operating a "commercial" enterprise out of their residential home, but the house next door should not be allowed to do the same because they may have a separate kitchen? If it is the city's intent to try and force homeowners with self contained suites to only use their property for long term rentals, why wouldn't it make sense to make B&B operators do the same? Because it of course doesn't make any sense.

The idea that the Council is going to "protect the long term rental supply" by trying to force West Kelowna homeowners to be unwilling landlords to long term tenants is completely misguided. As is evidenced by the proliferation of purpose built rentals over the past couple of years, the free market economy typically balances supply and demand. Typical homeowners are not always good candidates to be landlords (or short term rental operators for that matter). The continuing evolution of the BC Tenancy act is moving rights out of landlords hands and firmly in the hands of tenants.


At the Council meeting, a story was told about how it was uncomfortable having different people walking past their home because of a short term rental next door. Now imagine that this neighbor rents out the same suite to a long term tenant. As it turns out, this new tenant keeps odd hours because of work or other reasons and drives a loud vehicle. Imagine their lifestyle includes enjoying smoking cannabis on a regular basis which they do outside your bedroom window. Now understand that even if the neighbor doesn't really like their new

tenant, and would prefer to find someone they felt more suitable, they are out of luck. Unless this tenant regularly doesn't pay their rent, or is doing some sort of willful damage to the place, it is almost impossible to evict them.

Operating a short term rental is not driven by greed. Short term vs. long term is a lifestyle choice. I for one, having experienced the challenges of being a landlord (i.e. having to go to arbitration to evict a bad tenant), am not willing to take on the risks of having a long term tenant living in my home. Some people on the other hand, may not be interested in dealing with the comings and goings of different visitors. Managing upkeep, cleaning and regularly interacting with new people is not for everyone. Having the control of when and to whom you choose to share your home with should not be taken away by bad regulations. Tax paying West Kelowna home owners should be supported by the City, not made to feel like criminals because they encourage local tourism and choose the short term rental option to help support their families. West Kelowna homeowners should also not be made to feel they have to rent out their extra space to long term tenants if they aren't prepared to take on the risks of doing so.

The primary issue that brings the topic of Short Term Rentals to the front page is poorly managed "Party Homes". While STRs in suites or accessory homes should be considered in the same category as other B&B's, these larger operations that typically don't have a homeowner on site are a completely different issue. I would expect that residents beside a B&B are disturbed by guests just as much as residents next to short term suite and accessory home rentals (i.e. not much). Residents next door to unmanaged large scale vacation rental homes are a different story. Where support is needed, it is to protect the peace of the local tax paying residents. It is unacceptable for local residents to be robbed of their enjoyment of their own property because the City is not properly tooled up to enforce nuisance bylaws and collect valid fines. Instead of spending \$250K/yr on a 3rd party firm to hunt down small scale unlicensed STR operators, how about investing that money in additional Bylaw enforcement?

The City's own advisory committees as well as the staff as well have stated that the policy as drafted needs to be reviewed and revised to "get it right". Please do not push through a bad draft of regulations. Please be Leaders and think outside of the box to support regulations that are forward thinking and good for our City and it's residents.

--
Anthony Bastiaanssen
REALTOR (r), Managing Broker
RE/MAX Kelowna
Chair, BCREA
Past President, OMREB


54 March 15, 2021 @12:14pm

RECEIVED

MAR 15 2021

CITY OF WEST KELLOWNA
Development Services

March 15/2021

Short term rental request.

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

We purchased our home in 2015 with an in law suite already built in. But we considered the home to be a single-family home, in a single-family neighborhood! Some homes may have suites in them but the neighborhoods have not been designed to have multiple families living in the homes. (our relator at the time did inform us that there was a high demand in the area for short term rentals from out of town guest, we thought that might be a good way to utilize the space rather than giving it up fully)

- It was never our intention to have full time renters living with us as we often use the space ourselves.
 - The space has our only spare room that we want to have available for family and out of town friends.
 - Over the years we have use the space for our friends and family to stay, I would say that on average it gets used as such for about 2 weeks out of the year. There was a year in which my parents stayed in the suite for a couple of months while they were in transition from homes.
 - We have family come over for holidays and during the summer for vacations as well as friends from other provinces.
 - We also find having the space available for us to use during the winter months, when we have limited access to the outdoors and use of our patio space, essential. Otherwise, our family would be confined to what amounts to an apartment.
- With that said there are a number of days during the summer where our in-law suite is not utilized by us and it is nice to be able to rent it out to earn a little extra income. And at the same time provide a nice space for people to come and visit and enjoy West Kelowna.
 - We live in the space above the suite, so we are very selective in who we allow to stay with us.
 - We only allow couples (but if they have family or friends, we do allow them to come over and visit, just not stay the night) we have not had anyone stay with us who has not been respectful of the property or of the neighborhood.
 - The nice thing with AirBNB is that you can see what past hosts have said about guests and you then can decide whether you would like to have them stay with you.
 - This is our home, we purchased it, we maintain it, we must live and co-exist with our neighbors, so we are very selective on whom we allow to stay with us.
 - We do not run our suite as a business, it only allows us to earn a little extra income (we have found it incredibly challenging (\$) to live in this area. I have calculated that it costs about 20% more to live here than it did from where we move, we moved to be closer to family)

- Full time renters do not fit into the lifestyle that we enjoy. We enjoy having friends and family come and stay with us. It is nice seeing people and being able to host them in our home.
- Having short term guests (renters) is also nice because they do not spend the days at your home. They sleep over, maybe have a breakfast or dinner but are out most of the day enjoying the area.
 - Our home was not built to have long term renters, the sound travels through the floors as well as the cooking smells (we learned early on to tell our guests no cooking after 8pm as the suites kitchen is directly below our master bedroom, and because they are short term guests they are happy to comply to our house rules, You do not have the same control with long term guests)

A couple of other points I would like to make:

1. I understand that the APC (Advisory Planning Commission) recommends that that homes with Carriage Houses and Secondary Suites should be allowed to operate as short-term rentals (AirBNB, VRBO's) as it would be a benefit to the overall community. I understand that the city does not need to follow this guideline, but I do feel it should be weighted considerably!
2. I understand that there is a long-term rental availability issue, and the town has gone to great lengths to help solve this situation, I see many apartments and multi-unit developments going up and that is a good thing because those developments have building managers and such who are equipped to handle the issues that arise with long term renters.
 - a. I do not feel it is my responsibility as a homeowner (I worked hard, saved for the down payment) to use MY HOME, or property to solve the long-term rental problem. I should be allowed to choose how to use my home that best suits our family and is still respectful of my neighbors and the neighborhood.
 - b. The laws in BC greatly favor "long term renters" when situations arise with renters homeowners have very little recourse to solve these problems, (The developments with managers are much better equipped to handle these types of situations)
3. I believe this decision should be based on what is good for the homeowners and what is good for the people who want to come and visit our area. Each situation is unique let the homeowner make the decision on what works best for us individually.

Here are is a brief list of the positives that we have found in having short term guests stay in our suite:

- They provide extra income that we are then able to use to live and enjoy our area (we pay taxes on the income and the guests to pay a provincial vacation fee to AirBNB who passes that along to the government)
- We are able to use the space in our home for friends and family to stay in
- We are able to meet new people and make new friends
- They are usually out most of the day and spend very little time in the suite
- If you have a "less than desirable" guest you know they will be gone in a couple of days
- When guests stay with us you know that they are visiting local shops and stimulating the local economy

In short, even though we do have a suite in our home, having long term guests would not work with our lifestyle or in reality with the way the home was constructed. (our lot is also not zoned for a secondary suite, because it was built as an in-law suite it was legal. I would like to operate a short-term rental within the by-laws!)

- a. If the by-law is passed that we would not be able to operate a short-term rental (just because we have what would be classified as a secondary suite) it would be a detriment to our quality of life.
- b. We are happy to sacrifice the use of our space (so that others can enjoy our area) for the financial compensation (which we then use and spend here in West Kelowna, and area)

I ask that you allow homeowners, who have Secondary Suites and Carriage house, operate Short Term Rentals if we so choose. (just because you allow it does not mean that those homeowners who have secondary suites or carriage houses will change from having long term rentals to short term rentals, all it means is that you will let homeowners choose whom they allow to stay in their homes and what works best for our individual situations.) Please let us as homeowners have the choice.

Sincerely

Troy Martens
2389 Paramount Dr
West Kelowna, BC
V4T 3K4

#55 March 15, 2021
@ 12:31 PM

Meg Jacks

From: Dal Anderson <[REDACTED]>
Sent: March 15, 2021 12:31 PM
To: City of West Kelowna Submissions
Subject: File No. P 20-16 (NO to Short term rentals)

RECEIVED

MAR 15 2021

CITY OF WEST KELLOWNA
Development Services

Re: Please DO NOT allow short-term rentals unless the current zoning allows for it (i.e. the Cove)

Hi City of West Kelowna,

First, let me express my thanks for allowing the community to have a voice in things.

BnB's that we've seen in the past where a license was required, the owner had to live onsite and be on the premises when guests were present, seemed to function well. However, since the introduction of AirBnB's a whole host of issues are now apparent with short term rentals that weren't present in the past so I really question whether that model will work today.

My concerns/points are as follows:

- Hotels are geared to handle short terms rentals with proper security and services in place. SFD without owners present are not.
- We have personally experienced the negative impacts (parties, revolving door of guests, excessive noise, drinking and drug usage at the beach accesses and parks) of AirbnB's in our neighbourhood. If proper management was on site. These issues might have been avoided.
- There are other ways (i.e. long term tenants) to supplement housing costs that are less typically less disruptive to the community as a whole that help resolve the affordability issue.
- What is the benefit of allowing AirbnB's? It dilutes hotel business, places tourists in areas where there aren't necessarily services or public transport and can be very disruptive to residential neighbourhoods
- I appreciate being able to look the zoning of a property as a predictor of how the property will be used so I don't support "opening up" short term rentals to all neighbourhoods and in a sense doing this retroactively.
- If restrictions on short term rentals are lessened, the impact could be quite significant on certain neighbourhoods and properties and I think it would be quite hard to claw back the allowing of it. Again, who does this benefit?

Thank you,

Dal Anderson

#56 March 15, 2021
@ 12:35 PM

Meg Jacks

From: Stephen Youl [REDACTED]
Sent: March 15, 2021 11:59 AM
To: City of West Kelowna Submissions
Subject: Attn City Clerk re Short Term Rentals

RECEIVED

MAR 15 2021

CITY OF WEST KELLOWNA
Development Department

Attn City Clerk
File No. P 20-16

I am writing this letter in regards to the proposed bylaw against allowing legal suites and carriage homes to be used for short term rentals. The following are situations many of these types of rental properties face that may or may not have been voiced in detail yet.

As long time vacationers in the Kelowna area, we always found it very difficult to find hotel accommodation in West Kelowna. That led us to AirB&B properties. We are a young couple on a budget and don't need much space, so we always sought out small legal suites as they provided us with the piece of mind regarding safety, security, and privacy. They provided the added bonus of a kitchen so we could at the very least make breakfast before we head out on the town for the day.

Since we moved into a house here in West Kelowna, our target renters would be single students and helicopter pilots that come to town for training. As I work in the helicopter industry, I know how tiring and expensive it can be living out of a hotel room. Both options are in the winter seasons, which leaves our suite open from late spring until early autumn. Not being able to contribute back to the summer tourism industry that we love so much about the Okanagan by renting our suite is a great loss to both us and the city revenue that tourism brings.

Even though it was built legally by the current city regulations, our unit is very small, without laundry or adequate closet space, making it unsuitable for most renters to live in long term. The access to the suite, although separate from the main dwelling, is not very private and for those reasons our suite isn't deemed to be desirable when talking with rental agencies regarding renting it long term. As a legal suite, we also have provided off street parking, and we pay extra utilities to cover any additional water usage and garbage created.

We built our suite legally for the sole purpose of safety, ensuring we have met all fire, sound, and HVAC regulations and other city requirements. By doing the right thing and following all city guidelines as opposed to doing it illegally like many basement suites in West Kelowna, we feel unfairly pushed out of a potential market we worked very hard and spent a lot of extra money to get into.

All owners that rent any portion of their homes are using it as a mortgage helper, so to discriminate against legal suites and carriage homes as the ones using short term rentals as a mortgage helper is inaccurate. The proposed impact of suites and carriage houses on the long term rental market as "increased income potential" for homeowners is also inaccurate, as the tourism season is short in Kelowna, so the high volume short term rental season is four months long maximum. The rest of the year is very quiet and many homeowners take their suite off the market to make available to students and other "medium term" renters in the slow seasons. Long term rentals are completely hands off as no cleaning is required whenever guests check out, and the revenue is steady for the full twelve month of the year. Of all the homeowners I have spoken to about the AirB&B option vs their current long term rental agreement, every one of them said they wouldn't change.

The current regulations regarding short term rentals in West Kelowna have obviously not been a deterrent in the past as your studies have shown. Those who have chosen long term rentals have done so, and those who have

chosen short term rentals would like to continue to do so with the support of the city. The new short term rental regulations should be directed toward regulating of the safety of the guest, while maintaining the proper enforcement and discipline of homeowners involving disruptive guests and unsafe/unfit rental spaces. I agree with all the licencing and safety requirements that have been proposed; short term rentals should be treated in the same fashion as long term rentals, because they are a business just like apartments for long term renters and hotels for short term renters.

It is our house, all we ask is to rent it to who we please for the duration we agree upon with the renter. For the city to enforce us as private homeowners to provide housing for others on behalf of the city is not what we worked so hard to afford our house for, and would rather leave it empty then be forced to enter into permanent long term rentals.

We will respect and follow all guidelines that are ultimately decided upon, but I sincerely hope you will give this topic another consideration, as I know I'm not the only one in this situation, and all rental opportunities both long and short term should be valued as contributing factors to the economy in West Kelowna.

Thank you for your time to receive and read the feedback from us residents.

Sincerely,

Stephen Youl
1442 Rosemary Court, West Kelowna

57 March 15, 2021
@ 1:34 pm

Meg Jacks

From: rodney wright [REDACTED]
Sent: March 15, 2021 1:34 PM
To: City of West Kelowna Submissions
Subject: ZONING AMENDMENT Bylaw No. 154.99

RECEIVED

MAR 15 2021

CITY OF WEST KELLOWNA
Development Services

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

I am supportive of the proposed legislation for minor short term rentals. West Kelowna is indeed *"a growing tourism destination that could support and be supported by additional tourism accommodations"**. It also recognizes minor short term rentals *"serve a function as mortgage helpers and may make home ownership more affordable for some people"**.

I am **not** supportive of the proposed major short term rental rentals. I also do **not** agree with the thoughts of a number of Councillors who want to allow for short term rentals in secondary suites or carriage houses. In my experience, individual houses owned by outside investors profit from short term rentals and provide no real benefit for long term rental market while destroying neighborhoods.

I have no issue with investors purchasing a secondary property, using secondary suites or building carriage houses if it is used exclusively for Long Term Rentals.

I would urge WKC to take a close look at their newly published Community Vision before they lock in on this proposed legislation - in particular :

- *"...West Kelowna has grown around unique neighborhoods that are well-loved and characterize the city. Protecting this essence as neighborhoods evolve is important"****.
- *"A sensitive increase in housing choices throughout the community that providing housing options for all needs."***

Thank you for the opportunity to express my thoughts.

Rodney Wright
2776 Benedick road
West Kelowna, B.C.

*Source - West Kelowna's Draft Regulations for Short term Rentals

**Source - West Kelowna's Community vision

#58 March 15, 2021
@ 1:49 PM

Meg Jacks

From: Garrett Millsap [REDACTED]
Sent: March 15, 2021 1:49 PM
To: City of West Kelowna Submissions
Subject: Short Term Rentals in West Kelowna Public Discussion
Attachments: Airbnb Short Term Rental Discussion.docx

Hello,

I am on the speaking list but wanted staff and council to have a copy of what I will be speaking about as over the phone and virtual tends to have technical difficulties. Please find attached document for public discussion at tomorrow's meeting.

Thanks,

Garrett Millsap BBA
[REDACTED]

RECEIVED
MAR 15 2021
CITY OF WEST KELLOWNA
Development Services

For Discussion Purposes Only

West Kelowna Short Term Rental Public Hearing

March 16, 2021

Good Evening Mr. Mayor, Councilors and City Staff. My name is Garrett Millsap and I live at 1105 Menu Road on the Westside Wine Trail. My Wife and I proudly own and operate a licensed Bed & Breakfast in Lakeview Heights. We are exclusively offered only on Airbnb as it provides us the best access to tourists/essential workers planning to stay in West Kelowna. We have been in operation for 4.5 years and have over 250 5 star reviews without a single bylaw complaint or negative interaction with any of our neighbors. I am here today to speak on behalf of the community of West Kelowna that will be greatly affected if the Mayor Council support this poorly thought out set of bylaws. I definitely think there needs to be regulation around short term rentals but this is over regulation that will have long lasting negative effects on our community. I am fully against these bylaws and think that they have been a rushed and not well thought out in terms of both economic impact and the loss of income for more than 100 plus members of the West Kelowna Community. I have broken this into two sections What's Missing and Unintended Consequences of these bylaws.

First let's start off by stating what's missing?

- No proof of insurance required? (As its written right now the Major Airbnb bylaw would not be eligible to receive insurance from a provider as to be correctly insured for short term an Owner must have the property as a principle residence and be on site for home insurance to be valid) This means if a resident gets a license for a major Airbnb and there insurance is null & void who is on the hook if something happened (The City needs to require proof of insurance)
- In speaking with many residents most noise complaints came from short term rentals that had pools in the backyard? (I see nothing in these bylaws that help with the concerns of short term rentals that have pool Pools should only qualify as a Minor Airbnb)
- Has the city completed an economic impact study on the loss of 100-150 short term rentals both on the tourism side (300-400 less staying per week) Wages/Earnings lost by residents that utilize short term rentals to earn a living.
- Both APC & ALC do not support these bylaws (They realize the negative economic effect)

Unintended Consequences

- By not allowing carriage homes and secondary suites to operate as short term rentals will result in the disappearance of Secondary Suites and Carriage homes being developed (why would you make legal) Many homes build secondary suites to be rented short term now we will have single family homes being built with illegal suites instead?
- Having a short term rental is a job by eliminating 100-150 short term rentals council will be essentially saying hard working entrepreneurs aren't welcome in West Kelowna

Example: We have a neighbor that operates a suite as a short term rental so they can afford to provide care and stay at home with their middle aged disabled son. (The City of West Kelowna will take that away?)

- **Will the city be issuing temporary use permits for situations like these or where a home owner has a proven track record?**

To conclude I think the City of West Kelowna has not properly thought this through and needs to go back to the drawing board with something that is Simplified, Standardized, and Stabilized for all short term rentals in West Kelowna as we do need regulation just not a bylaw make work project that will cost our city millions of dollars of economic impact. Let's weed out the bad apples or the 2% of people who aren't being good neighbors rather than punish the whole community.

Suggestion

1. Must be principle residence and owner must be on site while Short Term Rental is Occupied
2. Owner Must provide proof of insurance (3rd party liability)
3. Owner must adhere to all municipal bylaws that are already in place.

Thanks,

Garrett Millsap BBA.

Menu Road Bed & Breakfast

59 March 15, 2021
@ 2:44 PM

Meg Jacks

From: Peter Mercer [REDACTED]
Sent: March 15, 2021 2:44 PM
To: City of West Kelowna Submissions
Subject: City Clerk, File No. P 20-16

RECEIVED

MAR 15 2021

CITY OF WEST KELLOWNA
Development Services

In Reference to the subject of short time rentals:

Short term (Often weekend only) appear to attract a party type atmosphere group. Whereas the real B & B offerings service the tourists seeking a friendly stay while enjoying the Okanagan region.

The non-Bed & Breakfast rentals often develop into a loud uncontrolled party without the home owner present. You can not necessarily blame the renters. After all, the home owners advertise these as a resort like atmosphere with the run of the house. Many of these result in excessive noise, crowded street parking, and people wondering around the immediate area smoking and drinking. There should be no permits to allow this type of rental. These are private family homes in residential neighbourhoods.

Short term rentals in the absence of the property owner(s) should be banned. Legal B & B operations that conform to the regulations should be allowed and encouraged. These support tourism.

Strict regulations and timely enforcement needs to be put in place for any and all violations.

Thank You For The Opportunity To Voice My Concerns.

Peter Mercer
1524 Vineyard Drive,
West Kelowna BC

Sent from Mail for Windows 10

RECEIVED

MAR 15 2021

CITY OF WEST KELOWNA
Development Services

March 15, 2021

To: West Kelowna City Council

60 March 15, 2021
@ 2:53 pm

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

Subject: Zoning Amendment Bylaw No. 154.99 (especially the "Major Short Term Rental" portion)

We would like to request that council not pass the above bylaw. We currently live in what used to be a nice quiet cul-de-sac below a residence that has been operating as a short-term rental for the last two years. This residence is a 5 bedroom / 4 bath home which, during the vacation season (June – August), has become a "party house". This has had an unpleasant impact on us and our neighbours. We must endure loud noise (yelling & screaming) and music at all hours of the day and night during the vacation season. We are no longer able to enjoy our own backyard/patio during the summer months.

This home is currently listed for rent from Sept 1, 2020 – May 31, 2021 at which time it reverts again to the vacation rental aka party house. (listing shows rent price of \$3700 per month and has been empty since November 2020)

Many of our neighbours have made complaints to the RCMP/bylaw office about this problem which has resulted in multiple fines from bylaw. We feel that this concerted effort by our neighbours to actually get this vacation rental shut down will have been for naught if this bylaw gets passed. This will only open the door for further abuse of the proposed system as we do not feel our current bylaw staffing is adequate to be able to effectively police, fine and shut down abusers of the system (such as this party house).

This bylaw approval will only put more pressure on bylaw officers who are already understaffed to effectively do their jobs. This understaffing was evident when the neighbours who did call to complain about the noise/illegal rental were told there was no one available to check it out at the time.

What assurances/recourse will we, as neighbouring homeowners to this residence, have when we are once again faced with the "party house" issues like the last 2 years? The bylaw as proposed does not state how we as homeowners / neighbours are protected. We as taxpayers deserve to be able to enjoy our homes that we have worked so hard for.

Our neighbourhood consists mainly of homeowners who have resided here full time for many years and support our wonderful community all year round. The owners of this residence do not live here (not their primary residence) and are not here when the partying happens so they do not have to live with the noise and goings on.

We understand that council wants to support tourism in our community and wants to solve the problem of a shortage of long-term rental properties, but we do not believe this is the way to do it. We believe the issue of a shortage of long-term rental properties stems from the landlord / tenant act that gives the owner of a rental property very few rights / avenues anymore when dealing with nightmare tenants. This leaves many homeowners not wanting to be landlords anymore.

We feel that passing this bylaw will not stop the abuse of the short-term rental market considering these owners in question just carried on like the rules didn't apply to them, as evidenced by operating for the past 2 years (illegally) despite multiple fines for doing so.

We also do not believe our situation is unique and that there are currently multiple properties in West Kelowna that are operating in this manner.

Thank you for considering our concerns and hope that you will come to a decision that will address them not only for us but for all the taxpaying homeowners who have had to deal with or will be dealing with this situation of nuisance vacation rentals.

Kind Regards,

David & Linda Bello
3564 Glen Eagles Place
West Kelowna

RECEIVED

MAR 15 2021

CITY OF WEST KELOWNA
Development Services

61 March 15
2021
@ 3:05 pm

From: J T [REDACTED]

Sent: March 15, 2021 3:03 PM

To: Collette Beggs <Collette.Beggs@westkelownacity.ca>

Cc: City of West Kelowna Submissions <Submissions@westkelownacity.ca>

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

Hi Collette,

Thanks for the info. Yes, I'd like for the below to be submitted as a concern to the hearing package:

Similar to several city councilors, we also echo the same concerns with excluding carriage houses and secondary suites from the proposed bylaw regulations towards short-term rentals. In support for maintaining a healthy long-term rental stock, an outright ban to carriage houses and secondary suites is heavy handed, counterintuitive, and ultimately removes inventory from the rental stock altogether.

An outright ban is the wrong form of regulation as depicted by the results of the current ban on short-term rentals. A healthy long-term rental market is composed of strong cooperation from both renters and landlords alike. Clearly, the city didn't have the proper bylaws in place that accounted for homeowners' freedom of how they operate their home. In turn, this regulatory mechanism has created an unmanageable situation when it comes to short-term rentals for the city. The city has no visibility or infrastructure to implement tools to manage the situation when it comes to long-range planning and enforcement of short-term rentals.

In a similar vein, the city is proposing an outright ban on carriage houses and secondary suites which again diminishes homeowners' freedom of how they operate their home. There are many scenarios where a homeowner may need to participate in the short-term rental market because the long-term rental market isn't suited for them. Health considerations and seasonal habits are chief among them and therefore the city shouldn't penalize these homeowners from earning additional income. As a result, this outright ban may even diminish inventory from the rental stock altogether due to restrictions and the aforementioned reasons for not being able to participate in the long-term rental market.

Outright bans on carriage houses and secondary suites from the short-term rental market is heavy handed and interferes with the invisible hand of the market. These restrictions may even prevent inventory from entering the market; thereby, rendering this policy ineffective and counterintuitive to maintaining a healthy long-term rental stock. If anything, past data from the short-term rental ban tells us policy should be used to regulate and adequately manage rental market activities not prohibiting them altogether. The city could perhaps look beyond restrictions and towards enablement initiatives that encourage the development of the long-term rental stock such as incentives and densification to impactfully increase stock.

Sincerely,

Jeffrey Li
2584 Lucinde Rd
West Kelowna, BC
V1Z 4B1

From: J T [REDACTED]
Sent: March 4, 2021 7:36 PM
To: MayorAndCouncil [REDACTED]
Subject: West Kelowna: Short-term Rental Bylaws Provision

Hello,

We're homeowners in Lakeview Heights and read about the proposed amendment for short-term bylaws. We feel strongly about the provision to bar secondary suites or carriage homes from entering into the short-term rental market.

Is there anything we can do to express our displeasure with this provision alongside the public hearing submission? This is incredibly unfair and takes away the freedom of choice from homeowners. As a result, this amendment may even run counterintuitive as homeowners could be reluctant to put their secondary suite/ carriage home on the market at all.

--

Best,

Tiffany and Jeffrey

--

Best,

Tiffany and Jeffrey

RECEIVED

MAR 15 2021

CITY OF WEST KELLOWNA
Development Services

#62 March 15, 2021
@ 3:10 PM

Meg Jacks

From: Ryan Glendinning - [REDACTED]
Sent: March 15, 2021 3:10 PM
To: City of West Kelowna Submissions
Subject: Attn: City Clerk, File Number (P 20-16) - Ryan Glendinning - 2799 Shannon Lake Rd, West Kelowna, BC, V4T 1V6
Attachments: Attn City Clerk, File Number (P 20-16) - Ryan Glendinning - 2799 Shannon Lake Rd, West Kelowna, BC, V4T 1V6.docx

Attn: City Clerk, File Number (P 20-16) - Ryan Glendinning - 2799 Shannon Lake Rd, West Kelowna, BC, V4T 1V6

NOTE THAT I HAVE ATTACHED THE EMAIL BELOW IN A WORD DOCUMENT.

I would like to address the following Proposed Regulation for "MAJOR SHORT-TERM RENTALS"

Allowing the maximum number of bedrooms that could be rented to be up to 4 bedrooms.

I would like to propose that this be changed to a maximum of 8 bedrooms, as many large homes have both the parking and capacity to comfortably accommodate larger groups without causing any problems throughout the neighborhood.

Rationale for Proposed Change

One of the primary reasons why people choose to rent a Home, instead of a Hotel Room, is to have multiple families (or extended families) stay together in a more private setting. Limiting the maximum number to 8 people (4 bedrooms) makes this impossible for larger families. **According to the 2011 Census, nearly 1 in 5 families (18.5%) in Canada have 3 or more children.**

Limiting the maximum number of people to 8 will mean that nearly 20% of potential customers will find it difficult to find accommodations with another family of like size in West Kelowna. This will force them to either:

- A) Find alternative accommodations or
- B) Find an alternative destination for travel

Given that West Kelowna is booked solid throughout the summer months, this will certainly lead to a decrease in the number of tourists coming to the West Kelowna each year, as it will reduce our overall capacity.

This will hurt a large assortment of small businesses. Some of the obvious examples are:

- 1) Tourism Operators
- 2) Wineries
- 3) Restaurants
- 4) Convenience and Grocery Stores
- 5) Gas Stations
- 6) Wineries
- 7) Cleaning Businesses

It seems to me that the only real beneficiary of this policy will be a few large hotel chains, as the hotels will see an increase in demand and will likely increase their prices accordingly.

Regards,
Ryan Glendinning

63 March 15
2021

Meg Jacks

From: Wayne Campbell [REDACTED]
Sent: March 15, 2021 3:45 PM
To: City of West Kelowna Submissions
Cc: Brittany Campbell
Subject: Short-term Rentals Public Hearing (P 20-16)

RECEIVED

MAR 15 2021

CITY OF WEST KELLOWNA
Development Services

@ 3:45pm

Dear City Council of West Kelowna,

Thank you so much for all that you do for our city. You have the burden of leading and decision making for our city, which is a burden that I do not envy. I know that as you have wrestled with the decisions relating to short-term rentals that you have had to wade into controversial waters. I know there are many in our city who are very against and many who want to do it. So, what I see coming from you seems to be a very reasonable approach that will help mediate some of the issues that have caused the problems in the past while laying out a proper process for those who want to participate. Thank you!


However, I would like to request that you do reconsider one aspect of what is being put forth. That being the exclusion of suites or carriage houses. This exclusion seems arbitrary and not related to the problem issues which short term rentals have caused. In my opinion, staying in a suite or carriage house is the ideal short term rental because it is desirable for the renter while still having the owner / operator on site to remediate issues.

In full disclosure, my family recently purchased a home which contains a suite which we would like to be able to rent out as a short term rental. We have been following the progress of this through council because we do not want to go against by-laws in any way and we want to be in full compliance. My understanding is that current regulations are being proposed out of a desire to require that we use our suite for a long term rental. Below I will list my reasons why we desire to use our space for a short term rental not a long term rental.

1. We frequently have friends and family from elsewhere come to visit. We want to be able to have this space available for them to stay in when they come. If we have a permanent tenant this is not an option. We would also like to have access to this space for other purposes at different times. A long term rental permanently ties up the space which is not our desire.
2. Our house is not set up well for a separate laundry space for the suite. If we had a permanent tenant, we would need to work out a shared laundry which we do not desire. If we use it for a short term rental, this is not an issue.
3. Our house is located on the West Kelowna wine trail. It is a desired location for tourist and would benefit the city as a lodging location for tourism more so than a long term rental housing option.
4. From my understanding of the rules being put forward and trying to apply them to our situation: the main differentiator is that our space has a kitchen in it, or more specifically that it has a stove. In which case we could rip out the stove / kitchen and then no longer be a suite and thus able to do a short term rental? I would prefer to not have to modify the space to a less desirable state in order to use it in the way that we would like.
5. We purchased our house based on being able to use the space for a mortgage helper. The short term rental seems like the best option for us for that end as well. Please allow us to use it as such.

Thank you for your consideration. I am open to speaking with anyone who would like to discuss this with me. And, thank you again for all that you do for our city.

Wayne Campbell



#64 March 15, 2021
@ 3:52 PM

Meg Jacks

From: Gellatly Bay Goats Peak Community Association
Sent: March 15, 2021 3:52 PM
To: City of West Kelowna Submissions
Cc: Gellatly Bay Goats Peak Community Association
Subject: File No. P 20-16

Attention City Clerk
Via Email (submissions@westkelownacity.ca)

RE: File No. P 20-16

To Whom This May Concern,
The Gellatly Bay Goats Peak Community Association (GBGPCA) would like to provide additional input on the revisions posted to the Proposed Regulations for Short Term Rentals particularly around:

Occupancy Levels

The original draft regulations proposed limiting the maximum occupancy to 6 guests. The updated regulations (Feb. 23, 2021) for SHORT TERM RENTAL, MAJOR now state a maximum occupancy of 4 Guest Rooms with a maximum 2 adults per guest room resulting in a maximum of 8 adults. This updated regulation no longer states a maximum guest occupancy limit; it now only limits the number of adults.

GBGPCA request a maximum guest occupancy limit be included in this regulation to help ensure the safety of these guests and mitigate noise and other good neighbour concerns.

Enforcement

We are pleased to see the additional Bylaw ticket offences and increase to the maximum daily fines in this amended proposal, however, we do not see an increase in the Bylaw staffing hours which is needed to enforce these in our community. At minimum GBGPCA would like to see this plan include Bylaw Officers working on a shift schedule that extends to midnight for the Summer season.

Majority of infractions occur outside the existing Bylaw operating hours and as such the City of West Kelowna should adopt a similar Bylaw schedule as the City of Kelowna which has officers working in specific zones, 4 days on, 4 days off covering 7 days a week with two rotating shifts of 6 am to 5 pm & 1 pm to midnight with responsive access to a RCMP officer. If necessary the City should move forward with registration and collection of a Municipal and Regional District Tax (MRDT) for all Short Term Rentals with the revenue being invested back into enforcement and support.

License Caps and Temporary Use Permits for Non-Adhering Short Term Rentals


In order to preserve the sense of community and align with the City's vision the GBGPCA would like to see caps put in place on the number of Short Term licenses especially as it pertains to Gellatly Bay. A fair way to turnover licenses within the neighbourhoods year over year potentially through a lottery system.

Similarly the introduction of Temporary Use Permits for Non-Adhering Short Term Rentals should include a cap and require public feedback and input before a license is granted.

Overall we applaud your efforts on this initiative and believe these regulations are a step in the right direction for this currently illegal but very operational industry in our city.

Sincerely,

The Gellatly Bay Goats Peak Community Association


www.gellatlybaycommunity.com

RECEIVED

MAR 15 2021

CITY OF WEST KELLOWNA
Development Services

65 March 15, 2021
@ 3:57 pm

Meg Jacks

From: Aimee Jensen [REDACTED]
Sent: March 15, 2021 3:57 PM
To: City of West Kelowna Submissions
Subject: Attn: City Clerk, File Number (P 20-16) Aimee Jensen, 2865 Lower Glenrosa Road, Westbank

Attn: City Clerk, File Number (P 20-16) Aimee Jensen, 2865 Lower Glenrosa Road, Westbank

To: City Clerk and West Kelowna City Council,

My name is Aimee Jensen and I have resided in West Kelowna for the last 6 years. My husband and I purchased a detached single home in the Glenrosa neighbourhood in 2016 which we have called home ever since. We are fortunate to have a home that has enough space to previously rent a portion of our basement as a long term rental and as a short term rental at different times.

I believe it is beneficial to have regulations for short term rentals, but a balance needs to be struck so that the regulations actually serve their intended purpose and that they are not so onerous that residents will opt to follow them. I believe the current proposed regulations do not strike this balance and run the risk that people will not actually follow them. It may be suggested that bylaw officers will enforce the regulations and fine residents who do not follow the regulations, but bylaw officers currently have their plates full and I question whether increasing the bylaw office's budget to better enforce short term rentals would actually be reimbursed by the collection of fines and fees related to short term rentals.

Specifically, I am opposed to secondary suites and carriage homes being excluded from being permitted to operate short term rentals. As a young family, purchasing a home that we could afford was incredibly challenging and we were fortunate to find our current home which provided an opportunity for us to reduce the cost of our mortgage by renting out a portion of our home. My extended family all lives several hours away and by being able to offer short term rentals, I was able to keep my basement space available for family to stay with us when they visited and still be able to rent it out at other times and supplement our mortgage. While we have had positive experiences in our past long term rental arrangements, it has made it more challenging in terms of being able to host family from out of town, it has created more damage and maintenance to our home as compared to short term visitors who are only here for a weekend, and I don't anticipate that we will offer our basement as a long term rental in the future. Many of the other residents I have spoken to who have secondary suites feel similar.

Offering a short term rental such as Air BnB is much more regular, consistent work compared to long term rentals, as a person needs to be in regular contact with their guests and regularly cleaning and maintaining the space, whereas the work for long term rentals is more concentrated at the beginning and end of tenancies. Homeowners who are currently offering long term rentals versus short term rentals are doing it for a reason, because the amount of work and timing of that work currently works with their schedule, needs and goals. By excluding secondary suites and carriage homes from being permitted to operate short term rentals, you will not increase the amount of long term rental options. People who are currently renting their suites and carriage homes as short term rentals are doing so because it works with their schedule, needs and goals as compared to offering a long term rental. If they are excluded from the regulations, they will likely either take their chances and offer the short term rental illegally, or they will just opt to not offer any rental at all.

Thank you for your time,

Aimee Jensen

#66 March 15, 2021 @ 3:53 PM

Meg Jacks

RECEIVED

MAR 15 2021

CITY OF WEST KELOWNA
Development Services

From: Angela [REDACTED]
Sent: March 15, 2021 3:53 PM
To: submissiins@westkelownacity.ca
Subject: Short term rental bylaw 154.99

Dear Council Members,

I am very disappointed that the city of West Kelowna feels it has the right to determine what home owners use their secondary suites for. We agree and have followed the construction guidelines and bylaws for building our secondary suite. This suite serves to house our adult children and grandchildren when they visit. It has a door which connects to our secondary living space. When this suite is not being used by our family, we choose to use it for short term vacation rental. We are home owners who are responsible and meet all the additional proposed regulations for short term vacation rental such as providing parking and being on site. The guests we host are families with young children or couples who appreciate being able to vacation in our community.

I feel your proposed regulations are discriminatory to homeowners who will never use their suites for long term rental. We built our suite according to building code and the bylaws but this does not mean it necessarily was meant to be utilized as a long term rental by us.

Please consider your language of secondary suites and or grandfather in existing secondary suites used for short term rental.

Sincerely,

Thomas and Angela Davis

Angela