



# PROPOSED SHORT TERM RENTAL REGULATIONS

**File No:** P 20-16  
**Subject:** Proposed Bylaw Amendments & Regulations

<p>CITY OF WEST KELOWNA PLANNING DEPARTMENT</p> <p>ATTACHMENT: <u>1</u></p> <p>FILE NO.: <u>P 20-16</u></p>	
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## Zoning Bylaw No. 0154

### SHORT TERM RENTALS

- .1 A short term rental shall only be conducted within a principal single detached dwelling.
- .2 An occupant of the single detached dwelling shall be the operator of the short term rental.
- .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.
- .4 Guest rooms shall only be rented for rental periods of less than 1 month.
- .5 A short term rental is permitted to have no more than 1 non-internally illuminated sign to a maximum size of 3000 mm<sup>2</sup> (465 in<sup>2</sup>) that is attached to the principal single detached dwelling or located elsewhere on the parcel and a minimum distance of 1.5 m (4.9 ft) from any parcel boundary.
- .6 There shall be no exterior indication that a short term rental is in operation on any parcel, except for permitted signage and required parking.
- .7 A short term rental shall not be permitted without connection to a community sewer system unless:
  - (a) The parcel receives the written approval of a Registered Onsite Wastewater Practitioner (ROWP) for septic disposal capacity.
- .8 A short term rental is not permitted on a parcel that contains a secondary suite or carriage house.

### PARKING REGULATIONS

USE	NUMBER OF REQUIRED PARKING SPACES
Short Term Rental	1.0 per 1 or 2 guest rooms 2.0 per 3 guest rooms

## Business Licencing and Regulations Bylaw No. 0087

### DEFINITIONS

**“Short Term Rental”** means the accessory use of a single detached dwelling, or a portion of it, that provides temporary accommodation for paying guests for a period of less than 30 days, but does not include Bed & Breakfast.

### SHORT TERM RENTALS

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

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

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

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

.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.

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

.6 An operator of a Short Term Rental must:

- (a) Operate a short term rental only within a licenced dwelling;
- (b) Display the licence inside the entry way to the dwelling;
- (c) Display in each approved guest room, and in the entryway of the Short Term rental accommodation, a fire safety plan; and

(d) Ensure that no more than one booking is permitted for the short term rental within the dwelling at one time.

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

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

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# Short Term Rental Operator Good Neighbour Agreement

This agreement made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

**WHEREAS** \_\_\_\_\_ (the "Operator"):

Wishes to demonstrate to the City of West Kelowna (the "City"), and the Citizens of West Kelowna their effort to be a responsible Short Term Rental operator within the City of West Kelowna.

Recognizes their role as a responsible operator and neighbor within the community and agrees to work with the City and its departments to resolve all concerns.

Wishes to promote West Kelowna as a vibrant, safe, and attractive community for the enjoyment of everyone, including residents, visitors, businesses, and their workers.

Recognizes that non-compliance with the Short Term Rental Operator Good Neighbour Agreement may be brought to the attention of the Business Licensing Supervisor, Licence Inspector, or City Council, and may trigger a licence suspension and/or revocation hearing.

Recognizes that Short Term Rental operators have a civic responsibility to address the conduct of their guests; and that the Good Neighbor Bylaw No. 0151, Traffic Bylaw No. 0092 and other City Bylaws require that certain standards of conduct and maintenance apply to their properties used for Short Term Rentals.

Recognizes that should the Operator's licence be suspended or cancelled and any Short Term Rental bookings and/or nuisance incidents pertaining to the operation of a Short Term Rental continue to occur and remain unresolved, the City may exercise its power to pursue additional enforcement action including increasing fines and/or legal injunctive action.

**AND WHEREAS** the City wishes to:

Commend the Operator for their recognition of their civic responsibilities, and commitment to fostering a good working relationship with the City and the Operator's neighbours.

Demonstrate its commitment to early resolution of disputes with the Operator in relation to this Agreement whenever possible.

**NOW THEREFORE** in conjunction with and in consideration of obtaining, continuing to hold, or renewing a Short Term Rental business licence, the Licensee covenants and agrees with the City to comply with the conditions set out in Business Licencing and Regulation Bylaw No. 0087.

IN WITNESS WHEREOF the parties have executed this agreement in the City of West Kelowna, Province of British Columbia, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

The business Operator  
by its authorized signatory  
(Owner/Operator)

On Behalf of the City of West Kelowna  
by its Business Licence Inspector

X. \_\_\_\_\_

X. \_\_\_\_\_

# Short Term Rental Self-Evaluation Safety Audit Attestation

Please initial each section applicable to your Short Term Rental  
and return to City of West Kelowna Business Licencing Department:

Owner/Operator: \_\_\_\_\_

Emergency Contact name/phone: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

- |                                                                                       | (initial) |
|---------------------------------------------------------------------------------------|-----------|
| 1. Smoke Alarms tested & logged monthly (As per BC Fire Code)                         | _____     |
| 2. Fire Extinguisher Service – (annual service by Certified Technician)               | _____     |
| 3. Fire Safety Plan posted (review and update annually)                               | _____     |
| 4. Means of egress operable and unobstructed (bedroom doors & windows)                | _____     |
| 5. Carbon Monoxide Alarms tested annually (as per manufactures recommend)             | _____     |
| 6. Electrical installations used and maintained so as not to constitute a fire hazard | _____     |
| 7. Barbeque soap leak test (propane or natural gas) annually                          | _____     |
| 8. Chimney cleaning – if applicable _____                                             | _____     |
| 9. Interior/Exterior passage ways maintained free and clear of obstructions           | _____     |

*Note: The City and/or West Kelowna Fire Department may conduct random inspections annually for safety compliance.*

I hereby attest that the above have been tested, inspected and maintained as required by the City of West Kelowna's Business Licence and Regulation Bylaw No. 0087 and submittal of this safety audit report checklist is assurance that the conditions are consistent with those set out within City of West Kelowna Business Licence and Regulation Bylaw No. 0087.

Owner/Operator Signature: \_\_\_\_\_ Date: \_\_\_\_\_