



COUNCIL REPORT

To: Paul Gipps, CAO

Date: July 13, 2021

From: Stirling Scory, Planner II

File No: P 20-16

Subject: **P 20-16; Zoning Amendment Bylaw No. 0154.99 & Regulatory Bylaw Amendments (Adoption); Short Term Accommodations**

RECOMMENDATION

THAT Council adopt City of West Kelowna Zoning Amendment Bylaw No. 0154.99, 2021; and

THAT Council adopt City of West Kelowna Business Licensing and Regulations Amendment Bylaw No. 0087.11, 2021; and

THAT Council adopt City of West Kelowna Fees and Charges Amendment Bylaw No. 0028.68, 2021; and

THAT Council adopt Bylaw Notice Enforcement Amendment Bylaw No. 0093.46, 2021; and

THAT Council adopt City of West Kelowna Ticket Information Utilization Amendment Bylaw No. 0095.43.

STRATEGIC AREA(S) OF FOCUS

Economic Growth and Prosperity – Initiate the regulation of short-term rentals across the city; Promote continued growth in tourism to West Kelowna and the Greater Westside.

BACKGROUND

On June 22, 2021 Council gave the proposed bylaw amendments 3rd reading. The purpose of this report is for Council to consider the adoption of the Zoning Amendment Bylaw 0154.99 and the concurrent regulatory bylaw amendments.

Referral

The Ministry of Transportation was provided opportunity to review Bylaw Amendment No. 0154.99 on June 23, 2021. The City received approval from the Ministry on June 28, 2021.

FINANCIAL IMPLICATIONS

As outlined in previous Council meetings, it is not anticipated that business licensing fees for Short Term Accommodations would be able to completely cover the cost required for the resources necessary to implement the program; however, it is noted that including the additional \$250 application fee will assist in cost recovery. Additional staff resources to assist the Business Licensing department may be required through the initial intake period during the summer of 2021. This will be reviewed by the Business Licensing department as implementation is occurring and department needs are identified.

COUNCIL REPORT / RESOLUTION HISTORY

Date	Report Topic / Resolution	Resolution No.
June 22, 2021	<p>THAT Council give third reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.99, 2021; and</p> <p>THAT Council direct staff to schedule the Bylaw for Consideration of adoption following approval of the Bylaw by the Ministry of Transportation and Infrastructure; and</p> <p>THAT Council give first second and third readings to City of West Kelowna Business Licensing and Regulations Amendment Bylaw No. 0087.11, 2021; and</p> <p>THAT Council amend the proposed City of West Kelowna Fees and Charges Amendment Bylaw No. 0028.68, 2021 to include a \$250 application fee for Short Term Accommodations; and</p> <p>THAT Council give first, second and third readings to City of West Kelowna Fees and Charges Amendment Bylaw No. 0028.68, 2021; and</p> <p>THAT Council give first, second and third readings to Bylaw Notice Enforcement Amendment Bylaw No. 0093.46, 2021; and</p> <p>THAT Council give first second and third readings to City of West Kelowna Ticket Information Utilization Amendment Bylaw No. 0095.43;</p>	C221/21

	AND FURTHER THAT Council direct staff to enter into third party servicing agreements to support compliance and enforcement activities for short term accommodations.	
June 8, 2021	Public Hearing	
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.	134/21
	THAT Council direct staff to keep the existing regulations for Bed and Breakfasts within the Zoning Bylaw.	135/21
	THAT Council direct staff to revise the minor and major terminology proposed for short term rentals.	136/21
	THAT Council direct staff to revise the layout for parking requirements to show .5 parking spaces per bedroom in a table format.	137/21
	THAT Council direct staff to bring the concept of a license cap back for Council consideration after the initial intake period is over.	138/21
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

CONCLUSION

Should Council adopt the recommended motions, the Zoning Amendment Bylaw No. 0154.99 would permit Short Term Accommodations within residential zones that also permit Bed and Breakfasts (Agricultural, Rural and some Residential). Short Term Accommodations would have to be hosted and would require operators to identify a local contact (alternate host) when they may be away or unavailable for a short period of time. The proposed recommendations to consider adoption of the regulatory bylaw amendments are required to support regulation of Short Term Accommodations.

REVIEWED BY

Brent Magnan, Planning Manager

Shelley Schnitzler, Legislative Services Manager/Corporate Officer

APPROVED FOR THE AGENDA BY

Allen Fillion, Acting CAO

Powerpoint: Yes ☐ No ☒

Attachments:

1. Zoning Amendment Bylaw No. 0154.99, 2021
2. Business Licensing and Regulations Amendment Bylaw No. 0087.11, 2021
3. Fees and Charges Amendment Bylaw No. 0028.68, 2021
4. Bylaw Notice Enforcement Amendment Bylaw No. 0093.46, 2021
5. Ticket Information Utilization Amendment Bylaw No. 0095.43, 2021