



## PUBLIC HEARING MINUTES

OCTOBER 24 AND 26, 2017

A Public Hearing of the City of Vancouver was held on Tuesday, October 24, 2017, at 6:07 pm, in the Council Chamber, Third Floor, City Hall. Subsequently, the Public Hearing recessed and reconvened on Thursday, October 26, 2017, at 6:08 pm.

**PRESENT:** Mayor Gregor Robertson  
Councillor George Affleck  
Councillor Elizabeth Ball (Medical Leave - October 26, 2017)  
Councillor Adriane Carr  
Councillor Melissa De Genova\*  
Councillor Heather Deal  
Councillor Kerry Jang (Medical Leave - October 26, 2017)  
Councillor Raymond Louie (Medical Leave - October 26, 2017)  
Councillor Andrea Reimer  
Councillor Tim Stevenson

**CITY MANAGER'S OFFICE:** Sadhu Johnston, City Manager

**CITY CLERK'S OFFICE:** Bonnie Kennett, Meeting Coordinator

\* Denotes absence for a portion of the meeting

### WELCOME

The Mayor acknowledged we are on the unceded traditional territory of the Musqueam, Squamish and Tsleil-Waututh First Nations.

### COMMITTEE OF THE WHOLE

*The Mayor reminded Council that, based on advice from the City Clerk, it is not necessary for Council to sit as Committee of the Whole during a Public Hearing; however, in order to comply with the Procedure By-law, a motion to go into Committee of the Whole should be put to a vote and failed by Council.*

MOVED by Councillor Deal  
SECONDED by Councillor Louie

THAT this Council resolve itself into Committee of the Whole, the Mayor in the Chair, to consider proposed amendments to the zoning by-laws.

### LOST

(Councillors Affleck, Ball, Carr, De Genova, Deal, Louie, Reimer, Stevenson and the Mayor opposed)

## 1. TEXT AMENDMENT: Regulation Short-Term Rentals in Vancouver

An application by the General Manager of Planning, Urban Design and Sustainability was considered as follows:

Summary: To amend the Zoning and Development By-law to introduce regulations for Short-Term Rentals (STR). The proposed regulations would allow residents to conduct short-term rentals in their Principal Residence Unit, provided a business licence is obtained.

The General Manager of Planning, Urban Design and Sustainability recommended approval, subject to the conditions set out in the Summary and Recommendation of the Public Hearing agenda.

Council also had before it a memorandum dated October 17, 2017, from the General Manager, Development, Buildings and Licensing, advising that Legal Services had posted drafts of the proposed amendments to the Zoning and Development By-law, Licence By-law and Ticket Offences By-law, generally in accordance with the Policy Report dated July 5, 2017, entitled "Regulating Short-Term Rentals in Vancouver". Since referral, staff recommended the following minor changes and additions to the proposed regulations explained in the Memorandum.

### Maintaining the Existing "Bed and Breakfast" Business Licence

Bed and Breakfast Operators currently must provide breakfast for guests, reside in the premises throughout the stay, and supply off-street parking - requirements which are not proposed for the new Short-Term Rental Operator business licence. Bed and Breakfasts must be zoned accordingly, and meet enhanced fire standards compared to residential homes. In addition, Bed and Breakfasts may currently offer two separate accommodations, whereas the proposed Short-Term Rental Operator business licence allows only one rental accommodation per licence.

The July 5, 2017, Policy Report stated that "the existing 'Bed and Breakfast' business licence would be replaced with the 'Short-Term Rental Operator' business licence", and that "proposed short-term rental regulations would replace existing regulations governing the operations of traditional Bed and Breakfasts". The report also stated that existing Bed and Breakfast Operators could continue offering two accommodations if they applied for an exemption.

After additional analysis and deliberation, staff recommended maintaining the existing Bed and Breakfast business licence to:

- Provide the option for existing Bed and Breakfast Operators to keep their current business licence if preferred;
- Avoid licence condition exemptions for existing Bed and Breakfast Operators who offer two separate accommodations;
- Avoid non-conformance issues related to existing by-laws; and

- Reflect that traditional Bed and Breakfasts may follow a different business model than the emergent short-term rental accommodation market.

The posted by-law amendments maintain the Bed and Breakfast business licence, providing existing Bed and Breakfast Operators with a choice of whether to keep their current licence, or apply for the Short-Term Rental Operator business licence and comply with the associated requirements (which include a restriction to one accommodation per licence without exception).

### Supporting Implementation and Enforcement

Staff also recommended minor changes and additions to the regulations proposed in the July 5, 2017, Policy Report to support implementation and enforcement, including:

- **A new Offence for Marketing Short-Term Rentals.** Establishing a new offence in the Ticket Offences By-law specifically prohibiting the marketing or advertising of short-term rental accommodation without a valid business licence.
- **Liability Insurance Recommendations.** Rather than requiring Short-Term Rental Operators to obtain liability insurance through the Licence By-law, the City would instead recommend adequate insurance coverage, but defer matters relating to liability to the appropriate jurisdiction.
- **Inspection Powers.** Consistent with inspection access requirements in Section 7 of the existing Licence By-law, the City would require Short-Term Rental Operators give the Fire Chief or the Chief Licence Inspector, or any member of staff authorized by the Fire Chief or Chief Licence Inspector, access to the Short-Term Rental Accommodation at any reasonable hour.

The changes recommended in the memo were reflected in the by-laws posted at the Public Hearing and in the Summary and Recommendation of the Public Hearing package.

### Staff Opening Comments

On October 24, 2017, Development, Buildings and Licensing staff reviewed the application.

### Summary of Correspondence

The following correspondence was received since the application was referred to public hearing and prior to the close of the speakers list and receipt of public comments:

- 66 pieces of correspondence in support of the application;
- 78 pieces of correspondence in opposition to the application; and
- 7 pieces of correspondence related to other matters.

## Speakers

The Mayor called for speakers for and against the application.

On October 24 and 26, 2017, the following spoke in support of the application:

Karen Sawatzky, Chair, Renters Advisory Committee  
Ty Speer, President and CEO, Tourism Vancouver  
Leigh Striegler  
Sid Hathiramani  
Caitlin Dowling  
Octavian Cadabeschi  
James Chase  
Teresita Gonzales  
Peter Catarino, General Manager, Managed Marriott Hotels of Vancouver  
Danette Kynoch  
Quentin Wright, Executive Director, Mole Hill Community Housing Society  
Sascha Voth, Chair, Hotel Association of Vancouver  
Larissa Dawn  
Clair Oates  
Sue Willis, President, BC Bed and Breakfast Innkeeper's Guild  
Aleksey Moltchanov  
Trevor Loke  
Alvi Christopher  
Paula Wong  
Liam McClure, Tenant Advocate, Vancouver Tenants Union  
Patrick Meehan  
Wendy Pedersen, Downtown Eastside SRO Collaborative  
Nazma Lee  
Mike Rhone  
Sarah Baumgart  
David MacKenzie, Board Chair, BC Hotel Association  
Ulrike Rodrigues  
Owen Brady  
Danielle Reyes  
Janna Pansegrau  
Bernadette D'Silva  
Mebrat Kebede

On October 24 and 26, 2017, the following spoke in opposition to the application, with many expressing concerns related to aspects of the application including the exclusion of laneway houses and secondary suites:

Alex Dagg, Policy Manager, Airbnb  
Harvey Meller  
Rafi Spivak  
Allan Oas  
Kevin MacDonald

Mel Carson  
Suzanne O'Flynn  
Meelie Dong  
Laura Wong  
Rasha Gad  
Polina Furtula  
Rachelle Delaney  
Keith Ainsley  
Leila Harris  
Tal Jarus  
Brock Smith  
Odette Slater  
Rohana Rezel  
David Chen  
Lucia Walters  
Inge Mueller-Langer  
Paul Lepage  
Jack Gregg  
Alison Brousson  
Mike Hill  
Kate Hill  
Brian Hamilton  
Ken Wong, Strata Council President, Conference Plaza  
Brette Mullins  
Mehdi Tafti  
John Green  
Greg Duifhuis  
Teresa MacGregor  
Jeff Murton  
Steve Deller  
Michael Brockington  
Stephen Fuerderer

On October 26, 2017, the following spoke on other matters and expressed concerns related to aspects of the application:

Brandon Hamilton

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*On October 24, 2017, Council recessed at 8:21 pm and reconvened at 8:44 pm, and then recessed again at 10:05 pm and reconvened on October 26, 2017, at 6:08 pm, to continue hearing speakers.*

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*At 9:21 pm on October 26, 2017, during the hearing of speakers, it was,*

*MOVED by Councillor Reimer  
SECONDED by Councillor Carr*

*THAT the meeting be extended to finish hearing from speakers and close receipt of public comments.*

*CARRIED UNANIMOUSLY AND  
BY THE REQUIRED MAJORITY*

\* \* \* \* \*

On October 26, 2017, the speakers list and receipt of public comments closed at 11:16 pm.

#### Staff Closing Comments

Development, Buildings and Licensing staff provided closing comments.

REFERRAL MOVED by Councillor Reimer  
SECONDED by Councillor Carr

THAT discussion and decision on Item 1 be referred to the Regular Council meeting on Tuesday, November 14, 2017, as Unfinished Business.

CARRIED UNANIMOUSLY

#### ADJOURNMENT

MOVED by Councillor Tim Stevenson  
SECONDED by Councillor Heather Deal

THAT the meeting be adjourned.

CARRIED UNANIMOUSLY  
(Councillor De Genova absent for the vote)

The Public Hearing adjourned at 11:21 pm.

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