



REVISED AGENDA - VICTORIA CITY COUNCIL

Thursday, October 15, 2020

COUNCIL CHAMBERS - 1 CENTENNIAL SQUARE, VICTORIA BC

To be held immediately following the Committee of the Whole Meeting

The City of Victoria is located on the homelands of the Songhees and Esquimalt People

Due to the COVID-19 Pandemic, public access to City Hall is not permitted. This meeting may be viewed on the City's webcast at www.victoria.ca

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*G.1.b.a. Investing in Canada Infrastructure Program – Grant
Funding Application

H. BYLAWS

H.1. Bylaw for Business Recovery from Pandemic

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- Consideration of adoption of:
 - Business Recovery from Pandemic Bylaw Amendment Bylaw
(No. 1) No. 20-105

The purpose of this bylaw is to amend the Business Recovery from Pandemic Bylaw to extend the duration of that bylaw in light of continuing public health advisories regarding physical distancing and other changes impacting business operations, to provide for extension of permits issued under that bylaw, and to better address issues related to erection of weather protection for the temporary outdoor commercial use on City street, in parks, and on private property.

I. NEW BUSINESS

I.1. Short Term Rental Business License Appeals

I.1.a. Short Term Rental Business License Appeal for 704 Robleda
Crescent

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I.1.b. Short Term Rental Business License Appeal for 246 Wilson Street

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*J. CLOSED MEETING

MOTION TO CLOSE THE OCTOBER 15, 2020 COUNCIL MEETING TO THE PUBLIC

That Council convene a closed meeting that excludes the public under Section 90 of the *Community Charter* for the reason that the following agenda items deal with matters specified in Sections 90(1) and/or (2) of the *Community Charter*, namely:

Section 90(1) A part of a council meeting may be closed to the public if the subject

matter being considered relates to or is one or more of the following:

- *Section 90(1)(c) labour relations or other employee relations;*
- *Section 90(1)(f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;*
- *Section 90(1)(g) litigation or potential litigation affecting the municipality.*

K. APPROVAL OF CLOSED AGENDA

L. READING OF CLOSED MINUTES

M. UNFINISHED BUSINESS

N. CORRESPONDENCE

O. NEW BUSINESS

*O.1. Litigation/Law Enforcement - Community Charter Sections 90(1)(f) and 90(1)(g)

Addendum: New Item

O.2. Employee Relations - Community Charter Section 90(1)(c)

O.3. Employee Relations - Community Charter Section 90(1)(c)

P. CONSIDERATION TO RISE & REPORT

Q. ADJOURNMENT

“WASTE REDUCTION WEEK”

WHEREAS *As a municipality, we are committed to conserving resources, protecting the environment and educating the community; and*

WHEREAS *the generation of solid waste and the needless waste of water and energy resources are recognized as global environmental problems; and*

WHEREAS *Municipal governments have an important role to play in promoting waste reduction, reuse, recycling, composting and other conservation measures; and*

WHEREAS *communities, businesses and organizations across Canada have committed to working together to raise awareness of these issues during Waste Reduction Week in Canada; and*

NOW, THEREFORE *I do hereby proclaim the week of October 19th – 27th, 2020 as “WASTE REDUCTION WEEK” on the HOMELANDS of the Lekwungen speaking SONGHEES AND ESQUIMALT PEOPLE in the CITY OF VICTORIA, CAPITAL CITY of the PROVINCE of BRITISH COLUMBIA.*

IN WITNESS WHEREOF, *I hereunto set my hand this 15th day of October Two Thousand and Twenty.*

**LISA HELPS
MAYOR
CITY OF VICTORIA
BRITISH COLUMBIA**

**Sponsored by:
Jessie Christophersen
Recycling Council of British Columbia**

“WORLD PNEUMONIA DAY - PNEUMOLIGHT”

WHEREAS *on November 12th, 2009, World Pneumonia Day was established to raise awareness about the toll of pneumonia; a leading killer of children around the world. Worldwide, 800 000 children die from pneumonia annually, more than from any other infectious disease that affects children younger than 5 years; and*

WHEREAS *the Pneumonia Awareness Campaign: Pneumolight “Light for the Education and Prevention of Pneumonia”, is a non-profit, collaborative project committed to increasing the visibility of pneumonia worldwide and to raising public awareness of its risks; and*

WHEREAS *Pneumonia Day will increase the visibility of pneumonia and allow us to educate the public and spread scientifically-proven data on this disease that continues to be a 21st-century problem treated with 20th-century therapies and diagnosed using 19th-century tools; and*

WHEREAS *Education is essential to reduce the incidence of pneumonia, especially in the major risk groups; and*

WHEREAS *Pneumonia affects everyone. Educational and awareness campaigns are urgently needed.*

NOW, THEREFORE *I do hereby proclaim Thursday, November 12th, 2020 as “**WORLD PNEUMONIA DAY**” on the HOMELANDS of the Lekwungen speaking SONGHEES AND ESQUIMALT PEOPLE in the **CITY OF VICTORIA**, CAPITAL CITY of the **PROVINCE** of **BRITISH COLUMBIA***

IN WITNESS WHEREOF, *I hereunto set my hand this October 22nd, Two Thousand and Twenty.*

LISA HELPS
MAYOR
CITY OF VICTORIA
BRITISH COLUMBIA

Sponsored by:
Catia Cilloniz
Association for the Support Patients with
Pneumonia and their Families (NEUMOAI)
Barcelona, Spain

COMMITTEE OF THE WHOLE REPORT
FROM THE MEETING HELD OCTOBER 8, 2020

For the Council meeting of October 15, 2020, the Committee recommends the following:

F.2 1088 Johnson Street - Development Permit Application No. 000576 (Downtown)

That Council authorize the issuance of Development Permit Application No. 000576 for 1088 Johnson Street, in accordance with:

1. Plans date stamped August 4, 2020
2. Development meeting all Zoning Regulation Bylaw requirements.

F.3 210 Gorge Road East - Updated Victoria Housing Reserve Fund Grant (Burnside)

That Council direct staff to maintain the amount of the \$600,000 grant with 42 non-market housing and 52 bedrooms.

F.4 Official Community Plan Annual Review 2019

That Council:

1. Receive the Official Community Plan Annual Review 2019 (Attachment 1) for information and direct staff to communicate the findings and highlights to the public.
2. Direct staff to prepare amendments to the Official Community Plan, 2012 as part of the adaptive management framework to address the following:
 - a. Alignment with the Victoria Climate Leadership Plan, 2018
 - b. Alignment with Go Victoria – Our Mobility Future, 2019
 - c. Alignment with the Transgender, Non-Binary and Two Spirit + Inclusion Plan, 2019
 - d. Alignment with the Accessibility Framework, 2020
 - e. Alignment with Victoria 3.0
 - f. This should be aligned with the endorsed guidelines and principles of the equity framework.
 - g. Amendments to support the Inclusionary Housing and Community Amenity Policy, 2019 regarding Council's motion of June 27, 2019 to consider densities and building heights above OCP maximums for affordable housing and community amenity contributions
 - h. Amendments to help achieve Victoria Housing Strategy objectives and COVID-19 recovery, including the priority action to advance and support the rapid supply of affordable and supportive housing with government partners and non-profit housing providers
 - i. Amendments to Section 6: Land Management and Development to fix inconsistent language and improve policy interpretation
 - j. Amendments to Appendix A: Development Permit Areas to add the Guidelines for: Multi-Unit Residential, Commercial and Industrial to: DPA 4: Hillside Town Centre; DPA 5: Stadacona Village, Jubilee Village (excepting Jubilee Hospital), James Bay Village; DPA 6A: Oak Bay Avenue Village; DPA 7A: Hillside Corridor, Oak Bay Avenue Corridor, Fort Street Corridor (north of Oak Bay Avenue), Shelbourne Avenue Corridor; and DPA 7B(HC): Fort Street Corridor.
3. Consider consultation under Section 475(2)(b) of the Local Government Act and direct that no referrals of the Official Community Plan Amendment Bylaw are necessary to the Capital Regional District Board, Island Health, provincial or federal governments, Township of Esquimalt, District of Saanich and the District of Oak Bay.
4. That the OCP amendments be referred to the Esquimalt and Songhees Nations.

5. Consider consultation under Sections 475(1) and 475(2) of the Local Government Act and direct consultation on the proposed Official Community Plan amendments in accordance with the consultation plan in Attachment 2.

G.2 Proposed Adjustments to Parking Fees

That Council adjust parking fees as follows effective October 15, 2020 unless otherwise specified:

1. View Street and Broughton Street parkades
 - a. Hourly rates
 - i. 1st hour free
 - ii. 2nd and 3rd hour \$2
 - iii. 4th hour and beyond \$3
 - iv. reduced daily maximum of \$14.50
 - b. Increase monthly rate to \$200 effective November 1, 2020
2. Yates Street Parkade
 - a. Increase monthly rate to \$200 effective November 1, 2020
3. Centennial Square Parkade
 - a. Increase monthly rate to \$150 effective November 1, 2020
4. Johnson Street Parkade
 - a. Hourly rates
 - i. \$2 per hour to a daily maximum of \$12
 - b. Increase monthly rate to \$175 effective November 1, 2020

G.3 Youth Bus Passes - Proposed New U-Pass Program

That Council:

1. Request approval from the Victoria Regional Transit Commission for a U-Pass program paid by the City of Victoria that provides youth bus passes:
 - a. For eligible youth 18 years and younger who reside within the municipality of Victoria
 - b. for January 1 to December 31 ,2021
 - c. Using the following fee structure:
 - i. Fixed fee of \$11.25 per eligible youth aged 11-18 to a minimum of approximately 4,000 youth. The number of eligible youth to be updated every four months.
 - ii. Variable fee of \$11.25 per pass issued for eligible youth younger than 11
2. direct staff to include a budget of \$700,000 in the draft 2021 Financial Plan for the Youth Bus Pass Program, with funding to be determined as part of the 2021 financial planning process
3. Authorize the Mayor and City Clerk to execute a U-Pass Agreement with BC transit generally in accordance with the terms outlined in this report.

COMMITTEE OF THE WHOLE REPORT
FROM THE MEETING HELD OCTOBER 15, 2020

For the Council meeting of October 15, 2020, the Committee recommends the following:

H.1 Investing in Canada Infrastructure Program – Grant Funding Application

That Council:

1. Approve the submission of a grant application through the Investing in Canada Infrastructure Program – Community, Culture and Recreation for \$2.4 million in funding and commits the City's share of \$1.853 million for the Topaz Park Artificial Turf Replacement Project.
2. If the grant is awarded, authorize the City entering into a shared cost agreement with the Province of British Columbia, generally described in this report, on the terms acceptable to the Chief Financial Officer and the Director of Parks, Recreation and Facilities and in a form acceptable to the City Solicitor.

BUSINESS RECOVERY FROM PANDEMIC BYLAW AMENDMENT BYLAW (NO. 1)

A BYLAW OF THE CITY OF VICTORIA

The purpose of this bylaw is to amend the Business Recovery from Pandemic Bylaw to extend the duration of that bylaw in light of continuing public health advisories regarding physical distancing and other changes impacting business operations, to provide for extension of permits issued under that bylaw, and to better address issues related to erection of weather protection for the temporary outdoor commercial use on City street, in parks, and on private property.

Under its statutory powers, including sections 8(3), 35(11), 36, 38, and 154(1) of the *Community Charter* and sections 488-491 of the *Local Government Act*, the Council of the Corporation of the City of Victoria, in an open meeting assembled, enacts the following provisions:

Title

- 1 This bylaw may be cited as the “Business Recovery from Pandemic Bylaw Amendment Bylaw (No. 1)”.

Amendment

- 2 The Business Recovery from Pandemic Bylaw No. 20-072 is amended
 - (a) in section 3(1), by renumbering paragraphs (a) through (g) as paragraphs (b) through (h) and inserting a new paragraph (a) as follows:

“(a) Building and Plumbing Regulation Bylaw;”,
 - (b) in section 4(3), by deleting the period at the end of paragraph (c) and adding the following as a continuation of subsection (3):

“and may require an applicant for a permit to provide confirmation, in a form acceptable to the Director of Engineering, from an appropriate professional that the portion of the street and all structures and objects to be placed on the street under the proposed permit would be safe and suitable for their intended use as described in the application for the permit.”,
 - (c) in section 4(6)(d), by deleting “2” and replacing it with “5”,
 - (d) by adding the following as the new subsections (9) through (11) in section 4:
 - “(9) The Director of Engineering may, at any time, extend the duration of a permit issued under subsection (3) and, subject to subsection (10), such extended permit shall continue to be valid on the terms and conditions as originally issued.
 - (10) The Director of Engineering may, as a condition of issuing a permit under subsection (3) or extension of a permit under subsection (9), require that the permit holder
 - (a) within a time provided in the permit or extension, make the necessary additions or alterations to ensure that the portion of the street that is

subject to the permit and all the structures or objects placed on a street pursuant to the permit to are fully accessible to all persons, and

- (b) provide confirmation, in the form acceptable to the Director of Engineering, from an appropriate professional that the portion of the street that is subject to the permit and all structures or objects placed on a street pursuant to the permit are safe and suitable for their intended use as authorized under the permit.
- (11) Unless a permit holder, within 14 days of receiving a request from the Director of Engineering, provides confirmation, in a form acceptable to the Director of Engineering, from an appropriate professional that the portion of the street that is subject to the permit and all structures or objects placed on a street pursuant to the permit are safe and suitable for their intended use as authorized under the permit, the permit is deemed to be cancelled and of no force and effect.’,
- (e) in section 5(2), by deleting the period at the end of paragraph (d) and adding the following as a continuation of subsection (2):

“and may require an applicant for a permit to provide confirmation, in a form acceptable to the Director of Parks, from an appropriate professional that the portion of the park and all structures and objects to be placed in the park under the proposed permit would be safe and suitable for their intended use as described in the application for the permit.”,
- (f) in section 5(5)(d), by deleting “2” and replacing it with “5”,
- (g) by adding the following as the new subsections (8) through (10) in section 5:
 - “(8) The Director of Parks may, at any time, extend the duration of a permit issued under subsection (2) and, subject to subsection (9), such extended permit shall continue to be valid on the terms and conditions as originally issued.
 - (9) The Director of Parks may, as a condition of issuing a permit under subsection (2) or extension of a permit under subsection (8), require that the permit holder
 - (a) within a time provided in the permit or extension, make the necessary additions or alterations to ensure that the portion of the park that is subject to the permit and all the structures or objects placed in a park pursuant to the permit to are fully accessible to all persons, and
 - (b) provide confirmation, in the form acceptable to the Director of Parks, from an appropriate professional that the portion of the park that is subject to the permit and all structures or objects placed in a park pursuant to the permit are safe and suitable for their intended use as authorized under the permit.
 - (10) Unless a permit holder, within 14 days of receiving a request from the Director of Parks, provides confirmation, in a form acceptable to the Director of Parks, from an appropriate professional that the portion of the

park that is subject to the permit and all structures or objects placed in a park pursuant to the permit are safe and suitable for their intended use as authorized under the permit, the permit is deemed to be cancelled and of no force and effect.”,

- (h) in section 8(3) by deleting “six months” and replacing it with “such time as the Director of Planning considers appropriate in the circumstances”,
- (i) by adding the following new subsection (4) in section 8:
 “(4) The Director of Planning may, at any time, extend the time in the undertaking provided under subsection (3) if
 - (a) the date in section 13(2) is amended, and
 - (b) the holder of the permit and the property owner provide a replacement irrevocable undertaking as required under subsection (3) with a new date acceptable to the Director of Planning.”, and
- (j) in section 13(2), by deleting “October 31, 2020” and replacing it with “October 31, 2021”.

Commencement

3 This bylaw comes into force on adoption.

READ A FIRST TIME the **8th** day of **October** 2020

READ A SECOND TIME the **8th** day of **October** 2020

READ A THIRD TIME the **8th** day of **October** 2020

ADOPTED on the day of 2020

CITY CLERK

MAYOR



Council Report

For the Meeting October 15th, 2020

To: Council **Date:** October 5, 2020
From: Chris Coates, City Clerk
Subject: Short Term Rental Business License Appeal for 704 Robleda Crescent

RECOMMENDATION

That Council receive this report for information and either uphold or overturn the Licence Inspector's denial of a business license for the short-term rental unit at 704 Robleda Crescent.

EXECUTIVE SUMMARY

This report presents documents from an Appellant and the City's Licence Inspector for Council's consideration under the Short-term Business Licence Appeal Process Policy.

The Short-term Rental Regulation Bylaw establishes a short-term rental business licence and fee, eligibility for short-term rental business licence, the Licence Inspector's authority to refuse a licence, conditions for refusing a licence, operating requirements, offences, and penalties. The Bylaw is attached as Appendix A.

Each year short-term rental operators apply for a short-term rental business licence and a Licence Inspector determines whether to issue a licence or not. If an application is not compliant with the City's requirements for short-term rental units, a Licence Inspector may deny a business licence. In this instance, the Licence Inspector notifies the applicant of this decision and advises them how to seek Council's reconsideration as established under section 60(5) of the Community Charter. The City Clerk's Office coordinates the appeal process.

The Short-term Business Licence Appeal Process Policy contains for a process for an Appellant to seek an opportunity to be heard by Council for a denied business licence in accordance with the Community Charter, section 60(5). The Policy is attached as Appendix B. This policy establishes terms and conditions for reconsideration by Council, required documentation to submit as a part of the appeal process, next steps following Council's decision, and other matters.

The Policy establishes the following process:

1. An applicant may start an appeal by submitting a request to the City Clerk
2. The City Clerk replies to an Appellant to acknowledge the request
3. An Appellant makes a written submission (Appendix C)
4. The Licence Inspector makes a written submission in response to the Appellant (Appendix D)

5. An Appellant may also make a written submission in response to the Licence Inspectors reasons for denial of the License. (Appendix E)
6. Once this process is complete, the City Clerk's Office informs the Appellant and Licence Inspector of the date that Council will consider the appeal
7. The City Clerk's Office consolidates these documents and submits them to Council for Council to determine whether the License Inspector's denial of the License is upheld or overturned.

Council's role is to review this information and to either grant or deny an appeal. Denying an appeal means a Licence Inspector will not issue a short-term rental business licence. Granting an appeal means that the Licence Inspector will issue a short-term rental business licence as soon as practicable.

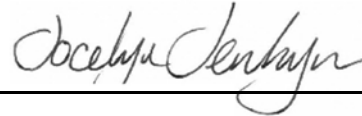
In this instance, the operator at 704 Robleda Crescent of a short-term rental unit was denied a license and has exercised the Community Charter right to have council reconsider the matter. The submissions of both the operator and the License Inspector are attached as appendices as noted above.

Respectfully submitted,



Chris Coates
City Clerk

Report accepted and recommended by the City Manager:



Date: October 7, 2020

Attachments

Appendix A: Short-Term Rental Regulation Bylaw
Appendix B: Short-term Rental Business Licence Appeal Process Policy
Appendix C: Appellant's Submission
Appendix D: Licence Inspector's Response to Appellant's Submission
Appendix E: Appellant's Response to the Licence Inspector
Appendix F: Licence Inspector's Submission

SHORT-TERM RENTAL REGULATION BYLAW
A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to provide for the regulation of short-term rentals including vacation rentals in operators' principal residences where permitted under the Zoning Regulation Bylaw No. 80-159 and where permitted pursuant to section 528 of the *Local Government Act*.

Contents

1	Title
2	Definitions
3	Licence Required
4	Power to Refuse a Licence
5	Licence Number to be Included in Advertising
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7	Offences
8	Penalties
9	Severability
10	Transition Provisions
11	Commencement

Pursuant to its statutory powers, including section 8(6) of the *Community Charter*, the Council of The Corporation of the City of Victoria, in an open meeting assembled, enacts the following provisions:

Title

- 1 This Bylaw may be cited as the "Short-Term Rental Regulation Bylaw".

Definitions

- 2 In this Bylaw

"operator" means a person who rents out, or offers for rent, any premises for short-term rental but does not include a person who acts as an intermediary between the short-term rental tenant and the person who receives the rent;

"principal residence" means the usual place where an individual makes their home;

"responsible person" means a person designated by the operator as the primary contact under section 6.

"short-term rental" means the renting of a dwelling, or any part of it, for a period of less than 30 days and includes vacation rentals;

"strata corporation", "strata council", and "strata lot" have the same meaning as in the *Strata Property Act*.

Licence Required

- 3
 - (1) A person must not carry on business as a short-term rental operator unless the person holds a valid licence issued under the provisions of this Bylaw and the Business Licence Bylaw.
 - (2) 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 the Business Licence Bylaw:
 - (a) make an application to the Licence Inspector on the form provided for that purpose;
 - (b) pay to the City the applicable licence fee prescribed under subsection (3);
 - (c) provide, in the form satisfactory to the Licence Inspector, evidence that:
 - (i) the person owns the premises where the short-term rental will be offered, or
 - (ii) the owner of the premises where the short-term rental will be offered has consented to their use as a short-term rental;
 - (d) if the premises where the short-term rental will be offered are located within a strata lot, provide a letter from the strata council confirming that provision of short-term rental does not contradict any bylaws of the strata corporation or applicable provisions of the Strata Property Act; and
 - (e) provide, in the form satisfactory to the Licence Inspector,
 - (i) evidence that the premises where the short-term rental will be offered are occupied by the operator as their principal residence; or
 - (ii) provide the name and contact information for the responsible person in relation to the short-term rental premises.
 - (3) The licence fee for purposes of subsection (2)(b) is:
 - (a) \$150 where the short-term rental is offered in the operator's principal residence; or
 - (b) \$1,500 for all short-term rentals that do not qualify under paragraph (a).

Power to Refuse a Licence

- 4 The Licence Inspector may refuse to issue a licence for a short-term rental if, in the opinion of the Licence Inspector,
 - (a) the applicant has failed to comply with section 3; or
 - (b) the short-term rental operation would contravene a City bylaw or another enactment.

Licence Number to be Included in Advertising

- 5 A person may offer to rent premises for rent as a short-term rental only if a valid business licence number is included in any advertising, listing, or promotion material that is intended to communicate availability of the premises for short-term rental.

Responsible Person

- 6 (1) A person may only operate a short-term rental in premises other than their principal residence if they designated a responsible person who, at all times that the short-term rental is operated, has access to the premises and authority to make decisions in relation to the premises and the rental agreement.
- (2) A person may only operate a short-term rental if they ensures that the name and contact information of the responsible person is prominently displayed in the short-term rental premises at all times when the short-term rental is operated.
- (3) The operator may be the responsible person except when subsection (5) applies.
- (4) The responsible person must be able to attend at the short-term rental premises within two hours of being requested to do so.
- (5) If a person who operates a short-term rental in their principal residence is going to be away during the term of the short-term rental, they must designate a responsible person and comply with this section.

Offences

- 7 (1) A person commits an offence and is subject to the penalties imposed by this Bylaw, the Ticket Bylaw and the Offence Act if that person
- (a) contravenes a provision of this Bylaw;
 - (b) consents to, allows, or permits an act or thing to be done contrary to this Bylaw; or
 - (c) neglects or refrains from doing anything required be a provision of this Bylaw.
- (2) Each instance that a contravention of a provision of this Bylaw occurs and each day that a contravention continues shall constitute a separate offence.

Penalties

- 8 A person found guilty of an offence under this Bylaw is subject to a fine of not less than \$100.00 and not more than \$10,000.00 for every instance that an offence occurs or each day that it continues.

Severability

- 9 If any provision or part of this Bylaw is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative in particular circumstances, it shall be severed from the Bylaw and the balance of the Bylaw, or its application in any circumstances, shall not be affected and shall continue to be in full force and effect.

Transition Provisions

- 10 (1) In the calendar year that this bylaw is adopted only, the fee payable under section 3 shall be prorated by 1/12 for each month in that year prior to the adoption of this bylaw, including the month the bylaw is adopted.
- (2) Any operator who, at the time of adoption of this bylaw, holds a valid licence for a short-term rental under the Business Licence Bylaw shall be credited with amount paid for that licence towards the fee payable under section 3.

Commencement

- 11 This bylaw comes into force on adoption.

READ A FIRST TIME the **22nd** day of **February** 2018


READ A SECOND TIME the **22nd** day of **February** 2018

READ A THIRD TIME the **22nd** day of **February** 2018

ADOPTED on the **8th** day of **March** 2018

“CHRIS COATES”
CITY CLERK

“LISA HELPS”
MAYOR

	COUNCIL POLICY	
	No.1	Page 1 of 2
SUBJECT: Short-Term Rental Business Licence Appeal Process Policy		
PREPARED BY: Monika Fedyczkowska		
AUTHORIZED BY: Council		
EFFECTIVE DATE: April 23, 2020		REVISION DATE:
REVIEW FREQUENCY: Every 3 years		

A. PURPOSE

The purpose of the Short-Term Rental Business Licence Appeal Process Policy [the Policy] is to establish a process for applicants for short-term rental business licences to have Council reconsider a Licence Inspector's decision to reject their application in accordance with section 60 of the Community Charter.

B. DEFINITIONS

Appellant means "an applicant for a short term rental business licence who is appealing a decision by a Licence Inspector to Council"

City Clerk means "the City Clerk and delegates"

Council means "the Council of the City of Victoria"

Short-term Rental Business Licence means "a business licence established under the Short-term Rental Regulation Bylaw"

C. POLICY STATEMENTS

Under the Community Charter, section 60(5), if a municipal officer or employee exercises authority to grant, refuse, suspend, or cancel a business licence, the applicant or licence holder who is subject to the decision is entitled to have Council reconsider the matter.

Applicants must apply for a new short-term rental business licence each year.

D. PROCEDURES

1. Appeal Procedure

- a. An Appellant may start an appeal by submitting a request for an appeal to the City Clerk within 30 days after receiving notice from a Licence Inspector of a decision to reject the short-term rental business licence.
- b. The City Clerk must reply to the Appellant to acknowledge the request for an appeal and explain the appeal process.
- c. An Appellant must make a written submission to the City Clerk within 14 days. A written submission may include:
 - i. Reasons that Council should grant the appeal to issue a short-term rental business licence
 - ii. Any supporting documents

- d. A Licence Inspector must submit a document to the City Clerk responding to the Appellant's written submission. The Licence Inspector's document must include:
 - i. Reasons for refusing to issue a short-term rental business licence
 - ii. Any supporting documents
- e. An Appellant must provide a written submission in response to a Licence Inspector's response to the City Clerk within 7 days
- f. A Licence Inspector must prepare a report for Council that includes:
 - i. Reference(s) to relevant City Bylaw provisions
 - ii. Direction to Council on what they should/should not consider, and
 - iii. The following documents:
 - 1. The Appellant's business licence application
 - 2. The letter from a Licence Inspector giving notice of refusal to issue a business licence
 - 3. The Appellant's request to the City Clerk to appeal the refusal
 - 4. The City Clerk's acknowledgment of the request
 - 5. The Appellant's written submission and any supporting documents
 - 6. The Licence Inspector's written response and any supporting documents
 - 7. The Appellant's written response to the Licence Inspector's response
- g. The City Clerk will inform the Appellant of the date that Council will consider the appeal.

2. Council's Decision

- a. Council may grant or deny an appeal by a majority vote.
- b. Council will provide reasons for a decision, which may be accomplished by way of the rationale by Council members during deliberation preceding a vote if not included specifically in the motion of Council.
- c. If Council grants an appeal, a Licence Inspector must issue the relevant business licence as soon as practicable.
- d. If Council denies an appeal, an Appellant may not make a new business licence application for a business for 3 months, unless Council unanimously votes to allow an Appellant to apply for a short-term rental business licence sooner than 3 months.

E. REVISION HISTORY

Madison Heiser

From: Madison Heiser
Sent: Thursday, March 19, 2020 11:53 AM
To: Madison Heiser
Subject: Appeal Letter to City if Victoria Short Term Rental Letter - 704 Robleda Crescent

From: Thaddeus Monckton [REDACTED]
Sent: March 18, 2020 5:28 PM
To: str@victoria.ca
Subject: Appeal Letter to City if Victoria Short Term Rental Letter - 704 Robleda Crescent

March 18, 2020

NOTICE OF LETTER OF APPEAL - CITY OF VICTORIA AND AIR BNB 704 ROBLEDA CRES.

City of Victoria
Attn-City Clerk and Kim Ferris and Mayor of Victoria
1 Centennial Square
Victoria, BC, V8W 1P6
Legislative and Regulatory SERVICES Department

This is a formal letter of appeal denying and disagreeing with your rejection of our application for continuing to offer Air BNB Services and other rental opportunities in our home located at 704 Robleda Crescent. Victoria BC. (THIS SHORT TERM RENTAL DOES NOT OCCUPY AN ENTIRE SELF CONTAINED DWELLING UNIT).

Our short term and long term rental occupies part of our home and is completely connected to our home as per the floorplans I have provided. Guests have a suite type of living area in our home where they can spend their time as well as in the rest of our home in media rooms, music rooms, gymnasium, garage, kitchens living and dining rooms and storage. It is not designed as a self contained suite but rather is an extension of the home fully connected with all utilities under one roof and one water and power bill etc.

We use the additional living space for Air BNB, both short and long term rentals, for our families from out of town and for our grown children and the areas are used a lot when we are away since we travel 4-6 months of the year out of country so as the operator I am away as your letter stated for my work outside of Victoria.

We cooperated and allowed two city workers to enter my home and take photos and I showed them all of our shared areas and they took photos and it is very clean and obvious that THIS SHORT TERM RENTAL DOES NOT OCCUPY AN ENTIRE SELF CONTAINED DWELLING UNIT.

We do qualify and we expect to be issued the licence and we plan to operate under the guidelines as we have been all along and we feel that this is harassment by the city of Victoria and expect to be treated as taxpayers and citizens of this city with all of our rights and privileges as homeowners and residents of Victoria.

I thank you in advance for the issuance of the new business licence.

Thaddeus Monckton, Operator

Thaddeus K. Monckton

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

Short Term Rental Business License Appeal
704 Robleda Crescent
Thaddeus Monckton – Operator
File # 129631 – May 29th, 2020

MAY 29th, 2020

2nd NOTICE OF LETTER OF APPEAL - CITY OF VICTORIA RE; 704 ROBLEDA

City of Victoria

Attn-City Clerk and Kim Ferris and Mayor of Victoria and Christina Havelka

1 Centennial Square

Victoria, BC, V8W 1P6

Legislative and Regulatory SERVICES Department

This is my second letter of appeal as per email from Cristine Havelka dated May 15, 2020. I would like my appeal now to be added to the new Short Term Rental Business licence Appeal Process Policy which was attached to the email from Christine.

I am attaching some supporting documents to this appeal which have been submitted previously and are now attached again for this second letter of appeal which follows this letter as attached).

We have a home fully built to code as per the city of Victoria with full occupancy permits in place in which we received the approved occupancy of single family dwelling with secondary suite. We build the home in this manner for re sale in case someone wanted a suite. We however have not rented this living area in that manner but chose to have family and friends stay with us as well as short term persons staying with us in the area and using the shared spaces in our home. This Guest area is connected to the main home by two legal doors and guests and family have access to our home and shared areas during any of their stays.

We were approved for the same license in 2019 and expected we would also be approved for it in 2020 again since nothing has changed in our home or its uses. The inspectors came for a tour this year and I showed them the living area and its connection to our home with the other amenities as we are not trying to hide anything.

One of your staff mentioned we advertised in ways that are contrary to the allowable use and that is inaccurate as we only post on Air BnB and any other sites that may have had our info must have pirated our info and posted it as we did not post anywhere else so this was not accurate.

We take short term stays and some longer term stays and family and friend stays. We do not do longer term rentals as we have had many problems in the past with long term rentals in our previous homes and my wife and I did not want to go through all the problems we have had in

the past ever again so this is why the short term stays work well for us so we can use it and others can use it when it is available and myself and my family are not using the space.

This is a formal letter of appeal denying and disagreeing with your rejection of our application for continuing to offer Air BNB Services and other rental opportunities in our home located at 704 Robleda Crescent. Victoria BC. (THIS SHORT-TERM RENTAL DOES NOT OCCUPY AN ENTIRE SELF CONTAINED DWELLING UNIT).

Our short term and long term rental occupies part of our home and is completely connected to our home as per the floorplans I have provided. Guests have a suite type of living area in our home where they can spend their time as well as in the rest of our home in media rooms, music rooms, gymnasium, garage, kitchens living and dining rooms and storage. It is not designed as a self contained suite but rather is an extension of the home fully connected with all utilities under one roof and one water and power bill etc.

We use the additional living space for Air BNB, both short and long term rentals, for our families from out of town and for our grown children and the areas are used a lot when we are away since we travel 4-6 months of the year out of country so as the operator I am away as your letter stated for my work outside of Victoria.

We cooperated and allowed two city workers to enter my home and take photos and I showed them all of our shared areas and they took photos and it is very clean and obvious that THIS SHORT TERM RENTAL DOES NOT OCCUPY AN ENTIRE SELF CONTAINED DWELLING UNIT.

We do qualify and we expect to be issued the license and we plan to operate under the guidelines as we have been all along and we feel that this is harassment by the city of Victoria and expect to be treated as taxpayers and citizens of this city with all of our rights and privileges as homeowners and residents of Victoria.

I thank you in advance for the issuance of the new business license.

Thaddeus Monckton, Owner and Operator

1st Appeal - THIS WAS MY FIRST LETTER OF APPEAL DATE MARCH 18, 2020

This is a formal letter of appeal denying and disagreeing with your rejection of our application for continuing to offer Air BNB Services and other rental opportunities in our home located at 704 Robleda Crescent. Victoria BC. (THIS SHORT-TERM RENTAL DOES NOT OCCUPY AN ENTIRE SELF CONTAINED DWELLING UNIT).

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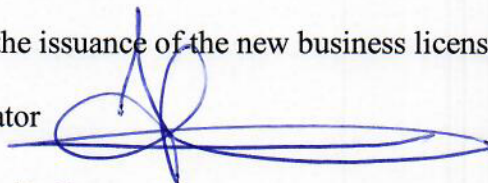
We use the additional living space for Air BNB, both short and long term rentals, for our families from out of town and for our grown children and the areas are used a lot when we are away since we travel 4-6 months of the year out of country so as the operator I am away as your letter stated for my work outside of Victoria.

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I thank you in advance for the issuance of the new business license.

Thaddeus Monckton, Operator



Thaddeus K. Monckton

[Redacted address line 1]

[Redacted address line 2]

[Redacted address line 3]

[Redacted address line 4]



Thaddeus Monckton

Short Term Rental Business Licence Appeal

2 messages

Christine Havelka <chavelka@victoria.ca>

Fri, May 15, 2020 at 4:01 PM

To:

I'm writing to let you know that Council formally adopted a Short-Term Rental Business Licence Appeal Process Policy (Attached). The policy provides for a written process for Council's consideration of your appeal.

The process is now at the stage where the Licence Inspector will respond to your written submission. Noting that you have provided a response in an email from March 18, 2020, should you wish to submit additional reasons and/or supporting documents, please do so by June 1, 2020.

You may send your reasons and/or supporting documents to my attention by mail, email at legislativeservices@victoria.ca or you can drop it in the mail slot on the right side of the Pandora Avenue entrance at City Hall, #1 Centennial Square, and we will forward it to the Licence Inspector. Once we receive the response from the Licence Inspector, it will be forwarded to you. At that time you are to provide a written response to the Licence Inspector via the above email address. These documents will be a part of the report that will go to Council in the form of a staff report to a Committee of the Whole Meeting.

When this report is ready to go to a Committee of the Whole meeting, we will notify you with the meeting details and provide a copy of the report. At this time public access to City Hall is not permitted due to the COVID-19 pandemic. Live and recorded meetings can be watched at www.victoria.ca

If you require further information, please do not hesitate to contact me.

Christine Havelka

Deputy City Clerk / Manager of Legislative Services

Legislative Services

City of Victoria

1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0346 C 250.532.2394

BUSINESS LICENCE

THIS LICENCE MUST BE POSTED IN A CONSPICUOUS PLACE ON THE BUSINESS PREMISES, IS NON-TRANSFERABLE, AND IS VOID ON CHANGE OF OWNERSHIP OR CHANGE OF LOCATION.

BUSINESS & MAILING ADDRESS:

**MONCKTON, THADDEUS
704 ROBLEDA CRES
VICTORIA BC V8S 3K5**

LICENCE NO: **00036467**

LICENCE FEE: **\$150.00**

BUSINESS LOCATION:

704 ROBLEDA CRES

EXPIRES ON: **Jan 15, 2020**

LICENCEE:

**MONCKTON, THADDEUS
704 ROBLEDA CRES
VICTORIA BC V8S 3K5**

HAS PAID THEIR REQUIRED LICENCE FEE AND IS ENTITLED TO CARRY ON THE BUSINESS DESCRIBED AS:

PRINCIPAL RESIDENT OPERATOR - OWNER

IN A LAWFUL MANNER AND THIS LICENCE IS ISSUED SUBJECT TO THE PROVISIONS OF ALL BY-LAWS OF THE CITY OF VICTORIA, NOW OR HEREAFTER IN FORCE, AND TO ALL AMENDMENTS THAT MAY HEREAFTER, DURING THE CURRENCY OF THIS LICENCE BE MADE TO SAID BY-LAWS. IN THE EVENT THE NAME OR NATURE OF THE BUSINESS IS CHANGED, OR THE ADDRESS FROM WHICH THE BUSINESS IS CARRIED ON IS CHANGED, THE CITY OF VICTORIA MUST BE NOTIFIED AT 250.361.0572 OR VIA E-MAIL AT BUSINESSLICENCE@VICTORIA.CA



1 Centennial Square
Victoria, BC V8W 1P6
www.victoria.ca

Business Licence - Invoice

ACCOUNT NUMBER: [REDACTED]
ACCESS CODE: [REDACTED]

BILLING DATE: Jan 9, 2019
DUE DATE: Jan 15, 2019

✓ PD.
Jan. 17/19
M. G. RO



OVERDUE:	\$0.00
CURRENT YEAR FEES:	\$150.00
PAYMENTS/ADJUSTMENTS:	\$0.00
PAYMENT DUE:	\$150.00

BUSINESS NAME: MONCKTON, THADDEUS
BUSINESS LOCATION: 704 ROBLEDA CRES

Licence 00036467
Type PRINCIPAL RESIDENT OPERATOR
- OWNER

Covers From
Jan 7, 2019

Covers To
Dec 31, 2019

Total Fees
\$150.00

PLEASE NOTE:

WE KNOW YOU HAVE A CHOICE, AND APPRECIATE YOU CHOOSING TO LOCATE YOUR BUSINESS WITHIN THE CITY OF VICTORIA! THANK YOU IN ADVANCE FOR SUBMITTING YOUR BUSINESS LICENCE PAYMENT.

YOUR BUSINESS LICENCE HAS BEEN APPROVED. PLEASE REMIT YOUR BUSINESS LICENCE FEE BY THE DUE DATE INDICATED.

Operating without a valid business licence may result in fines and charges of up to \$2000 per day.

For portable sign permits, the total fee includes a \$5 public use of space charge which is subject to GST (GST #R122206394).

Your valid business licence will be mailed upon full payment of this invoice.

PLEASE SEE REVERSE FOR PAYMENT OPTIONS & CONTACT INFORMATION.

KEEP THIS PORTION FOR YOUR RECORDS

DETACH THIS PORTION AND RETURN WITH YOUR PAYMENT



1 Centennial Square, Victoria, BC V8W 1P6
www.victoria.ca

PAYABLE AT MOST BANKS AND FINANCIAL INSTITUTIONS

BILLING DATE: Jan 9, 2019
DUE DATE: Jan 15, 2019
ACCOUNT NUMBER: [REDACTED]

OVERDUE:	\$0.00
CURRENT YEAR FEES:	\$150.00
PAYMENTS/ADJUSTMENTS:	\$0.00
PAYMENT DUE:	\$150.00

BUSINESS LOCATION: 704 ROBLEDA CRES



MONCKTON, THADDEUS
704 ROBLEDA CRES
VICTORIA BC V8S 3K5

OCCUPANCY COMPLETION PERMIT

The occupancy approved under this certificate refers to the construction authorized by the building permit(s) listed hereunder and such approval occupancy is applicable as of the date shown. The building or part thereof constructed under the authority of Building Permit(s) No.(s) **BP052408** may now be occupied in accordance with the approved occupancy herein described:

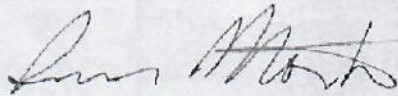
Building Address **704 ROBLEDA CRES**

Legal Description **LT 6 PL 8248 SEC FFLD VICTORIA**

Approved Occupancy **SINGLE FAMILY DWELLING WITH SECONDARY SUITE**

Permit Description **ADDITION TO REAR AND SIDE YARD. ADDITION TO FRONT FACADE. CHANGE OF USE FROM SINGLE FAMILY DWELLING TO SINGLE FAMILY DWELLING WITH SECONDARY SUITE**

Dated this day: **JUNE 14, 2016**



CHIEF BUILDING OFFICIAL

This permit is issued pursuant to the authority contained in the City of Victoria Building Bylaw. In addition, the issuing of this Permit shall not relieve the owner or occupier from the responsibility of complying with the Zoning and Development Bylaw or any other pertinent Bylaw, Acts or Regulations. This Permit is not a representation or warranty that the Bylaws of the City of Victoria or other enactments have been complied with, since resource at the City only permit random review and inspections. The City of Victoria will accept no responsibility or legal liability should any person suffer loss, injury or damage as a result of the building not complying with Bylaws. Accordingly, persons should make such independent investigations or inquiries as they see fit to determine whether the building complies with all relevant Bylaws or enactments.



000001496

Account number
Program
Date issued

GST/HST
Dec 14, 2018

THADDEUS MONCKTON
704 ROBLEDA CRES
VICTORIA BC V8S 3K5

Subject: Reminder of overdue goods and services tax/harmonized sales tax (GST/HST) returns

We have not received the GST/HST returns shown below. Please file the overdue returns.

Overdue return(s) by filing period:

From Date	To date
Jul 01, 2018	Sep 30, 2018

If you recently filed your returns, thank you and please disregard this letter. If you filed them more than 40 days ago or need another return, please call the business enquiries line at **1-800-959-5525**.

If you have not filed your returns, we **must** receive the returns within 15 days of the date of this letter or we will have to estimate the tax you owe and take action without further notice to collect it.

If your business no longer operates and you want to close your account, please call **1-800-959-5525**. You must complete and file a return for **each** filing period. If you do not have taxable sales, tax credits, or rebates for a filing period, enter zero on the appropriate lines and submit a nil return.

For forms and guides or to find out more about your filing options, visit our website at **canada.ca/taxes-business-online**.

For more specific information on filing or making a filing arrangement or if you have any questions about this letter, call us at: **1-800-959-5525**.

For persons with hearing, speech, or visual impairments you can get this in braille, large print, or audio format. For more information about other formats, go to **canada.ca/cra-multiple-formats**.

If you use a teletypewriter, you can talk to an agent about your returns or about our filing policies by calling **1-800-665-0354**.

Thank you,

Bob Hamilton
Commissioner of Revenue

DRIVER'S LICENCE
British Columbia CAN

MONCKTON,
THAD KIMBALL

DL: [REDACTED]

Issued: 2016-Jun-21
Expires: 2021-Jul-01
Restrictions/
Endorsements:
Class: 5,6


DOB: [REDACTED]

Sex: M Eyes: HAZ Hair: BRN

704 ROBLEDA CR
VICTORIA BC V8S 3K5

CANADA

BRITISH COLUMBIA





Appl. Jan. 14, 2020

*THAD'S
Copy.*

MONCKTON, THADDEUS
704 ROBLEDA CRES
VICTORIA BC V8S 3K5

**Legislative and
Regulatory Services
Department**

RE: 704 ROBLEDA CRES
VICTORIA BC V8S 3K5

**Bylaw and Licensing
Services Division**

Dec 11, 2019

1 Centennial Square
Victoria BC V8W 1P6

Re: **Re-Applying for your 2020 Short-Term Rental Business Licence**

This is a friendly reminder that your 2019 Short-Term Rental business licence will be expiring January 15th, 2020 and you will need to re-apply for your 2020 licence if you wish to continue operating.

Short-Term Rental Business Licences are only valid for one calendar year, and will expire every year on January 15. You will need to submit a new application along with current supporting documentation every year, as you will not receive an automatic invoice prompting you to renew your licence.

Please see the NEW application form effective immediately, available on our website at www.victoria.ca/str.

Please submit your application via email to str@victoria.ca, or submit by mail or in person to:

**Bylaw & Licensing Services
625 Pandora Avenue
Victoria, BC V8W 1N8**

For more information on applying for a Short-Term Rental business licence, you can visit www.victoria.ca/str. If you have already re-applied, we thank you for your promptness.

If you have any questions or concerns, or if you no longer wish to operate a short-term rental, please contact the City of Victoria Bylaw & Licensing Services Department at 250-361-0215 or email str@victoria.ca.

Sincerely,

Bylaw and Licensing Services Department
Legislative and Regulatory Services
City of Victoria

To Contact

Telephone: **250.361.0215**
E-Mail: **str@victoria.ca**

Fax: **250.361.0205**
Web: **www.victoria.ca**



Jan 2020
T. Markston

**SHORT-TERM RENTAL
 BUSINESS LICENCE APPLICATION**
 Legislative & Regulatory Services Department
 Bylaw & Licensing Services Division
 625 Pandora
 Victoria, BC V8W 1P6

Application must be completed in full. You can submit your completed application and supporting documentation via email to str@victoria.ca, mail it to the above address, or fax it to 250.361.0205. All related documentation and information is available at www.victoria.ca/str. For information or assistance completing this form, please contact Bylaw Services at 250.361.0215 or email str@victoria.ca.

RESIDENCE TYPE (please check all boxes that apply):

- ☒ Single Family Dwelling ☐ Duplex
☐ Single Family Dwelling with Suite ☐ Triplex
☐ Condominium/Apartment ☐ Other (please specify): _____
☐ Update my information (if you need to make any changes to your existing application)

For Definitions please see Section 2 of the Short-Term Rental Regulation Bylaw No. 18-036.

SHORT-TERM RENTAL ADDRESS:

Unit Number: _____ Address: 704 Robbada Crescent
 Postal code: V8S 3K5

Is this your Principal Residence (the usual place where an individual makes their home)?

- ☒ Yes
☐ No

✓ Attached
 If 'Yes', please attach two items verifying principal residence to confirm this declaration (Proof of principal residence must include a copy of government issued identification, as well as one other item such as a recent utility bill or mail from Medical Services Plan or Canada Revenue Agency)

Do you own this residence?

- ☒ Own
☐ Rent

If there is more than one owner on title, or if you rent the above address, you are required to complete the *Owner Consent Form* within this application

Is this residence part of a Strata?

- ☐ Yes
☒ No

If part of a Strata, complete the *Strata Consent Form* within this application

OPERATOR (can be the owner, tenant, or management company; Check all that apply):

TYPE:

☒ **Sole Proprietors name:** (if you plan to operate the business on your own, either under your own name or a business name):

1st ADDRESS UIMBAK MONKTON

☐ **Partnership Name(s):** (if you plan to operate the business with one or more partners):

N/A

☐ **Limited / Incorporated Company Name:** (if you plan to operate the business as a separate legal entity, separate from yourself and your personal assets):

N/A

MAILING ADDRESS: 704 Robleda Crescent, Victoria BC, V8S 3K5

PHONE NUMBER: _____ **EMAIL:** _____

INCORPORATION INFORMATION: (if applicable)

☐ **Incorporation Number:** N/A

If applying as a Limited/Incorporated Company, have you included documents of Incorporation and Notice of Articles?

☐ Yes

☐ I authorize the City of Victoria to obtain the documents of Incorporation and Notice of Articles and acknowledge that a \$30 fee plus applicable taxes will be charged by the City of Victoria for this service [Administrative Fees Bylaw No. 04-40].

MANAGEMENT INFORMATION: (if applicable) N/A

☐ **Management Company:** _____ **Contact Name:** _____

Phone number: _____ **Email:** _____

Address: _____ **Business Licence No.** _____

DESIGNATED RESPONSIBLE PERSON (if managed by an agency, the designated responsible person can be a representative from this agency): N/A

When the Operator is not available, this person serves as the primary contact for the short-term rental (a person who, at all times that the short-term rental is operated, has access to the premises and has the authority to make decisions in relation to the premises and the rental agreement).

Name: _____ **Email:** _____

Company Name (if applicable): _____

Address: _____ **Phone Number:** _____

☐ The above Responsible Person has consented to the use of his/her contact information.



Owner Consent Form Short-Term Rental

Legislative & Regulatory Services Department
Bylaw & Licensing Services Division
City of Victoria
625 Pandora
Victoria, BC V8W 1P6

This is to certify that I THADDEUS MONCKTON, as the legal owner of
(Owner)
704 Redden Crescent have read the Short-Term Rental Business Licence
(address)
application form submitted by Thaddus Monckton and consent to the above
(Operator)
premises being used as a Short-Term Rental in compliance with City of Victoria bylaws.

I, the undersigned, confirm as the business owner(s)/operators(s) that the above noted information is true and will comply with ALL relevant provisions of the Short-Term Rental Regulation Bylaw No. 18-036 and all other applicable City Bylaws.

OWNER'S NAME:	Thaddus K. Monckton	
OWNER'S SIGNATURE:		DATE: Jan. 2, 2020
OWNER'S NAME:	Brinder K. Scott	
OWNER'S SIGNATURE:		DATE: Jan. 2, 2020
OWNER'S NAME:		
OWNER'S SIGNATURE:		DATE:

*If more than one (1) registered owner, all owners are required to sign the Owner Consent Form.



Strata Council Consent Form
Short-Term Rental
 Legislative & Regulatory Services Department
 Bylaw & Licensing Services Division
 City of Victoria
 625 Pandora
 Victoria, BC V8W 1P6

N/A.

This is to certify that I _____, as Strata Council Executive Member for
 (Strata Council Executive Member; Must not be same as Operator)
 _____, have read the Short-Term Rental Business Licence
 (Address)
 application form submitted by _____. I can confirm that our Strata has no
 (Operator)
 bylaws prohibiting the above address from operating as a Short-Term Rental in compliance with
 City of Victoria bylaws.

OPERATOR'S NAME:

OPERATOR'S SIGNATURE:

DATE:

STRATA COUNCIL EXECUTIVE
MEMBER'S NAME:

STRATA COUNCIL EXECUTIVE
MEMBER'S SIGNATURE:

DATE:

SHORT-TERM RENTAL BUSINESS LICENCE – IMPORTANT INFORMATION

Completion of this application does **not** guarantee approval of application. Approved licenses will be issued **only** upon receipt of payment of the Short-Term Rental Business Licence fee. Operating a Short-Term Rental without a valid licence is an **offence** for which penalties are prescribed. A person found guilty of an offence under this Bylaw is subject to a fine of not less than \$250.00 and not more than \$500.00 for every instance that an offence occurs or each day that it continues (Short-Term Rental Regulation Bylaw No. 18-036; Sec. 8).

Licenses are effective from January 16 to January 15 of the following year, are non-transferable, and the licence fee(s) paid are non-refundable. Short-Term Rental Business Licenses must be re-applied for at the start of each calendar year, and must include up-to-date supporting documentation.

Please see website for:

- ❖ Short-Term Rental Regulation Bylaw No.18-036
- ❖ Schedule D – Home Occupations; Zoning Regulation Bylaw No. 80-159

Privacy Notification: This information is being collected for the purpose of determining the Operator's eligibility for a Short-Term Rental Business Licence in the City of Victoria pursuant to its Bylaw(s). In providing this information, you have consented to its use for the above-described purpose and declare that all the information provided herein is correct. This information may be shared with applicable City of Victoria departments and related agencies for the purpose of required inspections and approval of this licence application. The legislated authority to collect your personal information is Section 26 (c) of the *Freedom of Information and Protection of Privacy Act* and Section 3 (2) of the *Short-Term Rental Regulation Bylaw*. If you wish to obtain further information regarding the collection of your personal information, please contact the Information Access and Privacy Analyst Archives and Records Management, 1 Centennial Square, Victoria, BC V8W 1P6 250.361.0347 or email foi@victoria.ca.

Declaration:

I, the undersigned, confirm as the business owner(s)/operators(s) that the above noted information is true and will comply with ALL relevant provisions of the *Short-Term Rental Regulation Bylaw No. 18-036* and all other applicable City Bylaws. Further, failure to meet these obligations may result in the business licence being suspended or reported to City Council for possible revocation. **I understand I cannot commence business until such time as a Short-Term Rental Business Licence has been approved, paid in full, and issued.**

Operator's Name (Individual completing form):

Frederick H. Marchmont

Operator's Signature:



Date Signed:

Jan 2, 20 20

Licence # (office use only)

Date Stamp (office use only)



June 18, 2020

Monckton, Thaddeus
704 Robleda Cres
Victoria BC V8S 3K5

Legislative and
Regulatory Services
Department

Bylaw and Licensing
Services Division

1 Centennial Square
Victoria BC V8W 1P6

Re: Short-Term Rental Business Licence Appeal – 704 Robleda Cres

Your 2020 application was rejected due to non-compliance with City bylaws, including Schedule D of the Zoning Regulation Bylaw, which provides that a short-term rental cannot occupy an entire self-contained dwelling unit, except occasionally while the operator is away.

Per Schedule A of the Zoning Bylaw:

“Self-contained Dwelling Unit” means a suite of rooms in a building designed for occupancy of one family which has a separate entrance, kitchen and bathroom facilities.

On February 25, 2020, an inspection of 704 Robleda Cres was conducted and photos were taken confirming a self-contained suite – a separate entrance, kitchen, and bathroom.

Furthermore, you were advertising the space on FlipKey from Tripadvisor as “[a] self-contained private suite” (attached).

For these reasons, your 2020 application for a short-term rental business licence was rejected. Attached are two screenshots from your FlipKey listing, a photo of the separate entrance, kitchen and bathroom taken during the inspection of February 25th, as well as a copy of your occupancy certificate, indicating the presence of a suite at the property.

A handwritten signature in black ink, appearing to read "Kim Ferris".

Regards,

Kim Ferris
Bylaw Officer/Business Licence Inspector
Legislative & Regulatory Services Department
City of Victoria
1 Centennial Square, Victoria B.C. V8W 1P6

To Contact

Telephone: **250.361.0726**
E-Mail: **str@victoria.ca**

Fax: **250.361.0205**
Web: **www.victoria.ca**

High End Rockland Downtown Victoria BC Suite for Rent

Home Vacation Rentals Canada British Columbia Vancouver Island Victoria Capital Regional District Victoria Victoria Apartment: Home 8816301

155 Victoria Rentals



High End Rockland Downtown Victoria BC Suite for Rent – Home 8816301

Apartment 1 bedroom sleeps 3 4 nights min stay

BOOK WITH CONFIDENCE.

Pay on FlipKey to get Payment Protection for this rental. Never pay by bank or wire transfer.

KEY INFO

Child Friendly No pets allowed

Description from owner

Beautiful 1 one bedroom suite in Rockland area which is walking distance to downtown. Brand new home. You will love this self contained private suite.

From

\$155 /night

Check-in Check-out

2 guests

Book now

Contact owner



Book online with Payment Protection

Description Map Availability Reviews FAQs

Description from owner

Beautiful 1 one bedroom suite in Rockland area which is walking distance to downtown. Brand new home. You will love this self contained private suite.

FAMILIES

Great for children of all ages No pets allowed

BED & BATHROOM

Bedroom 1: Queen Bed
Beds in other rooms: Twin bed 1 Full bath

AMENITIES

Wireless Internet Internet access
Satellite TV

ACCESS

Parking Secure parking
Not suitable for wheelchair users

POLICIES

Check in time: 03:00, Check out time: 12:00
If you have any questions about check-in or check-out times, please contact the owner/manager.

Payment

This rental can only be paid for online through FlipKey using your credit/debit card or PayPal (never by bank or wire transfer).

Damage deposit: \$200.00

Smoking
No smoking at this property

CANCELLATIONS

From

\$155 /night

Check-in Check-out

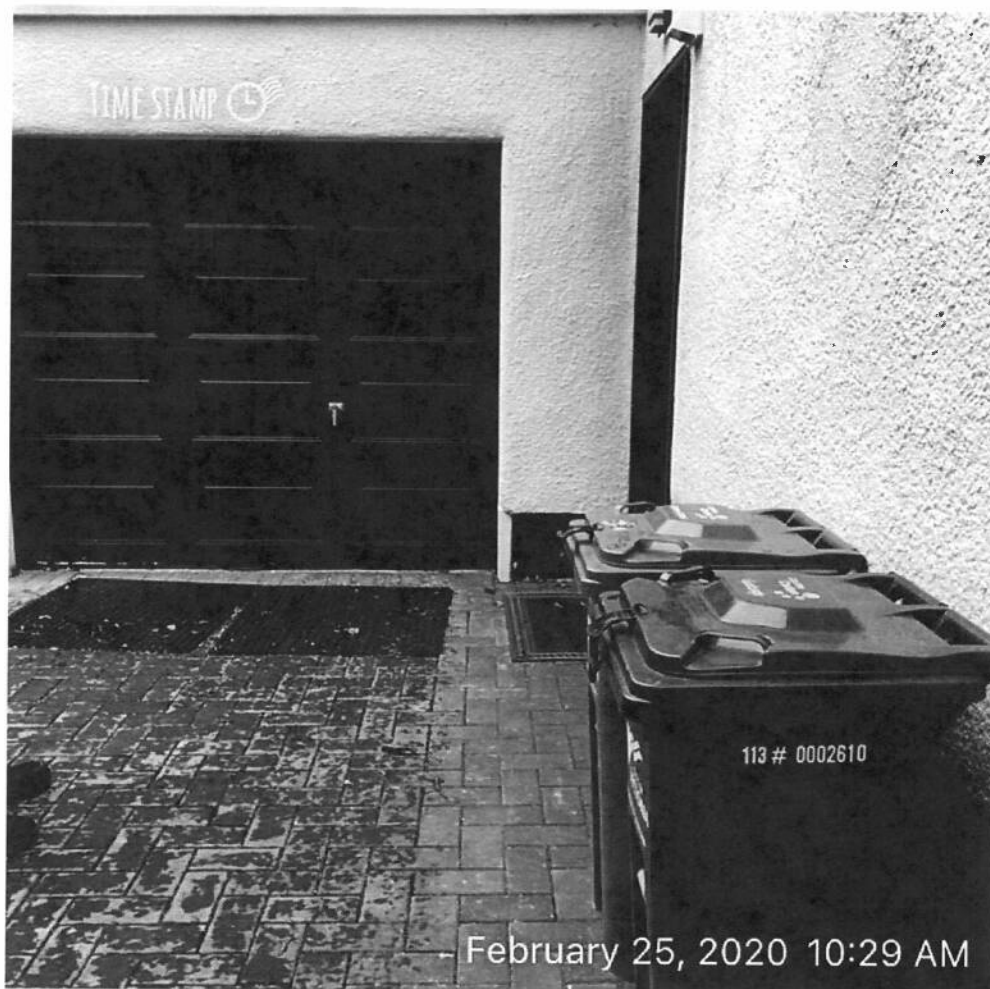
2 guests

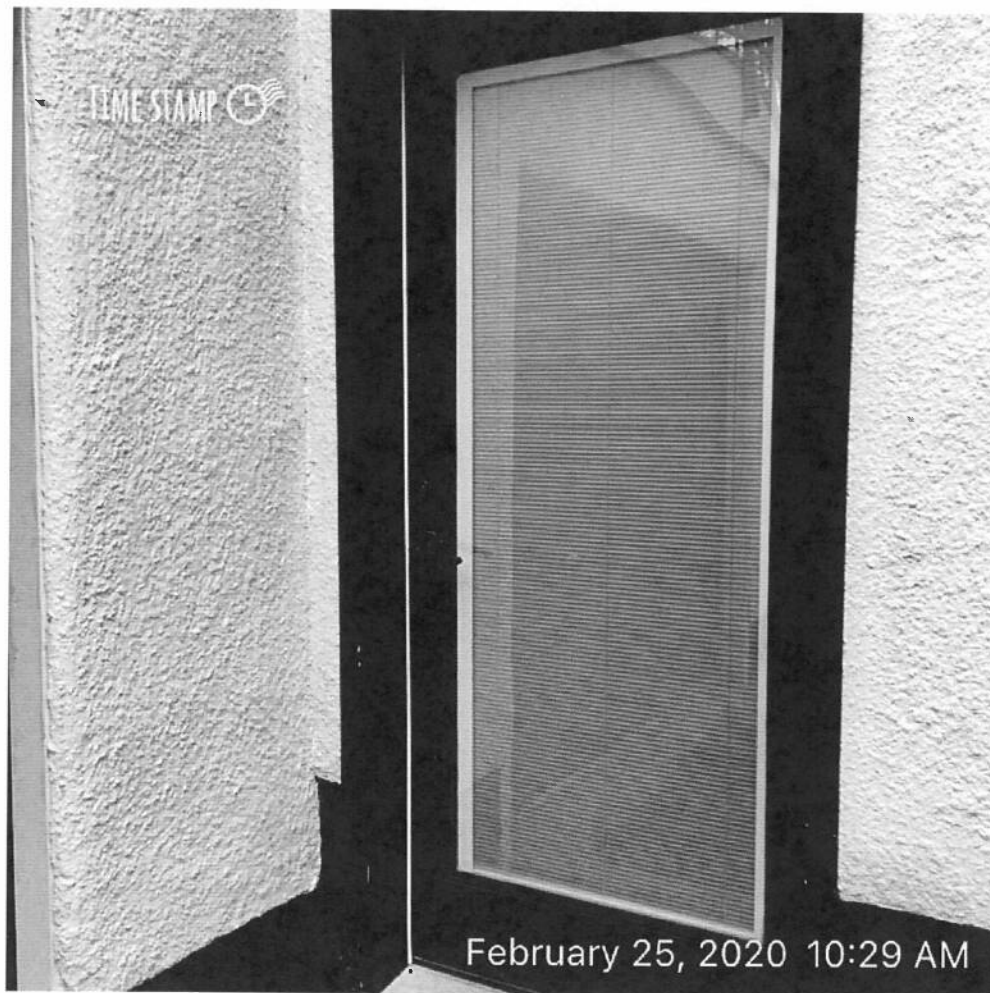
Book now

Contact owner



Book online with Payment Protection





TIME STAMP 

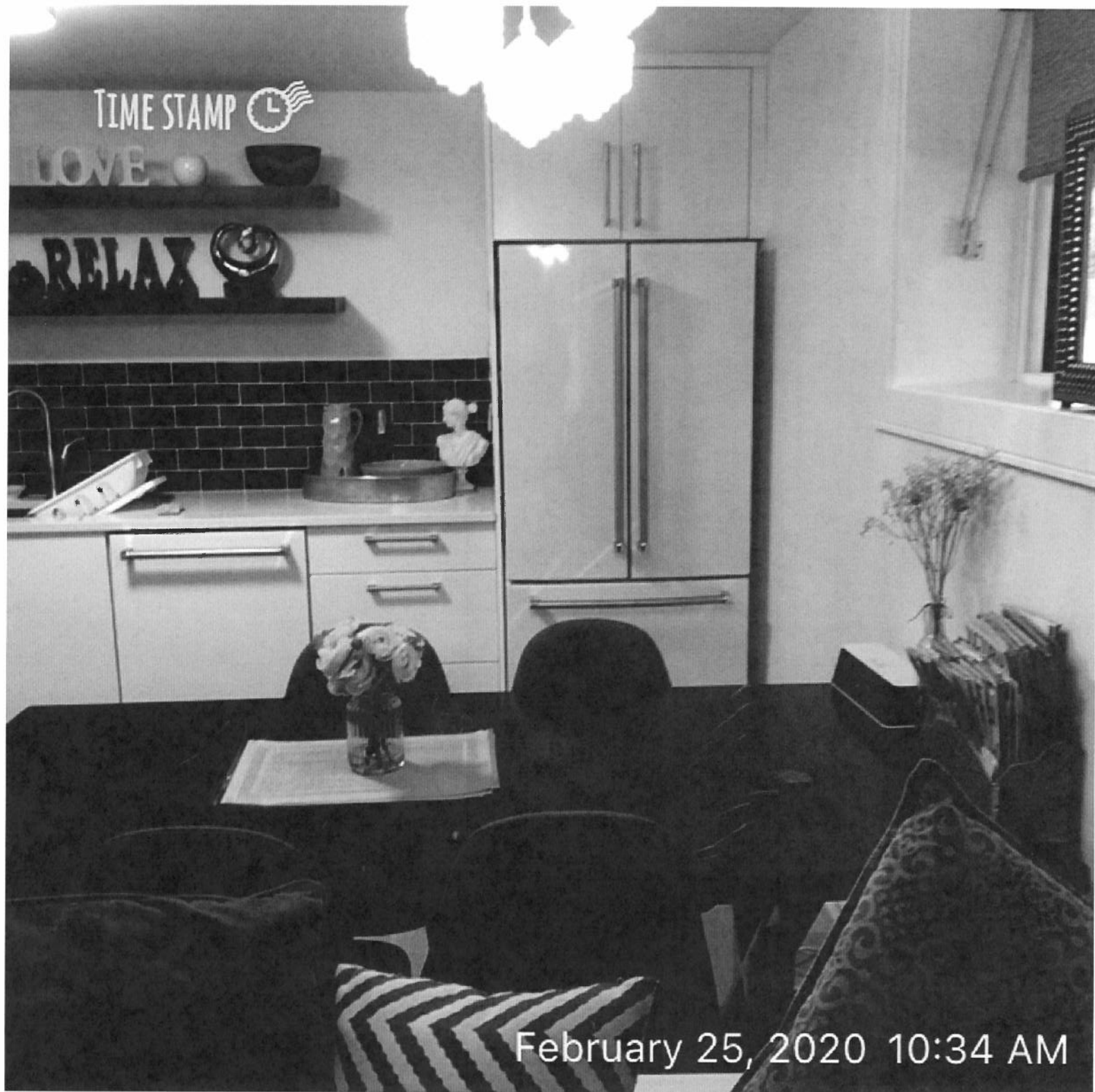


February 25, 2020 10:33 AM



TIME STAMP 

February 25, 2020 10:34 AM





OCCUPANCY COMPLETION PERMIT

The occupancy approved under this certificate refers to the construction authorized by the building permit(s) listed hereunder and such approval occupancy is applicable as of the date shown. The building or part thereof constructed under the authority of Building Permit(s) No.(s) **BP052408** may now be occupied in accordance with the approved occupancy herein described:

Building Address **704 ROBLEDA CRES**

Legal Description **LT 6 PL 8248 SEC FFLD VICTORIA**

Approved Occupancy **SINGLE FAMILY DWELLING WITH SECONDARY SUITE**

Permit Description **ADDITION TO REAR AND SIDE YARD. ADDITION TO FRONT
FACADE. CHANGE OF USE FROM SINGLE FAMILY DWELLING
TO SINGLE FAMILY DWELLING WITH SECONDARY SUITE**

Dated this day: **JUNE 14, 2016**



CHIEF BUILDING OFFICIAL

This permit is issued pursuant to the authority contained in the City of Victoria Building Bylaw. In addition, the issuing of this Permit shall not relieve the owner or occupier from the responsibility of complying with the Zoning and Development Bylaw or any other pertinent Bylaw, Acts or Regulations. This Permit is not a representation or warranty that the Bylaws of the City of Victoria or other enactments have been complied with, since resource at the City only permit random review and inspections. The City of Victoria will accept no responsibility or legal liability should any person suffer loss, injury or damage as a result of the building not complying with Bylaws. Accordingly, persons should make such independent investigations or inquiries as they see fit to determine whether the building complies with all relevant Bylaws or enactments.



Thaddeus Monckton

A

Short Term Rental Business Licence Appeal - Response from Licence Inspector - 704 Robleda - Monckton

1 message

Christine Havelka <chavelka@victoria.ca>

To:

Mon, Jun 22, 2020 at 12:21 PM

Good afternoon,

Attached is the letter in response from the Licence Inspector to your appeal for your Short Term Rental Business Licence at [704 Robleda Crescent](#). In accordance with the attached policy on the Appeal Process, you have seven days (July 2) to provide a submission in response to the Licence Inspector's response.

After that date, we will provide that and all of your submissions to the Licence Inspector who will then write a report for Council's consideration of your appeal. We will inform you when that report will go before Council and provide you with a copy. Please note that City Hall remains closed due to the COVID pandemic, but meetings of Council can be viewed live at www.victoria.ca under 'Council Meetings'.

Best regards,

Christine Havelka

Deputy City Clerk / Manager of Legislative Services

Legislative Services

City of Victoria

1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0346 C 250.532.2394

**2 attachments**

- Short-Term Rental Business Licence Appeal Process Policy (1).pdf**
761K
- 704 Robleda Cres Response to Appellant.pdf**
1410K

✓ My Response
attached.
June 24, 2020
- A/Bk/D / City
- 1 - 16 / Thaddeus.



B

June 18, 2020

Legislative and
Regulatory Services
Department

Bylaw and Licensing
Services Division

1 Centennial Square
Victoria BC V8W 1P6

Monckton, Thaddeus
704 Robleda Cres
Victoria BC V8S 3K5

Re: Short-Term Rental Business Licence Appeal – 704 Robleda Cres

Your 2020 application was rejected due to non-compliance with City bylaws, including Schedule D of the Zoning Regulation Bylaw, which provides that a short-term rental cannot occupy an entire self-contained dwelling unit, except occasionally while the operator is away.

Per Schedule A of the Zoning Bylaw:

"Self-contained Dwelling Unit" means a suite of rooms in a building designed for occupancy of one family which has a separate entrance, kitchen and bathroom facilities.

On February 25, 2020, an inspection of 704 Robleda Cres was conducted and photos were taken confirming a self-contained suite – a separate entrance, kitchen, and bathroom.

Furthermore, you were advertising the space on FlipKey from Tripadvisor as "[a] self-contained private suite" (attached).

For these reasons, your 2020 application for a short-term rental business licence was rejected. Attached are two screenshots from your FlipKey listing, a photo of the separate entrance, kitchen and bathroom taken during the inspection of February 25th, as well as a copy of your occupancy certificate, indicating the presence of a suite at the property.

Regards,

Kim Ferris
Bylaw Officer/Business Licence Inspector
Legislative & Regulatory Services Department
City of Victoria
1 Centennial Square, Victoria B.C. V8W 1P6

To Contact

Telephone: 250.361.0726
E-Mail: str@victoria.ca

Fax: 250.361.0205
Web: www.victoria.ca

Purpose built for resale +
used as many things

Did not take connecting
door photos
(1 res)

Not accurate / never advertise
there.

Never used Flip key
- legal suite for code
+ re sale
- connecting living area
- connecting door which
she has no
photo of?

U


~~Not My Ad~~ - Stolen / Fake
 privatel. Ad

FLIPKEY from tripadvisor

High End Rockland Downtown Victoria BC Suite for Rent

Home Vacation Rentals Canada British Columbia Vancouver Island Victoria Capital Regional District Victoria Victoria Apartment Home 8816301

155 Victoria Rentals




1 / 6 794 Robblea Crescent - Rockland Victoria BC Canada



High End Rockland Downtown Victoria BC Suite for Rent - Home 8816301

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KEY INFO


 Child Friendly  No pets allowed

Description from owner

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From **\$155** /night

Check-in  Check-out 

2 guests 

Book now

Contact owner

 Book online with Payment Protection

8:42 AM 2020-02-25



Description Map Availability Reviews FAQs

Description from owner

Beautiful 1 one bedroom suite in Rockland area which is walking distance to downtown. Brand new home. You will love this self contained private suite.

FAMILIES

- Great for children of all ages
- No pets allowed

BED & BATHROOM

- Bedroom 1: Queen Bed
- Beds in other rooms: Twin bed
- 1 Full bath

AMENITIES

- Wireless Internet
- Internet access
- Satellite TV

ACCESS

- Parking
- Secure parking
- Not suitable for wheelchair users

POLICIES

- Check in time: 03:00, Check out time: 12:00
- If you have any questions about check-in or check-out times, please contact the owner/manager.

Payment

This rental can only be paid for online through FlipKey using your credit/debit card or PayPal (never by bank or wire transfer).

Damage deposit: \$200.00

- Smoking
- No smoking at this property

CANCELLATIONS

From
\$155 /night

Check-in Check-out

2 guests

Book now

Contact owner

Book online with Payment Protection

Not My Ad
Stolen Ad
Scam / Fake
Pirated



Short Term Rental Business License Appeal

704 Robleda Crescent Thaddeus Monckton – Operator

3rd appeal File # 129631 – JUNE 24th, 2020

JUNE 24th, 2020

3rd NOTICE OF LETTER OF APPEAL - CITY OF VICTORIA RE; 704 ROBLEDA

City of Victoria

Attn-City Clerk and Kim Ferris and Mayor of Victoria and Christina Havelka

1 Centennial Square

Victoria, BC, V8W 1P6

Legislative and Regulatory SERVICES Department

This is my third letter of appeal as per email from Cristine Havelka dated May 15, 2020. I would like my appeal now to be added to the new Short Term Rental Business licence Appeal Process Policy which was attached to the email from Christine.

I am attaching some supporting documents to this appeal which have been submitted previously and are now attached again for this THIRD letter of appeal which follows this letter as attached.

RESPONSE to Letter from kim ferris dated June 18, 2020

- My home was built to code with permits and we obtained a legal suite permit for resale purposes. It was build for many purposes as outlined below.
- This area can be used as a suite with its own entrance
- This area can be used as an in law suite for friends and relatives since it is connected to the main home
- This area can be used for long term rentals
- This area can be used for short term rentals since it is connected to the main home
- This area is not simply a suite but an extension of our home and it was purpose build that way for my parents to live in but my dad died so they could not enjoy it so my mom and family have stayed there as well as other friends and also our sons who moved out moved back in and lived there and we do long term and short term rentals with Air BNB ONLY and during any of those stays guests have access to our home as outlined by many photos and floorplans.
- Your city worked kim only shows the outside door but neglected to include the connecting door photo. Very strange
- She also has an ad on flip key which is not our ad nor have we ever booked with flip key nor did I know about flip key. This ad was stolen and constructed by them as a scam I guess but it is not my ad nor do we or have we ever used them so this is ridiculous.
- We like many couples in this expensive city need to find rentals in any form to make things work financially and pay city taxes to you so thus rentals.

- This part of our home is being used as it is allowed to be and it is fully connected to our main home and also has an outside door and bathroom and kitchen of course so my guests have the option of doing their things in this area or ours.
- When we do a long term rental we close the connecting door for their privacy but any other time it is open and connected to our home and all shared areas.
- Your city worker kim did not include a photo of the connecting door which would then make it very clear that it is all connected and shared and you cannot prove anything otherwise on how we are able to use our home to gain some income to help live.
- My photos are included and labelled and a floor plan also that shows the connection that this whole home is one home with the option for a future owner to rent the area as a separate suite if they choose to do so.
- We do not do it that way but choose air bnb and shared living options within our home.
- I would appreciate the harassment to stop and simply let us live in our home without being intruded upon by your employees and their lies and not giving the full picture.
- This is all completely false and we had a business licence the first year and there was no problem and now you make problems for no reason.
- We are allowed to use our home as per your bylaws and have been doing so and we never used flip key and we always had our home all connected as per my evidence and not what your city worker included which is lying in my opinion and I am extremely angry about her behaviour and misleading information and accusations and will need to look at this further after this stupid process is over.

Thank you, Thaddeus DATED JUNE 24, 2020 above as well as photos that follow this letter.

City of Victoria

Attn-City Clerk and Kim Ferris and Mayor of Victoria and Christina Havelka

1 Centennial Square

Victoria, BC, V8W 1P6

Legislative and Regulatory SERVICES Department

This is my second letter of appeal as per email from Cristine Havelka dated May 15, 2020. I would like my appeal now to be added to the new Short Term Rental Business licence Appeal Process Policy which was attached to the email from Christine.

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We were approved for the same license in 2019 and expected we would also be approved for it in 2020 again since nothing has changed in our home or its uses. The inspectors came for a tour

this year and I showed them the living area and its connection to our home with the other amenities as we are not trying to hide anything.

One of your staff mentioned we advertised in ways that are contrary to the allowable use and that is inaccurate as we only post on Air BnB and any other sites that may have had our info must have pirated our info and posted it as we did not post anywhere else so this was not accurate.

We take short term stays and some longer term stays and family and friend stays. We do not do longer term rentals as we have had many problems in the past with long term rentals in our previous homes and my wife and I did not want to go through all the problems we have had in the past ever again so this is why the short term stays work well for us so we can use it and others can use it when it is available and myself and my family are not using the space.

This is a formal letter of appeal denying and disagreeing with your rejection of our application for continuing to offer Air BNB Services and other rental opportunities in our home located at 704 Robleda Crescent. Victoria BC. (THIS SHORT-TERM RENTAL DOES NOT OCCUPY AN ENTIRE SELF CONTAINED DWELLING UNIT).

Our short term and long term rental occupies part of our home and is completely connected to our home as per the floorplans I have provided. Guests have a suite type of living area in our home where they can spend their time as well as in the rest of our home in media rooms, music rooms, gymnasium, garage, kitchens living and dining rooms and storage. It is not designed as a self contained suite but rather is an extension of the home fully connected with all utilities under one roof and one water and power bill etc.

We use the additional living space for Air BNB, both short and long term rentals, for our families from out of town and for our grown children and the areas are used a lot when we are away since we travel 4-6 months of the year out of country so as the operator I am away as your letter stated for my work outside of Victoria.

We cooperated and allowed two city workers to enter my home and take photos and I showed them all of our shared areas and they took photos and it is very clean and obvious that THIS SHORT TERM RENTAL DOES NOT OCCUPY AN ENTIRE SELF CONTAINED DWELLING UNIT.

We do qualify and we expect to be issued the license and we plan to operate under the guidelines as we have been all along and we feel that this is harassment by the city of Victoria and expect to be treated as taxpayers and citizens of this city with all of our rights and privileges as homeowners and residents of Victoria.

I thank you in advance for the issuance of the new business license.

Thaddeus Monckton, Owner and Operator

1st Appeal - THIS WAS MY FIRST LETTER OF APPEAL DATE MARCH 18, 2020

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Thaddeus Monckton, Operator

Thaddeus K. Monckton

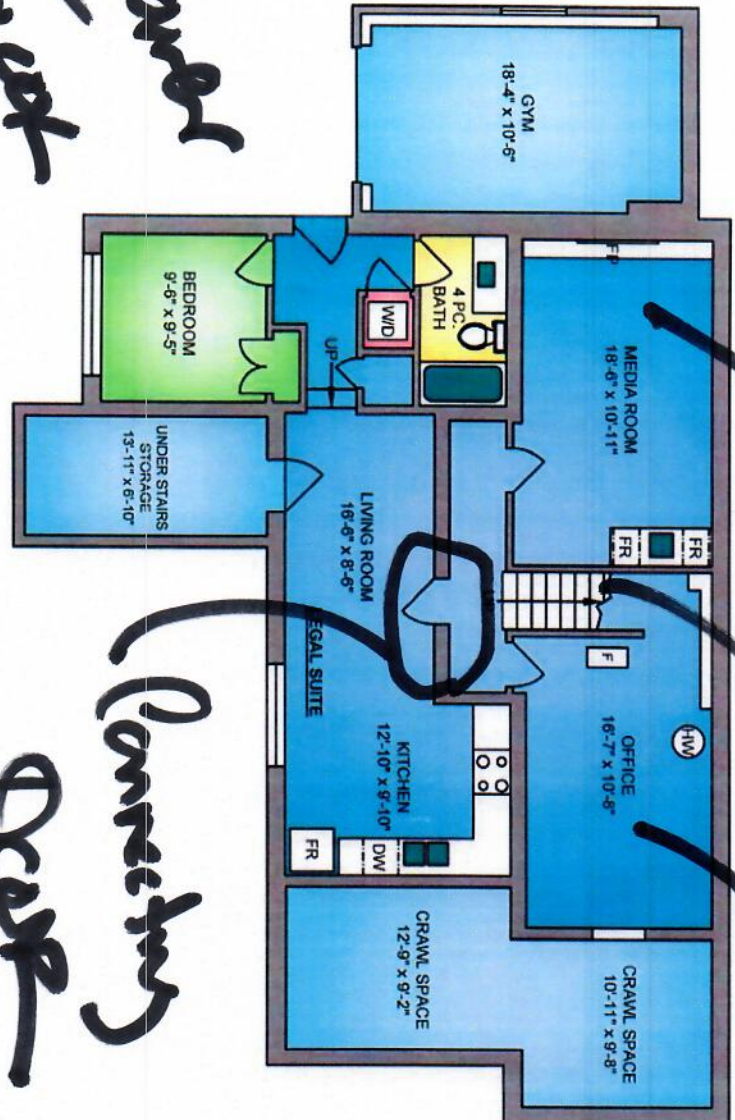




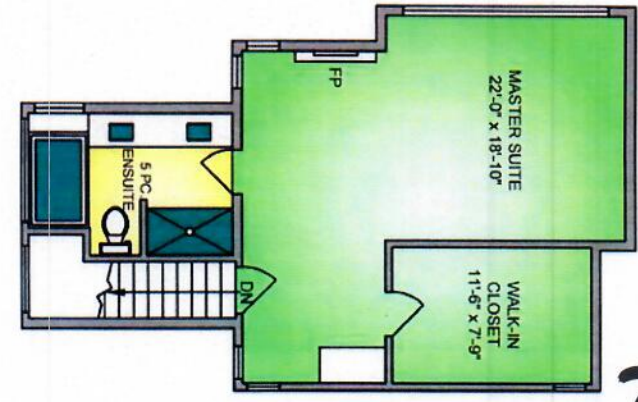
Thaddeus K. Monckton
 B.E.C., M.A.E.D. Assn.
 REALTOR® - Real Estate Professional
 www.thadmonckton.com
 Cell: 250.488.4842
 Office: 250.488.4842
 Fax: 250.200.388.8036
 Tel. Free: 1-877-388-5882

15

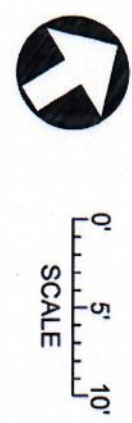
Lower
 Level



Why the 1405 SQ. FT.
 LOWER FLOOR
 Why the 605 SQ. FT.
 UPPER FLOOR
 Top Floor



NORTH



PROPER MEASURE
 PRECISION
 250-884-9753
 matt@propermeasure.com
 www.propermeasure.com

704 ROB/FDA CRESCENT				
PREPARED FOR THE EXCLUSIVE USE OF: 704 ROB/FDA CRESCENT				
PLANS MAY NOT BE 100% ACCURATE. IF CRITICAL, BUYER TO VERIFY.				
FLOOR	FINISHED AREA (SQ. FT.)	GARAGE	DECK/PATIO	
MAIN	1650	473	478	
LOWER	1405	-	-	
UPPER	605	-	-	
TOTAL	3660	473	478	



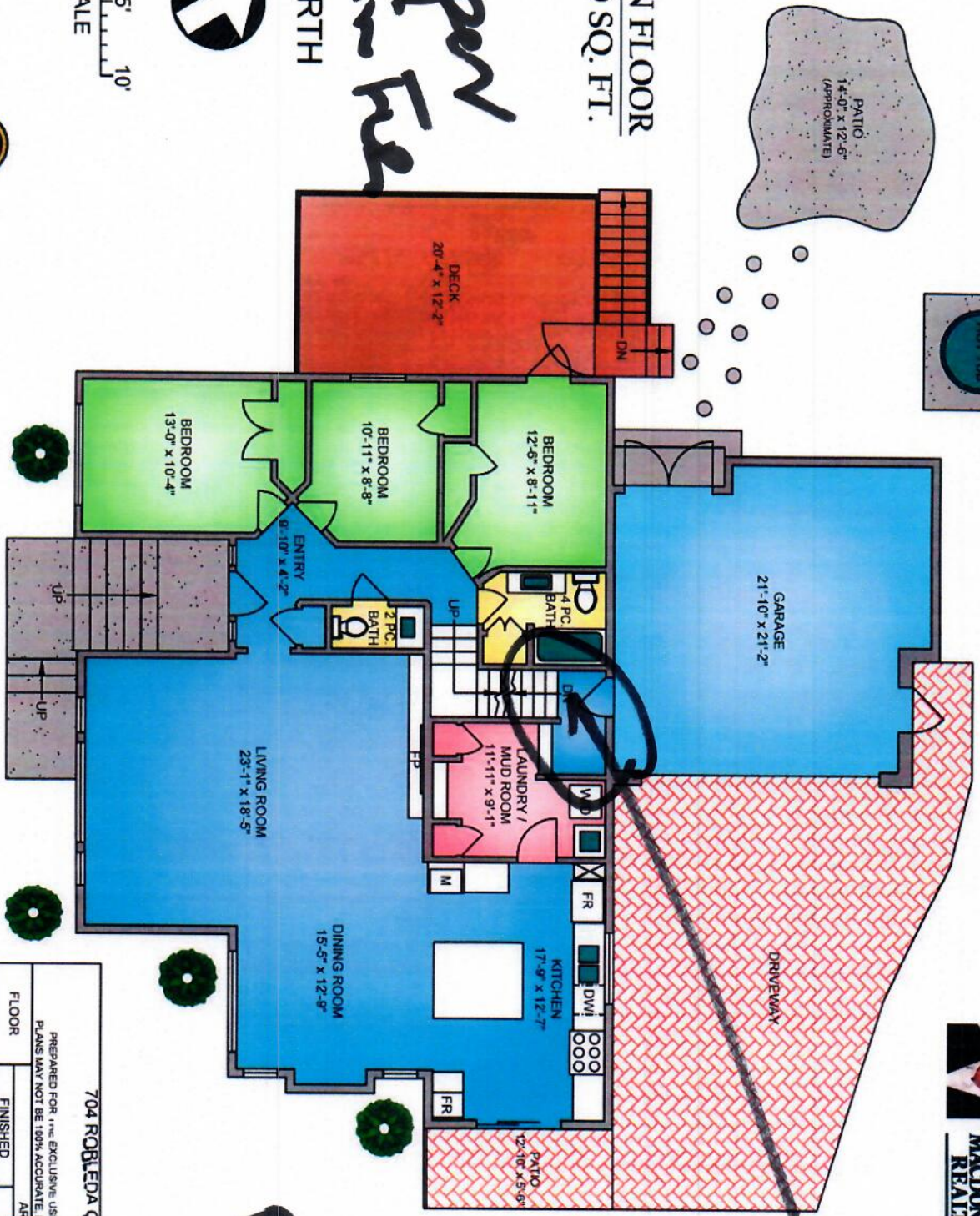
Thaddeus K. Monckton
 S.E.D. M.A. Ed Aspin,
 REALTOR - Real Estate Professional

MACDONALD REALTY

1000 THE SHILOH ROAD, SUITE 100
 CHICAGO, IL 60642
 Call: 250-501-0091
 Office: 250-509-2882
 Fax: 250-398-8514
 Toll Free: 1-877-288-1882

MAIN FLOOR
 1650 SQ. FT.

*Upper
 main floor*



*Down
 to lower
 floor +
 basement
 and main
 floor*

704 ROBLEDA CRESCENT			
PREPARED FOR THE EXCLUSIVE USE OF THE AGENT'S MONCKTON			
PLANS MAY NOT BE 100% ACCURATE. IF CRITICAL BUYER TO VERIFY			
FLOOR	FINISHED AREA (SQ. FT.)	GARAGE	DECK/PATIO
MAIN	1650	473	478
LOWER	1405	-	-
UPPER	605	-	-
TOTAL	3660	473	478



Stairs to upper
Floor

Door to
add.
Living
area
Lower
Floor

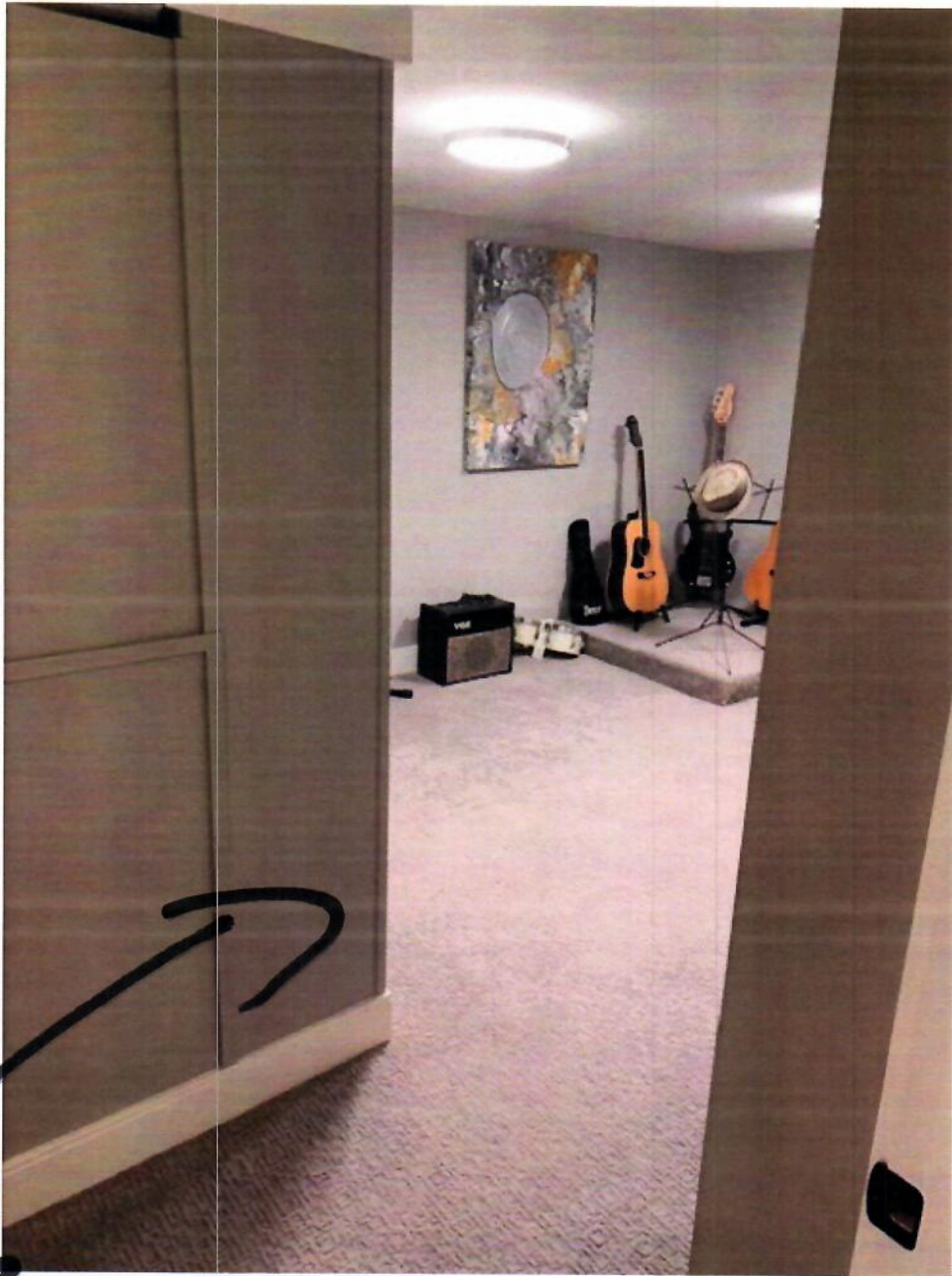
e



9



Media Room
off same lower
level and Connecting
Door



Music
Room off
lower hall +
connecting door

11

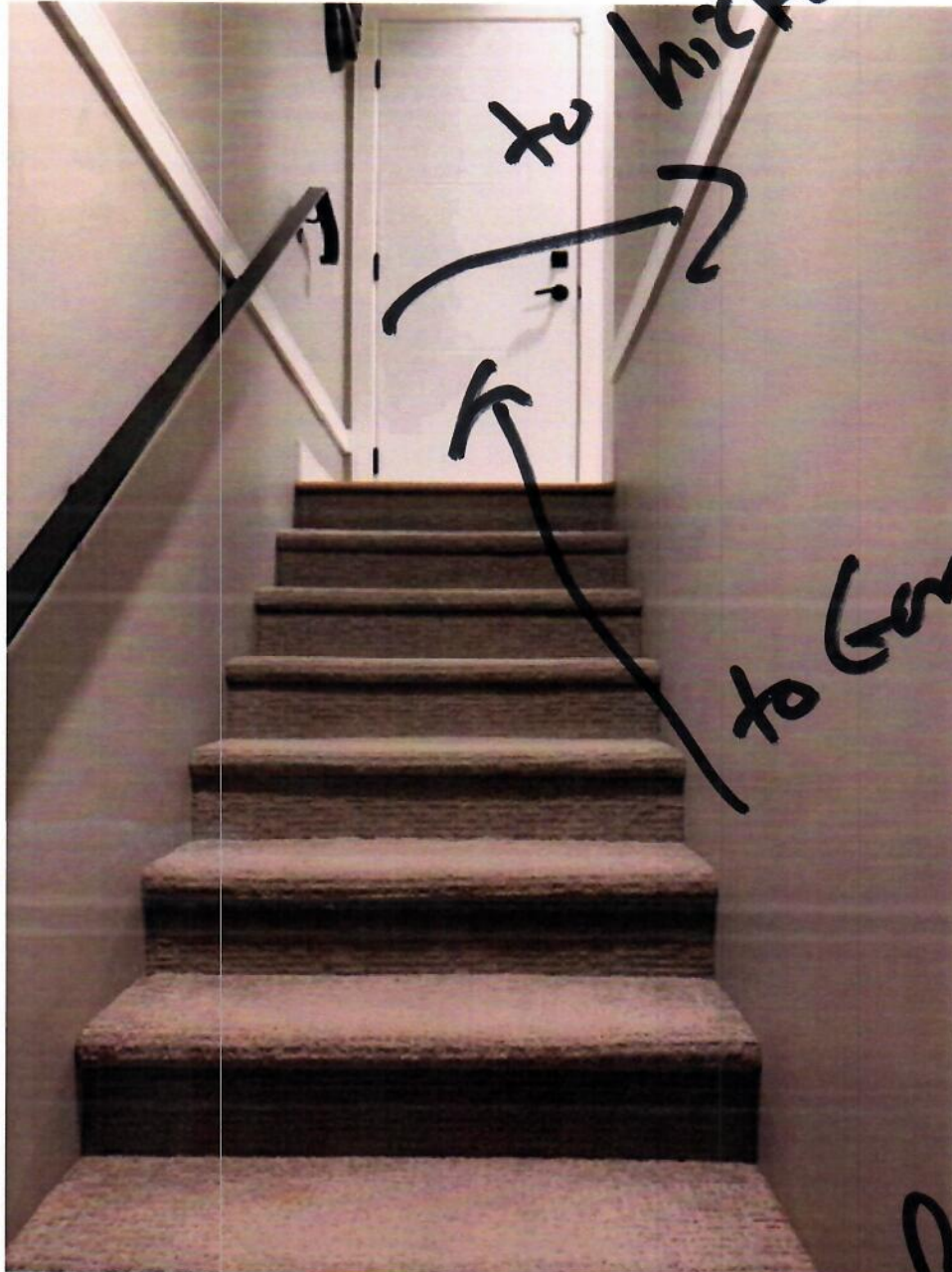


Connecting
Door

Media
Rm

Up Stairs

Wax Rm



Stairs go from
lower hall +
connecting
Door

OCCUPANCY COMPLETION PERMIT

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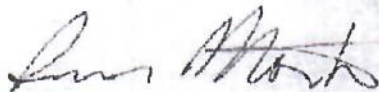
Building Address **704 ROBLEDA CRES**

Legal Description **LT 6 PL 8248 SEC FFLD VICTORIA**

Approved Occupancy **SINGLE FAMILY DWELLING WITH SECONDARY SUITE**

Permit Description **ADDITION TO REAR AND SIDE YARD. ADDITION TO FRONT FACADE. CHANGE OF USE FROM SINGLE FAMILY DWELLING TO SINGLE FAMILY DWELLING WITH SECONDARY SUITE**

Dated this day: **JUNE 14, 2016**



CHIEF BUILDING OFFICIAL

This permit is issued pursuant to the authority contained in the City of Victoria Building Bylaw. In addition, the issuing of this Permit shall not relieve the owner or occupier from the responsibility of complying with the Zoning and Development Bylaw or any other pertinent Bylaw, Acts or Regulations. This Permit is not a representation or warranty that the Bylaws of the City of Victoria or other enactments have been complied with, since resource at the City only permit random review and inspections. The City of Victoria will accept no responsibility or legal liability should any person suffer loss, injury or damage as a result of the building not complying with Bylaws. Accordingly, persons should make such independent investigations or inquiries as they see fit to determine whether the building complies with all relevant Bylaws or enactments.

Short Term Rental Business License Appeal
704 Robleda Crescent
Thaddeus Monckton – Operator
File # 129631 – May 29th, 2020

MAY 29th, 2020

2nd NOTICE OF LETTER OF APPEAL - CITY OF VICTORIA RE; 704 ROBLEDA

City of Victoria

Attn-City Clerk and Kim Ferris and Mayor of Victoria and Christina Havelka

1 Centennial Square

Victoria, BC, V8W 1P6

Legislative and Regulatory SERVICES Department

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We were approved for the same license in 2019 and expected we would also be approved for it in 2020 again since nothing has changed in our home or its uses. The inspectors came for a tour this year and I showed them the living area and its connection to our home with the other amenities as we are not trying to hide anything.

One of your staff mentioned we advertised in ways that are contrary to the allowable use and that is inaccurate as we only post on Air BnB and any other sites that may have had our info must have pirated our info and posted it as we did not post anywhere else so this was not accurate.

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We use the additional living space for Air BNB, both short and long term rentals, for our families from out of town and for our grown children and the areas are used a lot when we are away since we travel 4-6 months of the year out of country so as the operator I am away as your letter stated for my work outside of Victoria.

We cooperated and allowed two city workers to enter my home and take photos and I showed them all of our shared areas and they took photos and it is very clean and obvious that THIS SHORT TERM RENTAL DOES NOT OCCUPY AN ENTIRE SELF CONTAINED DWELLING UNIT.

We do qualify and we expect to be issued the license and we plan to operate under the guidelines as we have been all along and we feel that this is harassment by the city of Victoria and expect to be treated as taxpayers and citizens of this city with all of our rights and privileges as homeowners and residents of Victoria.

I thank you in advance for the issuance of the new business license.

Thaddeus Monckton, Owner and Operator

1st Appeal - THIS WAS MY FIRST LETTER OF APPEAL DATE MARCH 18, 2020

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I thank you in advance for the issuance of the new business license.

Thaddeus Monckton, Operator

Thaddeus K. Monckton



Business Licence (Short-term Rental) Appeal re 704 Robleda Crescent

Submission of the Licence Inspector

I. Introduction

1. This is an appeal from the decision of the Licence Inspector to refuse to issue a business licence to Thaddeus Monckton for the operation of a short-term rental at 704 Robleda Crescent.
2. The business licence was denied pursuant to section 4(b) of the *Short-term Rental Regulation Bylaw*, which states:
 4. *The Licence Inspector may refuse to issue a licence for a short-term rental if, in the opinion of the Licence Inspector,*
...
(b) the short-term rental operation would contravene a City bylaw or another enactment.
5. The appeal is brought pursuant to section 60(5) of the *Community Charter*, which requires that an applicant for a business licence has the right to have a staff decision to refuse such licence reconsidered by Council.
6. On a reconsideration such as this, Council can apply its own judgment and may either uphold the decision to refuse the licence or grant the licence.

II. Facts

7. The appellant owns and resides at the property at 704 Robleda Crescent. The property is zoned R1-A (Single Family Dwelling). Short-term rentals are not a permitted use under this zone.
8. The property contains a single family home with a basement suite. [See attached photos]
9. The basement suite consists of a living/dinning room with a full kitchen, one bedroom and a full bathroom. It has a separate entrance from outside. There is an inside connection between the basement suite and the rest of the house. There is also an occupancy certificate for a secondary suite.
10. The basement suite contains its own kitchen facilities, with stove, fridge, kitchen sink, and counters and cabinets. [See attached photos]
11. The appellant has rented the entire basement suite as a short-term rental since at least August 2016. Between 2017 and 2019, the appellant has accepted an average of 12 to 27 short-term rental bookings per year, with stays as short as 3 days. Attached is a report from Host Compliance detailing information about the short-term rental activity at the property.

12. The appellant applied for and received a business licence to operate short-term rental in 2019. The licence was granted on the basis of the appellant's representation that the short-term rental was offered in the appellant's principal residence.
13. An inspection of the premises on February 25, 2020 revealed that the basement suite is, in fact, a self-contained dwelling and is not part of the appellant's principal residence.
14. On February 26, 2020, the Licence Inspector advised the appellant that his application for a short-term rental licence has been refused because short-term rental of a self-contained dwelling did not comply with applicable zoning.

III. Relevant Regulations

15. The City regulates short-term rentals through the *Short-term Rental Regulation Bylaw* and through provisions of the zoning bylaws. In relation to the property, the relevant zoning bylaw is the *Zoning Regulation Bylaw*, which states, in part:

17 ...

(4) *Without limiting the generality of subsection (1), short-term rentals, whether as a principal or accessory use, are prohibited in all zones except*

(a) *where they are expressly permitted subject to regulation applicable in those zones;*

(b) *rental of no more than two bedrooms in a self-contained dwelling unit, as home occupation, provided that:*

(i) *the self-contained dwelling unit is occupied by the operator of the short-term rental; and*

(ii) *short-term rental complies with all regulations in Schedule D as if it were a transient accommodation.*

16. A self-contained dwelling unit is defined in the *Zoning Regulation Bylaw* as "a suite of rooms in a building designed for occupancy of one family which has a separate entrance, and kitchen and bathroom facilities."

IV. Argument

17. When short-term regulations were initially introduced, the City was flooded with applications of business licences. In an effort to encourage compliance with regulations, these applications were processed very quickly and were not always fully screened. More careful reviews and inspections have been conducted as part of 2020 application process. Therefore, the fact that the appellant was issued a short-term rental business licence in 2019 is not an indication that a 2020 licence should also be issued.

18. Although the appellant resides in the house at 704 Robleda Crescent, the premises that are rented as a short-term rental are not part of his principal residence, because the basement suite is an independent self-contained dwelling unit.
19. It is clear that the basement suite at 704 Robleda Crescent is a self-contained dwelling unit: it has its own entrance from outside, its own full kitchen, and full bathroom – it meets all the requirements of the definition of “self-contained dwelling unit” in the *Zoning Regulation Bylaw*.
20. The self-contained nature of the basement suite is not altered by the fact that there is a connection to the rest of the house or that certain parts of the house (the “gym” and “music room”) are shared. As is acknowledged in the appellant’s submission (dated June 24, 2020) the suite is capable of different uses including as a long-term rental.
21. From the zoning perspective, it does not matter how the appellant intends to use the suite. What matters is that it is a “self-contained dwelling unit” as defined in the bylaw. Existence of an internal connection or spaces that are shared with the main dwelling does not alter that.
22. For all these reasons, the Licence Inspector submits that the appellant’s application for a short-term rental business licence had to be refused as it contravened the Zoning Regulation Bylaw.
23. One of the objectives of the City’s regulations of the short-term rentals was to address the problem of self-contained dwelling units being diverted from the housing market to a vacation rental market. This is the rationale behind the provisions of the zoning bylaw which limit short-term rentals to bedrooms within self-contained units rather than entire self-contained units.
24. The property at 704 Robleda Crescent is an example of a self-contained dwelling unit that has been lost to the regular housing market in the past, contrary to the intent behind City regulations, which prohibit rental of entire self-contained dwelling units as short-term rentals.
25. Therefore, the Licence Inspector submits that this appeal should be dismissed and the decision to refuse a short-term rental business licence for 704 Robleda Crescent upheld.

ALL OF WHICH IS RESPECTFULLY SUBMITTED

Dated: September 16, 2020



Shannon Perkins, Manager of
Bylaw Services



February 25, 2020 10:27 AM

TIME STAMP 



February 25, 2020 10:28 AM



February 25, 2020 10:29 AM

TIME STAMP 

February 25, 2020 10:29 AM

TIME STAMP 



February 25, 2020 10:33 AM



TIME STAMP



LOVE

RELAX

February 25, 2020 10:34 AM

TIME STAMP 




February 25, 2020 10:34 AM

TIME STAMP 



February 25, 2020 10:32 AM

TIME STAMP 



February 25, 2020 10:32 AM

TIME STAMP



February 25, 2020 10:32 AM

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February 25, 2020 10:36 AM


TIME STAMP 

February 25, 2020 10:35 AM

TIME STAMP 



February 25, 2020 10:30 AM

TIME STAMP 



February 25, 2020 10:35 AM

TIME STAMP 

704 Rockland Avenue

Shared Guest Information:

Dear Guest

Please Enjoy our Shared Media, Gym and Music Rooms:

Full Access Through our Shared Areas in our Home:

Media Room Area is to the Left down the Hallway

Music Room Area is to the Right down the Hallway

Gymnasium Area is Accessed from Driveway

Please Enjoy Your Stay with Us

Please contact us with any questions and please enjoy
your stay with us at 704 Rockland

Sincerely, Thaddeus and Brenda, Your Hosts

February 25, 2020 10:33 AM

TIME STAMP 

704 Rockland Avenue

Shared Guest Information

Dear Guest

Please Enjoy our Shared Media, Gym and Music Rooms

Full Access Through our Shared Areas in our Home

Media Room Area is to the Left down the Hallway

Music Room Area is to the Right down the Hallway


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Please contact us with any questions and please enjoy
your stay with us at 704 Rockland

Sincerely, Thaddeus and Brenda, Your Hosts

February 25, 2020 10:34 AM

Rental Unit Record

704 Robleda Crescent, Victoria, BC, Canada

Active
Identified
Compliant

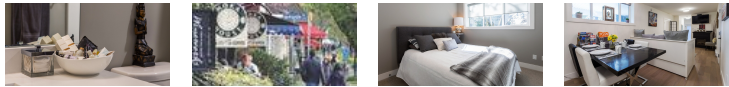


PRINT

Listing(s) Information

Flipkey - 8816301

Airbnb - 14302045



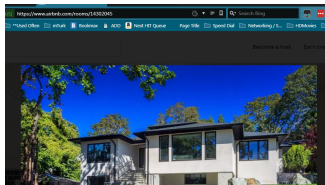
Matched Details

Analyst CDZT

Explanation

Exterior matches in street view. The exterior photo caption shows the address. The house has been renovated. The Victoria BC records and map confirm the location and address and show Area-Jurisdiction-Roll 01-234-04-273-010. <http://prntscr.com/k1rsy9>

Listing Photos



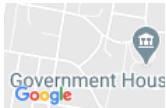
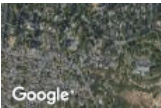
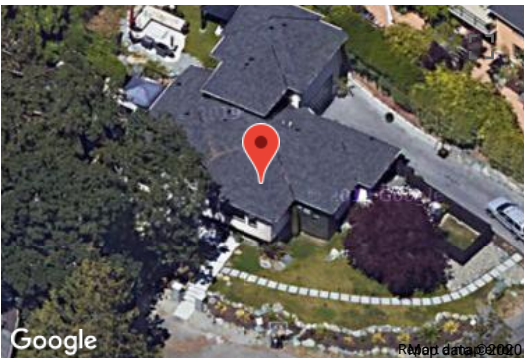
Same (renovated) exterior.

Matching 3rd Party Sources



Owner Name Match

Rental Unit Information



Identified Address

704 Robleda Crescent, Victoria, BC, Canada

Identified Unit Number

None

Identified Latitude, Longitude

48.419040, -123.346235

Parcel Number

0123404273010

Owner Address

704 Robleda Crescent, Victoria
Victoria, BC V8S 3K5, CA

Timeline of Activity

View the series of events and documentation pertaining to this property

- 1 Documented Stay
August, 2020
- 2 Documented Stays
July, 2020
- Listing air14302045 Reposted

Listing Details

Listing URL

— https://www.airbnb.com/rooms/14302045

Listing Status

● Active

Host Compliance Listing ID

— air14302045

Listing Title

— Rockland Downtown Victoria BC-High End Guesthouse

Property type

— Guesthouse

Room type

— Private room

Listing Info Last Captured

— Sep 03, 2020

Screenshot Last Captured

— Sep 01, 2020

Price

— \$72/night

Cleaning Fee

— \$53

Information Provided on Listing

Contact Name

— Thaddeus

Latitude, Longitude

— 48.418172, -123.345391

Minimum Stay (# of Nights)

— 3

Max Sleeping Capacity (# of People)

— 2

Max Number of People per Bedroom

— 2.0

Number of Reviews

— 75

Last Documented Stay

— 08/2020

Listing Screenshot History

View Latest Listing Screenshot

July8

August7

September1

May 5th, 2020

✕ Listing air14302045 Removed May 2nd, 2020

📅 1 Documented Stay March, 2020

📅 3 Documented Stays October, 2019

📅 2 Documented Stays September, 2019

📅 4 Documented Stays August, 2019

📅 5 Documented Stays July, 2019

📅 3 Documented Stays June, 2019

📅 4 Documented Stays May, 2019

📅 2 Documented Stays April, 2019

📅 1 Documented Stay March, 2019

📅 1 Documented Stay February, 2019

📅 2 Documented Stays January, 2019

📅 1 Documented Stay December, 2018

● Listing fli8816301 Reposted December 13th, 2018

✕ Listing fli8816301 Removed December 10th, 2018

📅 1 Documented Stay November, 2018

📅 2 Documented Stays October, 2018

📅 3 Documented Stays September, 2018

📅 5 Documented Stays August, 2018

📅 2 Documented Stays July, 2018

● Listing air14302045 Reposted July 29th, 2018

✕ Listing air14302045 Removed July 24th, 2018

✓ Listing fli8816301 Identified July 10th, 2018

✓ Listing air14302045 Identified July 10th, 2018





















📅 4 Documented Stays June, 2018

📅 2 Documented Stays

https://appca.hostcompliance.com/property/cq30Nr5tmEWRAN4E?geoid=16000CA5917034#air14302045

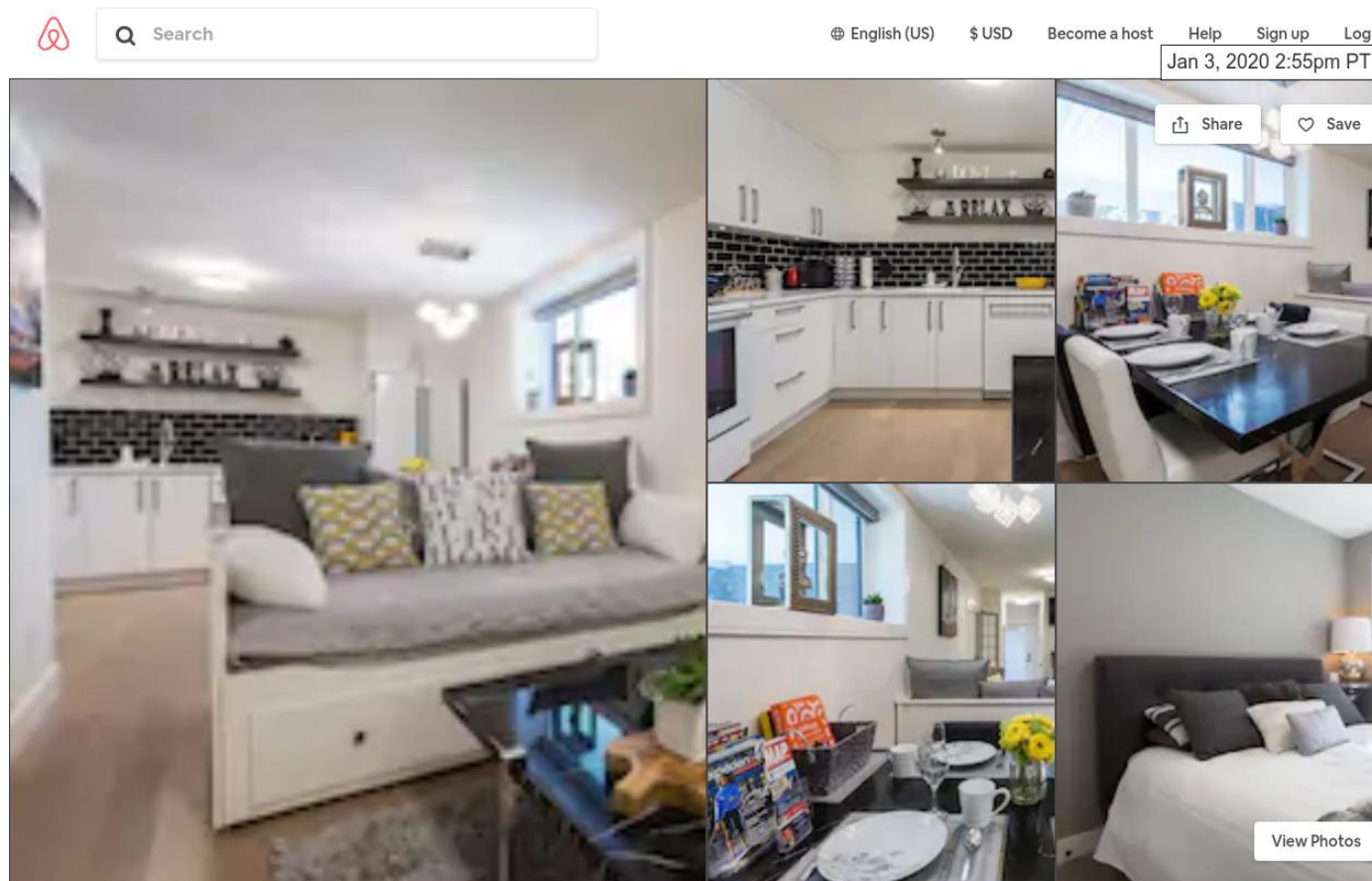
902/3

May, 2018

-  1 Documented Stay
April, 2018
-  3 Documented Stays
March, 2018
-  1 Documented Stay
February, 2018
-  1 Documented Stay
December, 2017
-  1 Documented Stay
October, 2017
-  1 Documented Stay
September, 2017
-  2 Documented Stays
August, 2017
-  2 Documented Stays
July, 2017
-  Listing fli8816301 First Crawled
June 23rd, 2017
-  Listing fli8816301 First Activity
June 23rd, 2017
-  1 Documented Stay
May, 2017
-  1 Documented Stay
March, 2017
-  2 Documented Stays
February, 2017
-  1 Documented Stay
January, 2017
-  1 Documented Stay
December, 2016
-  1 Documented Stay
November, 2016
-  2 Documented Stays
October, 2016
-  2 Documented Stays
September, 2016
-  Listing air14302045 First Crawled
September 13th, 2016
-  1 Documented Stay
August, 2016
-  Listing air14302045 First Activity
August 25th, 2016

January 03, 2020 - 03:55PM America/Vancouver

Screenshot printed at: 9/16/2020 3:57:15 PM



Rockland High End 1 Bedroom Suite -Victoria BC

Victoria

2 guests 1 bedroom 1 bed 1 bath



Thaddeus

★ Entire home

You'll have the guest suite to yourself.

🌟 Sparkling clean

18 recent guests said this place was sparkling clean.

🌟 Thaddeus is a Superhost

Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.

📍 Great location

90% of recent guests gave the location a 5-star rating.

\$69 per night

★ 4.90 (71 reviews)

Dates

01/04/2020

→ Checkout

Guests

1 guest

Reserve

You won't be charged yet

🚩 Report this listing

Rockland High End Suite is a short 15 minute walk to downtown Victoria and all the attractions in Victoria. Rockland area is one of the most desirable areas in Victoria. This new 1 bedroom suite with an a day bed in the living room will accommodate up to 2-3 people and includes high end furnishings, in suite laundry, Kitchen Aid Appliances, private driveway, and access to our home and gym. We have an outdoor patio and you will enjoy our home and all it has to offer in our shared areas.

The space

The Suite is located on the lower floor of our home and is a one bedroom, one bathroom suite built in 2016 to the highest standards and is furnished very beautifully with care. You also have access to our beautiful home gym and a private driveway and entrance. The suite and living areas are on the lower level above ground and sunny and bright all the time so please enjoy our home.

Guest access

The Suite has a private entrance and also a private driveway to park your car. We have a home gym that you can use and the suite now has a private patio for our guests a table and chairs and umbrella and planter boxes. A welcoming place to our home with all shared ammenities.

Other things to note

We have a home gym that you can also access and use as well as a patio and all our home has to offer.

Hide ^

Contact host

×

Amenities

Basic

Wifi

Continuous access in the listing

Indoor fireplace

TV

Cable TV

Laptop friendly workspace

A table or desk with space for a laptop and a chair that's comfortable to work in

Washer

In the building, free or for a fee

Iron

Dryer

In the building, free or for a fee

Essentials

Towels, bed sheets, soap, and toilet paper

Heating

Central heating or a heater in the listing

Hot water

Family features

Bathtub

Facilities

Free parking on premises

Gym

Free, in the building or nearby

Free street parking

Dining

Kitchen
Space where guests can cook their own meals

Coffee maker

Cooking basics
Pots and pans, oil, salt and pepper

Dishes and silverware

Dishwasher

Microwave

Refrigerator

Oven

Stove

Guest access

Host greets you

Private entrance
Separate street or building entrance

Logistics

Luggage dropoff allowed
For guests' convenience when they have early arrival or late departure

Long term stays allowed
Allow stay for 28 days or more

Bed and bath

Hangers

Hair dryer

Shampoo

Bed linens

Extra pillows and blankets

Outdoor

Patio or balcony

Safety features

Fire extinguisher

Carbon monoxide detector

Smoke detector

First aid kit

Not included

Air conditioning

Sleeping arrangements



Bedroom 1
1 queen bed

Accessibility

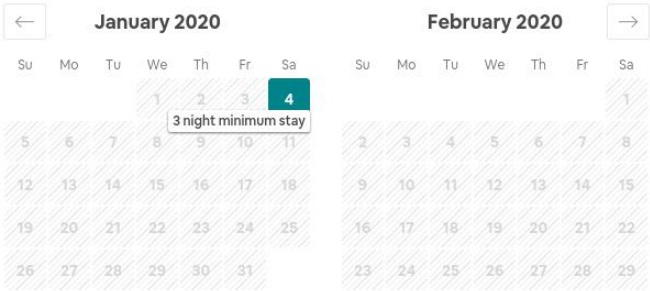
Step-free access to the bedroom

Extra space around bed

Show all

Availability

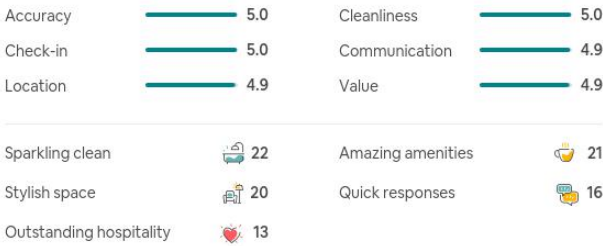
This host offers 10% off if you stay a week and a 15% monthly discount.



Clear dates

Reviews

★ 4.90 | 71 reviews



Search reviews



Ted
July 2019

Let me start with the wonderful neighborhood of beautiful homes and shaded streets. And the suite is close to the Dallas Road walks along the bay, downtown, and the Cook Street village shops and restaurants. This is the best of Victoria! Now Thaddeus and Brenda's gracious...[Read more](#)



Kimberly
June 2019

I highly recommend staying here. The hosts have thought of everything you could need and more! I like to cook and was happy to find there were pots, pans, utensils for cooking plus a whole spice rack. There were also other thoughtful amenities--a bowl in the bathroom filled...[Read more](#)



Xiaotong
June 2019

I highly recommend a stay at Thaddeus and Brenda's beautiful suite! Their home is located in a quiet neighborhood where cute deer frequent right next to the Government House, where you can enjoy beautiful flower gardens (with almost total privacy in the morning/evening). ...[Read more](#)



Carmini
May 2019

The location was perfect for us, because we were familiar with the area. It may not be close enough to downtown for others, but it worked really well for us. The apartment was nicely furnished and the kitchen was spacious and well-equipped. The host provided complimentary soap...[Read more](#)



Lynn
January 2019

Thaddeus and Brenda were excellent hosts. They were prompt in responding to questions we had and we were welcomed with a lovely snack basket. The unit was well decorated and comfortable to stay in and was located just a 5-10 minute drive from anything in the city.



Darryl
August 2018

The room was perfect. We thoroughly enjoyed our stay.



Brandon
July 2018

Amazing place to stay! The suite was cozy, fully outfitted, and was super clean. There were lots of additional amenities that helped and having a full kitchen was really nice. It can get noisy sometimes because it is downstairs but overall, it was incredible. I would definitely...[Read more](#)



Hosted by Thaddeus

Victoria, Canada · Joined in August 2016

★ 94 Reviews ✨ Verified



Thaddeus is a Superhost · Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.



My wife and I own a career college and have traveled extensively all over the world. We have a passion for meeting people from different backgrounds and love opening up our homes to travelers. We have 5 sons, 3 dogs and 1 cat. We look forward to meeting you.

Interaction with guests

We are available at anytime to assist you with questions or direction. My cell number is (PHONE NUMBER HIDDEN) if you need anything. Thaddeus and Brenda

Languages: **English, Español**

Response rate: **100%**

Response time: **within an hour**

[Contact host](#)

Always communicate through Airbnb - To protect your payment, never transfer money or communicate outside of the Airbnb website or app. [Learn more](#)

The neighborhood

Thaddeus's place is located in Victoria, British Columbia, Canada.

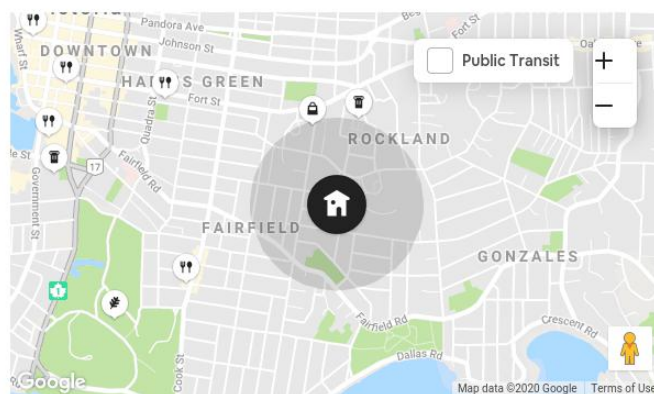
Our home and the Suite is located in the Rockland area of Victoria which is considered to be one of the most beautiful and valuable areas in Victoria. We are located very close to downtown Victoria and it is only a short 15-20 minute walk to downtown Victoria and all the amenities our city has to offer.

Getting around

You can walk downtown or take a bus or drive your car. There are bus stops located very near the home and we also have a private driveway for your car if you are driving. Rockland area within Fairfield is a very safe area and a beautiful area to walk around and to visit the beach or downtown.

[Hide](#) ^

[See guidebook](#)



Exact location information is provided after a booking is confirmed.

Things to keep in mind

Check-in: 4PM - 12AM (midnight)

Checkout: 12PM (noon)

House Rules

No smoking

No pets

No parties or events

You must also acknowledge

Pet(s) live on property

Additional Rules

Please do not wear shoes in the unit.

Please keep the noise level down after 10pm.

No parties or events allowed.

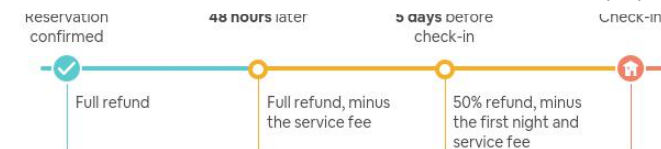
No overnight guest allowed without permission of owners.

[Hide rules](#) ^

Cancellations

Free cancellation for 48 hours

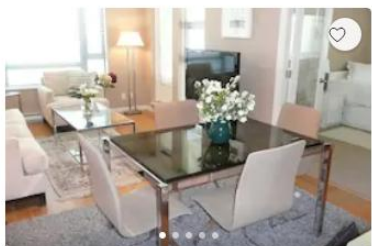
After that, cancel up to 5 days before check-in and get a full refund, minus the service fee.



[Get full details](#)

[Hide policies](#) ^

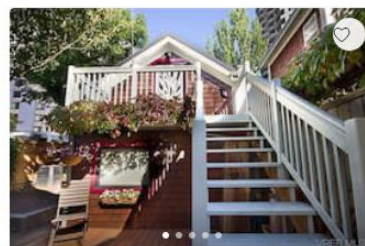
More homes you may like



Entire apartment · 2 beds
★ 4.98 (58)
Perfect Downtown Condo, free secure onsi...
\$85 / night



Entire apartment · 2 beds
★ 4.89 (217)
Luxury living
\$116 / night



Entire place · 2 beds
★ 4.87 (204)
Cute and Cozy Space Downtown
\$99 / night

Things to do near this home



HISTORY WALK
Explore Hidden Gems in Victoria
From \$24/person
4.92★ (177)



COCKTAIL TASTING
Customized & delicious whisky tasting
From \$79/person
5.0★ (1)



CULTURE WALK
Victoria Booze, Bites & Sights
From \$52/person
5.0★ (3)



WORKSHOP
Learn to Shuck Oysters in Market Square
From \$57/person
4.95★ (41)

Explore other options in and around Victoria

More places to stay in Victoria: Apartments · Houses · Bed and breakfasts · Lofts · Villas

Vancouver
Victoria
Richmond
Kelowna
Bellevue
Surrey

Portland
Whistler
North Vancouver
Burnaby
Tacoma
Salt Spring Island

Seattle
Eugene
Bellingham
Tofino
Hood River
Coeur d'Alene



Council Report

For the Meeting October 15th, 2020

To: Council **Date:** October 6, 2020
From: Chris Coates, City Clerk
Subject: Short Term Rental Business License Appeal for 246 Wilson Street

RECOMMENDATION

That Council receive this report for information and either uphold or overturn the License Inspector's denial of a business license for the short-term rental unit at 246 Wilson Street.

EXECUTIVE SUMMARY

This report presents documents from an Appellant and the City's Licence Inspector for Council's consideration under the Short-term Business Licence Appeal Process Policy.

The Short-term Rental Regulation Bylaw establishes a short-term rental business licence and fee, eligibility for short-term rental business licence, the Licence Inspector's authority to refuse a licence, conditions for refusing a licence, operating requirements, offences, and penalties. The Bylaw is attached as Appendix A.

Each year short-term rental operators apply for a short-term rental business licence and a Licence Inspector determines whether to issue a licence or not. If an application is not compliant with the City's requirements for short-term rental units, a Licence Inspector may deny a business licence. In this instance, the Licence Inspector notifies the applicant of this decision and advises them how to seek Council's reconsideration as established under section 60(5) of the Community Charter. The City Clerk's Office coordinates the appeal process.

The Short-term Business Licence Appeal Process Policy contains for a process for an Appellant to seek an opportunity to be heard by Council for a denied business licence in accordance with the Community Charter, section 60(5). The Policy is attached as Appendix B. This policy establishes terms and conditions for reconsideration by Council, required documentation to submit as a part of the appeal process, next steps following Council's decision, and other matters.

The Policy establishes the following process:

1. An applicant may start an appeal by submitting a request to the City Clerk
2. The City Clerk replies to an Appellant to acknowledge the request
3. An Appellant makes a written submission (Appendix C)
4. The Licence Inspector makes a written submission in response to the Appellant (Appendix D)

5. An Appellant may also make a written submission in response to the Licence Inspectors reasons for denial of the License. No further correspondence was received from the Appellant.
6. Once this process is complete, the City Clerk's Office informs the Appellant and Licence Inspector of the date that Council will consider the appeal
7. The City Clerk's Office consolidates these documents and submits them to Council for Council to determine whether the License Inspector's denial of the License is upheld or overturned.

Council's role is to review this information and to either grant or deny an appeal. Denying an appeal means a Licence Inspector will not issue a short-term rental business licence. Granting an appeal means that the Licence Inspector will issue a short-term rental business licence as soon as practicable.

In this instance, the operator at 246 Wilson Street of a short-term rental unit was denied a license and has exercised the Community Charter right to have council reconsider the matter. The submissions of both the operator and the License Inspector are attached as appendices as noted above.

Respectfully submitted,



Chris Coates
City Clerk

Report accepted and recommended by the City Manager:



Date: October 7, 2020

Attachments

Appendix A: Short-Term Rental Regulation Bylaw
Appendix B: Short-term Rental Business Licence Appeal Process Policy
Appendix C: Appellant's Submission
Appendix D: Licence Inspector's Response to Appellant's Submission
Appendix E: Licence Inspectors' Submission

SHORT-TERM RENTAL REGULATION BYLAW
A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to provide for the regulation of short-term rentals including vacation rentals in operators' principal residences where permitted under the Zoning Regulation Bylaw No. 80-159 and where permitted pursuant to section 528 of the *Local Government Act*.

Contents

1	Title
2	Definitions
3	Licence Required
4	Power to Refuse a Licence
5	Licence Number to be Included in Advertising
6	Responsible Person
7	Offences
8	Penalties
9	Severability
10	Transition Provisions
11	Commencement

Pursuant to its statutory powers, including section 8(6) of the *Community Charter*, the Council of The Corporation of the City of Victoria, in an open meeting assembled, enacts the following provisions:

Title

- 1 This Bylaw may be cited as the "Short-Term Rental Regulation Bylaw".

Definitions

- 2 In this Bylaw

"operator" means a person who rents out, or offers for rent, any premises for short-term rental but does not include a person who acts as an intermediary between the short-term rental tenant and the person who receives the rent;

"principal residence" means the usual place where an individual makes their home;

"responsible person" means a person designated by the operator as the primary contact under section 6.

"short-term rental" means the renting of a dwelling, or any part of it, for a period of less than 30 days and includes vacation rentals;

"strata corporation", "strata council", and "strata lot" have the same meaning as in the *Strata Property Act*.

Licence Required

- 3
 - (1) A person must not carry on business as a short-term rental operator unless the person holds a valid licence issued under the provisions of this Bylaw and the Business Licence Bylaw.
 - (2) 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 the Business Licence Bylaw:
 - (a) make an application to the Licence Inspector on the form provided for that purpose;
 - (b) pay to the City the applicable licence fee prescribed under subsection (3);
 - (c) provide, in the form satisfactory to the Licence Inspector, evidence that:
 - (i) the person owns the premises where the short-term rental will be offered, or
 - (ii) the owner of the premises where the short-term rental will be offered has consented to their use as a short-term rental;
 - (d) if the premises where the short-term rental will be offered are located within a strata lot, provide a letter from the strata council confirming that provision of short-term rental does not contradict any bylaws of the strata corporation or applicable provisions of the Strata Property Act; and
 - (e) provide, in the form satisfactory to the Licence Inspector,
 - (i) evidence that the premises where the short-term rental will be offered are occupied by the operator as their principal residence; or
 - (ii) provide the name and contact information for the responsible person in relation to the short-term rental premises.
 - (3) The licence fee for purposes of subsection (2)(b) is:
 - (a) \$150 where the short-term rental is offered in the operator's principal residence; or
 - (b) \$1,500 for all short-term rentals that do not qualify under paragraph (a).

Power to Refuse a Licence

- 4 The Licence Inspector may refuse to issue a licence for a short-term rental if, in the opinion of the Licence Inspector,
 - (a) the applicant has failed to comply with section 3; or
 - (b) the short-term rental operation would contravene a City bylaw or another enactment.

Licence Number to be Included in Advertising

- 5 A person may offer to rent premises for rent as a short-term rental only if a valid business licence number is included in any advertising, listing, or promotion material that is intended to communicate availability of the premises for short-term rental.

Responsible Person

- 6 (1) A person may only operate a short-term rental in premises other than their principal residence if they designated a responsible person who, at all times that the short-term rental is operated, has access to the premises and authority to make decisions in relation to the premises and the rental agreement.
- (2) A person may only operate a short-term rental if they ensures that the name and contact information of the responsible person is prominently displayed in the short-term rental premises at all times when the short-term rental is operated.
- (3) The operator may be the responsible person except when subsection (5) applies.
- (4) The responsible person must be able to attend at the short-term rental premises within two hours of being requested to do so.
- (5) If a person who operates a short-term rental in their principal residence is going to be away during the term of the short-term rental, they must designate a responsible person and comply with this section.

Offences

- 7 (1) A person commits an offence and is subject to the penalties imposed by this Bylaw, the Ticket Bylaw and the Offence Act if that person
- (a) contravenes a provision of this Bylaw;
 - (b) consents to, allows, or permits an act or thing to be done contrary to this Bylaw; or
 - (c) neglects or refrains from doing anything required be a provision of this Bylaw.
- (2) Each instance that a contravention of a provision of this Bylaw occurs and each day that a contravention continues shall constitute a separate offence.

Penalties

- 8 A person found guilty of an offence under this Bylaw is subject to a fine of not less than \$100.00 and not more than \$10,000.00 for every instance that an offence occurs or each day that it continues.

Severability

- 9 If any provision or part of this Bylaw is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative in particular circumstances, it shall be severed from the Bylaw and the balance of the Bylaw, or its application in any circumstances, shall not be affected and shall continue to be in full force and effect.

Transition Provisions

- 10 (1) In the calendar year that this bylaw is adopted only, the fee payable under section 3 shall be prorated by 1/12 for each month in that year prior to the adoption of this bylaw, including the month the bylaw is adopted.
- (2) Any operator who, at the time of adoption of this bylaw, holds a valid licence for a short-term rental under the Business Licence Bylaw shall be credited with amount paid for that licence towards the fee payable under section 3.

Commencement

- 11 This bylaw comes into force on adoption.

READ A FIRST TIME the **22nd** day of **February** 2018


READ A SECOND TIME the **22nd** day of **February** 2018

READ A THIRD TIME the **22nd** day of **February** 2018

ADOPTED on the **8th** day of **March** 2018

“CHRIS COATES”
CITY CLERK

“LISA HELPS”
MAYOR

	COUNCIL POLICY	
	No.1	Page 1 of 2
SUBJECT: Short-Term Rental Business Licence Appeal Process Policy		
PREPARED BY: Monika Fedyczkowska		
AUTHORIZED BY: Council		
EFFECTIVE DATE: April 23, 2020		REVISION DATE:
REVIEW FREQUENCY: Every 3 years		

A. PURPOSE

The purpose of the Short-Term Rental Business Licence Appeal Process Policy [the Policy] is to establish a process for applicants for short-term rental business licences to have Council reconsider a Licence Inspector's decision to reject their application in accordance with section 60 of the Community Charter.

B. DEFINITIONS

Appellant means "an applicant for a short term rental business licence who is appealing a decision by a Licence Inspector to Council"

City Clerk means "the City Clerk and delegates"

Council means "the Council of the City of Victoria"

Short-term Rental Business Licence means "a business licence established under the Short-term Rental Regulation Bylaw"

C. POLICY STATEMENTS

Under the Community Charter, section 60(5), if a municipal officer or employee exercises authority to grant, refuse, suspend, or cancel a business licence, the applicant or licence holder who is subject to the decision is entitled to have Council reconsider the matter.

Applicants must apply for a new short-term rental business licence each year.

D. PROCEDURES

1. Appeal Procedure

- a. An Appellant may start an appeal by submitting a request for an appeal to the City Clerk within 30 days after receiving notice from a Licence Inspector of a decision to reject the short-term rental business licence.
- b. The City Clerk must reply to the Appellant to acknowledge the request for an appeal and explain the appeal process.
- c. An Appellant must make a written submission to the City Clerk within 14 days. A written submission may include:
 - i. Reasons that Council should grant the appeal to issue a short-term rental business licence
 - ii. Any supporting documents

- d. A Licence Inspector must submit a document to the City Clerk responding to the Appellant's written submission. The Licence Inspector's document must include:
 - i. Reasons for refusing to issue a short-term rental business licence
 - ii. Any supporting documents
- e. An Appellant must provide a written submission in response to a Licence Inspector's response to the City Clerk within 7 days
- f. A Licence Inspector must prepare a report for Council that includes:
 - i. Reference(s) to relevant City Bylaw provisions
 - ii. Direction to Council on what they should/should not consider, and
 - iii. The following documents:
 - 1. The Appellant's business licence application
 - 2. The letter from a Licence Inspector giving notice of refusal to issue a business licence
 - 3. The Appellant's request to the City Clerk to appeal the refusal
 - 4. The City Clerk's acknowledgment of the request
 - 5. The Appellant's written submission and any supporting documents
 - 6. The Licence Inspector's written response and any supporting documents
 - 7. The Appellant's written response to the Licence Inspector's response
- g. The City Clerk will inform the Appellant of the date that Council will consider the appeal.

2. Council's Decision

- a. Council may grant or deny an appeal by a majority vote.
- b. Council will provide reasons for a decision, which may be accomplished by way of the rationale by Council members during deliberation preceding a vote if not included specifically in the motion of Council.
- c. If Council grants an appeal, a Licence Inspector must issue the relevant business licence as soon as practicable.
- d. If Council denies an appeal, an Appellant may not make a new business licence application for a business for 3 months, unless Council unanimously votes to allow an Appellant to apply for a short-term rental business licence sooner than 3 months.

E. REVISION HISTORY

Christine Havelka

Subject: FW: Appeal: 1032443 - Application Follow-Up - 246 Wilson Street
Attachments: STR Appeal Process Policy_Final_May, 2020 (1).pdf

From: Sara Jansen [REDACTED]
Sent: May 29, 2020 4:32 PM
To: str@victoria.ca
Subject: Fw: Automatic reply: 1032443 - Application Follow-Up

Good afternoon,

I have been unable to get in touch to ask a few questions regarding this application and would like to appeal this decision to cease operation of a short term rental on behalf of my parents.

I am their daughter and we own a duplex together, I have several issues with the existing bylaw that prevents them from renting out their short term space which is rented less than 50% of the time and is primarily used for visiting family and friends. It seems that my mom is being penalized for getting a license for her rental, which is typically rented by family members of other people in Vic West. There are many other rentals in stratas have no requirement to rent for at least 30 days, and there are several operating without a license in our area and this is not a focus of investigation. I work in local government and understand the restrictions that challenges that exist due to COVID-19. With the lack of ability to speak to someone, I would like this to be our formal request to appeal the decision in this case.

I look forward to hearing from you to better understand next steps.

Thanks,

Sara

From: "str@victoria.ca" <str@victoria.ca>
Date: April 29, 2020 at 4:31:27 PM PDT
To: Cindy Jansen <[REDACTED]>
Subject: Automatic reply: 1032443 - Application Follow-Up

Thank you for emailing str@victoria.ca. This automatic response is to confirm that we have received your email. If you have submitted an application package, your application will be processed, reviewed, and if you are deemed eligible you will be sent an invoice in the mail. If we require additional documentation or clarity, a Bylaw staff member will reach out to you directly via email. Upon receipt of final payment, you will then be issued a Business Licence number which must be displayed in all advertisement associated with your Short-Term Rental.

If you are emailing with a Short-Term Rental related inquiry, a Bylaw Clerk will respond to your email in the order that we receive it.

Have a wonderful day, and thank you for your email / inquiry.



July 2, 2020

Jansen, Cindy



Legislative and
Regulatory Services
Department

Bylaw and Licensing
Services Division

1 Centennial Square
Victoria BC V8W 1P6

Re: Short-Term Rental Business Licence Appeal – 246 Wilson St

Your 2020 application was rejected due to non-compliance with City bylaws, including Schedule D of the Zoning Regulation Bylaw, which provides that a short-term rental cannot occupy an entire self-contained dwelling unit, except occasionally while the operator is away.

Per Schedule A of the Zoning Bylaw:

“Self-contained Dwelling Unit” means a suite of rooms in a building designed for occupancy of one family which has a separate entrance, kitchen and bathroom facilities.

We are reviewing every application, and investigating all known short-term rentals that are not operating in compliance.

On January 23, 2020, an inspection of the ground level suite at 246 Wilson St was conducted and photos were taken confirming a self-contained suite – a separate entrance, kitchen, and bathroom.

Furthermore, you were advertising the space on AirBnb as “[a] modern one bedroom suite” (attached).

For these reasons, your 2020 application for a short-term rental business licence was rejected.

A handwritten signature in black ink, appearing to read "Kim Ferris".

Regards,

Kim Ferris
Bylaw Officer/Business Licence Inspector
Legislative & Regulatory Services Department
City of Victoria
1 Centennial Square, Victoria B.C. V8W 1P6

To Contact

Telephone: **250.361.0726**
E-Mail: str@victoria.ca

Fax: **250.361.0205**
Web: www.victoria.ca

March 30, 2020 - 02:37PM America/Vancouver

Screenshot printed at: 6/30/2020 3:49:38 PM



Search

English (US)

\$ USD

Become a host

Help

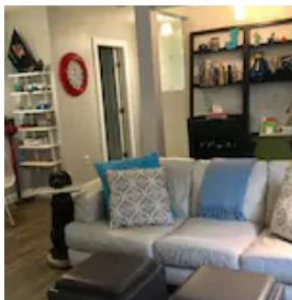
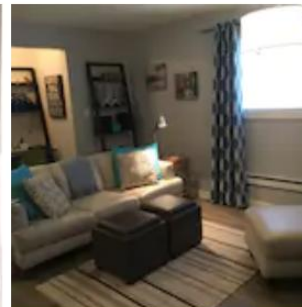
Sign up

Log in

Mar 30, 2020 2:37pm PT

Behind the Green Door

★ 4.92 (188) · Superhost · Victoria West, Victoria, British Columbia

[Share](#) [Save](#)[Show all photos](#)

Entire guest suite hosted by Cindy

2 guests · 1 bedroom · 1 bed · 1 bath

\$54 / night

[Check availability](#)

Entire home

You'll have the guest suite to yourself.



Self check-in

Check yourself in with the keypad.



Sparkling clean

16 recent guests said this place was sparkling clean.



Cindy is a Superhost

Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.

Modern one bedroom suite is a 20 minute walk to downtown. Conveniently located close to Westside Village. Suite offers 1 bedroom, 1 bathroom, fully equipped kitchen and laundry. This property has been completely renovated. Parking on street.

The space

Your home away from home with all the conveniences you enjoy.

Guest access


Guests can access back deck through side gate. Deck is only for use in warmer months. Please check before using

Other things to note

Relax... Enjoy:)

[Contact host](#)

Sleeping arrangements



Bedroom 1
1 queen bed

Amenities

 Kitchen

 TV

 Laptop-friendly workspace

 Iron

 Dryer

 Wifi

 Cable TV

 Washer


 Hangers

 Essentials

Show all 34 amenities

★ 4.92 (188 reviews)



**Susan**
March 2020

This place is wonderful. I look forward to staying here whenever I visit Victoria. Perfect location.

**Liam**
January 2020

Had a wonderful time, and this spot really met all our needs and more. The kitchen was fully supplied. There was plenty of street parking. It was great to be able to walk downtown. Thanks so much, Cindy!

**Susan**
December 2019


This place is amazing. It has everything you need and more.

**Mark**
September 2019

The place was perfect for our needs and within walking distance of everything. Thanks Cindy

**Laura**
September 2019

I'd been to Victoria a handful of times, but I'd never stayed in West Vic; what a charming area! My boyfriend and I explored quite a bit and didn't have any trouble finding our way around. So nice to come back to a fully equipped kitchen, a nice little DVD collection, and plenty of room for two to stretch out in at the end of a long day out and about! We'll definitely try to book here again on our next visit. Thanks!

**William**
August 2019

An absolutely lovely experience! The space is incredibly comfortable and welcoming, with lots of little touches that make it a great place to come back to after a day exploring....
[read more](#)

Show all 188 reviews

Select dates

Minimum stay: 2 nights

<

April

May

>

Su Mo Tu We Th Fr Sa Su Mo Tu We Th Fr Sa

Check-in 03/31/2020 × Checkout

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1

2

Guests
1 guest

Clear dates

Location



Victoria West, Victoria, British Columbia

Quiet community with many conveniences just a block away. Park, grocery, coffee shop, pharmacy, liquor store and restaurants.

More about the location



Hosted by Cindy

Joined in August 2014

★ 188 Reviews Verified Superhost

We love to travel when I'm not working. Victoria is such a beautiful walking city; my husband and I love it and hope our guests will too.

During your stay

You will receive a keycode to the property, and a meet and greet can be arranged if desired. Hosts will be available via phone, text, and email for any questions.

Cindy is a Superhost

Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.

Language: English

Response rate: 100%

Response time: within an hour

Contact host



To protect your payment, never transfer money or communicate outside of the Airbnb website or app.

Things to know

House rules

- ⌚ Check-in: After 4:00 PM
- ⌚ Checkout: 11:00 AM
- 🔑 Self check-in with keypad
- 🚫 Not suitable for children (2-12 years)
- 🚭 No smoking
- 🐾 No pets

[Show all](#) >

Cancellation policy

Add your trip dates to get the cancellation details for this stay.

[Add dates](#) >

🚩 [Report this listing](#)

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More places to stay in Victoria:
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Vancouver	Portland	Seattle	Whistler
Eugene	Richmond	North Vancouver	Bellingham
Kelowna	Burnaby	Tofino	Bellevue
Tacoma	Hood River	Surrey	Salt Spring Island
Coeur d'Alene	Vernon		

Business Licence (Short-term Rental) Appeal re 246 Wilson Street

Submission of the Licence Inspector

I. Introduction

1. This is an appeal from the decision of the Licence Inspector to refuse to issue a business licence to Cindy Jansen for the operation of a short-term rental at 246 Wilson Street.
2. The business licence was denied pursuant to section 4(b) of the *Short-term Rental Regulation Bylaw*, which states:
 4. *The Licence Inspector may refuse to issue a licence for a short-term rental if, in the opinion of the Licence Inspector,*
...
(b) the short-term rental operation would contravene a City bylaw or another enactment.
5. The appeal is brought pursuant to section 60(5) of the *Community Charter*, which requires that an applicant for a business licence has the right to have a staff decision to refuse such licence reconsidered by Council.
6. On a reconsideration such as this, Council can apply its own judgment and may either uphold the decision to refuse the licence or grant the licence.

II. Facts

7. The appellant owns CJR Contract Services INC, which owns the property at 246 Wilson Street. The property is zoned R-2 (Two family dwelling). 246 Wilson Street is one-half of a duplex. Short-term rentals are not a permitted use under this zone.
8. The premises in question is a basement suite in one-half of a duplex. The appellant resides in the other half of that duplex at 248 Wilson Street.
9. The basement suite consists of a living room, a full kitchen, one bedroom and a full bathroom. It has a separate entrance from outside. There is no inside connection between the basement suite and the rest of the house. [See attached photos]
10. The basement suite contains its own kitchen facilities, with stove, fridge, microwave, dishwasher, kitchen sink, and counters and cabinets. As noted in the Airbnb ad, the premises offered for short-term rental include “1 bedroom, 1 bathroom, fully equipped kitchen and laundry” [See attached Matched Property Listing]
11. The appellant has rented the entire basement suite as a short-term rental since at least September 2014. Between 2015 and 2019, the appellants have accepted an average of 35

short-term rental bookings per year, with stays as short as 2 days. Attached is a report from Host Compliance detailing information about the short-term rental activity at the property.

12. The appellant applied for and received a business licence to operate short-term rental in 2019. The licence was granted on the basis of the appellant's representation that the short-term rental was offered in the appellant's principal residence.
13. An inspection of the premises on January 23, 2020 revealed that the basement suite is, in fact, a self-contained dwelling and is not part of the appellant's principal residence.
14. On April 29, 2020, the Licence Inspector advised the appellant that his application for a short-term rental licence has been refused because short-term rental of a self-contained dwelling did not comply with applicable zoning.

III. Relevant Regulations

15. The City regulates short-term rentals through the *Short-term Rental Regulation Bylaw* and through provisions of the zoning bylaws. In relation to the property, the relevant zoning bylaw is the *Zoning Regulation Bylaw*, which states, in part:

17 ...

(4) *Without limiting the generality of subsection (1), short-term rentals, whether as a principal or accessory use, are prohibited in all zones except*

(a) *where they are expressly permitted subject to regulation applicable in those zones;*

(b) *rental of no more than two bedrooms in a self-contained dwelling unit, as home occupation, provided that:*

(i) *the self-contained dwelling unit is occupied by the operator of the short-term rental; and*

(ii) *short-term rental complies with all regulations in Schedule D as if it were a transient accommodation.*

16. A self-contained dwelling unit is defined in the *Zoning Regulation Bylaw* as "a suite of rooms in a building designed for occupancy of one family which has a separate entrance, and kitchen and bathroom facilities."

IV. Argument

17. When short-term regulations were initially introduced, the City was flooded with applications of business licences. In an effort to encourage compliance with regulations, these applications were processed very quickly and were not always fully screened. More careful reviews and inspections have been conducted as part of 2020 application process. Therefore, the fact that

the appellant was issued a short-term rental business licence in 2019 is not an indication that a 2020 licence should also be issued.

18. Although the appellant claims she will reside in the upstairs of the duplex at 246 Wilson Street once renovations are complete, the premises that are rented as a short-term rental are not part of her principal residence, because the basement suite is an independent self-contained dwelling unit.
19. It is clear that the basement suite at 246 Wilson Street is a self-contained dwelling unit: it has its own entrance from outside, its own full kitchen, and full bathroom – it meets all the requirements of the definition of “self-contained dwelling unit” in the *Zoning Regulation Bylaw*.
20. While the absence of an inside connection between the basement suite and the appellant’s residence (in the upper unit) underscores the independent nature of the basement suite, the suite contains its own separate entrance and kitchen and bathroom facilities, and would be considered a self-contained dwelling unit even if there were a connection to the rest of the house.
21. For all these reasons, the Licence Inspector submits that the appellant’s application for a short-term rental business licence had to be refused as it contravened the Zoning Regulation Bylaw.
22. One of the objectives of the City’s regulations of the short-term rentals was to address the problem of self-contained dwelling units being diverted from the housing market to a vacation rental market. This is the rationale behind the provisions of the zoning bylaw which limit short-term rentals to bedrooms within self-contained units rather than entire self-contained units.
23. The property at 246 Wilson Street is an example of a family sized self-contained dwelling unit that has been lost to the regular housing market in the past, contrary to the intent behind City regulations, which prohibit rental of entire self-contained dwelling units as short-term rentals.
24. Therefore, the Licence Inspector submits that this appeal should be dismissed and the decision to refuse a short-term rental business licence for 246 Wilson Street upheld.

ALL OF WHICH IS RESPECTFULLY SUBMITTED

Dated: September 16, 2020



Shannon Perkins, Manager of
Bylaw Services



January 23, 2020 10:24 AM



TIME STAMP 

January 23, 2020 10:26 AM

TIME STAMP 

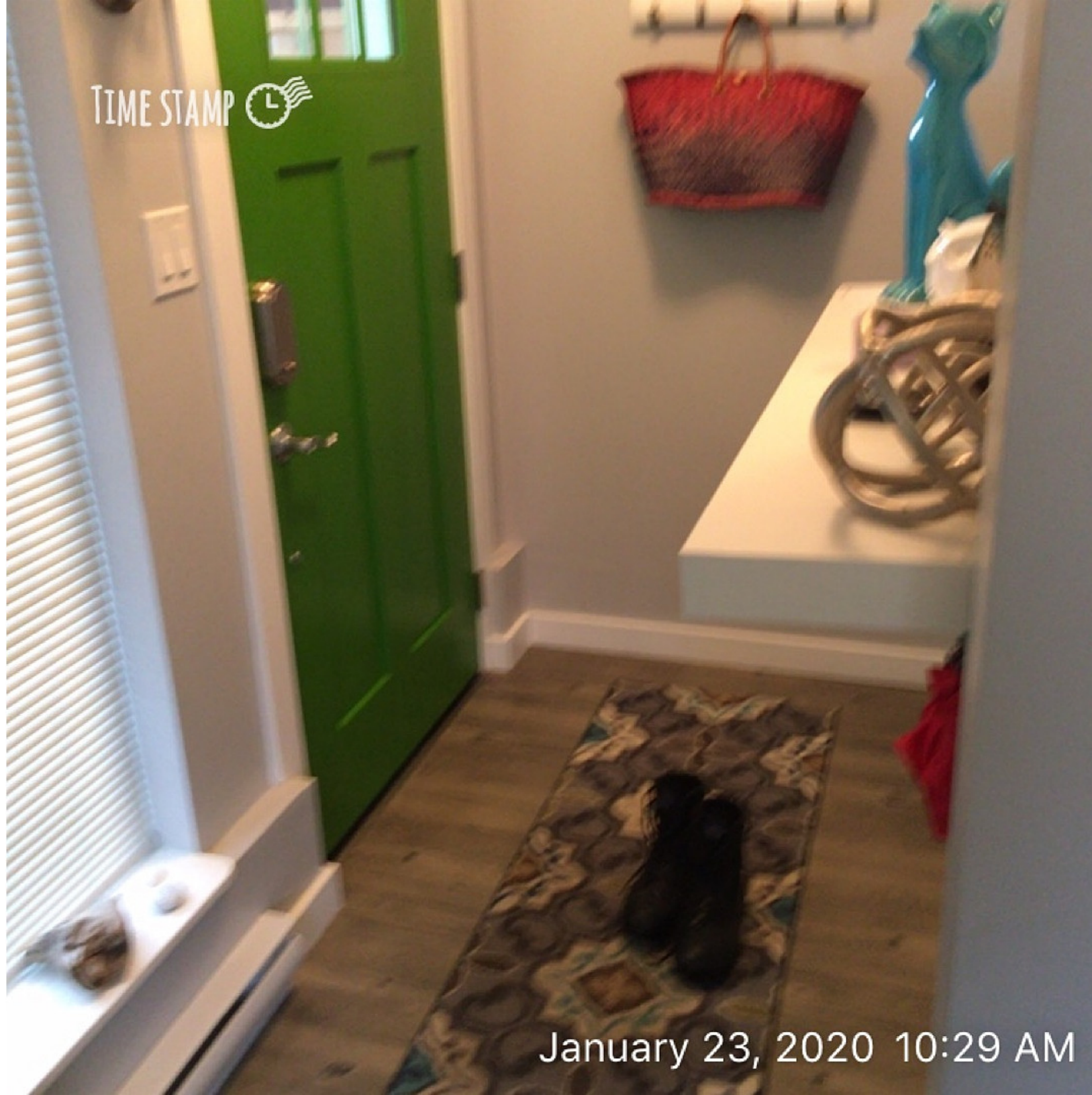


WELCOME HOME
♥ ♥
EXPLORE &
— ENJOY
QUESTIONS?
CALL #
1-250 561 7818
★ ★



January 23, 2020 10:27 AM

TIME STAMP 



January 23, 2020 10:29 AM

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January 23, 2020 10:31 AM

TIME STAMP 

January 23, 2020 10:31 AM



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January 23, 2020 10:39 AM

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January 23, 2020 10:39 AM

TIME STAMP 

January 23, 2020 10:30 AM



TIME STAMP

January 23, 2020 10:29 AM

Rental Unit Record

246 Wilson St, Victoria, BC, Canada

Removed X
Identified ✓
Compliant X

PRINT

Listing(s) Information

Airbnb - 4000182



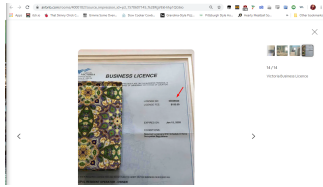
Matched Details

Analyst 7WM9

Explanation

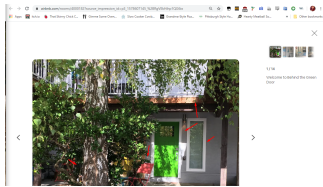
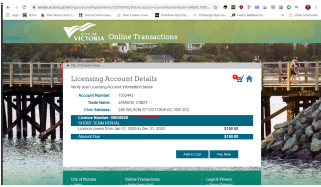
The listing has a copy of the business permit for the rental, which matches the city of victoria website, it also has an exterior shot that matches the google maps street view.

Listing Photos

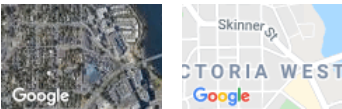
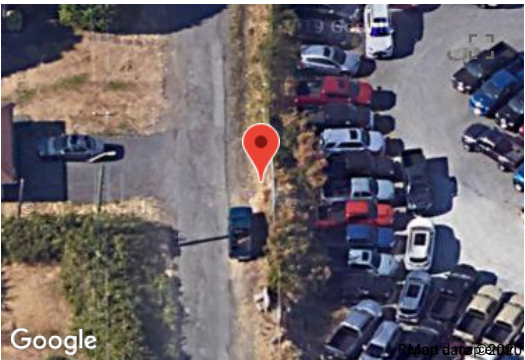


matching license number

Matching 3rd Party Sources



Rental Unit Information



Identified Address

246 Wilson St, Victoria, BC, Canada

Identified Unit Number

None

Identified Latitude, Longitude

48.434290, -123.383250

Parcel Number

000957038

Timeline of Activity

View the series of events and documentation pertaining to this property

- X Listing air4000182 Removed May 2nd, 2020
- 2 Documented Stays March, 2020
- 2 Documented Stays February, 2020
- ✓ Listing air4000182 Identified January 12th, 2020
- 1 Documented Stay

matching tree, door, red chairs, front window, and upper deck

 Owner Name Match

Listing Details

Listing URL	— https://www.airbnb.com/rooms/4000182
Listing Status	● Inactive
Host Compliance Listing ID	— air4000182
Listing Title	— Behind the Green Door
Property type	— Guest suite
Room type	— Entire home/apt
Listing Info Last Captured	— Apr 29, 2020
Screenshot Last Captured	— Apr 28, 2020
Price	— \$68/night
Cleaning Fee	— \$65

Information Provided on Listing

Contact Name	— Cindy
Latitude, Longitude	— 48.434290, -123.383250
Minimum Stay (# of Nights)	— 2
Max Sleeping Capacity (# of People)	— 2
Max Number of People per Bedroom	— 2.0
Number of Reviews	— 188
Last Documented Stay	— 03/2020



























Listing Screenshot History  View Latest Listing Screenshot

July 0

August 0

September 0














January, 2020

-  1 Documented Stay
December, 2019
-  3 Documented Stays
November, 2019
-  3 Documented Stays
October, 2019
-  5 Documented Stays
September, 2019
-  5 Documented Stays
August, 2019
-  3 Documented Stays
July, 2019
-  7 Documented Stays
June, 2019
-  4 Documented Stays
May, 2019
-  2 Documented Stays
April, 2019
-  3 Documented Stays
March, 2019
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February, 2019
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December, 2018
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November, 2018
-  3 Documented Stays
October, 2018
-  4 Documented Stays
September, 2018
-  4 Documented Stays
August, 2018
-  4 Documented Stays
July, 2018
-  Listing air4000182 Reposted
July 29th, 2018
-  Listing air4000182 Removed
July 24th, 2018
-  4 Documented Stays
June, 2018
-  3 Documented Stays
May, 2018
-  2 Documented Stays
April, 2018
-  3 Documented Stays
March, 2018
-  2 Documented Stays
February, 2018
-  Listing air4000182 Reposted

February 12th, 2018

- ✕ Listing air4000182 Removed
December 23rd, 2017
- 📅 1 Documented Stay
November, 2017
- 📅 2 Documented Stays
October, 2017
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September, 2017
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August, 2017
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July, 2017
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June, 2017
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July, 2016
- 📅 5 Documented Stays
June, 2016
- 📅 3 Documented Stays
May, 2016
- ✱ Listing air4000182 First Crawled
April 20th, 2016
- 📅 1 Documented Stay
April, 2016
- 📅 2 Documented Stays
March, 2016
- 📅 1 Documented Stay
February, 2016
- 📅 1 Documented Stay
December, 2015
- 📅 1 Documented Stay
November, 2015
- 📅 3 Documented Stays

October, 2015

-  4 Documented Stays
September, 2015
-  9 Documented Stays
August, 2015
-  6 Documented Stays
July, 2015
-  4 Documented Stays
June, 2015
-  5 Documented Stays
May, 2015
-  3 Documented Stays
April, 2015
-  1 Documented Stay
March, 2015
-  1 Documented Stay
February, 2015
-  2 Documented Stays
December, 2014
-  2 Documented Stays
November, 2014
-  3 Documented Stays
October, 2014
-  1 Documented Stay
September, 2014
-  Listing air4000182 First Activity
September 23rd, 2014

March 30, 2020 - 02:37PM America/Vancouver

Screenshot printed at: 6/30/2020 3:49:38 PM

Behind the Green Door

★ 4.92 (188) · Superhost · Victoria West, Victoria, British Columbia

Share Save







Entire guest suite hosted by Cindy

2 guests · 1 bedroom · 1 bed · 1 bath

 \$54 / night

Check availability

-  **Entire home**
You'll have the guest suite to yourself.
-  **Self check-in**
Check yourself in with the keypad.
-  **Sparkling clean**
16 recent guests said this place was sparkling clean.
-  **Cindy is a Superhost**
Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.

Modern one bedroom suite is a 20 minute walk to downtown. Conveniently located close to Westside Village. Suite offers 1 bedroom, 1 bathroom, fully equipped kitchen and laundry. This property has been completely renovated. Parking on street.


The space
Your home away from home with all the conveniences you enjoy.

Guest access
Guests can access back deck through side gate. Deck is only for use in warmer months. Please check before using

Other things to note
Relax... Enjoy:)











[Contact host](#)

Sleeping arrangements



Bedroom 1
1 queen bed


Amenities

-  Kitchen
-  TV
-  Laptop-friendly workspace
-  Iron
-  Dryer
-  Wifi
-  Cable TV
-  Washer
-  Hangers
-  Essentials

Show all 34 amenities

★ 4.92 (188 reviews)

Cleanliness	5.0	Accuracy	4.9
Communication	5.0	Location	4.8
Check-in	5.0	Value	4.9



Susan
March 2020

This place is wonderful. I look forward to staying here whenever I visit Victoria. Perfect location.




Liam
January 2020

Had a wonderful time, and this spot really met all our needs and more. The kitchen was fully supplied. There was plenty of street parking. It was great to be able to walk downtown. Thanks so much, Cindy!



Susan
December 2019

This place is amazing. It has everything you need and more.




Mark
September 2019

The place was perfect for our needs and within walking distance of everything. Thanks Cindy



Laura
September 2019

I'd been to Victoria a handful of times, but I'd never stayed in West Vic; what a charming area! My boyfriend and I explored quite a bit and didn't have any trouble finding our way around. So nice to come back to a fully equipped kitchen, a nice little DVD collection, and plenty of room for two to stretch out in at the end of a long day out and about! We'll definitely try to book here again on our next visit. Thanks!



William
August 2019

An absolutely lovely experience! The space is incredibly comfortable and welcoming, with lots of little touches that make it a great place to come back to after a day exploring....
[read more](#)

Show all 188 reviews

Select dates

Minimum stay: 2 nights

< April May >

Su Mo Tu We Th Fr Sa Su Mo Tu We Th Fr Sa

Check-in

03/31/2020

×

Checkout

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1

2

Guests
1 guest

Clear dates

Location



Victoria West, Victoria, British Columbia

Quiet community with many conveniences just a block away. Park, grocery, coffee shop, pharmacy, liquor store and restaurants.

More about the location



Hosted by Cindy

Joined in August 2014

★ 188 Reviews Verified Superhost

We love to travel when I'm not working. Victoria is such a beautiful walking city; my husband and I love it and hope our guests will too.

During your stay

You will receive a keycode to the property, and a meet and greet can be arranged if desired. Hosts will be available via phone, text, and email for any questions.

Cindy is a Superhost

Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.

Language: English

Response rate: 100%

Response time: within an hour

Contact host



To protect your payment, never transfer money or communicate outside of the Airbnb website or app.

Things to know

House rules

- ⌚ Check-in: After 4:00 PM
- ⌚ Checkout: 11:00 AM
- 🔑 Self check-in with keypad
- 🚫 Not suitable for children (2-12 years)
- 🚭 No smoking
- 🚫 No pets

[Show all](#) >

Cancellation policy

Add your trip dates to get the cancellation details for this stay.

[Add dates](#) >

🚩 [Report this listing](#)

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Eugene	Richmond	North Vancouver	Bellingham
Kelowna	Burnaby	Tofino	Bellevue
Tacoma	Hood River	Surrey	Salt Spring Island
Coeur d'Alene	Vernon		