



City of Kelowna
 1435 Water Street
 Kelowna, BC V1Y 1J4
 250 469-8500
 kelowna.ca

Council Policy

Motel/Hotel Redevelopment

APPROVED March 15, 1999

RESOLUTION: R375/10/04/26
REPLACING: R193/99/03/15
DATE OF LAST REVIEW: April 2010

In the event that a motel or hotel is the subject of a development application (may include a building permit, rezoning, demolition permit, development permit or development variance permit) which will demolish, convert or renovate, the following requirements apply:

1. That the owner sign an affidavit to confirm that the Residential Tenancy Act does not apply, including a letter from the Residential Tenancy office; or;
2. If the Residential Tenancy Act does apply, that the owner sign an affidavit to confirm that a notification flyer for has been posted by the proponent in a secure, weather-proof manner on the entrance door to each motel unit.
3. That the above notice include contact information for the Residential Tenancy Office and provide a brief description as to how motel tenants may be covered by the Residential Tenancy Act.
4. That the local Residential Tenancy Branch office be notified by the City of any development proposal for the site of an existing hotel or motel.

Note: The Residential Tenancy Act applies to rooms that are occupied as a, permanent place of residence; and where any such rooms are let for less than \$20 per day year-round. *Rooms that are rented seasonally at a higher rate are not affected.*

REASON FOR POLICY

The purpose of this policy is to impose notice requirements that would ensure that all parties are aware of their rights and responsibilities under the Residential Tenancy Act when a motel or hotel providing year-round, low-cost housing is to be demolished or converted for redevelopment purposes.

LEGISLATIVE AUTHORITY

Residential Tenancy Act

PROCEDURE FOR IMPLEMENTATION

1. An application for a building permit, re-zoning, demolition permit, development permit or development variance permit which will demolish, convert or renovate rooms in a motel or hotel is received by the Community Sustainability Division.
2. A standard letter is sent to the Residential Tenancy Branch Office by the Community Sustainability Division advising of the application.
3. If the Residential Tenancy Act does not affect the hotel or motel, the owner signs an affidavit to confirm this at the Community Sustainability Division and the application can be processed.
4. If the Residential Tenancy Act does apply to the hotel or motel, notices are provided to the owner or applicant by the Community Sustainability Division. These notices must be posted by the owner or applicant in a secure, weather-proof manner to the entrance door of each motel or hotel room that is affected by the Residential Tenancy Act.
5. The owner must sign an affidavit at the Community Sustainability Division to confirm that step 4 has been completed.
6. The application referred to in step 1 may then be processed.