



CITY OF WEST KELOWNA PUBLIC HEARING AGENDA

Tuesday, June 8, 2021, 5:00 P.M.

COUNCIL CHAMBERS

2760 CAMERON ROAD, WEST KELOWNA, BC

Pages

1. CALL THE PUBLIC HEARING TO ORDER

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

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

2. INTRODUCTION OF LATE ITEMS

3. ADOPTION OF AGENDA

4. OPENING STATEMENT

5. PUBLIC HEARING

5.1. P 20-16; Zoning Amendment Bylaw No. 0154.99 (PH); Short Term Accommodations

3

Location: Throughout the City of West Kelowna

The proposed Zoning Bylaw Amendments to regulate short term accommodations include:

- Short term accommodations allowing for principal residents to rent a portion of their principal residence for periods of less than one month;
- Operators of short term accommodations are required to be the principal resident of the property;
- Permitting short term accommodations in all Zones which currently permit bed and breakfasts: Agricultural (A1), Rural (RU1-RU5), Residential (R1, R1L), and CD-1(E) Zones;
- A short term accommodation use shall only be conducted within a

single detached dwelling, secondary suite or carriage house and only one dwelling per property may be used for the purpose of a short term accommodation;

- Short term accommodations are not permitted on a parcel that contains a Bed and Breakfast;
- Restricting the occupancy of short term accommodations to a maximum of 2 adults per bedroom; and no more than 4 bedrooms are permitted to be used for a short term accommodation;
- Requires one off-street parking space per 1-2 bedrooms or two off-street parking spaces per 3-4 bedrooms;
- No exterior indication that a short term accommodation is in operation on any parcel, except for permitted signage and required parking; and
- Not permitted without connection to a community sewer system.

6. ADJOURNMENT OF THE PUBLIC HEARING

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

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



PUBLIC HEARING REPORT

To: Paul Gipps, CAO

Date: June 8, 2021

From: Hailey Rilkoff, Planner II

File No: P 20-16

Subject: **P 20-16; Zoning Amendment Bylaw No. 0154.99 (PH); Short Term Accommodations**

BACKGROUND

Bylaw No. 0154.99 (File P20-16) was given 1st and 2nd reading at the February 23, 2021 regular Council meeting. A Public Hearing was held on March 16, 2021. Following further direction from Council, substantial changes were made to the bylaw, which received 2nd reading, as amended, on May 11th, 2021 (*Attachment 1*).

Zoning Amendment Bylaw No. 0154.99 would permit Short Term Accommodations within principal single family residences. Short Term Accommodations would be permitted within residential Zones that also permit Bed and Breakfasts (Agricultural, Rural and some Residential Zones). Short Term Accommodations would have to be hosted and require operators to identify a local contact (alternate host) when they may be away or unavailable for a short period of time.

The Council Report from the May 11th Meeting (*Attachment 3*), provides an overview of the changes made to the proposed bylaw since it was last brought forward at the March 16th Public Hearing. The most significant change to the proposed regulations is to permit Short Term Accommodations within secondary suites or carriage houses, and reverting proposed changes to the Bed and Breakfast regulations, however only one dwelling unit per property may be used for a short term rental.

Summary of changes since March 16th Public Hearing

- **Principal Residence Requirement:** Clarification of principal residence requirement by including a new definition for Principal Residence
- **Hosted Short Term Accommodations:** Amended definition for Short Term Accommodation to include the requirement for the operator to host guests
- **Secondary Suites & Carriage Houses:** Changes to permit Short Term Accommodations within Secondary Suites and Carriage Houses
- **Bed and Breakfasts:** No changes will be made to the existing B&B Regulations in the Zoning Bylaw.
- **Terminology and Definitions:** Replacing Minor and Major Short Term Rental definitions with one definition for Short Term Accommodations.

ADDITIONAL INFORMATION FOR PUBLIC HEARING

Additional information and clarification is provided to address some of the discussion and questions that stemmed from Council's consideration of the Zoning Amendment Bylaw No. 0154.99 for 2nd Reading, on May 11th, 2021.

Principal Residency Requirement

The operator of a Short Term Accommodation must be the principal resident of the property on which the Short Term Accommodation will be occurring. The operator may be the owner of the property or a renter/resident (provided they have the owner's permission to operate a business from the property), so long as the operator maintains the property as their principal residence as defined below:

PRINCIPAL RESIDENCE means the usual place where an individual makes their home and conducts daily affairs, like paying bills and receiving mail, for the majority of the year.

This is consistent with the requirements for the operator of a Bed and Breakfast who must be the occupant of the single detached dwelling.

Zoning Bylaws can only regulate the use of land, not the users of land, therefore the requirement is that an operator of a Short Term Accommodation be a principal resident of the property, regardless of their long-term tenure of the property (ownership or tenancy).

Examples of scenarios of who would be permitted to operate a Short Term Accommodation are provided below:

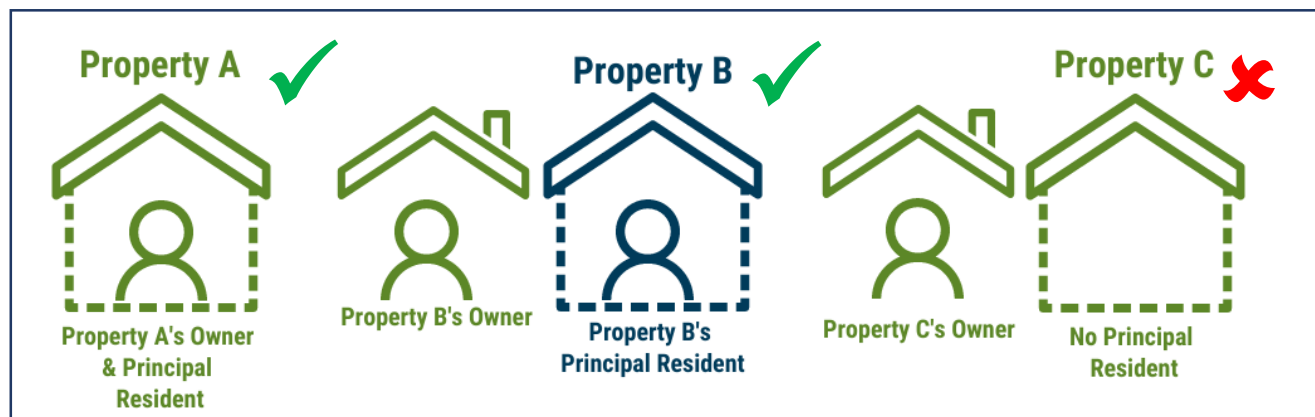


Figure 1 - Principal Residency Requirement for Operation of STA

- **Property A:** Owner resides on Property A for the majority of the year and is the principal resident. The owner operates a Short Term Accommodation from their property.
- **Property B:** Property B is owned by a resident of Penticton, and their daughter lives on the property in West Kelowna. The daughter is not the owner, but is the

principal resident. The daughter, with the parents (owners) permission, operates a Short Term Accommodation from the property.

- **Property C:** Property C is owned by a resident of Kamloops and is vacant the majority of the year. There is no principal resident. The owner cannot operate a Short Term Accommodation from the property.

Long Term Rentals and Short Term Accommodations

The City's Zoning Bylaw does not regulate long term rentals; properties (or dwelling units) may be rented to long term tenants (over 30 days) within any zone and in any dwelling form¹.

If there is a boarder occupying the same dwelling unit as the principal resident of a property, they would also be permitted to operate a short term accommodation from the same property (Figure 2). Examples of a boarder could be a roommate of the principal resident or a homestay student living with a family, and both scenarios would constitute only one household.

There may also be cases where a principal resident of a property has the opportunity for a long-term rental for a part of the year and a short term accommodation for another part of the year (Figure 3). An example could be if a university student were renting a secondary suite, and at the end of the school year vacated the dwelling unit. The secondary suite could then be used for a short term accommodation throughout the summer until such time as the principal resident wished to utilize the secondary suite for their own personal use or to provide it as a long term rental again².

For clarification, the Zoning Bylaw does not permit both a secondary suite and carriage house on one property. A property may only be developed with one secondary suite or one carriage house.

Guidance for Potential Short Term Accommodation Operators

As part of the Short Term Accommodation program development, an operator guidebook will be developed to easily outline the requirements for operating a short term accommodation as well as expectations on how to be a good neighbour. As part of this guidebook, a flowchart to help potential operators understand if their proposed use of a property is compliant with Zoning Regulations will be included. Draft examples of what these materials may look like are included as *Attachment 4*. *Attachment 5* outlines the various scenarios of rentals on



Figure 2 - Principal Residence with Boarder and Short Term Accommodation

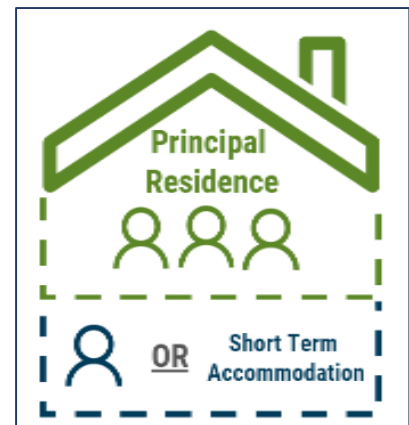


Figure 3 - Principal Residence with Long Term Rental or Short Term Accommodation

¹ Unless rentals are prohibited by bylaws in Strata buildings or developments.

² The operator would be required to make changes to their Business Licence for the business use within the secondary suite (ie. from a long-term rental to a short term accommodation, or vice-versa).

residential property, both short and long term, to determine if the proposed use would be permitted.

COUNCIL REPORT / RESOLUTION HISTORY

Date	Report Topic / Resolution	Resolution No.
May 11, 2021	THAT Council rescind second reading of Zoning Amendment Bylaw No. 0154.99, 2021; and THAT Council give second reading as amended, to Zoning Amendment Bylaw No. 0154.99, 2021; and THAT Council direct staff to schedule the bylaw for a public hearing.	C172/21
April 6, 2021	THAT Council direct staff to require all short term rentals to be principal residences.	C132/21
	THAT Council direct staff to revise the regulations to require all short term rentals to be hosted.	C133/21
	THAT Council direct staff to revise the regulations in order to permit short term rentals on properties with secondary suites and carriage houses.	C134/21
	THAT Council direct staff to keep the existing regulations for Bed and Breakfasts within the Zoning Bylaw.	C135/21
	THAT Council direct staff to revise the minor and major terminology proposed for short term rentals.	C136/21
	THAT Council direct staff to revise the layout for parking requirements to show .5 parking spaces per bedroom in a table format.	C137/21
	THAT Council direct staff to bring the concept of a license cap back for Council consideration after the initial intake period is over.	C138/21
March 16, 2021	Public Hearing	
February 23, 2021	THAT Council give first and second reading to the "City of West Kelowna Zoning Amendment Bylaw No. 0154.99, 2021"; and	C092/21

	THAT Council direct staff to schedule a public hearing.	
January 26, 2021	Information Update for Council on Short Term Rental Engagement Results	
November 24, 2020	THAT Council direct staff to further engage the community and stakeholders on the proposed Short Term Rental program as outlined in this report.	C300/20
September 29, 2020	Council provided direction to staff that short term rentals be regulated, and that the creation of regulations for short term rentals be done through the review of regional practices and consultation with both stakeholders and the public. Council's direction followed the decision points presented to Council.	
September 17, 2019	THAT Council direct staff to investigate and report back to Council regarding Air BnB and short term rentals in West Kelowna within the next 6 months.	C327/19

REVIEWED BY

Brent Magnan, Planning Manager

Mark Koch, Director of Development Services

Shelley Schnitzler, Legislative Services Manager/Corporate Officer

APPROVED FOR THE AGENDA BY

Paul Gipps, CAO

This report is not intended to talk about compliance measures on future approved or not approved short term rentals. A separate report with amended bylaws for licencing and bylaw compliance will be brought forward after the consideration of the zoning bylaw.

Attachments:

1. Zoning Amendment Bylaw No. 0154.99, 2021
2. Redlined Zoning Bylaw Changes
3. Staff Report May 11th, 2021
4. Draft Infographics for Operators
5. Rental Matrix
6. Public Hearing Submissions (3)

CITY OF WEST KELOWNA

BYLAW NO. 0154.99

A BYLAW TO AMEND "ZONING BYLAW NO. 0154"

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

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

1. Title

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

2. Amendments

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

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

PRINCIPAL RESIDENCE means the usual place where an individual makes their home and conducts daily affairs, like paying bills and receiving mail, for the majority of the year.

SHORT TERM ACCOMMODATION means the use of a principal residence for visitor accommodation where the operator hosts guests within a single detached dwelling, secondary suite or carriage house.

- 2.2 By deleting the subsection 3.3.1(b) in its entirety and replacing it with the following:

"Vacation rentals other than bed and breakfasts, short term accommodations, agri-tourism accommodations, and the use of resort apartments and resort townhouses."

- 2.3 By adding to section 3.17 the following:

.9 A bed and breakfast is not permitted on a parcel that contains a short term accommodation.

- 2.4 By adding to Part 3 – General Regulations the following as Section 3.27:

3.27 Short Term Accommodations

.1 A short term accommodation use shall only be conducted within a single detached dwelling, secondary suite or carriage house.

.2 An occupant of the property shall be the operator of the short term accommodation. For certainty an occupant shall be a principal resident of the property.

- .3 In the case of a property containing a single detached dwelling with an approved secondary suite or approved carriage house, only one dwelling may be used for the purpose of a short term accommodation.
 - .4 No more than two adults may occupy a bedroom and no more than four bedrooms are permitted to be used for a short term accommodation.
 - .5 Bedrooms shall only be rented for periods of less than one month.
 - .6 A short term accommodation is permitted to have no more than one non-internally illuminated sign to a maximum size of 0.3 m² that is attached to the principal single detached dwelling or located elsewhere on the parcel and a minimum distance of 1.5 m from any parcel boundary.
 - .7 There shall be no exterior indication that a short term accommodation is in operation on any parcel, except for permitted signage and required parking.
 - .8 A short term accommodation shall not be permitted without connection to a community sewer system unless:
 - (a) The parcel receives the written approval of a Registered Onsite Wastewater Practitioner (ROWP) for septic disposal capacity.
 - .9 A short term accommodation is not permitted on a parcel that contains a bed and breakfast.
- 2.5 By replacing subsection 3.20.5 in its entirety and replacing it with the following:
- “When a bed and breakfast or short term accommodation is located on the same parcel as an agri-tourism accommodation, the total number of guest rooms permitted on the parcel is the number specified in Table 3.9.”
- 2.6 Amending Table 4.1 – Required parking spaces in Section 4.4 adding a new section for Short Term Accommodation in its appropriate location that reads as follows:
- | | |
|--------------------------|--|
| Short term accommodation | 1 per one or two bedrooms;
2 per three or four bedrooms |
|--------------------------|--|
- 2.7 By adding to section 8.1.3 in appropriate alphabetical order, the following:
- “Short term accommodation”
- 2.8 By adding to Section 9.1.3 in appropriate alphabetical order, the following:
- “Short term accommodation”
- 2.9 By adding to Section 9.2.3 in appropriate alphabetical order, the following:
- “Short term accommodation”
- 2.10 By adding to Section 9.3.3 in appropriate alphabetical order, the following:
- “Short term accommodation”

2.11 By adding to Section 9.4.3 in appropriate alphabetical order, the following:

“Short term accommodation”

2.12 By adding to Section 9.5.3 in appropriate alphabetical order, the following:

“Short term accommodation”

2.13 By deleting Section 10.4.3(b) and adding to Section 10.4.3 in appropriate alphabetical order, the following:

“Short term accommodation”

2.14 By adding to Section 10.6.3 in appropriate alphabetical order, the following:

“Short term accommodation”

2.15 By adding to Part 14 CD1 – Westlake section CD-1(E).1 in appropriate alphabetical order, the following:

“Short term accommodation”

READ A FIRST AND SECOND TIME THIS 23RD DAY OF FEBRUARY, 2021
PUBLIC HEARING HELD THIS 16TH DAY OF MARCH, 2021
RESCINDED SECOND READING THIS 11TH DAY OF MAY, 2021
READ A SECOND TIME AS AMENDED THIS 11TH DAY OF MAY, 2021
PUBLIC HEARING HELD
READ A THIRD TIME THIS
APPROVED BY THE MINISTRY OF TRANSPORTATION THIS
ADOPTED THIS

MAYOR

CITY CLERK



PART 2 – INTERPRETATION

2.8 DEFINITIONS

PRINCIPAL RESIDENCE means the usual place where an individual makes their home and conducts daily affairs, like paying bills and receiving mail, for the majority of the year.

SHORT TERM ACCOMMODATION means the use of a principal residence for tourist accommodation where the operator hosts guests within a single detached dwelling, secondary suite or carriage house.

PART 3 – GENERAL REGULATIONS

3.3 PROHIBITED USES AND STRUCTURES

.1 The following uses are prohibited in every zone:

(a) Outdoor storage of materials beneath electrical power distribution lines; and

(b) Vacation rentals other than bed and breakfasts, short term accommodations, agri-tourism accommodations, and the use of resort apartments and resort townhouses.
~~Vacation rentals other than bed and breakfast uses, agri-tourism accommodations, and the use of resort apartments and resort townhouses.~~

3.17 BED AND BREAKFASTS

.9 A bed and breakfast is not permitted on a parcel that contains a short term accommodation.

3.20 AGRI-TOURISM ACCOMMODATION

.5 When a bed and breakfast or short term accommodation is located on the same parcel as an agri-tourism accommodation, the total number of guest rooms permitted on the parcel is the number specified in Table 3.9. ~~When a bed and breakfast is located on the same parcel as an agri-tourism accommodation, the total number of guest rooms permitted on the parcel is the number specified in Table 3.9.~~

3.27 SHORT TERM ACCOMMODATIONS

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

PART 4 - OFF-STREET PARKING AND LOADING

4.4 STANDARD PARKING SPACES

.1 Number of Spaces

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

Table 4.1 – Required parking spaces.

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

PART 8 – AGRICULTURAL ZONES

8.1 AGRICULTURAL ZONE (A1)

.1 Purpose

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

.2 Principal Uses, Buildings and Structures

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

.3 Secondary Uses, Buildings and Structures

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

.4 Site Specific Uses, Buildings and Structures

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

(d) On Lot A, DL 3480, ODYD, Plan KAP67210: Outdoor Storage

Regulations Table

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

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

.6 Other Regulations - Reserve

PART 9 – RURAL ZONES

9.1. COUNTRY RESIDENTIAL ZONE (RU1)

.1 Purpose

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

.2 Principal Uses, Buildings and Structures

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

.3 Secondary Uses, Buildings and Structures

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

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

.5 Regulations Table

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

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

.6 Other Regulations - *Reserved*

9.2. RURAL RESIDENTIAL SMALL PARCEL ZONE (RU2)

.1 Purpose

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

.2 Principal Uses, Buildings and Structures

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

.3 Secondary Uses, Buildings and Structures

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

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

.5 Regulations Table

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

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

.6 Other Regulations - *Reserved*

9.3. RURAL RESIDENTIAL MEDIUM PARCEL ZONE (RU3)

.1 Purpose

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

.2 Principal Uses, Buildings and Structures

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

.3 Secondary Uses, Buildings and Structures

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

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

.5 Regulations Table

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

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

.6 Other Regulations - *Reserved*

9.4. RURAL RESIDENTIAL LARGE PARCEL ZONE (RU4)

.1 Purpose

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

.2 Principal Uses, Buildings and Structures

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

.3 Secondary Uses, Buildings and Structures

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

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

.5 Regulations Table

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

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

.6 Other Regulations - Reserved

9.5. RURAL RESOURCE ZONE (RU5)

.1 Purpose

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

.2 Principal Uses, Buildings and Structures

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

.3 Secondary Uses, Buildings and Structures

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

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

.5 Regulations Table

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

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

.6 Other Regulations - Reserved

PART 10 – RESIDENTIAL ZONES

10.4 SINGLE DETACHED RESIDENTIAL ZONE (R1)

.1 Purpose

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

.2 Principal Uses, Buildings and Structures

- (a) Single detached dwelling

.3 Secondary Uses, Buildings and Structures

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

.4 Site Specific Uses, Buildings and Structures

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

.5 Regulations Table

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

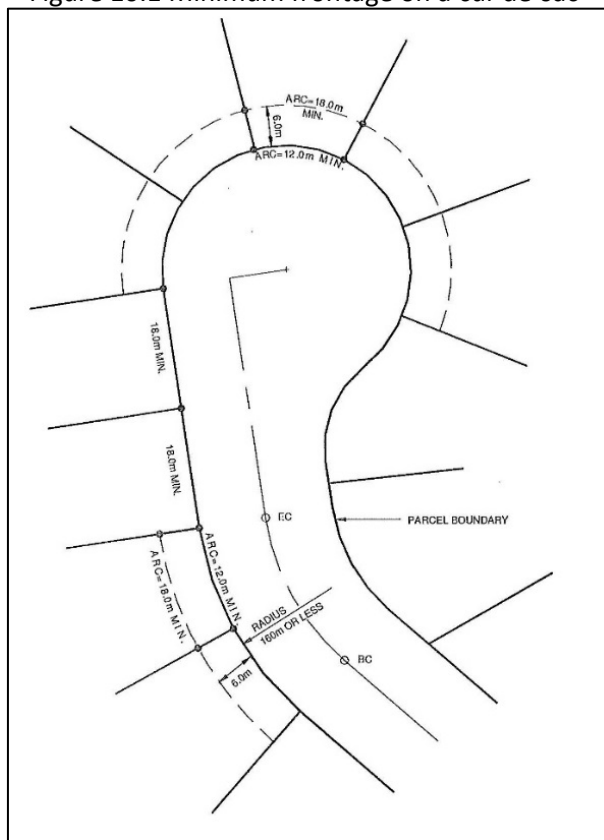
		6.5 m (21.3 ft) to a maximum of 1.5 storeys where at least one parking stall is provided in the same building
--	--	---

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

.6 Other Regulations

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

Figure 10.1 Minimum frontage on a cul-de-sac



.7 Siting Regulations for Approving Subdivisions

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

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

10.6 LARGE PARCEL SINGLE DETACHED RESIDENTIAL ZONE (R1L)

.1 Purpose

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

.2 Principal Uses, Buildings and Structures

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

.3 Secondary Uses, Buildings and Structures

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

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

.5 Regulations Table

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

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

.6 Other Regulations

(a) Siting Regulations for Approved Subdivisions

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

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

PART 14 – COMPREHENSIVE DEVELOPMENT ZONES

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

CD-1(E) Hillside Housing Single Family

1. Permitted Uses:

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

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

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



COUNCIL REPORT

To: Paul Gipps, CAO

Date: May 11, 2021

From: Hailey Rilkoff, Planner II

File No: P 20-16

Subject: **P 20-16; Zoning Amendment Bylaw No. 0154.99 (2nd Reading as Amended); Short Term Rental Regulations**

RECOMMENDATION

THAT Council rescind second reading of Zoning Amendment Bylaw No. 0154.99, 2021; and

THAT Council give second reading as amended, to Zoning Amendment Bylaw No. 0154.99, 2021; and

THAT Council direct staff to schedule the bylaw for a public hearing.

STRATEGIC AREA(S) OF FOCUS

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

BACKGROUND

On April 6th, 2021, Council received a report which provided additional information and clarification on the items raised at the Public Hearing on Zoning Amendment Bylaw No. 0154.99, 2021 regarding short term rental regulations. Council made several resolutions in order to direct staff on the next steps in developing regulations for short term rentals. The result of the decision points that pertain to the Zoning Bylaw Amendments have been incorporated in the amended Zoning Amendment Bylaw No. 0154.99, 2021 (*Attachment 1*) for Council's consideration.

DISCUSSION

Decision Points Follow Up

Principal Residence Requirement

The operator of a short term accommodation must be the principal resident of the property with a short term accommodation. A definition of principal residence has been added to the Zoning Bylaw as follows:

PRINCIPAL RESIDENCE means the usual place where an individual makes their home and conducts daily affairs, like paying bills and receiving mail, for the majority of the year.

When applying for their business licence, the operator of a short term accommodation will be required to confirm that the property is their principal residence. This will be confirmed by the operator providing a minimum of two supporting documents¹. More details on the Business Licencing and Regulation Bylaw amendments will be prepared following the Public Hearing for the Zoning Bylaw amendments, however a proposed draft of the anticipated regulations is included as *Attachment 2*.

Hosted Short Term Accommodations

It is understood that Council wishes there to be a high degree of interaction between operators of short term accommodations and their guests, but also wishes to provide flexibility for operators to be off-site occasionally. This has been accommodated through the amended definition which reads as (emphasis added):

SHORT TERM ACCOMMODATION means the use of a principal residence for visitor accommodation where the operator hosts guests within a single detached dwelling, secondary suite or carriage house.

This definition clearly identifies the intention that all short term accommodations are hosted in order to minimize negative neighbourhood impacts. Further clarification will be included within the Business Licencing and Regulation Bylaw amendments for short term accommodations that provide flexibility in the expectations of hosted short term accommodations. This will include the following two definitions in addition to regulations for business licencing:

HOSTED SHORT TERM ACCOMMODATION means a short term accommodation where there is interaction between the operator or their local contact and guests during operation. The operator or local contact must be available to respond to any nuisance complaints at all times during operation of the short term accommodation.

LOCAL CONTACT means a person designated as an alternate host for a short term accommodation by the operator. The local contact must be available to respond to any nuisance complaints if the operator is unavailable.

¹ Provincial Home Owners Grant, Drivers Licence, Utility Bills, Tax Forms, Vehicle Registration, Insurance Forms or Government Records.

One of the proposed regulations within the Business Licencing and Regulation Bylaw is to require the operator, or local contact, to respond or attend at the property within 2 hours of being requested to do so. This will ensure that either the operator or local contact will always be reasonably available to address nuisance complaints quickly if requested by the City.

Secondary Suites and Carriage Houses

The Zoning Amendment Bylaw has been amended to permit short term accommodations within either a single detached dwelling, secondary suite or carriage house. The regulation has been drafted to only permit one dwelling per property to be used as a short term rental.

Bed and Breakfasts

Section 3.17 of the Zoning Bylaw regulating the use of Bed and Breakfast will remain and there will be no changes to the regulations, except to clarify that a property with a bed and breakfast cannot also operate a short term accommodation. A new section has been drafted specifically for the short term accommodation regulations within Part 3 - General Regulations of the Zoning Bylaw.

Terminology and Definitions

The terminology originally proposed of Minor and Major Short Term Rentals have been consolidated into one definition for Short Term Accommodation.

Parking Requirements

The parking requirements for a short term accommodation will remain at one space per one or two bedrooms rented, and two spaces for three or four bedrooms rented. This will be included within Part 4 – Off-Street Parking and Loading Regulations within the Zoning Bylaw in Table 4.1 Required Parking Spaces as follows:

USE	NUMBER OF REQUIRED PARKING SPACES
Short Term	1.0 per 1 or 2 bedrooms
Accommodation	2.0 per 3 or 4 bedrooms

NEXT STEPS

If Council rescinds second reading and re-reads second reading as amended to Zoning Amendment Bylaw No. 0154.99, a Public Hearing will be scheduled.

Bylaw amendments will be drafted to regulate the operation, licencing and enforcement of short term rentals for Councils consideration of first, second and third readings, to be considered following the Public Hearing. These will be considered concurrently with third reading of the Zoning Amendment Bylaw.

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

COUNCIL REPORT / RESOLUTION HISTORY

Date	Report Topic / Resolution	Resolution No.
April 6, 2021	THAT Council direct staff to require all short term rentals to be principal residences.	C132/21
	THAT Council direct staff to revise the regulations to require all short term rentals to be hosted.	C133/21
	THAT Council direct staff to revise the regulations in order to permit short term rentals on properties with secondary suites and carriage houses.	C134/21
	THAT Council direct staff to keep the existing regulations for Bed and Breakfasts within the Zoning Bylaw.	C135/21
	THAT Council direct staff to revise the minor and major terminology proposed for short term rentals.	C136/21
	THAT Council direct staff to revise the layout for parking requirements to show .5 parking spaces per bedroom in a table format.	C137/21
	THAT Council direct staff to bring the concept of a license cap back for Council consideration after the initial intake period is over.	C138/21
March 16, 2021	Public Hearing	
February 23, 2021	THAT Council give first and second reading to the "City of West Kelowna Zoning Amendment Bylaw No. 0154.99, 2021"; and THAT Council direct staff to schedule a public hearing.	C092/21
January 26, 2021	Information Update for Council on Short Term Rental Engagement Results	
November 24, 2020	THAT Council direct staff to further engage the community and stakeholders on the proposed Short Term Rental program as outlined in this report.	C300/20
September 29, 2020	Council provided direction to staff that short term rentals be regulated, and that the creation of	

regulations for short term rentals be done through the review of regional practices and consultation with both stakeholders and the public. Council's direction followed the decision points presented to Council.

September
17, 2019

THAT Council direct staff to investigate and report back to Council regarding Air BnB and short term rentals in West Kelowna within the next 6 months.

C327/19

REVIEWED BY

Brent Magnan, Planning Manager

Mark Koch, Director of Development Services

Shelley Schnitzler, Legislative Services Manager/Corporate Officer

APPROVED FOR THE AGENDA BY

Paul Gipps, CAO

Powerpoint: Yes ☒ No ☐

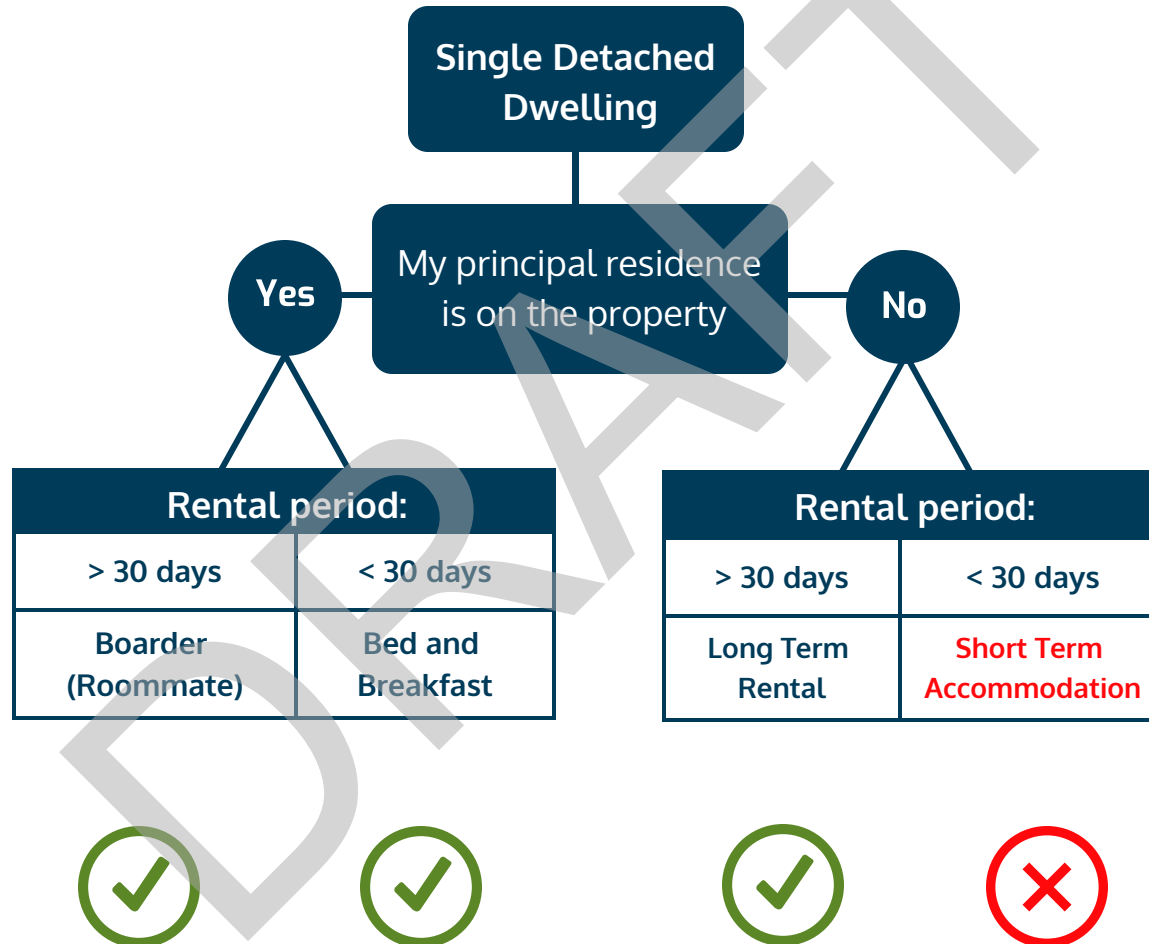
Attachments:

1. Zoning Amendment Bylaw No. 0154.99, 2021
2. Redlined Zoning Bylaw Changes
3. Proposed Short Term Accommodation Regulations Overview

My property is developed with:



a Single Detached Dwelling Only



My property is developed with:

a Single Detached Dwelling and a Secondary Suite



I wish to
rent rooms
within the:

Single Detached
Dwelling

Secondary Suite

Yes

My principal residence
is on the property

No

Yes

My principal residence
is on the property

No

Rental period:

> 30 days

< 30 days

Long Term Rental or
Boarder (Roommate)

Short Term
Accommodation

Rental period:

> 30 days

< 30 days

Long Term
Rental

Short Term
Accommodation

Rental period:

> 30 days

< 30 days

Long Term
Rental

Short Term
Accommodation

Rental period:

> 30 days

< 30 days

Long Term
Rental

Short Term
Accommodation



My property is developed with:

a Single Detached Dwelling and a Carriage House



I wish to
rent rooms
within the:

Single Detached
Dwelling

Carriage House

My principal residence
is on the property

My principal residence
is on the property

Yes

No

Yes

No

Rental period:

Rental period:

Rental period:

Rental period:

> 30 days

< 30 days

> 30 days

< 30 days

> 30 days

< 30 days

> 30 days

< 30 days

Long Term Rental or
Boarder (Roommate)

Short Term
Accommodation

Long Term
Rental

Short Term
Accommodation




Long Term
Rental

Short Term
Accommodation

Long Term
Rental

Short Term
Accommodation



My property is developed with:	I wish to rent rooms within the:	My principal residence is on the property	The rental period will be:	Use	Permitted?
Single Detached Dwelling Only 	Single Detached Dwelling	Yes	More than 30 Days	Boarder (Roommate)	✓
			Less than 30 Days	Bed and Breakfast	✓
				Short Term Accommodation	✓
		No	More than 30 Days	Long Term Rental	✓
			Less than 30 Days	Short Term Accommodation	✗
Single Detached Dwelling and Secondary Suite 	Single Detached Dwelling	Yes	More than 30 Days	Long Term Rental or Boarder (Roommate)	✓
			Less than 30 Days	Short Term Accommodation	✓
		No	More than 30 Days	Long Term Rental	✓
			Less than 30 Days	Short Term Accommodation	✗
	Secondary Suite	Yes	More than 30 Days	Long Term Rental	✓
			Less than 30 Days	Short Term Accommodation	✓
		No	More than 30 Days	Long Term Rental	✓
			Less than 30 Days	Short Term Accommodation	✗
Single Detached Dwelling and Carriage House 	Single Detached Dwelling	Yes	More than 30 Days	Long Term Rental or Boarder (Roommate)	✓
			Less than 30 Days	Short Term Accommodation	✓
		No	More than 30 Days	Long Term Rental	✓
			Less than 30 Days	Short Term Accommodation	✗
	Carriage House	Yes	More than 30 Days	Long Term Rental	✓
			Less than 30 Days	Short Term Accommodation	✓
		No	More than 30 Days	Long Term Rental	✓
			Less than 30 Days	Short Term Accommodation	✗

Meg Jacks

From: [REDACTED]
Sent: May 29, 2021 3:14 PM
To: City of West Kelowna Submissions
Subject: Short Term Accommodations

Good afternoon

I appose the change to our Bylaws to allow Short Term Accommodations in Residential neighbourhoods

Thank you

Brian Noble
3172 McIver Road
West Kelowna B.C.
V4T 1E7
[REDACTED]

Meg Jacks

From: Curt Jansen [REDACTED]
Sent: June 3, 2021 11:58 AM
To: City of West Kelowna Submissions
Subject: Letter of support Short Term Accomodations

We are in support of the revised Short Term accommodation plan as proposed, thank you for sharing

Regards,

Curt Jansen
Keloka Drive, West Kelowna

[REDACTED]

Meg Jacks

From: Heather Youl [REDACTED]
Sent: June 3, 2021 2:19 PM
To: City of West Kelowna Submissions
Subject: Attention City Clerk. Reference File P 20-16

Hi there,

I am writing to express my opinions about the bylaws of the proposed short-term accommodations in West Kelowna. I am glad to see amendments to the proposed regulations by allowing secondary suites and carriage houses to be part of the short-term rental pool. I think this is great for a number of reasons.

The first is that secondary suites provide accommodation for couples and small families who may not need or want a whole house. Simply renting a room in someone's home is also not a good option for many people as well.

Secondly, I believe that homeowners who live on-site of their short-term rentals make better hosts than those absent such as condo owners. Homeowners/hosts can react immediately to noise issues, can mitigate parking problems, and must show accountability to their neighbours. As many of the complaints about short-term rentals in the Okanagan are in regards to the noise from "Party Houses" I feel the proposed regulations wouldn't mitigate that already existing issue. I think the amendments requiring rentals to be hosted (just as secondary suites would be) or monitored by a local contact are excellent.

Lastly, I feel as someone who has travelled extensively staying in short-term rentals for work purposes, I always looked for secondary suites. This is because they had amenities like a kitchen, private bathroom, separate entrance, and are a quiet space to get work done in. Staying in someone's unsecured rec room in their basement without any facilities is just not realistic or enjoyable when travelling for weeks at a time. Hotels are usually more expensive (as are full homes or condos) and don't typically have any facilities such as a kitchen either. Secondary suites fill a niche for short-term renters outside of the vacation rental market.

I look forward to hearing what the council decides finally on this topic.

Heather Youl
1442 Rosemary Court, West Kelowna
V1Z 3Z6