



Council Report

For the Meeting of February 22, 2018

To: Council

Date: February 22, 2018

From: Tom Zworski, City Solicitor

Subject: Zoning Regulation Bylaw Amendment Bylaw (No. 1147) – No. 18-035

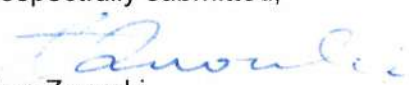
RECOMMENDATION

That, after the first reading but prior to the second reading, Council amend the Zoning Regulation Bylaw Amendment Bylaw (No. 1147) by inserting the following as the new section 2(3): "Bylaw No. 80-159, the Zoning Regulation Bylaw, is further amended in section 17(4)(b)(ii) of the General Regulations by deleting the words "as if it were transient accommodation"."

EXECUTIVE SUMMARY

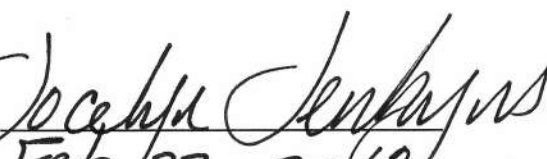
Following the publication of the Council agenda including the draft Zoning Regulation Bylaw Amendment Bylaw (No. 1147), staff have identified an inadvertent omission in the draft bylaw. It relates to the amendments adopted in September 2017 when the definition of "short-term rental" as a distinct use was first introduced. At the time, there were no provisions in the Schedule D for short-term rentals and it was necessary, therefore, for them to be treated as if they were transient accommodation. With the introduction of the proposed changes to Schedule D, specifically addition of section 12 which regulates short-term rentals, it is no longer appropriate for transient accommodation regulations to apply to short-term rentals. Therefore, it is necessary to delete that provision from the Zoning Regulation Bylaw. This change does not alter the overall effect of the draft bylaw and is solely intended to eliminate any potential ambiguity in the Zoning Regulation Bylaw's treatment of short-term rentals. Under the Council Procedure Bylaw, now that the draft bylaw has been published 24 hours prior to the Council meeting, it is not possible for staff to simply substitute an updated draft of the proposed bylaw and a formal amendment is required. Therefore, the City Solicitor recommends that Council give the first reading to the draft bylaw in the form as originally published, then amend it to add the proposed new section 2(3), and then give it the second reading as amended. In that way, the bylaw that will be provided to the public prior to the public hearing will include the proposed addition avoiding any potential confusion.

Respectfully submitted,


Tom Zworski
City Solicitor

Report accepted and recommended by the City Manager:

Date:


Feb 22, 2018