

Business Licence (Short-term Rental) Appeal re 1403-760 Johnson 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 Kevin Smith (the appellant) for the operation of a short-term rental at 1403-760 Johnson Street.
2. The business licence was denied pursuant to section 4(b) of the Short-term Rental Regulation Bylaw, which states:
 1. *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 failed to comply with section 3; or*
 - (b) *the short-term rental operation would contravene a city bylaw or another enactment.*
3. 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.
4. On a reconsideration such as this, Council can apply its own judgement and may either uphold the decision to refuse the licence or grant the licence.

II. Summary

The Licence Inspector's decision to deny the appellant's application for a principal resident short-term rental business licence at 1403-760 Johnson Street was based on the appellant's failure to meet the requirements of the *Short-Term Rental Regulation Bylaw*. The Licence Inspector was not satisfied by evidence, including inspection results, open-source data and internal records, as it reflected inconsistencies with the appellants' claim that the property 1403-760 Johnson Street is his principal residence. The appellant had previously operated short-term rentals under a non-principal resident licence in 2022 and 2023, but as result of the provincial regulations elected to apply for a principal resident licence in 2024.

The appellant's advertisements reflected a calendar consistent with full-time rental. This observation matches the back-end data from the provincial database, showing continued short-term rental bookings, and the AirDNA data reflecting the property generated \$95.6K in revenue. City staff have spent a significant amount of time and resources communicating with the appellant about the regulations, processing three applications within four months, and numerous requests for compliance. Despite these efforts, the appellant has continued to disregard the regulations and operated unlawfully. The appellant's appeal attempts to

obtain exemptions from City and Provincial regulations, discredit staff, and distract from the appellant's ineligibility to obtain a licence.

This evidence further supports the Licence Inspector's assertion that the appellant does not reside at the property. Additionally, the appellants willingness to contravene both City and Provincial regulations raises questions about the integrity of his declarations in his application and subsequent appeal. Therefore, the denial of the application should be upheld to ensure compliance with the City's regulations.

III. Facts

5. The appellant and Frederick Smith have owned the property at 1403-760 Johnson Street since May 11, 2021
6. The property is zoned CBD-2 (Central Business District – 2 Zone). This zone does not permit short-term rentals except as a 'home occupation' under Schedule 'D'.
7. In 2021, the appellant obtained a long-term rental licence for 1403-760 Johnson Street.
8. In 2022 and 2023, the appellant obtained a Non-Principal Resident Short-Term Rental licence to operate short-term rentals at 1403-760 Johnson Street.
9. On January 23, 2024, the appellant submitted a 2024 Principal Resident Short-Term Rental application for 1403-760 Johnson Street [Appendix C].
10. On January 25, 2024, City staff contacted the appellant to schedule an inspection, offering two of the next available dates [Appendix D].
11. On January 26, 2024, the appellant informed staff he was unable to attend the inspection during the offered times as he would be in New York for work. Staff responded on the same day, providing the appellant with the next available inspection dates. The appellant responded and accepted an inspection date of March 5, 2024 [Appendix D].
12. On March 5, 2024, staff identified the appellant's advertisement offering unlicensed short-term rental at 1403-728 Johnson Street [Appendix E].
13. On March 5, 2024, Bylaw Officer Duarte inspected 1403-760 Johnson Street. The purpose of the inspection was to understand the layout of the home and business plan for a potential short-term rental. During the inspection the appellant inquired about the new provincial regulations and how it would impact his ability to operate, disclosing to Bylaw Officer Duarte he had already received short-term rental bookings for 2024. The appellant also informed Bylaw Officer Duarte he currently had a guest staying for 30 days. Bylaw Officer Duarte informed the appellant that he requires a licence to conduct the short-term rental business activity he just declared. The appellant asked Bylaw Officer Duarte if he could have special exemption regarding the regulations and who he could speak to in order to plead his case. Bylaw Officer Duarte informed the appellant he could contact the City's short-term rental coordinator, who may or may not be in a position to assist [Appendix F].

14. On March 5, 2024, the appellant contacted city staff via email about the impacts of the new provincial regulations, current City regulations and how to proceed with his request for an exemption and how it would impact him. In the email, the appellant stated he resides at the property for more than 180 days of the year, between 200-250 days. The appellant stated he wished to offer the home only weekends 'or when I'm on vacation for a week to maybe 10 days throughout the year'. The appellant stated he would be residing at his parents' home in Vancouver or their cabin in Lake Cowichan while offering the home for rent. The appellant stated he needed the income to afford his living and property costs, that his position is unique, and he is a prime candidate for an exemption. The appellant ended his communication asking if he should be applying for a non-principal licence instead of the principal residence licence, given the amount of time he plans on operating and acknowledging he previously operated under the non-principal short-term rental licence [Appendix D].
15. On March 8, 2024, staff identified an additional VRBO listing by the appellant offering unlicensed short-term rental at 1403-728 Johnson Street. The appellant's VRBO 2024 calendar displayed multiple grey blocks indicating dates booked by guests, blue font for available dates, and grey font for dates blocked by the operator. The VRBO calendar showed a current booking that extended until March 31, 2024, which aligned with the appellants statement to Bylaw Officer Duarte that he currently had a guest staying for 30 days. However, the appellant had informed Bylaw Officer Duarte he only planned to list on Airbnb and did not disclose the VRBO listing. [Appendix F-G].
16. On March 11, 2024, City staff responded to the appellant explaining the City of Victoria regulations and the potential impacts of the new provincial regulations. Staff informed the appellant that from his description of his short-term rental business plan, it did not appear to align with the regulations of a principal resident short-term rental licence as outlined in *Schedule D – Home Occupations* [Appendix D].
The appellant responded the same day, informing staff he wished to pursue a non-principal short-term rental licence instead. The appellant asked if a subsequent application would be required to obtain a principal resident short-term rental licence to operate after April 30, 2024 [Appendix D].
17. On March 12, 2024, City staff responded to the appellant via email to confirm his application had been switched from a principal resident to a non-principal licence type. Additionally, staff provided the appellant with an explicit answer regarding a future subsequent application stating, 'You are correct, you will need to submit a new application for a principal licence' [Appendix D].
18. On March 18, 2024, the appellant was issued a non-principal short-term rental licence.
19. On April 25, 2024, the appellant applied for a 2024 Principal Resident Short-Term Rental Licence [Appendix H].

20. On May 3, 2024, City staff contacted the appellant to schedule an inspection, offering an inspection on June 15. The appellant responded asking if another inspection was required, and if so, he required an alternative date [Appendix I].
21. On May 7, 2024, City staff informed the appellant that for consistency and fairness another inspection for your new application is required. As the previous application had been switched by the appellant mid-process to a different licence type, staff never completed the documentation and review required for a principal resident licence. The appellant responded to staff and confirmed an inspection date of June 18 [Appendix I].
22. On May 7, 2024, City staff identified a listing for unlawful short-term rentals at 1403-760 Johnson Street, hosted by the appellant and his partner, Darcy Smith. Although the appellant had a valid non-principal short-term rental licence, the enactment of the provincial regulations resulted in all City of Victoria issued 2024 Non-Principal Short-Term Rental licences becoming unlawful as of May 1, 2024 [Appendix J].
23. On May 27, 2024, after continuing to monitor the appellants listings offering unlawful short-term rental at 1460-760 Johnson Street. Staff used the new provincial portal to notify the province, the appellant, and listing platform that the appellant was operating an unlawful short-term rental [Appendix K-L].
24. On May 27, 2024, the appellant responded to the province's automatic notification by emailing City of Victoria staff, requesting he be allowed to continue operating outside of the regulations while his application is pending [Appendix L].
25. On May 29, 2024, City staff responded and informed the appellant that a principal resident short-term rental licence would need to be approved and paid for before he could continue operating short-term rentals lawfully.
The appellant responded expressing his frustration with City staff and their lack of response, stating that 'I've been trying to get my principal residence application reviewed for nearly 6 months' and that he has demonstrated 'a consistent desire to remain compliant with all regulations'.
Staff replied to the appellant reminding him that the application he submitted in January for a principal resident short-term rental licence was withdrawn and applied towards a non-principal short-term rental licence. The appellant's most recent application was submitted April 25.
The appellant responded stating he was never informed the application would be withdrawn in replacement of the non-principal and believed that both a non-principal and principal resident application would be processed concurrently.
Staff responded by providing the appellant with a capture of their communication on March 12, 2024, confirming the appellant was correct in his understanding that he would need to submit a new application [Appendix L].
26. On June 18, 2024, City staff contacted the appellant to reschedule the inspection for that day, due to staff illness. While inspections were being scheduled 4-5 weeks in advance at

the time, staff responded by providing the appellant with an inspection time on June 21 [Appendix M].

27. On June 20, 2024, City staff identified the appellant as still advertising and operating unlawful short-term rentals, reflecting multiple recent reviews by guests [Appendix N].
28. On June 21, 2024, Bylaw Officers Carr inspected 1403-760 Johnson Street. The purpose of the inspection was to understand the layout of the home and business plan for a potential short-term rental. The appellant met Bylaw Officer Carr in the lobby of 760 Johnson Street and escorted her up to unit 1403. The inspection revealed a two-bedroom home with minimal personal items. Bylaw Officer Carr noted several signs on walls and in the bedrooms for guests. A sign at the front door read 'please help us to keep your stay clean and sanitary by removing your street shoes at the door'. During the inspection Bylaw Officer Carr spoke to the appellant about his proposed business plan. The appellant stated he resides in the property Monday-Thursdays and wished to offer 3–4-night bookings. The appellant stated he did not intend to operate past September. In discussing the current City of Victoria Regulations, Bylaw Officer Carr informed the appellant a principal resident licence allows for the whole home to be offered on occasion which has been consistently applied as 4 times a year. The appellant stated he could not find a definition of 'occasional'. Bylaw Officer Carr stated she was aware that the appellant had received the notice of non-compliance through the provincial portal. The appellant informed Bylaw Officer Carr he had operated in the absence of direction and felt he had justification for his actions should there be the need to explain himself in court. The appellant asked Bylaw Officer Carr what the repercussions would be to continuing to operate in non-compliance. Bylaw Officer Carr stated she could not advise on behalf of the province but that the City is pursuing investigations of non-compliance [Appendix O-R].
29. On July 3, 2024, the application was reviewed in full, including the results of the inspection, open-source data and internal records. Staff reviewed the appellants VRBO and Airbnb listings, which both reflected calendars with full availability as of September 29, 2024. The appellants VRBO listing was offering unlawful short-term rentals, at a 4-night minimum night stay, and displayed multiple future guests bookings throughout July - September 2024. Additionally, the VRBO listing reflected a guest review from June 18, 2024, stating a 4-night booking had occurred. Staff reviewed the back-end data of the appellants listings obtained through AirDNA, which reflected that in the last 12 months the property had 334 days of availability and generated \$95.6k of revenue [Appendix O-R, S-T].
30. On July 3, 2024, the Licence Inspector advised the appellant that the application for a principal resident short-term rental licence had been rejected because failed to demonstrate satisfactory to the Licence Inspector that the premises where the short-term rental will be offered is occupied by the operator as their principal residence, as set out in the *Short-Term Rental Regulation Bylaw Section 3 (2)(e)(i)*.

31. Since July 3, 2024, City staff continued to monitor the appellants listings for compliance with the City of Victoria regulations. The appellant has continued to advertise and operate unlawful short-term rentals, most recently on November 26, 2024, offering a 3-night minimum night stay at 1403-760 Johnson Street [Appendix W].
32. City staff have continued to monitor open-source data, which indicates the appellant has travelled to Europe between May – August 2024, and most recently in New York City. This information is consistent with the appellants LinkedIn that reflects his location as New York, New York as of September 2024 [Appendix U-V].
33. On November 18, 2024, staff reviewed short-term rental data provided from the BC Provincial Government, which includes any short-term rental bookings received after May 1, 2024, through Airbnb, VRBO, Expedia and Booking.com. The data from the appellants two listings at 1403-760 Johnson Street, confirms he has continued to operate unlawful short-term rentals every month since May 2024 [Appendix X].

IV. Relevant Regulation

34. 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.*

35. The City of Victoria regulates the principal resident requirement for a short-term rental through the *Short-Term Rental Regulation Bylaw*, which states in part:

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:
 - (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;

V. Argument

36. One of the objectives of the City's regulations of short-term rentals was to address the problem of homes being diverted from the long-term market to a vacation rental market. The provisions of the *Short-Term Rental Regulation Bylaw* and *Schedule D – Home Occupation*, restrict short-term rentals to a person's principal dwelling unit [Appendix A-B].
37. The enactment of the provincial regulations meant all non-principal short-term rental licences issued in 2024 would become unlawful as of May 1, 2024. As a result, many operators that previously operated with a non-principal short-term rental licence chose to apply for principal resident short-term rental, regardless of their eligibility.
38. The appellant's claim that City staff have failed in providing a fair and timely process, including statements that his application took over 8 months to be reviewed, is unfounded. In fact, staff have consistently responded to all the appellants' communication within a reasonable time. The appellant essentially requested three short-term rental applications be processed within 4 months: two principal residents and one non-principal. Staff willingly accommodated the appellant's request to transfer his original principal resident application to a non-principal, mid-process and did not request any additional action from the appellant. Staff explicitly informed the appellant a subsequent application would be needed, should he wish to later apply for a principal resident licence. Staff were forced to cancel the second inspection due to staff illness, which had been confirmed for June 18, 2024. At the time, inspections were being scheduled 3-4 weeks out due to high demand, yet staff made an effort to accommodate an inspection 3 days later. The appellants VRBO listing later reflected a 4-night guest stay from June 18, 2024 [Appendix D, I, L, T, Y].
39. The City does require proof of residence documents to process a principal resident short-term rental application. While the documents assist in establishing an applicant's eligibility, they are not solely relied upon to verify a person's principal residence since

address changes can be done online without secondary checks. Additionally, many utility bills offer e-billing options, making mailing addresses redundant.

40. The appellant's appeal includes multiple documents in an attempt to establish 1403-760 Johnson Street as his and his partner's principal residence. However, mail can be sent to anywhere in the world, regardless of if you reside at the property. Similarly, the inclusion of a google maps route from 1403-760 Johnson to one of the appellant's employer locations, does not prove residency. Additionally, the appellant's work-related documents, including the employment letter do confirm an ability to work remotely but do not state he reports to the Victoria B.C location. In fact, the appellant's LinkedIn account states he lives and reports to the employer's New York, New York location [Appendix V].
41. The results of the inspection revealed inconsistencies that 1403-760 Johnson Street is the appellant's principal residence. The home contained no visible personal items and appeared set to receive accommodations, including signage posted around the home to provide guest instructions [Appendix O-R].
42. The appellant informed Bylaw Officer Carr on June 21, 2024, that in absence of direction he was justified in his actions for operating against the City and provincial regulations is misleading and attempts to rationalize his actions. The City of Victoria regulations remained unchanged by the provincial regulations, a licence to operate short-term rentals has been required since 2018. The appellant is aware of this through his multiple years of obtaining licenses, many communications with City staff, including a verbal education from Bylaw Officer Duarte on March 5, 2024, when the appellant confirmed he was operating short-term rentals without a licence. The appellant has repeatedly received clear communication and information from City staff regarding the short-term rental regulations, to which he has consistently responded to by requesting special exceptions and continuing his unlawful activity [Appendix F, L, P, Y].
43. The appellants appeal appears to rely on the assumption that because 1403-760 Johnson Street is the only property he owns, by default it grants him principal resident status and therefore entitles him to a licence. The appellant declared to Bylaw Officer Duarte on March 5, 2024, that he was operating unlicensed short-term rental and had a guest occupying the space on a 30-night booking, but that he would reside at the property between 200-250 days of the year. The AirDNA data from July 3, 2024, reflected the whole home was available for rent 334 days and generated \$95.6k in revenue in the last 12 months. Additionally, the appellants VRBO future calendar on July 3, 2024, reflected 9 different short-term rental bookings spanning across all of July to September, and full rental availability from September 29 to December 31, 2024. It seems implausible that the appellant could operate short-term and long-term rentals, generating \$95.6k in revenue, while simultaneously residing at the property Monday- Thursday, for 250 days of the year. The appellant's claims are highly inconsistent and appear to be less than truthful [Appendix F, P, Q, S, T, Y].
44. A fundamental concern is the appellant's consistent disregard for regulations. The appellant has operated short-term rentals since 2022 and is fully aware of the City's

licensing requirement and regulations, established through years licensing applications and conversations with multiple staff members. The appellant has shown he will continue to seek ways to avoid regulations, all while continuing to operate full-time short-term rentals. This assertion is further confirmed by data provided by the provincial government, which shows all bookings made on major platforms, demonstrating the appellant operated rental activities in every month during that period. Even if granted the licence, staff have zero confidence in the appellant's willingness to act lawfully [Appendix K, L, W, X].

45. The appellant has constructed a narrative based on misleading and untruthful claims to obscure their true intention of operating a full-time short-term rental, thereby circumventing regulations designed to protect long-term housing. The appellant appears to present himself as a sympathetic figure, repeatedly requesting an exception due to hardship and claiming he is part of a group wrongfully captured by the regulations. The appellant declared he only wished to offer the property on weekends and would travel to his parents properties in Vancouver or Lake Cowichan during the rental period. However, the evidence gathered by staff reveal inconsistencies with these claims. The appellants advertisements reflect availability throughout the week, all year round. The AirDNA data confirms similar activity, including a revenue of \$95.6k which is consistent with full time short-term rentals. Furthermore, the appellants social media shows himself and his partner spent significant time in Europe between May and August, and most recently in New York with a caption that insinuates they now reside in New York. This information matches the appellants LinkedIn profile which states New York as his principal work location [Appendix U-Y].
46. The appellant's appeal attempts to distract from the true events by including misinformation and opinions on events that have not occurred. The appellant provides details of why he believed it would be unjustified to receive enforcement or penalties associated with his unlawful short-term rental activity. Although the appellant's non-compliance has been thoroughly established, he has yet to receive any enforcement fines from the City of Victoria for his unlawful operations. Nevertheless, staff have continued to provide the appellant with every opportunity to voluntarily comply with the regulations.
47. The *Short-Term Rental Regulation Bylaw* does not require the Licence Inspector to confirm the appellants specific place of residence. The evidence gathered indicates that the appellant does not reside at 1403-760 Johnson Street and intends to offer full time rentals. The appellant may have been residing in New York or elsewhere. However, the regulation does not require an alternative residence or explanation be provided. The Licence inspector is solely responsible for determining if the applicant has met the requirements of the *Short-Term Rental Regulation Bylaw*.
48. In consideration of the findings, the Licence Inspector submits that the appellant's application for a short-term rental business licence had to be refused as it contravened the *Short-Term Rental Bylaw, Schedule 'D' – Home Occupation and Zoning Regulation Bylaw*.

49. Therefore, the Licence Inspector submits that this appeal should be dismissed and the decision to refuse a short-term rental business licence for 1403-760 Johnson Street be upheld.

ALL OF WHICH IS RESPECTFULLY SUBMITTED

Dated: November 26, 2024

A handwritten signature in black ink, appearing to read 'M. Fay', with a long horizontal stroke extending to the right.

Mark Fay, Manager of Bylaw and Licensing
Services

NO. 18-036

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
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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 ensure 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 by 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

SHORT-TERM RENTAL REGULATION BYLAW, AMENDMENT BYLAW (NO. 1)

A BYLAW OF THE CITY OF VICTORIA

The purpose of this bylaw is to amend the *Short-Term Rental Regulation Bylaw* to better align it with the *Short-Term Rental Accommodations Act*, clarify the meaning of various terms, and provide for more effective administration and enforcement of that bylaw.

Contents

- 1 Title
- 2 Amendments
- 3 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, Amendment Bylaw (No. 1)”.

Amendments

- 2 The Short-Term Rental Regulation Bylaw No. 18-036 is amended
 - (1) in section 2 by:
 - (a) inserting the following new definitions in appropriate locations according to the alphabetical order of the definitions:
 - (i) “dwelling unit” has the same meaning as in the *Zoning Regulation Bylaw*;”,
 - (ii) “host” means the person who, either on their own behalf, or on behalf of the owner or occupier, arranges to offer premises for a short-term rental and includes anyone who manages advertising, booking, guest services, property maintenance, or other services related to short-term rental;”,
 - (iii) “platform service provider” has the same meaning as in the *Short-Term Rental Accommodations Act*;”, and
 - (iv) “strata hotel” has the same meaning as in the *Zoning Regulation Bylaw*;”, and

- (b) deleting the definitions of “operator”, “principal residence”, and “short-term rental” and replacing them with the following:
 - (i) “ “operator” means a person who rents out, or offers for rent, any premises for short-term rental, and includes the owner, occupant, host, or manager of the premises offered as short-term rental, but does not include a platform service provider;”,
 - (ii) “ “principal residence” means the residence in which an individual resides for a longer period of time in a calendar year than any other place;”, and
 - (iii) “ “short-term rental” means the renting of a dwelling unit, or any part of it, for a period of less than 30 nights and includes strata hotels and vacation rentals but does not include time-shares when occupied by a time-share owner;”,
- (2) in section 3 by
 - (a) deleting subsection 2(e) and replacing it with the following:
 - “(e) provide evidence, satisfactory to the Licence Inspector, that the premises where the short-term rental will be operated are the operator’s principal residence.”, and
 - (b) deleting subsection (3) and replacing it with the following:
 - “(3) The licence fee for the purposes of subsection (2)(b) is \$150.”,
- (3) in section 6 by
 - (a) deleting subsection (1) and renumbering subsections (2) through (5) as new subsections (1) through (4), and
 - (b) deleting in the renumbered subsection (2) the words “subsection (5)” and replacing them with “subsection (4)”,
- (4) in section 7(1) by inserting immediately after “this Bylaw,” the words “Bylaw Notice Adjudication Bylaw,”, and
- (5) by repealing section 10 and amending the table of contents accordingly.

Commencement

- 3** This bylaw comes into force on adoption.

READ A FIRST TIME the	25th	day of	July	2024
READ A SECOND TIME the	25th	day of	July	2024
READ A THIRD TIME the	25th	day of	July	2024
ADOPTED on the	1st	day of	August	2024

“CURT KINGSLEY”
CITY CLERK

“MARIANNE ALTO”
MAYOR

Schedule “D”
HOME OCCUPATIONS

	1	Where <u>home occupations</u> are permitted pursuant to the provisions of this bylaw, the following conditions shall apply to the use:
Location	2	For the purposes of a <u>home occupation</u> , the location of a business is the address at which the operations of the business are managed.
Exception	3	A <u>home occupation</u> is not required to be operated wholly within a <u>dwelling unit</u> where the work is undertaken entirely off the <u>lot</u> on which the <u>dwelling unit</u> is located.
Prohibition	4	The sale of goods to customers attending on the <u>lot</u> on which the <u>dwelling unit</u> is located is prohibited.
Permitted Uses	5	<p>The following uses are permitted as <u>home occupations</u>:</p> <ul style="list-style-type: none">(a) artist studio;(b) mail order, provided that no merchandise is sold to customers attending on the <u>lot</u> on which the <u>dwelling unit</u> is located;(c) making, processing and assembly of products on a small scale;(d) manufacturing agent;(e) personal and professional services, including barber, hairdresser, bookkeeper, medical therapy;(f) teaching, provided that attendance is limited to 5 persons in a detached dwelling and to 1 person in a <u>duplex</u> or <u>multiple dwelling</u>;(g) testing, servicing and repairing of goods.

Schedule "D"

Prohibited Uses	6	<p>(1) All uses that are noxious or offensive to any other dwelling units or the general public by reason of emitting odour, dust, smoke, gas, noise, effluent, radiation, broadcast interference, glare, humidity, heat, vibration, or hazard or any other emission are prohibited.</p> <p>(2) The following uses are prohibited:</p> <ul style="list-style-type: none"> (a) except as provided in Section 11, Bed and Breakfast; (b) car repairs and <u>garages</u>; (c) <u>clubs</u>; (d) kennels; (e) radio dispatch services; (f) <u>restaurants</u>; (g) retail stores; (h) salvage lots; (i) storage lots; (j) except as provided in Section 11, <u>transient accommodation</u>; (k) in any <u>building</u> which has been converted from <u>single family dwelling</u> to <u>duplex</u>, <u>multiple dwelling</u>, <u>boarding house</u>, <u>rooming house</u>, or <u>housekeeping apartment</u>, pursuant to the applicable provisions of this bylaw, music teaching or any business which results in the transmission of sound; (l) cannabis-related business; and; (m) except as provided in Section 12, <u>short-term rental</u>.
Stock in Trade	7	Except for one licensed vehicle, which shall be a car, van, or pickup truck, no business-related materials, including machinery or vehicles, shall be visible at any time on any <u>lot</u> on which a <u>home occupation</u> is carried out nor shall any machinery or vehicles be parked or stored on the <u>lot</u> unless completely enclosed within a <u>building</u> .
Limitation	8	<p>(1) Subject to this section, not more than one person shall be engaged in a <u>home occupation</u>, with the exception of urban agriculture, where up to two people are permitted to be engaged in the <u>home occupation</u>, and the person(s) shall reside on the <u>lot</u> on which the <u>home occupation</u> is carried on.</p> <p>(2) Where any <u>lot</u> upon which a <u>home occupation</u> is carried on has a boundary or portion of a boundary in common with any <u>lot</u> which is located in a zone which permits retail use, then no more than two persons may be engaged the <u>home occupation</u> where one of the persons resides on the <u>lot</u> on which the <u>home occupation</u> is carried on.</p>

Amended Jan 11, 2018
Bylaw 17-110

Amended March 8, 2018
Bylaw 18-035

Schedule "D"
HOME OCCUPATIONS

(3) This section does not apply to any employees of a home occupation who at no time attend on the lot on which the home occupation is carried on, nor park in the immediate vicinity of the lot.

(4) More than one person may operate a short-term rental in their principal residence.

Amended March 8, 2018
Bylaw 18-035

9 No more than three home occupations shall be carried on in any one dwelling unit, provided that only one of the home occupations has customers that attend the dwelling unit.

Amended Jan 11, 2018
Bylaw 17-110

Advertising

10 Except as expressly permitted in this bylaw, or in the Sign By-law, no sign or other advertising device or advertising matter may be exhibited or displayed on any lot on which a home occupation is being carried on.

11 Subject to the following requirements, where any building is used as a single family dwelling, up to two bedrooms may be used for transient accommodation as a home occupation.

(1) Notwithstanding Section 4, meals or food services may be provided to any customers but not after 12:00 noon.

(2) No liquor shall be provided to any customers.

(3) One parking space for each room available for transient accommodation shall be provided on the lot and a parking space may be located behind another parking space.

(4) No sign may be erected, used, or maintained for the purpose of advertising transient accommodation use within a single family dwelling.

(5) A single family dwelling may be used for transient accommodation whether or not the property contains a secondary suite or garden suite provided however that only one transient accommodation use is permitted on the property

Amended March 8, 2018
Bylaw 18-035

(6) Transient accommodation is restricted to no more than two bedrooms and cannot occupy an entire self-contained dwelling unit.

Amended March 8, 2018
Bylaw 18-035

12 Subject to the following requirements, a short-term rental is permitted as a home occupation in a principal residence.

Amended March 8, 2018
Bylaw 18-035

(1) subject to subsection (2), no more than two bedrooms may be used for short-term rental and the short-term rental cannot occupy an entire self-contained dwelling unit;

Schedule "D"

- (2) the entire principal residence may be used for a short-term rental while the operator is temporarily away provided it is so used no more than 160 nights in a calendar year; and
- (3) no liquor may be provided to short-term rental guest; and
- (4) No sign may be erected, used, or maintained for the purpose of advertising short-term rental.

Amended August 1, 2024
Bylaw 24-060

Amending Bylaw 09-01 adopted Jan 19, 2009
Amending Bylaw 17-110 adopted Jan 11, 2018
Amending Bylaw 18-035 adopted March 8, 2018
Amending Bylaw 24-060 adopted August 1, 2024

Appendix C



Legislative and Regulatory Services Department
Bylaw and Licensing Services Division
1 Centennial Square
Victoria, BC V8W 1P6

str@victoria.ca
victoria.ca/str

2024 Short-Term Rental Business Licence Application

Important Notice:

There are new provincial laws that may affect your future eligibility to operate a short-term rental. If at some point you become ineligible to operate a short-term rental as a result of provincial legislation, you will not be reimbursed or receive a discount on your 2024 licence fee.

This application must be completed in full and submitted with all required supporting documents. You can submit your completed package by email to str@victoria.ca, or mail it to the above address.

Any submissions that do not meet the requirements above will result in having to reapply. Owner and Strata Consent must be provided by signing pages 4 and 5 of the application.

All related documentation and information are available at victoria.ca/str. For information or assistance completing this form, please contact Bylaw and Licensing Services at 250.361.0215 or email str@victoria.ca.

*Short-Term Rental Address (APARTMENT / UNIT # / STREET ADDRESS)

Address: 1403 - 760 Johnson Street Victoria B.C. Canada

Postal code: V8W 0A4

*Applicant Information (WHO THE LICENCE IS ISSUED TO)

An application can be submitted by an owner, tenant or management company of a property. Please select one of the following options:

☒ **Sole Proprietor's name:** (If you plan to operate the business on your own, either under your own name or a business name):

Kevin Smith

FIRST NAME, LAST NAME

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

(1) FIRST NAME, LAST NAME

(2) FIRST NAME, LAST NAME

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

BUSINESS NAME

Limited/Incorporation Information: (if selected above)

Incorporation number: _____

Have you included documents of Incorporation and Notice of Articles?

☐ Yes

☐ No. 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]. Please note, documents must be provided with submission. Any documents provided historically will not be considered.



Legislative and Regulatory Services Department
Bylaw and Licensing Services Division
1 Centennial Square
Victoria, BC V8W 1P6

str@victoria.ca
victoria.ca/str

2024 Short-Term Rental Business Licence Application

*Applicant Contact:

Phone number: _____ Email: kevin.smith@bci.ca _____

Mailing address (the address where the applicant receives mail, including the physical licence):

☒ Same address as short-term rental property

☐ Other: _____

*Licence Type

☐ Non-Principal Residence

☒ Principal Residence

Select all business plans that apply:

☒ Offering whole home, while you are away ☐ Offering up to two bedrooms with shared living spaces, while you are home.

If 'Principal Residence' is selected, please attach two items of identification that prove this is your principal residence. One piece must be a valid and current government-issued ID which states your address (e.g., driver's licence, BC Services Card). The second piece of ID can be a current utility bill that states the billing period, service address and mailing address.

*Designated Responsible Person

(If managed by an agency, the designated responsible person can be a representative from this agency.)

When an operator is not available, the designated responsible 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). The responsible person must be able to attend the short-term rental premises within two hours of being requested to do so.

Relationship to Operator: Friend

Name: Sam Holland Email: _____

Address: 989 Johnson Street Victoria B.C. Canada V8W 3N7 Phone number: _____

☐ The above Designated Responsible Person has consented to the use of their contact information.

*Business Plan / Advertisement

Host Name (the profile and or name used to offer the short-term rental): Kevin Smith

Relationship to applicant (if not the same person): _____

Do you have another person, property manager or service company that participates in your short-term rental business? (this may include but not limited to advertisement, management of bookings and communications with guests)

☒ No, only the individual(s) declared as the applicant will participate in the business

☐ Yes

If yes, please complete the information below (including page 3)

Select all that apply:

☐ Property manager / property management company ☐ Family member

☐ Cleaning service ☐ Other _____



Legislative and Regulatory Services Department
Bylaw and Licensing Services Division
1 Centennial Square
Victoria, BC V8W 1P6

str@victoria.ca
victoria.ca/str

2024 Short-Term Rental Business Licence Application

Property Manager / Property Management Company

Name of management company: _____

Name of property manager or main contact: _____

Phone Number: _____ Email: _____

Business Address: _____

Issuing municipality: _____ Licence number: _____

If the issuing municipality is not the City of Victoria, is it:

- ☐ Inter-municipal
☐ Inter-community

Cleaning Service / Other Business

Name of management company: _____

Name of property manager or main contact: _____

Phone Number: _____ Email: _____

Business Address: _____

Issuing municipality: _____ Licence number: _____

If the issuing municipality is not the City of Victoria, is it:

- ☐ Inter-municipal
☐ Inter-community

Family Member

Name of individual: _____

Relationship to applicant: _____

Phone Number: _____ Email: _____

Address: _____



Legislative and Regulatory Services Department
Bylaw and Licensing Services Division
1 Centennial Square
Victoria, BC V8W 1P6

str@victoria.ca
victoria.ca/str

2024 Owner Consent Form Short-Term Rental

***If there is more than one registered owner, all owners are required to sign the Owner Consent Form.**

This is to certify that I Kevin Smith & Fred Smith, as the legal owner of
(OWNER)
1403 - 760 Johnson Street Victoria BC Canada V8W 0A4 have read the
(UNIT/STREET ADDRESS)
Short-Term Rental Business Licence (address) Application Form submitted by Kevin Smith
(APPLICANT)

and consent to the above 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: Kevin Smith

Owner's signature: _____ Date: 12/28/2023

Owner's name: Fred Smith

Owner's signature: _____ Date: 12/28/23

Owner's name: _____

Owner's signature: _____ Date: _____

If your application is received more than 60 days after consent is given above, it is not considered valid consent.



Legislative and Regulatory Services Department
Bylaw and Licensing Services Division
1 Centennial Square
Victoria, BC V8W 1P6

str@victoria.ca
victoria.ca/str

2024 Strata Council Consent Form Short-Term Rental

*Is this property part of a strata? Yes ☒ No ☐ If yes, please complete the information below.

This is to certify that I CATHERINE PATE, as Strata Council Executive Member
(STRATA COUNCIL EXECUTIVE MEMBER; MUST NOT BE SAME AS APPLICANT)

for 1403 - 760 Johnson Street have read the Short-Term Rental Business Licence Application Form
(UNIT AND STREET ADDRESS)

submitted by Kevin Smith I can confirm that our Strata has no bylaws prohibiting the above
(APPLICANT)

address from operating as a Short-Term Rental in compliance with City of Victoria Bylaws.

I, the undersigned, confirm as the business owner(s)/operators(s)/licencee(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.

Applicant's name(s): Kevin Smith

Applicant's signature(s): 1. _____ Date: 12/28/23

(if applicable) 2. _____ Date: _____

Strata council executive member's name: CATHERINE PATE

Strata council executive member's phone number: _____

Strata council executive member's email: _____

Strata council executive member's signature: _____ Date: Jan 17, 2024

If your application is received more than 60 days after consent is given above, it is not considered valid consent.



Legislative and Regulatory Services Department
Bylaw and Licensing Services Division
1 Centennial Square
Victoria, BC V8W 1P6

str@victoria.ca
victoria.ca/str

2024 Short-Term Rental Business Licence – Important Information

Completion of this application does not guarantee approval. Approved licences 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 and not more than \$500 for every instance that an offence occurs or each day that it continues (*Short-Term Rental Regulation Bylaw No. 18-036; Sec. 8*).

Licences 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 Licences 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.**

Applicants's name(s) (printed): Kevin Smith

Applicant's signature(s): 1. _____ Date signed: December 28, 2023

(if applicable) 2. _____ Date signed: _____, 20____

Date Stamp (office use only)

Your bill highlights

Your bill for Dec 14, 2023 to Jan 15, 2024

- Thank you for your payment of \$203.06 on Dec 29, 2023.
- Your account contains additional charges. Please see bill details for more information.
- To track your electricity usage, visit bchydro.com/login.

Total Due

\$140.60

Due by Feb 8, 2024

Turn for bill details →

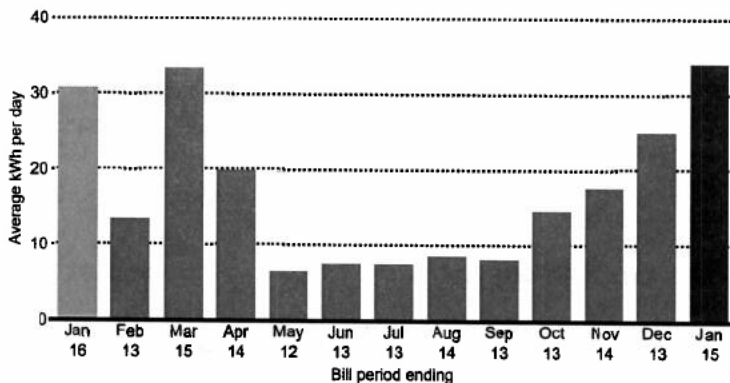
Your electricity usage over time

↑ 11%

increase of 3 kWh per day in electricity used compared to the same period last year

\$4.01

average daily cost of electricity this bill period



■ Same period last year ■ Past usage ■ This period

Did you know?

You used a total of 1,124 kWh from Dec 14, 2023 to Jan 15, 2024.

Use our online tracking tools to view your detailed electricity use by the month, week, day or even hour – up to the previous day. Visit bchydro.com/login.

Ways to pay your bill

We offer several options for you to pay your bill.



bchydro.com/login – direct withdrawal from your bank account through MyHydro



Auto-pay – have your bills paid automatically from your bank account



Online banking – visit your bank's website or pay in person at your local branch



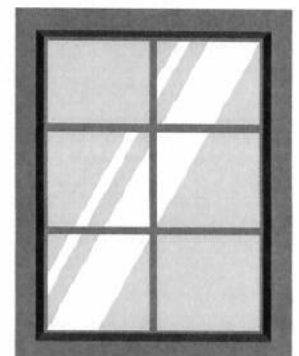
Credit card – pay through Paymentus, a third party service provider that charges a service fee

For more information, visit bchydro.com/payments.

Seal up those gaps

Apply draftproofing to drafty gaps around windows and doors to prevent heat loss in the winter, and heat gain in the summer.

Get more tips at bchydro.com/hometips



Meter reading information

Energy

Meter number 5883531

Starting Dec 14, 2023..... 99194

Ending Jan 15, 2024..... 100318

Difference..... 1124

1,124 kWh used over 33 days



Step 1

Step 2

You're charged the Step 1 price for electricity up to a certain threshold in each billing period, and a higher Step 2 price for all electricity use beyond that threshold. This billing period you reached the higher Step 2 price. You were 392 kWh above your Step 1 threshold of 732 kWh this billing period.

Your next meter reading is on or around Feb 13, 2024.

Go paperless

Get access to your account online.

To get started, visit bchydro.com/gopaperless.

Maintaining your account

If we receive your payment after the due date, you may be charged a late payment fee. To learn more about your account with BC Hydro, visit bchydro.com/customerservice/rules.

Privacy

Protecting your personal information is an obligation we take seriously. For more information, visit bchydro.com/privacy.

GST Registration # R121454151

Have a question?

Visit bchydro.com/gethelp

Call us at 1 800 BCHYDRO (1 800 224 9376).

Bill details

Dec 14, 2023 to Jan 15, 2024

PREVIOUS BILLING PERIOD

Previous bill..... \$203.06

Payment received Dec 29, 2023..... -\$203.06

BALANCE FORWARD

\$0.00

ACCOUNT CHARGES

Late payment charge..... \$0.96

Late payment charge..... \$0.82

ACCOUNT CHARGES SUBTOTAL

\$1.78

ELECTRICITY CHARGES

Based on Residential Conservation Rate 1101

Dec 14, 2023 to Jan 15, 2024 (1,124 kWh used)

Basic Charge 33 days x \$0.2117 /day..... \$6.99*

ENERGY CHARGES

Step 1: 732 kWh x \$0.0975 /kWh..... \$71.37*

Step 2: 392 kWh x \$0.1408 /kWh..... \$55.19*

Rate rider -1.0%..... -\$1.34*

TAXES ON ELECTRICITY CHARGES

* GST 5% on \$132.21..... \$6.61

ELECTRICITY CHARGES SUBTOTAL

\$138.82

TOTAL DUE

\$140.60

KEVIN T SMITH
1403-760 JOHNSON ST
VICTORIA BC V8W 0A4

Appendix D

Marissa Peluso

To: Emma Crockett
Subject: RE: 2024 STR INSPECTION - 1403 760 JOHNSON

From: str@victoria.ca
Sent: Tuesday, March 12, 2024 2:23 PM
To: Smith, Kevin <Kevin.Smith@bci.ca>
Subject: RE: 2024 STR INSPECTION - 1403 760 JOHNSON

Good afternoon Kevin,

Thank you for confirming your preference to pursue a non principal licence. Your application is now pending for a non principal licence.

You are correct, you will need to submit a new application for a principal licence closed to May.

Our office does not have a direct contact for the provincial legislation, Please review the [new provincial rules for short-term rentals](#) for any questions regarding the appeal process.

Kind regards,

Emma Crockett
Pronouns: she, her, hers
Short-Term Rental Administrator, Bylaw and Licensing Services
Legislative and Regulatory Services Department
City of Victoria
1 Centennial Square, Victoria BC V8W 1P6
T 250.361.0726



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

From: Smith, Kevin <Kevin.Smith@bci.ca>
Sent: Monday, March 11, 2024 3:39 PM
To: str@victoria.ca
Subject: RE: 2024 STR INSPECTION - 1403 760 JOHNSON

Hi Marissa,

Thanks for the response, it all makes sense. My building has a non-conforming status so I will have to go with the non-principal residence license until May 2024. Then I'm assuming I will have to also get a principal residence license that I can use 4 times over the remaining portion of the year. I'm assuming I will have to submit a second application for that later in the year? If I can apply for both at the same time that would be nice, but not a problem if I need to get the principal residence license later in the year.

Do you have a contact that I can speak with about the new regulations and so I can find out what the process is for appeals/an exemption under the regulations being put in place in May? My current situation has clearly not been considered under the new regulations because restricting me from renting on weekends (I live in the unit Monday-Friday) does not in any way affect long-term rental availability in Victoria. Anything you can provide/suggest would be appreciated, getting ahold of someone in the bylaw department has been difficult.

Thanks for your help!
Kevin

From: str@victoria.ca <str@victoria.ca>
Sent: Monday, March 11, 2024 3:07 PM
To: Smith, Kevin <Kevin.Smith@bci.ca>
Subject: RE: 2024 STR INSPECTION - 1403 760 JOHNSON

Hello Kevin,

Short-term rentals are prohibited in the City of Victoria unless a valid licence is obtained.

Short-term rentals are permitted in operator's principal residence as a home occupation, provided no more than two bedrooms may be rented as short-term rental, except that the entire principal residence may be used only occasionally while the operator is temporarily away. From what you have described, it does not appear that your short-term operation fits within the "occasional" use exception as a home occupation.

If your property has non-conforming status, you may be able to operate a short-term rental on that basis rather than as a home occupation, with the non-principal residence licence. Please note, the provincial regulations that come into effect May 1, 2024, will result in non-principal residence short-term licences becoming unlawful as legal non-conforming use has been repealed.

Hope this helps.

Kind regards,

Marissa Peluso

Pronouns: she, her, hers

Short-Term Rental Coordinator, Bylaw and Licensing Services

Legislative and Regulatory Services Department

City of Victoria

1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0726



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

From: Smith, Kevin <Kevin.Smith@bci.ca>
Sent: Tuesday, March 5, 2024 5:34 PM
To: str@victoria.ca
Subject: RE: 2024 STR INSPECTION - 1403 760 JOHNSON

Hi Emma/Team,

Apologies for the duplicate email. It looks like I did not have the correct email address for Marissa so it bounced back. I'm just replying to my email to ensure the message still went through to the str@victoria.ca address.

Thanks again for your help!
Kevin

From: Smith, Kevin
Sent: Tuesday, March 5, 2024 5:14 PM
To: str@victoria.ca
Cc: 'm.peluso@victoria.ca' <m.peluso@victoria.ca>
Subject: RE: 2024 STR INSPECTION - 1403 760 JOHNSON

Hi Emma,

The home inspection is now complete, thank you for helping to organize it. Nelson was respectful and also informative when asking questions about the new regulations coming into affect. He said that I should try to find time to speak with Marissa (copied, Nelson gave me her contact information) to discuss my situation in more detail because it's fairly unique - and because I could get affected by the new regulations even though my situation is not meant to be targeted.

Can you help me find a time to speak with Marissa? I can take a call any time or come in to your offices for an in-person discussion (preferable if at all possible)?

Thanks for your help!

No need to respond to the below points now they are meant to be an outline for my discussion with Marissa (or whomever you think is best for me to speak with). Apologies in advance for the lengthy message, I just thought it would be helpful to see ahead of time.

Overview:

The only reason I'm renting my condo out on weekends is because I made the mistake of taking out a variable interest rate mortgage which has more than doubled my monthly mortgage expenses (now costs me >\$5,000 per month including strata fees) over the past year and I now need the additional income to be able to afford the condo. Without the rental income I will be forced to sell and exit the real estate market entirely which will make re-entering the market much more difficult in the future.

- I'm a Canadian citizen who has lived in B.C. almost all my life (lived in Saskatchewan for 3 years)
- This was my first home purchase and is my only property.
- These new regulations are meant to help first time home buyers like myself get into the market.
- The higher cost of living crisis in B.C. is what has forced me into renting my primary residence. I moved to Victoria because Vancouver was too expensive for me to buy into.

Why my situation is unique:

- I'm seeking to rent my personal residence, which is also my primary residence.
- I'm only renting my principal residence on weekends (only time it may be longer is when I'm on vacation for a week to maybe 10 days throughout the year).
- I need to be in the office (I work for BCI located at 750 Pandora Ave.) Monday-Thursday so I need to live in my condo during the work week from Monday to Thursday.

- I will live in the condo more than 180 days per year. I will likely live in my primary residence between 200-250 days per year.
- I live in the Juliet on Johnson Street. Our strata allows short-term rentals (and allowed STR at the time I purchased the condo in 2021). I have two bedrooms and rent out the entire condo on weekends.

My rental situation does not seem to be contemplated in the outline of the new regulations.

- Do I need to apply for some kind of exemption going ahead? What are the next steps and who do I need to speak with if this is possible?
- Reading the current regulations, I can be accepted under both a residential & non-residential STR license.
- The Principal Residence License only allows 4 rentals per year. I have the ability to rent it out on weekends and stay with family close by (less than an hour drive away). I cannot afford the condo if I can only rent it out 4 times per year over the weekend.
- I can qualify for a Non-Principal Residence license but these will no longer be accepted in May(?). I have qualified for these in the past despite my condo being my principal residence.
- **Key consideration here:** By allowing me to rent my principal residence, I'm not in any way reducing the number of available units for long-term renters because I would otherwise be living in my condo 100% of the time as it would not be available for rent. I am increasing the supply of fully equipped rental units for those people looking for another option to a hotel only on weekends. Everyone renting my place is vacationing in Victoria and would not otherwise be a long-term tenant in Victoria.
 - I believe the City of Victoria and the Provincial Governments main objective is to increase the supply of long-term rental units (adversely affecting me will not help the situation) and to reduce the cost of living (which is meant to help people in my position). Please correct me if I'm wrong.

Reasons why I think I should be a prime candidate for an exemption under the current regulations and why my unique situation does not appear to be a core target of the new regulations:

- A main goal of these regulations is to return short-term rental units to the long-term housing market:
 - Restricting my ability to rent my primary residence, on a short-term basis, does not increase/decrease the supply of long-term rental units because I need to live in the condo during the work week from Monday -Thursday. I will only rent it out on weekends when I go stay with my parents in Vancouver, or go to their cabin about an hour away.
 - Forcing me to sell the condo is only returning the unit to the real estate market for someone with greater means (who is most likely not a first time home buyer) to purchase.
 - This seemingly goes against the spirit of the new regulations which are meant to help people like myself who are still struggling with paying off my student loans, getting into (and staying in) the RE market, contributing to savings, etc.
- The second main goal of these regulations are to help bring down the cost of living for all B.C. residents:
 - I have been significantly impacted by the higher cost of living, which is why I turned to renting out my condo on weekends when interest rates increased so significantly (not to mention cost of groceries, etc.)
 - Forcing me into conforming to the new standardized regulations will force me out of my condo and back into the rental market where the cost of a similar rental unit will be \$2,600-3,400 per month. In this scenario I will not pay down a mortgage, I will not participate in any equity appreciation, and I will not have the opportunity to buy a larger home in the next couple of years when I have children. I will be left behind.
 - I'm a Canadian citizen who has lived in B.C. almost their entire life (Saskatchewan for 3 years) and who was forced to move to Victoria in the first place because Vancouver was too expensive.

I've applied for a principal residence license, but should I be applying for a non-principal residence if I plan on renting it out more than 4 times during the year?

- I'm applying to rent out my principal residence and I'm only looking to rent it out while I'm away on weekends throughout the year (my parents own a cabin about an hour away so I have the opportunity to rent it out more than 4 times per year).
- I've had the \$1,500 non-principal license the past two years (it was still my principal residence in the past but I rented it out more than 4 times per year so I needed the non-principal residence license). I'm getting confused because of the new regulation requirements which require me to have a principal residence license but I qualify for both types currently. Which do I need going this year?

I really appreciate any time you can spare to talk this over.

Best,
Kevin

From: str@victoria.ca <str@victoria.ca>
Sent: Friday, January 26, 2024 3:16 PM
To: Smith, Kevin <Kevin.Smith@bci.ca>
Subject: RE: 2024 STR INSPECTION - 1403 760 JOHNSON

Good afternoon

Thank you for confirming the date and time of your upcoming inspection.

Kind regards,

Emma Crockett
Pronouns: she, her, hers
Short-Term Rental Administrator, Bylaw and Licensing Services
Legislative and Regulatory Services Department
City of Victoria
1 Centennial Square, Victoria BC V8W 1P6
T 250.361.0726



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

From: Smith, Kevin <Kevin.Smith@bci.ca>
Sent: Friday, January 26, 2024 3:08 PM
To: str@victoria.ca
Subject: RE: 2024 STR INSPECTION - 1403 760 JOHNSON

Great, really appreciate the flexibility. I will take the **Tuesday March 5th at 1pm** time slot.

If there are any cancellations, or if the inspector is in the building (the Juliet on Johnson St), and you can fit me in at any time before then I'll happily take the time slot. Short notice shouldn't be a problem.

Thanks again for your help!

Kevin

From: str@victoria.ca <str@victoria.ca>
Sent: Friday, January 26, 2024 11:46 AM
To: Smith, Kevin <Kevin.Smith@bci.ca>
Subject: RE: 2024 STR INSPECTION - 1403 760 JOHNSON

Hi Kevin,

Thank you for updating our office on your availability. I am holding two appointment options for you on either:

Monday March 4th at 930am

Or

Tuesday March 5th at 1pm

Please let me know if either of those dates and times work for your schedule.
Have a lovely trip!

Kind regards,

Emma Crockett

Pronouns: she, her, hers

Short-Term Rental Administrator, Bylaw and Licensing Services

Legislative and Regulatory Services Department

City of Victoria

1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0726



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

From: Smith, Kevin <Kevin.Smith@bci.ca>
Sent: Thursday, January 25, 2024 12:53 PM
To: str@victoria.ca;
Subject: RE: 2024 STR INSPECTION - 1403 760 JOHNSON

Hi Emma,

Thanks for reaching out and for helping with scheduling the appointment.

I'm supposed to be in New York for work from February 23rd to March 3rd so I will need to book another date if possible?

My office is about a block away from my condo so I'm completely flexible and can make any day/time work on my end if there is a last minute cancellation outside of the dates mentioned above. I would have a preference to try to book the appointment before I go away on February 27th but also not a concern if needs to be booked for after March 3rd.

Feel free to call me any time on my cell if helpful, or if there's ever a last minute cancelation I'm happy to take it!
Thanks for your help.

KEVIN T. SMITH CFA
Principal, Partnership Portfolio
Public Markets

750 Pandora Ave, Victoria BC
V8W 0E4 CANADA
BCI.ca



This email is intended only for the use of the intended recipients and may contain confidential information. No waiver of the confidentiality of this information is intended by its transmission through the internet. If you are not an intended recipient of this email:

1. Please immediately notify the sender and destroy this email; and
2. Please note that any use, disclosure or copying of this email is prohibited.

From: str@victoria.ca <str@victoria.ca>
Sent: Thursday, January 25, 2024 11:22 AM
To: Smith, Kevin <Kevin.Smith@bci.ca>;
Subject: 2024 STR INSPECTION - 1403 760 JOHNSON

Good Afternoon ,

Hope this email finds you well. The next step in your 2024 application process is scheduling an inspection.
Bylaw Officer DUARTE is available:

TUESDAY FEBRUARY 27TH AT 930AM
Or
WEDNESDAY FEBRUARY 28TH AT 1PM

If these options do not work with your schedule, please let me know at your earliest convenience and I will look at future dates. Please note the applicant must attend the inspection.

I have attached a few helpful documents for your review.

Please note, as stated in the attached document "What You Need to Know" if the Inspecting Officer determines that there is a valid reason to inspect an area, you will be asked to grant access. Unless it is unreasonable to inspect those areas at that time, you are required to provide access.

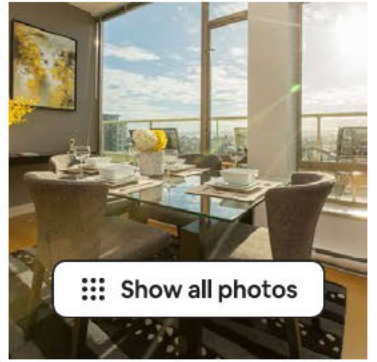
Kind regards,

Emma Crockett
Pronouns: she, her, hers
Short-Term Rental Administrator, Bylaw and Licensing Services
Legislative and Regulatory Services Department
City of Victoria
1 Centennial Square, Victoria BC V8W 1P6
T 250.361.0726

Appendix E

[Photos](#) [Amenities](#) [Reviews](#) [Location](#)


[ve](#)



 [Show all photos](#)


Photos Amenities Reviews Location

★ 4.88 · [34 reviews](#)




Hosted by Kevin


Superhost · 3 years hosting

- 

Kevin is a Superhost

Superhosts are experienced, highly rated Hosts.
- 

Great check-in experience

95% of recent guests gave the check-in process a 5-star rating.
- 

Free cancellation for 48 hours

Luxury rental in beautiful downtown Victoria, B.C.

1403 is a memorable contemporary, comfortable and quiet executive sanctuary perfect for the mature couple. The newly designed interior space, complemented by the expansive wraparound deck gives you a very spacious home from which to ...

[Show more](#) >

CHECK-IN 4/11/2024	CHECKOUT 4/16/2024
GUESTS 1 guest	

Reserve

You won't be charged yet

\$330 CAD x 5 nights \$1,650 CAD	
Cleaning fee	\$120 CAD
Airbnb service fee	\$262 CAD
Taxes	\$222 CAD
Total	\$2,254 CAD



This is a rare find
Kevin's place is usually fully booked.

 [Report this listing](#)

Where you'll sleep



Bedroom 1
1 queen bed













Bedroom 2
1 double bed

Photos

Amenities

Reviews

Location

-  City skyline view
-  Sea view
-  Kitchen
-  Wifi
-  Dedicated workspace
-  Free residential garage on premises – 1 space
-  65" HDTV with Chromecast, Netflix, premium cable
-  Elevator
-  Washer
-  Free dryer – In unit

Show all 66 amenities







5 nights in Victoria

Apr 11, 2024 - Apr 16, 2024

< April 2024							May 2024				
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th
	1	2	3	4	5	6				1	2
7	8	9	10	11	12	13	5	6	7	8	9
14	15	16	17	18	19	20	12	13	14	15	16
21	22	23	24	25	26	27	19	20	21	22	23
28	29	30					26	27	28	29	30



[Photos](#) [Amenities](#) [Reviews](#) [Location](#)

Overall rating	Cleanliness	Accuracy	Check-in	Communication	Location	Value
5 4 3 2 1	4.9 	4.9 	5.0 	5.0 	4.8 	4.9 

Alison

7 years on Airbnb

★★★★★ · December 2023 · Stayed a few nights

What a special place to stay! We absolutely loved it! The big windows, the beautiful view and the wrap around deck made hanging out in the condo a special part of our vacation. Also the comfortable furniture and great TV were very nice. I was very happy with the location great restaurants, shopping, grocery store and theaters very close by and...

[Show more](#)**Sharon Helen**

7 months on Airbnb

★★★★★ · December 2023 · Stayed about a week

It was a very restful place - the views from the wrap around windows were unbelievable - from the sunrise in the east to the sunset in the west - amazing - the unit is very quiet - allows for resting time. Overall - no complaints.

[Show more](#)**Shona**

Charlotte, North Carolina

★★★★★ · November 2023 · Stayed a few nights

We had an amazing time in Victoria and staying at Kevin and Darcey's place made it all possible. It is a beautiful home with amazing views and close to amenities. The home was exceptionally furnished and an excellent stocked kitchen with more than the usual items. The views from the wrap around balcony were wonderful. The home is in a secure...

[Show more](#)**Pamela**

Cochrane, Canada

★★★★★ · October 2023 · Stayed a few nights

This place is exactly as it says. Incredible inside and amazing location. Bus stops close by, walking distance to anything you may need. We will definitely book again.

[Photos](#) [Amenities](#) [Reviews](#) [Location](#)

All communications with Kevin were very prompt and professional. One can't help but say 'wow' upon entering the condo for the first time and eyeing the elegant contemporary furnishings and the jaw-dropping views of the harbor below. The appliances are all high-tech, so it's helpful that Kevin provided a thorough booklet explaining how to use...

[Show more](#)**Matan**

Seattle, Washington

★★★★★ · September 2023 · Stayed with kids

We had a wonderful stay at Kevin's condo in Victoria BC. The condo is a beautiful 2 bedrooms penthouse with a great view. The location is perfect, only 10 minutes walk from everywhere. We enjoyed exploring the downtown area, Beacon Hill, and the fisherman's wharf. Although the streets around the area are not too friendly at night, we felt safe...

[Show more](#)[Show all 34 reviews](#)

Where you'll be

Victoria, British Columbia, Canada

[Show more](#) >**Hosted by Kevin**

Joined in August 2021

[Photos](#) [Amenities](#) [Reviews](#) [Location](#) Supernost

Co-Hosts

Darcy

During your stay

1403West's concierge will personally greet you or provide a virtual orientation to walk you through the property on the day of your check-in. In addition, our concierge will be available to answer any of your questions throughout your stay.

Kevin is a Superhost

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

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 3:00 p.m.

Checkout before 11:00 a.m.

4 guests maximum

[Show more >](#)

Safety & property

Carbon monoxide alarm

Smoke alarm

[Show more >](#)

Cancellation policy

Free cancellation for 48 hours.

Review the Host's full cancellation policy, which applies even if you cancel for illness or disruptions caused by COVID-19.

Appendix F

BYLAW OFFICER STATEMENT

Officer Rank/Number/Rank	BO Nelson DUARTE VBL 1013
Date	Monday, March 8, 2024
Time	8:10 AM
Subject	Kevin Thomas James SMITH
Location	1403 – 760 Johnson Street
File	252964

On Tuesday, March 5, 2024, at approximately 1:00 PM Bylaw Officer Nelson DUARTE attended unit 1403 – 760 Johnson Street to conduct a scheduled inspection of the residence seeking a principal residence short-term rental business licence. DUARTE who was on duty and in full uniform met with the registered homeowner Kevin Thomas James SMITH at the front entrance to the building. DUARTE introduced himself as a Bylaw Officer for the City of Victoria and confirmed the reason for the attendance was to conduct an inspection of the property. Mr. SMITH acknowledged and confirmed the inspection, shook DUARTES hand and proceeded to take DUARTE into the building and to the elevator, up to the fourteenth floor to unit 1403. Mr. SMITH opened the door by entering a code in the keypad entry system on the door and invited DUARTE into the unit, prior to entering the unit DUARTE put on boot covers.

Prior to commencing the inspection, DUARTE asked Mr. SMITH if he had experience with an inspection prior to this date, he stated no and then asked as to why one was required further stating that he assumed that it was due to the new regulations that are going to be in place. Mr. SMITH stated that normally his licence is renewed automatically and that an inspection was never required in prior years. DUARTE explained to Mr. SMITH that due to Mr. SMITH submitting an application identifying the unit as his primary residence, confirming with Mr. SMITH that the unit is his primary residence, that an inspection is required as part of the application process. DUARTE further explained that he would be taking numerous photographs of the unit and following that they would be having a discussion on the proposed business plan, Mr. SMITH agreed.

Upon commencing the inspection, DUARTE learned that this is a two-bedroom unit and started photographing the front entrance area. DUARTE immediately observed an open concept living space with a kitchen, dining area, a living room surrounded by walls of windows and a large deck.

DUARTE immediately noticed a shoe rack against the kitchen island that had numerous pairs of shoes on it, mostly female, Mr. SMITH did state that he had a female companion, however as to whether or not she lives with him was not determined.

To the left of the entrance and behind the entrance door DUARTE observed a wall mounted mirror and below the mirror was a coat rack which had two green coats hanging from it. DUARTE moved further to the left and down the hallway where he located a closet on the left-hand side of the hallway which had cleaning supplies on the floor, empty clothes hangers, some cleaning supplies on the upper rack, laundry detergent, an iron, and some Swiffer dusters. DUARTE moved on to the first and main full piece bathroom of the unit, observing two generic framed prints hanging on the wall over the toilet and some male hygiene products on display beside the sink.

DUARTE then moved on to the first bedroom in the unit which was beside the bathroom and on the right side of the hallway, the bedroom was small, fully furnished and appeared to be occupied. The bed appeared to be a double in size and fold down hide-a bed type, a green piece of luggage was observed on the bed with two baseball caps set on top of the luggage. There were multiple black duffle bags along the wall beside the bed. DUARTE observed a yellow laminated note hanging from one of the storage areas along side of the bed closest to the window, however, did not make note as to what the note stated. DUARTE noticed some men's shirts hanging in the closet, minimum of ten, a few empty clothes hangers on a lower rack, an orange pillow, a fan and a wicker basket.

DUARTE would later learn while discussing the business plan with SMITH, he made a statement that he was somehow stuck with a guest staying for a period of 30 days. DUARTE did not confirm whether or not that guest was the person staying in this particular bedroom, however that determination would be made at the conclusion of the inspection and noting the difference in appearance when comparing the two bedrooms.

DUARTE observed a small closet outside the bedroom that housed a stackable washer and dryer.

DUARTE moved on to document the main open concept living space, observing a desk space immediately to the left, followed by the dining area, then the living room and the kitchen. DUARTE did observe some fruit on the counter and a couple of water bottles.

DUARTE then proceeded to the main primary bedroom which was furnished, with ensuite and appeared to be staged in that there were no personalised items observed, however when photographing the bathroom DUARTE did observe that the towels hanging from the glass shower and the hand towels hanging from their rack above a wooden table appeared to have been used, as in not staged. Mr. SMITH made a statement that his plan was to replace the current bed with a wall type hide a bed similar to the bed type in the first bedroom, so it can be folded away in order to create more space.

DUARTE then took a few photographs of the deck space which did wrap around the outer walls of the unit, Mr. SMITH also pointed out the two storage units on the deck that would be locked when guests are occupying the space.

That concluded the inspection of the unit.

DUARTE and Mr. SMITH then had a chance to discuss the business plan. DUARTE did not have the opportunity to review the file in totality prior to the inspection and was not aware which type of application SMITH had applied under. When asked if Mr. SMITH applied for a non principal or a principal licence, he stated he applied for the non principal licence even though this unit was his principal residence, stating he resides in the unit.

After determining what plan the Mr. SMITH was planning to operate under, DUARTE asked the following questions.

OPTION #1. Offering the whole home, while away. **Yes, OPTION #1**

Residents plan to offer their primary spaces on occasion, while away from the home.

The space being offered is their entire principal dwelling unit, meaning it is occupied by the resident daily.

Questions in obtaining a whole home business plan:

1: Are there specific times of the year when you plan to offer your home?

Weekends, Friday, Saturday, and Sunday, unless it is a long weekend then whatever day falls on the holiday will be added, example Friday, Saturday, Sunday, Monday (holiday). See statement.

2: How long are you going to be away from home?

3 – 4 days a week.

3: Where will you be when you are away? (example, on vacation or visiting out of town family)

Has a place in Lake Cowichan (parents), either working or visiting family in Vancouver where they live.

4: Are any of your plans subject to change?

Yes.

5: Do you plan to restrict access to any part of the home? if yes, which spaces?

No, however there are two storage containers on the deck that are secured.

6: How will guests access the home?

Keypad access.

7: How do you plan to advertise?

Airbnb, mentioned he may advertise on VRBO, also stated he is NOT currently advertising on VRBO. See statement.

8: What is the typical minimum length of stay you anticipate offering?

3 to 4 night minimum.

9: While you are gone, who is responsible for the property and the contact for guests?

Designated person in application.

DUARTE then moved on to option #2, which is when, "Residents plan to offer up to two bedrooms with the inclusion of their shared primary spaces, while they are home", which Mr. SMITH stated he would not be operating under that option.

OPTION #2. Offering up to two bedrooms with shared living spaces, while home. **N/A.**

Mr. SMITHS answer to question #1, he stated that he planed on offering the unit three days a week, possibly 4 days a week should the weekend fall on a long weekend. Mr. SMITH stated that if DUARTE were to review his Airbnb listing currently that it would look different to what he just described and his reasoning behind that was that it would take time to re-adjust the availability in his calendar. Mr. SMITH stated that he somehow had been stuck with having someone currently staying in his unit for 30 days, which would be the person staying in the first bedroom, not the primary bedroom. Mr. SMITH mentioned his parents living in Vancouver and also having a place in Lake Cowichan which are the two locations he stated he would be when he is not home. Mr. SMITH also mentioned that he is home 180 to

230 days of the year, he seemed to be analyzing these number of days at the time of making the statement. As DUARTE was noting Mr. SMITHS responses, he stated, "you don't have to write this down word for word", and then something to the affect that he was just describing his situation so that DUARTE could then tell him what to say. DUARTE felt that was an odd statement to make however, allowed Mr. SMITH to continue.

Mr. SMITH did ask DUARTE how the provincial changes would impact his business, DUARTE explained that it really depends on how SMITH plans to operate. DUARTE started off by saying none of the changes have happened occurred as of yet, and until they do, we are operating under the current regulations. DUARTE explained that should Mr. SMITH be approved for a short-term rental business licence as a non-principal resident, which will show an expiry date of December 31, 2024, however as of May 1st the licence then become unlawful and operating past that date will be in violation of the regulations. Mr. SMITH was advised that Victoria will no longer be operating short-term rentals for persons as non-primary residences and will only be permitting primary resident operations allowing for four bookings per year. DUARTE then stated that should Mr. SMITH then apply as a principal resident that under the current regulations he could only offer his residence up to four times a year but that it is possible the city may review the maximum number of bookings permitted as a primary resident and may increase that number. DUARTE also stated that he was not sure what the process would be should SMITH be approved under the non-primary resident category then to have his licence be unlawful on May 1st and how he could proceed to operate under the principal resident operator category.

Mr. SMITH went on to request a special dispensation for his scenario, stating he is not one of the people the city is after with respect to the housing situation. SMITH then went on to ask as to who he can talk to in order to plead his case, he was given the contact email to the coordinator who may or may not be in a position to assist him as these guidelines have not happened, however that it may be a good starting point. SMITH was also advised that he may wish to write to council and explain his situation.

It should be noted that at this point in the inspection process DUARE did believe Mr. SMITH to be genuine in that he made several statements agreeing to what the city is doing, and that he has full intent in following the regulations, he mentioned this on more than one occasion.

Mr. SMITH then went on to voluntarily mention that he had several bookings in place currently, stating that people book his unit several months in advance. It was at that point that DUARTE stated to Mr. SMITH that he would then be considered operating illegally as he did not have a current business licence to operate on 2024. Mr. SMITH was advised that normally DUARTE would be requiring SMITH to cancel all his bookings and submit evidence of those cancellations. Mr. SMITH then explained that at the time he confirmed the majority of those bookings he was licenced in 2023. Mr. SMITH then made statements to the affect that he was licenced for 2023, that his licence expires January 15, 2024, which allows him to continue to operate until January 15, 2024, again stating that people book his unit well in advance, so therefor he was lawful at the time of making those bookings as the majority of the bookings were made within the licenced period. DUARTE explained to Mr. SMITH that although his licence may state that it expires January 15, 2024, it only covers to December 31, 2023, the current calendar year in which the licence is for so he was and would be operating illegally. DUARTE then went into the violations and the fine amounts, explaining advertising is \$250.00 per day, operating is \$500.00 per day, zoning violations are \$350.00 per day that they are retroactive up to 6 months, DUARTE also mentioned that these fines will be doubling.

Mr. SMITH again mentioned getting special consideration, he mentioned paying for increased insurance, creating a commercial business through his bank so that he is covered in the event something happens to his unit. DUARTE mentioned a second time that normally he would be required to cancel all bookings and submit that evidence, that following this inspection DUARTE would be documenting the inspection and then submitting it for review and once that review is completed that DUARTE may be sent back for enforcement. DUARTE felt at that time, should the conversation continue that it would only loop in circles and so he ended the conversation there.

When answering question #7, "How do you plan to advertise?", Mr. SMITH stated, "Airbnb" without hesitation, however then also stated that he may advertise on VRBO but that he did NOT currently have any advertisements on VRBO.

Upon conclusion of this inspection and returning to the office DUARTE did conduct a more thorough review of the file. DUARTE reviewed an active Airbnb listing for this unit offering a 5-night minimum stay with very limited availability in the year 2024 and it did seem as though there was activity into the year 2025, these details were captured in the CFS.

DUARTE also conducted a search of VRBO platform locating an active listing for this unit which was offering a 6-night minimum stay and again with very limited availability for the year 2024 which also seemed to have activity into the year 2025.

DUARTE observed a cancelled 2022 long term rental business licence, an expired 2023 non-principal resident short-term rental business licence and a pending 2024 principal resident, short-term rental business licence.

Concluded,

BO Nelson DUARTE, VBLS 1013

Appendix G

1403 - 760 Johnson St - Kevin SMITH, VRBO Ad p9614765, 6 Night

https://www.vrbo.com/en-ca/cottage-rental/p9614765?adults=2&agencyBusinessModels=&airlineCode=&amenities=&bedType=&bed_type_group=&bedroomFilter=&bedroom_count_gt=&cabinClass=&chain=&...

VRBO

Get the app

Canada

Trip Boards






List your property

Help

My trips

Sign in

See all properties



OverviewAmenitiesPoliciesHost

Condo in Victoria, BC

Executive Luxury Suite - Everything's Just Down The Street Suite!

10/10 Exceptional

See all 18 reviews

2 bedrooms

2 bathrooms

Sleeps 4

125 sq m

Popular amenities

Hot tub

Washer

Free WiFi

Kitchen

Dryer

Outdoor space

See all property amenities

CA \$345 per night

Partially refundable

Before Tue, 26 Mar

Your dates are available

Start date

Apr 25

End date

Apr 30

Travellers

2 travellers

Total


CA \$2,441

Price details

Book now

You will not be charged yet

Search



Rain tomorrow

3:44 PM

2024-03-08

Captured March 8, 2024

https://www.vrbo.com/en-ca/cottage-rental/p9614765?adults=2&agencyBusinessModels=&airlineCode=&amenities=&bedType=&bed_type_group=&bedroomFilter=&bedroom_count_gt=&cabinClass=&chain=&...

Overview Amenities Policies Host

Victoria, BC

Victoria Harbour 18 min walk
Victoria Clipper Ferry Terminal 3 min drive
Victoria, BC (YYJ-Victoria Intl.) 24 min drive

CA \$345 per night

Partially refundable ⓘ
Before Tue, 26 Mar

✓ Your dates are available

Rooms & beds

2 bedrooms (sleeps 4)

Bedroom 1
🛏️

Bedroom 2
🛏️

2 bathrooms

Bathroom 1
🛀 🚽 🚿
Bathtub · Toilet · Shower only · Jetted bathtub

Bathroom 2
🛀 🚽
Bathtub or shower · Toilet

Spaces

🏠 Deck or patio 🍴 Kitchen 🏡 Balcony
🍽️ Dining Area

[See all rooms and beds details](#)

About this property

Executive Luxury Suite - Everything's Just Down The Street Suite!

Victoria's 1403 West is a memorable contemporary, comfortable and quiet executive sanctuary perfect for the mature guest. The newly designed sub-penthouse interior space, with 10-foot high ceilings,

Start date → **End date**

March 2024 April 2024

S	M	T	W	T	F	S	S	M	T	W	T	F	S
					1	2		1	2	3	4	5	6
3	4	5	6	7	8	9	7	8	9	10	11	12	13
10	11	12	13	14	15	16	14	15	16	17	18	19	20
17	18	19	20	21	22	23	21	22	23	24	25	26	27
24	25	26	27	28	29	30	28	29	30				
31													


[Clear dates](#) [Submit](#)

Captured March 8, 2024

https://www.vrbo.com/en-ca/cottage-rental/p9614765?adults=2&agencyBusinessModels=&airlineCode=&amenities=&bedType=&bed_type_group=&bedroomFilter=&bedroom_count_gt=&cabinClass=&chain=&...

hedule (Sharepoi... VicMap Bylaws | Victoria BYL - Bylaw Service... Internal Plan Search... Tobacco & Vapour... Clean Air Bylaw | CRD

Overview Amenities Policies Host



View in a map

Victoria, BC

Victoria Harbour 18 min walk

Victoria Clipper Ferry Terminal 3 min drive

Victoria, BC (YYJ-Victoria Intl.) 24 min drive

See more >

CA \$345 per night

Partially refundable ⓘ
Before Tue, 26 Mar

✓ Your dates are available

Start date → End date

< May 2024 >

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
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June 2024 >

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23	24	25	26	27	28	29
30						

Clear dates Submit

Rooms & beds

2 bedrooms (sleeps 4)

Bedroom 1
🛏️

Bedroom 2
🛏️

2 bathrooms

Bathroom 1
🚿🚽🚿
Bathtub · Toilet · Shower only · Jetted bathtub

Bathroom 2
🚿🚽
Bathtub or shower · Toilet

Spaces

🏡 Deck or patio

🍳 Kitchen

🏠 Balcony

🍽️ Dining Area


See all rooms and beds details

About this property

Executive Luxury Suite - Everything's Just Down The Street Suite!

Victoria's 1403 West is a memorable contemporary, comfortable and quiet executive sanctuary perfect for the mature guest. The newly designed sub-penthouse interior space with 10-foot high ceilings.

earch



8°C Cloudy

3:45 PM
2024-03-08

Captured March 8, 2024

Overview

Amenities

Policies

Host

Fisherman's Wharf Park

Royal BC Museum

Craigdarroch Castle

View in a map

Victoria, BC

Victoria Harbour

18 min walk

Victoria Clipper Ferry Terminal

3 min drive

Victoria, BC (YYJ-Victoria Intl.)

24 min drive

See more >

CA \$345 per night

Partially refundable

Before Tue, 26 Mar

✓

Your dates are available

Rooms & beds

2 bedrooms (sleeps 4)

Bedroom 1

Bedroom 2

2 bathrooms

Bathroom 1

Bathtub · Toilet · Shower only · Jetted bathtub

Bathroom 2

Bathtub or shower · Toilet

Spaces

Deck or patio

Dining Area

Kitchen

Balcony

See all rooms and beds details

About this property

Executive Luxury Suite - Everything's Just Down The Street Suite!

Victoria's 1403 West is a memorable contemporary, comfortable and quiet executive sanctuary perfect for the mature guest. The newly designed sub-penthouse interior space, with 10-foot high ceilings,

Start date

→

End date

<

September 2024

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Clear dates

Submit

arch

8°C Cloudy

3:46 PM

2024-03-08

Captured March 8, 2024

Overview Amenities Policies Host



Victoria, BC

- Victoria Harbour 18 min walk
- Victoria Clipper Ferry Terminal 3 min drive
- Victoria, BC (YYJ-Victoria Intl.) 24 min drive

[See more >](#)

CA \$345 per night

Partially refundable ⓘ

Before Tue, 26 Mar

✓ Your dates are available

Rooms & beds

2 bedrooms (sleeps 4)

Bedroom 1

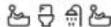


Bedroom 2



2 bathrooms

Bathroom 1



Bathtub · Toilet · Shower only · Jetted bathtub

Bathroom 2



Bathtub or shower · Toilet

Spaces



Deck or patio



Kitchen



Balcony



Dining Area

[See all rooms and beds details](#)

About this property

Executive Luxury Suite - Everything's Just Down The Street Suite!

Victoria's 1403 West is a memorable contemporary, comfortable and quiet executive sanctuary perfect for the mature guest. The newly designed sub-penthouse interior space, with 10-foot high ceilings,

Start date

→ End date



November 2024

December 2024



S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
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22	23	24	25	26	27	28
29	30	31				

[Clear dates](#)

[Submit](#)

Search



8°C Cloudy



ENG

3:46 PM

2024-03-08

Captured March 8, 2024



Legislative and Regulatory Services Department
Bylaw and Licensing Services Division
1 Centennial Square
Victoria, BC V8W 1P6

str@victoria.ca
victoria.ca/str

2024 Short-Term Rental Business Licence Application

Important Notice:

There are new provincial laws that may affect your future eligibility to operate a short-term rental. If at some point you become ineligible to operate a short-term rental as a result of provincial legislation, you will not be reimbursed or receive a discount on your 2024 licence fee.

This application must be completed in full and submitted with all required supporting documents. You can submit your completed package by email to str@victoria.ca, or mail it to the above address.

Any submissions that do not meet the requirements above will result in having to reapply. Owner and Strata Consent must be provided by signing pages 4 and 5 of the application.

All related documentation and information are available at victoria.ca/str. For information or assistance completing this form, please contact Bylaw and Licensing Services at 250.361.0215 or email str@victoria.ca.

*Short-Term Rental Address (APARTMENT / UNIT # / STREET ADDRESS)

Address: 1403 - 760 Johnson Street Victoria B.C. Canada

Postal code: V8W 0A4

*Applicant Information (WHO THE LICENCE IS ISSUED TO)

An application can be submitted by an owner, tenant or management company of a property. Please select one of the following options:

☒ **Sole Proprietor's name:** (If you plan to operate the business on your own, either under your own name or a business name):

Kevin Smith

FIRST NAME, LAST NAME

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

(1) FIRST NAME, LAST NAME

(2) FIRST NAME, LAST NAME

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

BUSINESS NAME

Limited/Incorporation Information: (if selected above)

Incorporation number: _____

Have you included documents of Incorporation and Notice of Articles?

☐ Yes

☐ No. 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]. Please note, documents must be provided with submission. Any documents provided historically will not be considered.



Legislative and Regulatory Services Department
Bylaw and Licensing Services Division
1 Centennial Square
Victoria, BC V8W 1P6

str@victoria.ca
victoria.ca/str

2024 Short-Term Rental Business Licence Application

*Applicant Contact:

Phone number: _____ Email: Kevin.Smith@bci.ca

Mailing address (the address where the applicant receives mail, including the physical licence):

- ☐ Same address as short-term rental property
- ☐ Other: _____

*Licence Type

- ☐ Non-Principal Residence
- ☒ Principal Residence

Select all business plans that apply:

- ☒ Offering whole home, while you are away ☐ Offering up to two bedrooms with shared living spaces, while you are home.

If 'Principal Residence' is selected, please attach two items of identification that prove this is your principal residence. One piece must be a valid and current government-issued ID which states your address (e.g., driver's licence, BC Services Card). The second piece of ID can be a current utility bill that states the billing period, service address and mailing address.

*Designated Responsible Person

(If managed by an agency, the designated responsible person can be a representative from this agency.)

When an operator is not available, the designated responsible 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). The responsible person must be able to attend the short-term rental premises within two hours of being requested to do so.

Relationship to Operator: Friend

Name: Megan Woodland Email: _____

Address: _____ Phone number: _____

- ☒ The above Designated Responsible Person has consented to the use of their contact information.

*Business Plan / Advertisement

Host Name (the profile and or name used to offer the short-term rental): Kevin Smith

Relationship to applicant (if not the same person): _____

Do you have another person, property manager or service company that participates in your short-term rental business? (this may include but not limited to advertisement, management of bookings and communications with guests)

- ☒ No, only the individual(s) declared as the applicant will participate in the business
- ☐ Yes

If yes, please complete the information below (including page 3)

Select all that apply:

- ☐ Property manager / property management company ☐ Family member
- ☐ Cleaning service ☐ Other _____



Legislative and Regulatory Services Department
Bylaw and Licensing Services Division
1 Centennial Square
Victoria, BC V8W 1P6

str@victoria.ca
victoria.ca/str

2024 Short-Term Rental Business Licence Application

Property Manager / Property Management Company

Name of management company: _____

Name of property manager or main contact: _____

Phone Number: _____ Email: _____

Business Address: _____

Issuing municipality: _____ Licence number: _____

If the issuing municipality is not the City of Victoria, is it:

☐ Inter-municipal

☐ Inter-community

Cleaning Service / Other Business

Name of management company: _____

Name of property manager or main contact: _____

Phone Number: _____ Email: _____

Business Address: _____

Issuing municipality: _____ Licence number: _____

If the issuing municipality is not the City of Victoria, is it:

☐ Inter-municipal

☐ Inter-community

Family Member

Name of individual: _____

Relationship to applicant: _____

Phone Number: _____ Email: _____

Address: _____



Legislative and Regulatory Services Department
Bylaw and Licensing Services Division
1 Centennial Square
Victoria, BC V8W 1P6

str@victoria.ca
victoria.ca/str

2024 Owner Consent Form Short-Term Rental

***If there is more than one registered owner, all owners are required to sign the Owner Consent Form.**

This is to certify that I Kevin Smith & Fred Smith, as the legal owner of
(OWNER)
1403 - 760 Johnson Street Victoria B.C. Canada V8W 0A4 have read the
(UNIT/STREET ADDRESS)
Short-Term Rental Business Licence (address) Application Form submitted by Kevin Smith
(APPLICANT)
and consent to the above 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: Kevin Smith

Owner's signature: _____ Date: 4.10.2024

Owner's name: Fred Smith

Owner's signature: _____ Date: 4.10.2024

Owner's name: _____

Owner's signature: _____ Date: _____

If your application is received more than 60 days after consent is given above, it is not considered valid consent.



Legislative and Regulatory Services Department
Bylaw and Licensing Services Division
1 Centennial Square
Victoria, BC V8W 1P6

str@victoria.ca
victoria.ca/str

2024 Strata Council Consent Form Short-Term Rental

*Is this property part of a strata? Yes ☒ No ☐ If yes, please complete the information below.

This is to certify that I CATHERINE PATE, as Strata Council Executive Member
(STRATA COUNCIL EXECUTIVE MEMBER; MUST NOT BE SAME AS APPLICANT)

for 1403 - 760 Johnson Street Victoria B.C. V8W0A4 Canada have read the Short-Term Rental Business Licence Application Form
(UNIT AND STREET ADDRESS)

submitted by Kevin Smith I can confirm that our Strata has no bylaws prohibiting the above
(APPLICANT)
address from operating as a Short-Term Rental in compliance with City of Victoria Bylaws.

I, the undersigned, confirm as the business owner(s)/operators(s)/licencee(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.

Applicant's name(s): Kevin Smith & Fred Smith

Applicant's signature(s): 1. _____ Date: 4.10.2024

(if applicable) 2. _____ Date: 4.10.2024

Strata council executive member's name: CATHERINE PATE

Strata council executive member's phone number: _____

Strata council executive member's email: _____

Strata council executive member's signature: _____ Date: 04.24.2024

If your application is received more than 60 days after consent is given above, it is not considered valid consent.



Legislative and Regulatory Services Department
Bylaw and Licensing Services Division
1 Centennial Square
Victoria, BC V8W 1P6

str@victoria.ca
victoria.ca/str

2024 Short-Term Rental Business Licence – Important Information

Completion of this application does not guarantee approval. Approved licences 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 and not more than \$500 for every instance that an offence occurs or each day that it continues (*Short-Term Rental Regulation Bylaw No. 18-036; Sec. 8*).

Licences 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 Licences 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.**

Applicants's name(s) (printed): Kevin Smith & Fred Smith

Applicant's signature(s): 1. _____ Date signed: April 10, 2024

(if applicable) 2. _____ Date signed: April 10, 2024

Date Stamp (office use only)

Marissa Peluso

From: Smith, Kevin <Kevin.Smith@bci.ca>
Sent: May 7, 2024 8:07 PM
To: str@victoria.ca
Subject: RE: 2024 STR INSPECTION - 1403 760 JOHNSON

Hi Emma,

Understood, happy to do another inspection.
Thanks for providing additional dates/times. I will take the Tuesday June 18th at 1pm timeslot.

Best,
Kevin

From: str@victoria.ca <str@victoria.ca>
Sent: Tuesday, May 7, 2024 3:33 PM
To: Smith, Kevin <Kevin.Smith@bci.ca>
Subject: RE: 2024 STR INSPECTION - 1403 760 JOHNSON

Good afternoon Kevin,

The inspection completed in March was for a withdrawn application. For consistency and fairness another inspection for your new application is required.

The next available dates are as follows:

Tuesday June 18th at 1pm
Or
Wednesday June 26th at 1pm

Please let me know if either of these options work for your schedule.

Kind regards,

Emma Crockett
Pronouns: she, her, hers
Short-Term Rental Administrator, Bylaw and Licensing Services
Legislative and Regulatory Services Department
City of Victoria
1 Centennial Square, Victoria BC V8W 1P6
T 250.361.0726



From: Smith, Kevin <Kevin.Smith@bci.ca>
Sent: Friday, May 3, 2024 12:54 PM
To: str@victoria.ca
Subject: RE: 2024 STR INSPECTION - 1403 760 JOHNSON

Hi Emma,

Thanks you for your email. Just in case this was missed, I have already had an inspection from the City of Victoria back on March 5th, 2024 (see the attached email). Can you confirm if you need another inspection this year or if the one completed ~2 months ago is sufficient?

If you do need an updated inspection then I will need to ask you to provide another date/time.

Thanks for your help.
Kevin

From: str@victoria.ca <str@victoria.ca>
Sent: Friday, May 3, 2024 10:53 AM
To: Smith, Kevin <Kevin.Smith@bci.ca>
Subject: 2024 STR INSPECTION - 1403 760 JOHNSON

Good Morning

Hope this email finds you well. The next step in your 2024 application process is scheduling an inspection. Bylaw Officer PICKETT is available:

SATURDAY JUNE 15TH AT 930AM
Or
SATURDAY JUNE 15TH AT 1PM

If these options do not work with your schedule, please let me know at your earliest convenience and I will look at future dates. Please note the applicant must attend the inspection.

I have attached a few helpful documents for your review.

Please note, as stated in the attached document "What You Need to Know" if the Inspecting Officer determines that there is a valid reason to inspect an area, you will be asked to grant access. Unless it is unreasonable to inspect those areas at that time, you are required to provide access.

Kind regards,

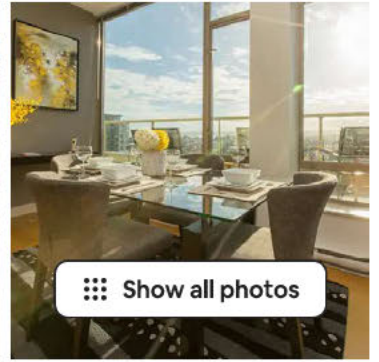
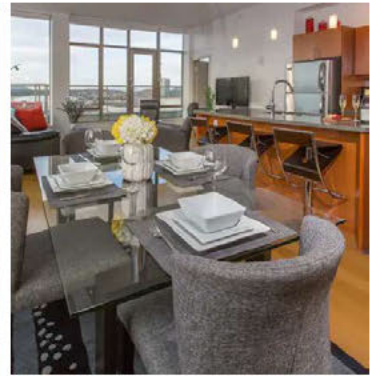
Emma Crockett
Pronouns: she, her, hers
Short-Term Rental Administrator, Bylaw and Licensing Services
Legislative and Regulatory Services Department
City of Victoria
1 Centennial Square, Victoria BC V8W 1P6
T 250.361.0726

Appendix J

Downtown Sub-Penthouse 2Bed/2Bath with Ocean View!

[Share](#)

[Save](#)




[Show all photos](#)

Entire condo in Victoria, Canada


4 guests · 2 bedrooms · 2 beds · 2 baths

★ 4.88 · [34 reviews](#)




Hosted by Kevin


Superhost · 3 years hosting

- 

Kevin is a Superhost

Superhosts are experienced, highly rated Hosts.
- 

Great check-in experience

100% of recent guests gave the check-in process a 5-star rating.
- 

Free cancellation for 48 hours

Get a full refund if you change your mind.

Luxury rental in beautiful downtown Victoria, B.C.

1403 is a memorable contemporary, comfortable and quiet executive sanctuary perfect for the mature couple. The newly designed interior space, complemented by the expansive wraparound deck gives you a very spacious home from which to ...

[Show more](#) >


\$415 CAD night

CHECK-IN	CHECKOUT
9/12/2024	9/17/2024
GUESTS	
1 guest	

Reserve

You won't be charged yet

\$415 CAD x 5 nights \$2,075 CAD	
Cleaning fee	\$120 CAD
Airbnb service fee	\$325 CAD
Taxes	\$276 CAD
Total	\$2,796 CAD



This is a rare find

Kevin's place is usually fully booked.

 [Report this listing](#)

Where you'll sleep



Bedroom 1











1 queen bed



Bedroom 2

1 double bed

What this place offers

-  City skyline view
-  Sea view
-  Kitchen
-  Wifi
-  Dedicated workspace
-  Free residential garage on premises – 1 space
-  65-inch HDTV with Chromecast, Netflix, premium cable
-  Elevator
-  Washer
-  Free dryer – In unit

Show all 66 amenities

5 nights in Victoria

Sep 12, 2024 - Sep 17, 2024

September 2024							October 2024				
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th
1	2	3	4	5	6	7			1	2	3
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15	16	17	18	19	20	21	13	14	15	16	17
22	23	24	25	26	27	28	20	21	22	23	24
29	30						27	28	29	30	31



★ 4.88 · 34 reviews

Overall rating



Cleanliness

4.9



Accuracy

4.9



Check-in

5.0



Communication

5.0



Location

4.8



Value

4.9



Alison

7 years on Airbnb

★★★★★ · December 2023 · Stayed a few nights

What a special place to stay! We absolutely loved it! The big windows, the beautiful view and the wrap around deck made hanging out in the condo a special part of our vacation. Also the comfortable furniture and great TV were very nice. I was very happy with the location great restaurants, shopping, grocery store and theaters very close by and...

[Show more](#)

Sharon Helen

9 months on Airbnb

★★★★★ · December 2023 · Stayed about a week

It was a very restful place - the views from the wrap around windows were unbelievable - from the sunrise in the east to the sunset in the west - amazing - the unit is very quiet - allows for resting time. Overall - no complaints.

[Show more](#)

Shona

Charlotte, North Carolina

★★★★★ · November 2023 · Stayed a few nights

We had an amazing time in Victoria and staying at Kevin and Darcey's place made it all possible. It is a beautiful home with amazing views and close to amenities. The home was exceptionally furnished and an excellent stocked kitchen with more than the usual items. The views from the wrap around balcony were wonderful. The home is in a secure...

[Show more](#)

Pamela

Cochrane, Canada

★★★★★ · October 2023 · Stayed a few nights

This place is exactly as it says. Incredible inside and amazing location. Bus stops close by, walking distance to anything you may need. We will definitely book again.

Donald

8 years on Airbnb

★★★★★ · September 2023 · Stayed a few nights

All communications with Kevin were very prompt and professional. One can't help but say 'wow' upon entering the condo for the first time and eyeing the elegant contemporary furnishings and the jaw-dropping views of the harbor below. The appliances are all high-tech, so it's helpful that Kevin provided a thorough booklet explaining how to use...

[Show more](#)

Matan

Seattle, Washington

★★★★★ · September 2023 · Stayed with kids

We had a wonderful stay at Kevin's condo in Victoria BC. The condo is a beautiful 2 bedrooms penthouse with a great view. The location is perfect, only 10 minutes walk from everywhere. We enjoyed exploring the downtown area, Beacon Hill, and the fisherman's wharf. Although the streets around the area are not too friendly at night, we felt safe...

[Show more](#)

Show all 34 reviews

Where you'll be

Victoria, British Columbia, Canada

We verified that this listing's location is accurate. [Learn more](#)

[Show more](#) >

Meet your Host

34



Kevin
 Superhost

Reviews

4.88 ★

Rating

3

Years hosting

Kevin is a Superhost

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

Co-Hosts



Darcy

Host details

Response rate: 100%

Responds within an hour

Message 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 3:00 p.m.

Checkout before 11:00 a.m.

4 guests maximum

[Show more >](#)

Safety & property

Carbon monoxide alarm

Smoke alarm

[Show more >](#)

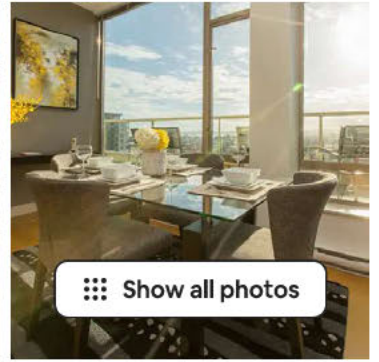
Cancellation policy

Appendix K

Downtown Sub-Penthouse 2Bed/2Bath with Ocean View!

[Share](#)

[Save](#)



[Show all photos](#)

Entire condo in Victoria, Canada

4 guests · 2 bedrooms · 2 beds · 2 baths

★ 4.89 · [35 reviews](#)**Hosted by Kevin**

Superhost · 3 years hosting

**Kevin is a Superhost**

Superhosts are experienced, highly rated Hosts.

**Great check-in experience**

100% of recent guests gave the check-in process a 5-star rating.

**Free cancellation for 48 hours**

Get a full refund if you change your mind.

Luxury rental in beautiful downtown Victoria, B.C.

1403 is a memorable contemporary, comfortable and quiet executive sanctuary perfect for the mature couple. The newly designed interior space, complemented by the expansive wraparound deck gives you a very spacious home from which to ...

[Show more](#) >**\$351 CAD** night**CHECK-IN**
04-25-2025**CHECKOUT**
04-28-2025**GUESTS**
1 guest**Reserve**

You won't be charged yet

\$351 CAD x 3 nights \$1,054 CADCleaning fee \$120 CADAirbnb service fee \$174 CADTaxes \$147 CAD**Total** **\$1,495 CAD****This is a rare find**

Kevin's place is usually fully booked.











[Report this listing](#)**Where you'll sleep****Bedroom 1**

1 queen bed

**Bedroom 2**

1 double bed

What this place offers

-  City skyline view
-  Sea view
-  Kitchen
-  Wifi
-  Dedicated workspace
-  Free residential garage on premises – 1 space
-  65-inch HDTV with Chromecast, Netflix, premium cable
-  Elevator
-  Washer
-  Free dryer – In unit

Show all 66 amenities

3 nights in Victoria

Apr. 25, 2025 – Apr. 28, 2025

April 2025							May 2025				
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th
		1	2	3	4	5					
6	7	8	9	10	11	12	4	5	6	7	8
13	14	15	16	17	18	19	11	12	13	14	15
20	21	22	23	24	25	26	18	19	20	21	22
27	28	29	30				25	26	27	28	29



★ 4.89 · 35 reviews

Overall rating

5
4
3
2
1

Cleanliness

4.9



Accuracy

4.9



Check-in

5.0



Communication

5.0



Location

4.8



Value

4.9



Julie

Birregurra, Australia

★★★★★ · 1 week ago · Stayed a few nights

Our stay at Kevin's place was amazing! Great location, great check in and fantastic apartment. Extremely comfortable beds and very well furnished. Would recommend and stay there again.

[Show more](#)

Alison

7 years on Airbnb

★★★★★ · December 2023 · Stayed a few nights

What a special place to stay! We absolutely loved it! The big windows, the beautiful view and the wrap around deck made hanging out in the condo a special part of our vacation. Also the comfortable furniture and great TV were very nice. I was very happy with the location great restaurants, shopping, grocery store and theaters very close by and...

[Show more](#)

Sharon Helen

9 months on Airbnb

★★★★★ · December 2023 · Stayed about a week

It was a very restful place - the views from the wrap around windows were unbelievable - from the sunrise in the east to the sunset in the west - amazing - the unit is very quiet - allows for resting time. Overall - no complaints.

[Show more](#)

Shona

Charlotte, North Carolina

★★★★★ · November 2023 · Stayed a few nights

We had an amazing time in Victoria and staying at Kevin and Darcey's place made it all possible. It is a beautiful home with amazing views and close to amenities. The home was exceptionally furnished and an excellent stocked kitchen with more than the usual items. The views from the wrap around balcony were wonderful. The home is in a secure...

[Show more](#)

Pamela

Cochrane, Canada

★★★★★ · October 2023 · Stayed a few nights

This place is exactly as it says. Incredible inside and amazing location. Bus stops close by, walking distance to anything you may need. We will definitely book again.

Donald

8 years on Airbnb

★★★★★ · September 2023 · Stayed a few nights

All communications with Kevin were very prompt and professional. One can't help but say 'wow' upon entering the condo for the first time and eyeing the elegant contemporary furnishings and the jaw-dropping views of the harbor below. The appliances are all high-tech, so it's helpful that Kevin provided a thorough booklet explaining how to use...

[Show more](#)[Show all 35 reviews](#)

Where you'll be

Victoria, British Columbia, Canada

We verified that this listing's location is accurate. [Learn more](#)

[Show more >](#)

Meet your Host

35

Reviews

**Kevin**

Superhost

4.89 ★

Rating

3

Years hosting

Kevin is a Superhost

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

Co-Hosts

Darcy

Host details

Response rate: 100%

Responds within an hour

Message 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 3:00 p.m.

Checkout before 11:00 a.m.

4 guests maximum

[Show more](#) >

Safety & property

Carbon monoxide alarm

Smoke alarm

[Show more](#) >

Cancellation policy

Marissa Peluso

To: Emma Crockett
Subject: RE: Notice of non-compliance with short-term rental business licence requirement

From: str@victoria.ca
Sent: Wednesday, May 29, 2024 3:26 PM
To: Smith, Kevin <Kevin.Smith@bci.ca>
Subject: RE: Notice of non-compliance with short-term rental business licence requirement

Hi Kevin,

We understand the process can be confusing. As per my communication with you via email on March 12th



Good afternoon Kevin,

Thank you for confirming your preference to pursue a non principal licence. Your application is now pending for a non principal licence.

You are correct, you will need to submit a new application for a principal licence closed to May.

Our office does not have a direct contact for the provincial legislation, Please review the [new provincial rules for short-term rentals](#) for ar

Kind regards,

Emma Crockett

Our office does appreciate your patience and understanding as we are processing a high volume of applications.

Kind regards,

Emma Crockett (she/her)

Short-Term Rental Administrator

Bylaw Services

City of Victoria

1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0493



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

From: Smith, Kevin <Kevin.Smith@bci.ca>
Sent: Wednesday, May 29, 2024 3:15 PM

To: str@victoria.ca

Subject: RE: Notice of non-compliance with short-term rental business licence requirement

Appreciate the additional information.

One point that needs to be clarified for the record. There was never any intention for me to withdraw the original application in March 2024. When I went into the City of Victoria office to talk to the front office team, I offered to pay for both types of applications (knowing the regulation was changing soon) and asked them to prioritize whichever one was going to be faster. They told me that I had everything they needed already included in the original application for either license. It was only after the fact that I found out that the original application was mistakenly withdrawn and was not being processed.

Thanks for your time today answering my questions and considering my circumstances.

Best,
Kevin

From: str@victoria.ca <str@victoria.ca>

Sent: Wednesday, May 29, 2024 2:48 PM

To: Smith, Kevin <Kevin.Smith@bci.ca>

Subject: RE: Notice of non-compliance with short-term rental business licence requirement

Good afternoon Kevin,

You first applied for a principal licence in January 2024 and then withdrew that application in March 2024. Most recently, you applied for a principal licence April 25 2024. The process time your principal licence started as of April 25th.

Currently our office is estimating a minimum of 21 business days to process a principal residence Short-Term Business Licence.

My apologies you have found challenges connecting with our team. Please note our office is not public facing and staff can be unavailable to meet with the public with no notice. However, you are welcome to call our office directly at 250.361.0726 or email our office directly at str@victoria.ca. If you have any questions, I would be happy to answer.

Kind regards,

Emma Crockett (she/her)

Short-Term Rental Administrator

Bylaw Services

City of Victoria

1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0493



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

From: Smith, Kevin <Kevin.Smith@bci.ca>
Sent: Wednesday, May 29, 2024 1:05 PM
To: str@victoria.ca
Subject: RE: Notice of non-compliance with short-term rental business licence requirement

Hi Emma,

Thank you for your review and consideration of the facts outlined below. As previously stated, **I've been trying to get my principal residence application reviewed for nearly 6 months.** Please let me know if the municipality of Victoria believes this is an acceptable timeline for application reviews? Similarly, please let me know when applications can be sent in for 2025 given these extended timelines?

I have demonstrated and documented a consistent desire to remain compliant with all of the regulations. I have visited the City of Victoria offices at least 10 times this year attempting to speak with someone knowledgeable on the new bylaws and what it being planned for the future. I have not been able to get a meeting or a simple phone call back. I have also sent several emails requesting an opportunity to speak with someone and I have not been given the time of day. I understand that this department is busy, but the responses I've received by email (typically a week later) have never adequately answered my questions.

Thank you,
Kevin

From: str@victoria.ca <str@victoria.ca>
Sent: Wednesday, May 29, 2024 10:51 AM
To: Smith, Kevin <Kevin.Smith@bci.ca>
Subject: RE: Notice of non-compliance with short-term rental business licence requirement

Good Morning Kevin,

A valid, approved and paid, Principal Resident Short-Term Licence is required to advertise and/or operate a Short-Term Rental in the municipality of Victoria.

Kind regards,

Emma Crockett (she/her)

Short-Term Rental Administrator

Bylaw Services

City of Victoria

1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0493



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

From: Smith, Kevin <Kevin.Smith@bci.ca>

Sent: Wednesday, May 29, 2024 10:30 AM

To: str@victoria.ca

Subject: RE: Notice of non-compliance with short-term rental business licence requirement

Hi,

I'm the owner of the unit described below (1403-760 Johnson Street Victoria B.C. Canada). This is my principal residence and I live in the unit every week of the year from Monday thru Thursday as I'm required to be in the office for work (located across the street at 750 Pandora Ave) a minimum of four days per week. I rent out my entire condo (two bedrooms) only on weekends in the summer months when I'm travelling on those weekends. This description should make me eligible for a principal residence license.

A short summary of my application for a principle residence license is below for your background and review:

- I first applied for a principal residence license in January 2024 and completed the required bylaw inspection on March 5th, 2024.
- Due to the application process taking a long time (historically I've been approved within ~10 business days) I offered to purchase a whichever license would be faster. I then received notice a couple days later that I was approved for the non-principal operators license and paid the \$1,500.
- When I was approved for this first license, I also asked the City of Victoria if I could continue to use my existing application for the principal residence license due to the coming regulation changes. Unfortunately, I was told that I needed to re-submit my application because the first application had been signed by my strata 2 months and 8 days earlier. The City of Victoria requires all signatures to be executed within 2 months of submitting the application.
- I officially applied for a new principal residence license for the second time this year in April 2024. The City of Victoria also required me to have a second bylaw inspection (for the same residence as the prior application) because this was a new application and despite the fact that I had already completed a bylaw inspection in March 2024 (one month prior).
- Currently, I'm waiting for the second bylaw inspection to take place on June 18th, 2024 (~3 months after my second application was sent in to the City of Victoria).
- Note that I'm in full compliance of the short-term rental rules outlined by the Province of B.C. and that this property under discussion is my primary residence and the only property that I own.
- The City of Victoria sent an appeal to the Province of B.C. requesting an extension of the timeline for the new regulations to be implemented. Unfortunately, for the tourism industry in Victoria, this request was not approved by the Province of B.C. I'm stating this because it seems that my interests are fully aligned with the City of Victoria's interests/desires and because my condo is also in full compliance with the provincial governments regulations as currently stated.

Given the above information, I'm requesting the City of Victoria allow me to continue operating until my application has been fully reviewed by the City of Victoria, an application that has already been in process for nearly two months.

Feel free to call or email me at any time if there is anything else that I can provide that would help you review this request. Thank you for your consideration.

Best,

KEVIN T. SMITH CFA

Principal, Partnership Portfolio

Public Markets

750 Pandora Ave, Victoria BC



This email is intended only for the use of the intended recipients and may contain confidential information. No waiver of the confidentiality of this information is intended by its transmission through the internet. If you are not an intended recipient of this email:

1. Please immediately notify the sender and destroy this email; and
2. Please note that any use, disclosure or copying of this email is prohibited.

From: no_reply@gov.bc.ca <no_reply@gov.bc.ca>

Sent: Wednesday, May 29, 2024 7:53 AM

To: Smith, Kevin <Kevin.Smith@bci.ca>; str@victoria.ca

Subject: Notice of non-compliance with short-term rental business licence requirement

Dear Host,

Short-term rental accommodations in your community are regulated by your local government. The City of Victoria has determined that the following short-term rental listing is not in compliance with an applicable local government business licence requirement:

https://www.airbnb.ca/rooms/51968148?source_impression_id=p3_1716994080_38hS9sa%2BFgynVWS2&check_in=2025-04-25&guests=1&adults=1

Listing ID Number:

Under the provincial [Short-Term Rental Accommodations Act](#) and its regulations, the local government may submit a request to the short-term rental platform to cease providing platform services (e.g., remove this listing from the platform and cancel bookings) within a period of 5-90 days after the date of delivery of this Notice. Short-term rental platforms are required to comply with the local government's request within 5 days of receiving the request.

This Notice has been issued by City of Victoria.

File Number: 262747 / 257794

For more information on this Notice, or local government short-term rental business licences, please contact your local government.

For more information on the *Short-term Rental Accommodations Act*, please visit: [New rules for short-term rentals - Province of British Columbia \(gov.bc.ca\)](#).

This email has been automatically generated. Please do not reply to this email. A copy of this Notice has been sent to the short-term rental platform.

Marissa Peluso

From: Smith, Kevin <Kevin.Smith@bci.ca>
Sent: June 18, 2024 7:47 AM
To: str@victoria.ca
Subject: RE: 2024 INSPECTION RESCHEDULING NOTICE - 1403-760 JOHNSON

Hi Emma,

Ok. I will make myself available on Friday at 130pm for the inspection.

Best,
Kevin

From: str@victoria.ca <str@victoria.ca>
Sent: Tuesday, June 18, 2024 7:37 AM
To: Smith, Kevin <Kevin.Smith@bci.ca>
Subject: 2024 INSPECTION RESCHEDULING NOTICE - 1403-760 JOHNSON
Importance: High

Good morning

Unfortunately, due to illness, your inspection scheduled for today will need to be rescheduled.

I am holding Friday June 21st at 130 pm for you, please let me know if this appointment time works for your schedule.

Our apologies for any inconvenience.

Kind regards,

Emma Crockett (she/her)

Short-Term Rental Administrator

Bylaw Services

City of Victoria

1 Centennial Square, Victoria BC V8W 1P6



T 250.361.0726

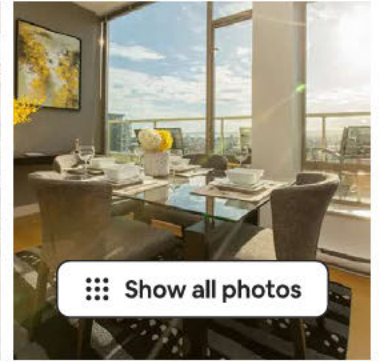
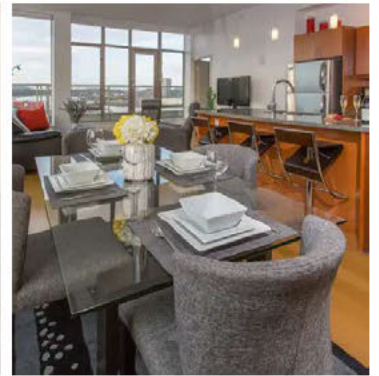


The City of Victoria is located on the homelands of the Songhees Nation and Esquimalt Nation.

Appendix N

Downtown Sub-Penthouse 2Bed/2Bath with Ocean View!



 [Share](#)  [Save](#)



 [Show all photos](#)


Entire condo in Victoria, Canada

4 guests · 2 bedrooms · 2 beds · 2 baths




 Guest favourite 

4.89
★★★★★

37
[Reviews](#)



Hosted by Kevin
Superhost · 3 years hosting

-  **Kevin is a Superhost**
Superhosts are experienced, highly rated Hosts.
-  **Great check-in experience**
100% of recent guests gave the check-in process a 5-star rating.
-  **Free cancellation for 48 hours**
Get a full refund if you change your mind.

Luxury rental in beautiful downtown Victoria, B.C.

1403 is a memorable contemporary, comfortable and quiet executive sanctuary perfect for the mature couple. The newly designed interior space, complemented by the expansive wraparound deck gives you a very spacious home from which to ...

[Show more](#) >

Where you'll sleep


\$352 CAD night

CHECK-IN 06-03-2025	CHECKOUT 06-06-2025
GUESTS 1 guest 	

Reserve

You won't be charged yet

<u>\$352 CAD x 3 nights</u> \$1,056 CAD	
<u>Cleaning fee</u>	\$120 CAD
<u>Airbnb service fee</u>	\$174 CAD
<u>Taxes</u>	\$148 CAD
<hr/>	
Total	\$1,498 CAD



This is a rare find
Kevin's place is usually fully booked.

 [Report this listing.](#)













Bedroom 1
1 queen bed



Bedroom 2
1 double bed

What this place offers

-  City skyline view
-  Sea view
-  Kitchen
-  Wifi
-  Dedicated workspace
-  Free residential garage on premises – 1 space
-  65-inch HDTV with Chromecast, Netflix, premium cable
-  Elevator
-  Washer
-  Free dryer – In unit

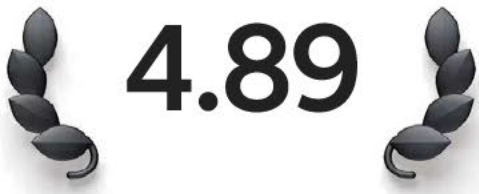
Show all 66 amenities

3 nights in Victoria

Jun. 3, 2025 - Jun. 6, 2025

<

Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	1
----	----	----	----	----	----	----	----	----	----	----	---



Guest favourite

One of the most loved homes on Airbnb based on ratings, reviews, and reliability

Overall rating	Cleanliness	Accuracy	Check-in	Communication	Location	Value
5 4 3 2 1	4.9	5.0	5.0	5.0	4.8	4.9

Cathy
Kalispell, Montana

★★★★★ · 1 week ago · Stayed a few nights

Such a beautiful place to enjoy Victoria! It is definitely a penthouse. Beautiful view of the harbor and the city below. Easy walking to so many places. You really don't need a car. An Uber can get you to the gardens. And they are well worth it, if you need a parking spot, it is very secure.

Show more

Linda
Rainier, Washington

★★★★★ · 3 weeks ago · Stayed a few nights

This was a perfect place to stay that was close to great restaurants and all the amenities. The views were spectacular and the host was very helpful with instructions. We would come back again.

Show more

Julie

10 years on Airbnb

★★★★★ · May 2024

Our stay at Kevin's place was amazing! Great location, great check in and fantastic apartment. Extremely comfortable beds and very well furnished. Would recommend and stay there again.

[Show more](#)**Alison**

Lake Forest Park, Washington

★★★★★ · December 2023 · Stayed a few nights

What a special place to stay! We absolutely loved it! The big windows, the beautiful view and the wrap around deck made hanging out in the condo a special part of our vacation. Also the comfortable furniture and great TV were very nice. I was very happy with the location great restaurants, shopping, grocery store and theaters very close by and...

[Show more](#)**Sharon Helen**

10 months on Airbnb

★★★★★ · December 2023 · Stayed about a week

It was a very restful place - the views from the wrap around windows were unbelievable - from the sunrise in the east to the sunset in the west - amazing - the unit is very quiet - allows for resting time. Overall - no complaints.

[Show more](#)**Shona**

Charlotte, North Carolina

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We had an amazing time in Victoria and staying at Kevin and Darcey's place made it all possible. It is a beautiful home with amazing views and close to amenities. The home was exceptionally furnished and an excellent stocked kitchen with more than the usual items. The views from the wrap around balcony were wonderful. The home is in a secure...

[Show more](#)[Show all 37 reviews](#)


Where you'll be

Victoria, British Columbia, Canada

We verified that this listing's location is accurate. [Learn more](#)

[Show more](#) >

Meet your Host



Kevin
🏆 Superhost

37
Reviews

4.89 ★
Rating

3
Years hosting

Kevin is a Superhost

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

Co-Hosts

Darcy

Host details

Response rate: 100%
Responds within an hour

[Message 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 3:00 p.m.
- Checkout before 11:00 a.m.
- 4 guests maximum

Show more >

Safety & property

- Carbon monoxide alarm
- Smoke alarm

Show more >

Cancellation policy

- Free cancellation for 48 hours.
 - Review the Host’s full cancellation policy, which applies even if you cancel for illness or disruptions caused by COVID-19.
- Show more >

Airbnb > Canada > British Columbia > Capital Regional District > Victoria

Explore other options in and around Victoria

Surrey Vacation rentals	Burnaby Vacation rentals
Richmond Vacation rentals	Squamish Vacation rentals
North Vancouver Vacation rentals	Forks Vacation rentals
Vancouver Island Vacation rentals	Portland Vacation rentals

Seattle

Vacation rentals

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Appendix O

Inspection: 1403-760 Johnson Street, 10 images.

Image1: Kitchen ('A' on floor plan).



Image 2: Signage in kitchen.



Images 3-4: Living room ('B' on floor plan).





Image 5: First bedroom ('C' on floor plan).



Image 6: Signage in first bedroom.



Image 7: Main bathroom ('D' on floor plan).



Image 8: Second bedroom ('E' on floor plan).



Image 9: Ensuite in first bedroom ('F' on floor plan).



Image 10: Washer and dryer ('G' on floor plan).



Appendix P



BYLAW OFFICER

OFFICER NAME		Bylaw Officer (BO) CARR			
DATE/TIME	2024-06-21 1:30 PM	CFS#	262747	LOCATION	1403 760 Johnson
INDIVIDUAL PRESENT	<input checked="" type="checkbox"/> Yes		<input type="checkbox"/> No		
NAME	Kevin SMITH			D.O.B. (YYYY-MM-DD)	

STATEMENT

On Friday, June 21, 2024, at approximately: 1:30 PM, Bylaw Officer (BO) CARR was working in full uniform, at 1403 760 Johnson Street to conduct a short-term rental (STR) inspection. She was met at the main entrance to the building by Kevin SMITH. SMITH and CARR then took the elevator up to unit 1403, Officer identified herself as a bylaw officer for the City of Victoria and provided SMITH with a copy of the 'Bylaw Inspections' handout. Officer explained that she would be putting on boot covers before entering the home.

SMITH stated that he'd had an inspection a few months prior for his non-principal licence. As such, he was familiar with the process. CARR quickly took photographs of the unit. During this time, she observed a 2-bedroom, 2 bathroom condo. Very minimal personal effects were found in the home. Several signs on walls and bedrooms for guests. At the front door, a sign read "please help us to keep your stay clean and sanitary by removing your street shoes at the door". A visitor's parking pass was found on the kitchen island. A sign was found above the bed in the bedroom closest to the entrance of the condo. CARR was unable to read it as she was standing at a distance. The bedroom had minimal items within, and the adjacent bathroom had no toiletries. A drying rack was present in the middle of the living room.

CARR then observed the second bedroom. It appeared to have been lived in as there were charging cords, clothing, and toiletries visible in the room. The on suite also appeared to have been recently used as it had toiletries on the cabinet, and towels hanging on the shower.

CARR and SMITH then returned to the kitchen to speak about the business plan. See the detailed business plan attached to file. CARR asked SMITH what had changed since he had been approved for a non principal licence earlier in the year, and why he was now applying for a principal licence. SMITH stated that this was his primary residence and did not have any additional properties. Once returned to the office, CARR confirmed that no secondary address was used in previous applications. SMITH continued by saying that he intends to leave to visit family during the weekends. He stated that he must live there Monday-Thursday as he works downtown, and that he would not be offering short term past September this year. Ideally would like to offer 3-4 nights per booking. He also anticipates leaving for work for several months next year.

SMITH and CARR then began to discuss the STR restrictions. CARR summarized by advising that the definition of occasional for a principal licence is defined as 4 times a year, and that SMITH had already operated far beyond that number after May 1st. SMITH respectfully shared that he could not find the definition of occasional anywhere in his research. He stated that he had operated during that time in the absence of direction and felt that he had justification for his actions should there be the need to explain himself in court. SMITH then asked CARR what the repercussions of continuing to operate would be. CARR advised that he had already had a BC portal notice of noncompliance. She advised that she had no idea what the province would do, but the city is pursuing noncompliance. SMITH then asked if he should be canceling his bookings. CARR said that yes to

come into compliance, he was required to cancel any bookings made without a licence. SMITH stated that he understood and asked CARR for advice. He stated that he knew that she wasn't a lawyer but would appreciate the advice. CARR stated that she could not tell him what to do, but she would advise everybody to follow the bylaws to avoid MTIs. SMITH stated that he would imagine Bylaw would be targeting those who never had a licence first. CARR stated that she did not know as it would be up to officer discretion. SMITH expressed his appreciation for CARR's time in answering his questions. SMITH stated that these regulations will be impacting him heavily as this was truly his primary residence. CARR stated that she understood and could empathize with his situation. SMITH then showed CARR to the front door, and she exited the building.

Nine (9) photos were taken (attached to CFS).

Bylaw Officer (BO) CARR
Victoria Bylaw Services

Short-Term Rental Business Plan – 1403 760 Johnson

The inspection is an important component in the application process, as it is used to determine if the space and applicants' business plan will meet the requirements and conditions of a principal residence licence.

During the inspection, officers must obtain an understanding of the business plan(s) to determine the eligibility. This includes:

A. Which business plan(s) are they wanting to operate.

B. Which spaces are being offered and or not offered. Example: One single bedroom, plus the whole home is open to guests with exception of the primary bedroom and the homeowner does not want guests in the back yard due to the potential of the steps on the deck being slippery at this time of year.

C. How they plan to operate (duration, frequency etc.).

1. Offering the whole home, while away. **Yes**

Residents plan to offer their primary spaces on occasion, while away from the home.

The space being offered is their entire principal dwelling unit, meaning it is occupied by the resident daily.

Questions in obtaining a whole home business plan:

1: Are there specific times of the year when you plan to offer your home? **Summer**

2: How long are you going to be away from home? **Weekends (3-4 nights) maybe a week or two**

3: Where will you be when you are away? (example, on vacation or visiting out of town family) **Vancouver visiting family**

4: Are any of your plans subject to change? **No – only operating until September**

5: Do you plan to restrict access to any part of the home? if yes, which spaces? **Locked storage bins on deck outside**

6: How will guests access the home? **Buzz in to the building. And they will get the key code for units front door**

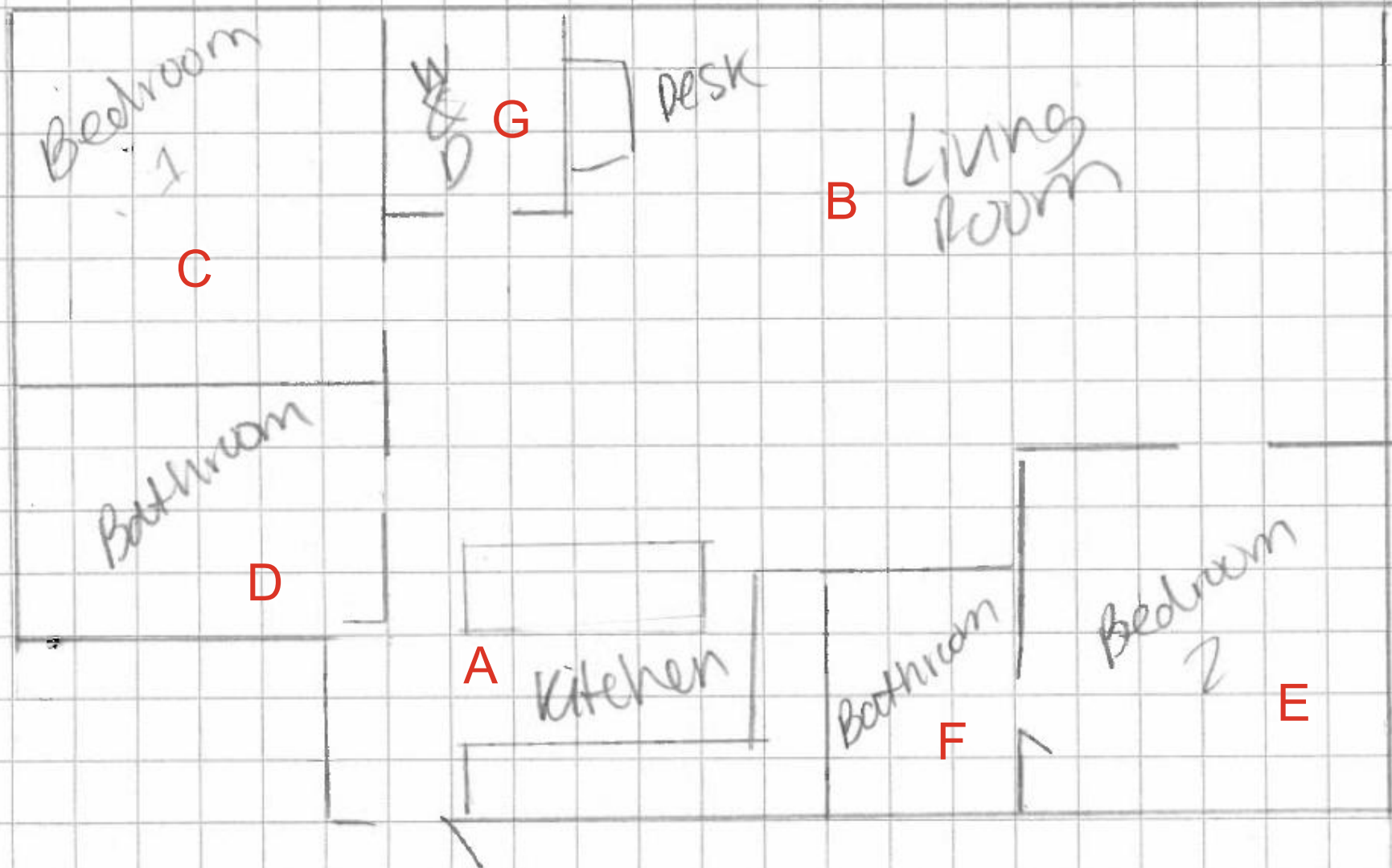
8: How do you plan to advertise? **Air BnB**

9: What is the typical minimum length of stay you anticipate offering? **3-4 nights/ maybe a week a few times a year**

10: While you are gone, who is responsible for the property and the contact for guests?
Megan Woodland

Appendix R

1403 Flco Johnson
Inspected 2024-06-21



! Upgrade your account to unlock more insights & data

Upgrade Now



Apartment

Victoria

Listings

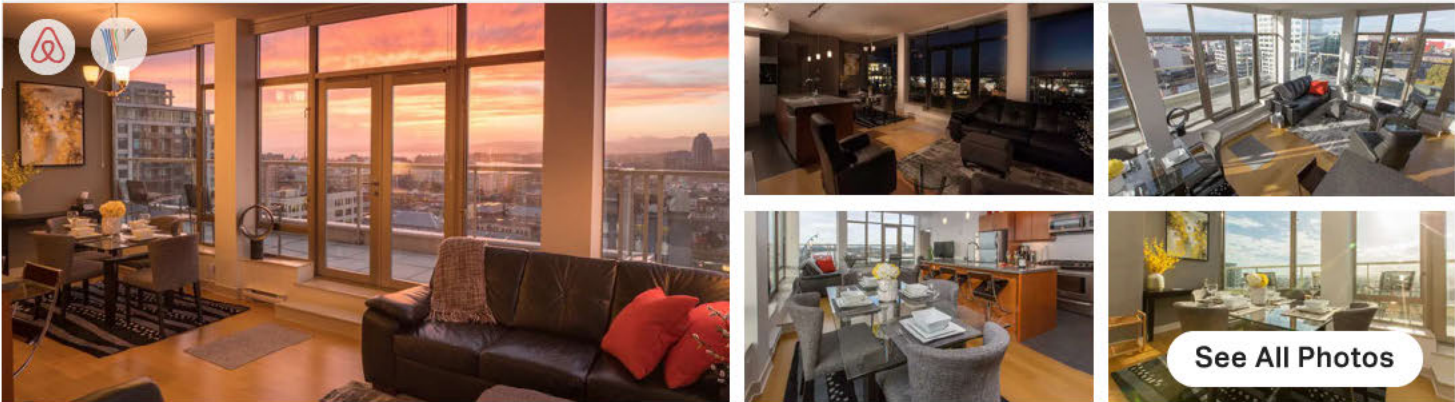
Amenities

For Sale



← Back

♡ Save ▶ Share



Short-term Rental Listing Overview

🛏 2 🍽 2 👤 4 ★ 4.9

Downtown Sub-Penthouse 2Bed/2Bath with Ocean View!

Market: [Victoria](#) Market Score: 80 Type: Apartment Price Tier: Upscale

Revenue Potential ⓘ
\$103.6K

334
Days Available ⓘ

\$95.6K
Annual Revenue ⓘ

85%
Occupancy ⓘ

\$335.4
Average Daily Rate ⓘ

How has this listing performed historically?

Occupancy Rate ▾ over the Last 12 months ▾

Want to unlock more insights?

Map


Appendix T

Listing Review – 1403-760 Johnson Street. Captured July 3, 2024

VRBO LISTING - 4 NIGHT STAY

https://www.vrbo.com/en-ca/cottage-rental/p9614765?adults=2&startDate=2024-09-29&endDate=2024-10-02&selected=71653659®ionId=4138

Schedule (Sharepoi... | VicMap | Bylaws | Victoria | BYL - Bylaw Service... | Internal Plan Search... | Tobacco & Vapour... | Clean Air Bylaw | CRD



Overview | Amenities | Policies | Host

Save

Condo

Executive Luxury Suite - Everything's Just Down The Street Suite!

10 Exceptional

See all 20 reviews >

2 bedrooms

2 bathrooms

Sleeps 4

125 sq m

Popular amenities

Hot tub

Outdoor space

Dryer

Washer

Kitchen

Free WiFi

See all property amenities >


Check-in time

3:00 PM

Check-out time

11:00 AM

Explore the area



Royal BC Museum

13 min walk

Victoria Harbour

18 min walk

Victoria Clipper Ferry Terminal

3 min drive

Victoria, BC (YYJ-Victoria Intl.)

24 min drive

CA\$317 per night

Free cancellation

Before Wed, 31 Jul

Your dates are available

Start date

Sep 29

End date

Oct 2

Travellers

2 travellers

Total

CA \$1,450

Price details


Book now

You will not be charged yet

Contact host

Property # 9614765

Search






19°C Sunny | 1:40 PM | 2024-07-03

VRBO CALENDAR – 2024

https://www.vrbo.com/en-ca/cottage-rental/p9614765?adults=2&startDate=2024-09-29&endDate=2024-10-02&selected=71653659®ionId=4138

Schedule (Sharepo...VicMapBylaws | VictoriaBYL - Bylaw Service...Internal Plan Search...Tobacco & Vapour...Clean Air Bylaw | CRD



47+

OverviewAmenitiesPoliciesHost

Save

Condo

Executive Luxury Suite - Everything's Just Down The Street Suite!

10

Exceptional

See all 20 reviews >

2 bedrooms

2 bathrooms

Sleeps 4

125 sq m

Popular amenities

Hot tub

Outdoor space

Dryer

Washer

Kitchen

Free WiFi

See all property amenities >


Check-in time

3:00 PM

Check-out time

11:00 AM

Explore the area



Royal BC Museum

13 min walk

Victoria Harbour

18 min walk

Victoria Clipper Ferry Terminal

3 min drive

Victoria, BC (YYJ-Victoria Intl)

24 min drive

CA\$317 per night

Free cancellation ⓘ

Before Wed, 31 Jul

✓

Your dates are available

Start date→End date

<

July 2024

>

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

<

August 2024


>

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Clear dates

Submit

search



High UV

1:43 PM

2024-07-03

Captured July 3, 2024



Overview Amenities Policies Host

Save

Condo

Executive Luxury Suite - Everything's Just Down The Street Suite!

10 Exceptional

See all 20 reviews >

2 bedrooms 2 bathrooms Sleeps 4 125 sq m

Popular amenities

- Hot tub
- Washer
- Outdoor space
- Kitchen
- Dryer
- Free WiFi

See all property amenities >

Check-in time
3:00 PM

Check-out time
11:00 AM

Explore the area



- Royal BC Museum 13 min walk
- Victoria Harbour 18 min walk
- Victoria Clipper Ferry Terminal 3 min drive
- Victoria, BC (YYJ-Victoria Intl) 24 min drive

CA\$317 per night

Free cancellation ⓘ
Before Wed, 31 Jul

✓ Your dates are available

Start date → End date


September 2024							October 2024						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
1	2	3	4	5	6	7			1	2	3	4	5
8	9	10	11	12	13	14	6	7	8	9	10	11	12
15	16	17	18	19	20	21	13	14	15	16	17	18	19
22	23	24	25	26	27	28	20	21	22	23	24	25	26
29	30						27	28	29	30	31		

Clear dates

Submit

https://www.vrbo.com/en-ca/cottage-rental/p9614765?adults=2&startDate=2024-09-29&endDate=2024-10-02&selected=71653659®ionId=4138

Schedule (Sharepoi... VicMap Bylaws | Victoria BYL - Bylaw Service... Internal Plan Search... Tobacco & Vapour... Clean Air Bylaw | CRD



Overview Amenities Policies Host Save

Condo

Executive Luxury Suite - Everything's Just Down The Street Suite!


10 Exceptional
See all 20 reviews >


2 bedrooms 2 bathrooms Sleeps 4 125 sq m

Popular amenities


- Hot tub
- Outdoor space
- Dryer
- Washer
- Kitchen
- Free WiFi

See all property amenities >

**Check-in time**
3:00 PM

**Check-out time**
11:00 AM

Explore the area



- Royal BC Museum 13 min walk
- Victoria Harbour 18 min walk
- Victoria Clipper Ferry Terminal 3 min drive
- Victoria, BC (YYJ-Victoria Intl.) 24 min drive

Start date → End date

< November 2024 >

S	M	T	W	T	F	S									
					1	2	1	2	3	4	5	6	7		
3	4	5	6	7	8	9	8	9	10	11	12	13	14		
10	11	12	13	14	15	16	15	16	17	18	19	20	21		
17	18	19	20	21	22	23	22	23	24	25	26	27	28		
24	25	26	27	28	29	30	29	30	31						

> December 2024

Clear dates Submit

CAD/USD +0.31% 1:45 PM 2024-07-03

Captured July 3, 2024

VRBO REVIEWS

https://www.vrbo.com/en-ca/cottage-rental/p9614765?adults=2&startDate=2024-09-29&endDate=2024-10-02&selected=71653659®ionId=4138&I10n=%5Bobject%20Object%5D&allowPreAppliedFilters=true...

Schedule (Sharepoi... | VicMap | Bylaws | Victoria | BYL - Bylaw Service... | Internal Plan Search... | Tobacco & Vapour... | Clean Air Bylaw | CRD

Overview | Amenities | Policies | Host

Save

Book now

Important information

10/10
Exceptional

20 reviews

Reviews are verified unless labelled otherwise.

About the host

Guest reviews

10/10 Exceptional

20 reviews

Reviews are presented in chronological order, subject to a moderation process, and verified unless otherwise labelled.

Learn more

Cleanliness9.6/10

Check-in10/10

Communication10/10

Location9.8/10

Listing accuracy10/10

Search reviews

Sort by
Most relevant

10/10 Excellent

Gail D.

18 Jun 2024

Liked: Cleanliness, check-in, communication, location, listing accuracy

Great Condo

Communication was excellent, even when I was having problems with the fob. The condo has everything you need, well stocked kitchen and plenty of towels. We would definitely rent this place again.

Stayed 4 nights in Jun 2024

Like

0

Search | 19°C Sunny | 1:49 PM 2024-07-03

Captured July 3, 2024

https://www.vrbo.com/en-ca/cottage-rental/p9614765?adults=2&startDate=2024-09-29&endDate=2024-10-02&selected=71653659®ionId=4138&lon=%5Bobject%20Object%5D&allowPreAppliedFilters=true...

Schedule (Sharepoi... VicMap Bylaws | Victoria BYL - Bylaw Service... Internal Plan Search... Tobacco & Vapour... Clean Air Bylaw | CRD

Overview Amenities Policies Host Save Book now

Important information

10/10 Exceptional
20 reviews ⓘ
Reviews are verified unless labelled otherwise.

About the host

Guest reviews

10/10 Excellent
Gail D.
18 Jun 2024
Liked: Cleanliness, check-in, communication, location, listing accuracy
Great Condo
Communication was excellent, even when I was having problems with the fob. The condo has everything you need, well stocked kitchen and plenty of towels. We would definitely rent this place again.
Stayed 4 nights in Jun 2024
0

10/10 Excellent
Douglas O.
16 Apr 2024
Liked: Cleanliness, check-in, communication, location, listing accuracy
Victoria getaway.
Really enjoyed our stay at this unit in the Juliet building. The views are wonderful. You can see for miles and miles and...
Stayed 45 nights in Feb 2024
0

10/10 Excellent
Miles S.
13 Jan 2024
Liked: Cleanliness, check-in, communication, location, listing accuracy
Great Condo. Great Location. Great owner
Great view from this well appointed 14th floor condo downtown Victoria. Walking distance to everything. Condo is very well appointed and easy to make your home away from home
Stayed 8 nights in Jan 2024
0

10/10 Excellent

Search 19°C Sunny 1:50 PM 2024-07-03

Guest Review – Gail D. June 18, 2024.

‘Communication was excellent, even when I was having problems with the fob. The condo has everything you need, well stocked and plenty of towels. We would definitely rent this place again’. Stayed 4 nights in June 2024.

Captured July 3, 2024

VRBO ABOUT THIS PROPERTY

https://www.vrbo.com/en-ca/cottage-rental/p9614765?adults=2&startDate=2024-09-29&endDate=2024-10-02&selected=71653659®ionId=4138&lon=%5Bobject%20Object%5D&allowPreAppliedFilters=true...

Schedule (Sharepoi... | VicMap | Bylaws | Victoria | BYL - Bylaw Service... | Internal Plan Search... | Tobacco & Vapour... | Clean Air Bylaw | CRD

Overview | Amenities | Policies | Host

About this property

Executive Luxury Suite - Everything's Just Down The Street Suite!

Victoria's 1403 West is a memorable contemporary, comfortable and quiet executive sanctuary perfect for the mature guest. The newly designed sub-penthouse interior space, with 10-foot high ceilings, complemented by the 450 sq. ft. wraparound outdoor deck provides a very spacious 1,350 sq. feet from which to enjoy Victoria. It is one of the few condos in Victoria with a complete wraparound deck, and 8-foot high wraparound glass "4th wall" windows. Your stunning views start to the north and northeast including Mt. Baker in Washington State. The grand westward views are of the city lights and inner harbours, with Sooke Hills in the distance. The view continues stretching to the south and southwest with the Olympic Mountains in the distance. Watch Victoria's float planes landing and taking off in the Inner Harbour, while flocks of birds soar by at eye level.

Sip your morning coffee or tea while watching seagulls glide by at eye level. Or enjoy a romantic sunset glass of wine watching the night lights of Victoria come to life from this superb 14th floor vista. Whether you are an early riser watching the sunrise light wake-up Victoria, or you prefer sleeping in, relaxing, and being as leisurely as you like, the views from 1403 West are memorable.

In less than 20 minutes walking, you can be at the walking/running trails along the shoreline of the southern tip of Vancouver Island after passing through Beacon Hill Park. In less than 15 minutes, you can walk to all the sights of the Inner Harbour with many the shops and restaurants along the way. In 10 minutes or less you can enjoy historic LoJo, Market Square and Victoria's unique new Johnson Street Bridge. Just over the bridge, with its pedestrian only passageway on its south side, enjoy walking trails along the Inner Harbour.

To add to the comfort of 1403 West, all the blinds are energy efficient, GreenGuard certified, with excellent UV protection and sound absorption properties that helps you stay cooler in the warmer months and warmer in the cooler times of the year. They have easy to use wands that allow the blinds to be drawn up in the traditional manner, from the bottom up.

However, the blinds in 1403 West also feature a top down option. So, if you want a bit more privacy, but still want a view to the outside, just lower the blinds from the top to whatever height you wish. With two easy motions, they are easier to use than conventional slat blinds with stringy cords. In addition to our concierge showing you how simple they are to properly operate, a handy "How To" user guide is located in the guest services book for your convenience to maximize your comfort during your stay. The bedroom blinds have an additional blackout feature that allows you to keep the room darkened if you choose not to get up at the break of dawn. So, no need to sleep with an eye mask.

Located in the vibrant, and wonderfully walkable downtown Victoria (we have a 100% walkability rating), you are close to all the places people come to Victoria to experience and enjoy. Even though 1403 West has a secure, double-gated parking space just opposite the door to the elevators, you may choose to do more walking than driving to see Victoria.

CA\$317 per night

Free cancellation ⓘ
Before Wed, 31 Jul

✓ Your dates are available

Start date
Sep 29

End date
Oct 2

Travellers
2 travellers

Total
[Price details](#)

CA\$1,450

Book now

You will not be charged yet

Contact host

Property # 9614765

Search | [Icons] | 19°C Sunny | 1:48 PM 2024-07-03

Captured July 3, 2024

https://www.vrbo.com/en-ca/cottage-rental/p9614765?adults=2&startDate=2024-09-29&endDate=2024-10-02&selected=71653659®ionId=4138&lon=%5Bobject%20Object%5D&allowPreAppliedFilters=true...

Schedule (Sharepoi... | VicMap | Bylaws | Victoria | BYL - Bylaw Service... | Internal Plan Search... | Tobacco & Vapour... | Clean Air Bylaw | CRD

Overview | Amenities | Policies | Host

Save

Located in the vibrant, and wonderfully walkable downtown Victoria (we have a 100% walkability rating), you are close to all the places people come to Victoria to experience and enjoy. Even though 1403 West has a secure, double-gated parking space just opposite the door to the elevators, you may choose to do more walking than driving to see Victoria.


1403 West provides you a relaxing, inviting, and comfortable place to come home to at the end of a day exploring the crown jewel of Canada's west coast, Victoria.

And the wonders of Victoria don't stop with autumn. Vancouver Island is known for the mildest climate in Canada. 1403 West offers you a warm and cozy get-away from the harshness of East Coast winters.

1403 West is a bright, airy, quiet, romantic and private 14th floor experience that is perfect for the mature couple. Our concierge personally meets you and walks you through the property to show you how everything works and will help you with all of your planning needs and offer concierge services as well, ensuring sure your stay at 1403 West is enjoyable.

City of Victoria STR License #00042338

Property manager



Kevin Smith

Premier Host

Languages

English

CA\$317 per night

Free cancellation ①
Before Wed, 31 Jul

✔ Your dates are available

Start date
Sep 29

End date
Oct 2

Travellers
2 travellers

Total

CA\$1,450

[Price details](#)

Book now

You will not be charged yet

Contact host

Property # 9614765

Amenities

Hot tub

Washer

Free WiFi











Kitchen

Dryer

Outdoor space

[See all 84 amenities](#)

Have a question?

earch |  |  |  |  |  |  |  |  |  | 

19°C Sunny | 1:48 PM 2024-07-03

Captured July 3, 2024

Washer

Free dryer – In unit

Show all 66 amenities

Select checkout date

Minimum stay: 30 nights

<September 2024October 2024>

Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7			1	2	3	4	5
8	9	10	11	12	13	14	6	7	8	9	10	11	12
15	16	17	18	19	20	21	13	14	15	16	17	18	19
22	23	24	25	26	27	28	20	21	22	23	24	25	26
29	30						27	28	29	30	31		

Clear dates

Add dates for prices

CHECK-IN
09-29-2024

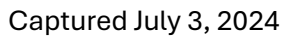
CHECKOUT
Add date

GUESTS
1 guest

Check availability

Report this listing

4.89





darcycsmith London 

May 13



DARCYCSMITH
Posts

Follow



darcycsmith
Copenhagen, Demark



kevintjsmith



131 likes

darcycsmith 🦋 🍷 🌸

View all 6 comments

July 29



DARCYCSMITH
Posts

Follow



darcycsmith
Tuscany, Italy



127 likes

darcycsmith A fairytale wedding

[View all 8 comments](#)

August 5



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Posts

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257 likes

darcycsmith The one where we decided to go to New York

October 8



darcycsmith
Malmö, Sweden



84 likes

darcycsmith Swedish meatballs > bugs

August 12



darcycsmith
Tuscany, Italy





darcycsmith



166 likes

darcycsmith When your parents fly across the country to visit 🥰🥰


November 4


Learning

Jobs

Games

Get the app






Kevin T. Smith

Principal, Partnership Portfolio at BCI

Victoria, British Columbia, Canada · [Contact Info](#)

637 followers · 500+ connections

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Message

BCI

Sauder School of Business


Highlights

Kevin T. can introduce you to 10+ people at BCI



[Ask for referral](#)

Kevin T. can introduce you to 10+ people at BCI



[Ask for referral](#)

About

Kevin started his investment career with British Columbia Investment Management on the Partnership Portfolio Team within the Public Markets Department. As an Analyst, he assists the team in executing the Departments Investment Program goals through analyzing investment opportunities/strategies within BCI's externally managed long-only equity mandates, absolute return strategies (hedge funds), as well as co-investment and direct investment decisions. Kevin is the primary contact for two external equity portfolios and is a secondary contact on four external emerging market equity portfolios. Absolute return strategies Kevin has worked on include: Litigation Finance, Mezzanine Debt Bridge Financing for a global B2B Technology Solutions provider, as well as a founder equity buyout of a large Canadian industrial product producer. Over the past year, Kevin has overseen the co-op/intern program for the Partnership Portfolio Team.

Kevin is a graduate of the University of British Columbia's Sauder School of Business where he specialized in finance. He is currently pursuing a Chartered Financial Analyst (CFA) certification and is a level three candidate. Kevin is a former professional athlete playing five seasons in the Western Hockey League. During his career he was named a team captain and a leader due to his exceptional interpersonal skills, work ethic, and proven ability to exceed expectations.

Feel free to contact Kevin if you have questions about the Investment Management Industry, are wanting to grow your professional network, or believe he would be a good fit to join your organization.

Activity

+ Follow

White Matter - Generative AI training, consulting and professional services.

Try it on AI - Generative AI Platform

Adaine - Generative AI Entrepreneurship Has Arrived With Adaine. Adaine - The first all-in-one generative AI business topirot and...

Shaker - Generative AI Platform for Marketers


Mockey - Generative AI. Create stunning mockups within seconds!

Pew AI - Generative AI for Marketing

Gaia Design Technologies - Generative AI Architecture Application

Modulo AI - Generative AI powered research and an collaboration platform for knowledge creation, facilitation, brainstorm and more!

Did you recently try searching for Generative AI on Crunchbase? Even the free query returns plethora of companies in this field. It looks like we...
Liked by Kevin T. Smith



Proud and honoured to have qualified as a MLS Medallion Club Award Member. The Real Estate Board of Greater Vancouver recognizes the Top 10% of...

Liked by Kevin T. Smith

https://ca.linkedin.com/in/kevinsmith91


1/5



Proud to be part of the team building member verification on LinkedIn! Here's the TL;DR:
1.) Trust stands at the core of LinkedIn's values, shaping...
Liked by Kevin T. Smith

[Join now to see all activity](#)

Experience

 **Senior Principal, Partnership Portfolio**
BCI
Sep 2024 - Present · 3 months
New York, New York, United States

 **BCI**
5 years 11 months

 **Principal, Partnership Portfolio**
Apr 2022 - Mar 2024 · 2 years
Victoria, British Columbia, Canada

 **Associate, Partnership Portfolio**
Apr 2020 - Apr 2022 · 2 years 1 month
Victoria, British Columbia, Canada

 **Senior Analyst, Partnership Portfolio**
Sep 2019 - Apr 2020 · 8 months
Victoria, Canada

 **Analyst, Partnership Portfolio**
Aug 2018 - Aug 2019 · 1 year 1 month
Victoria, Canada

 **Intern - Partnership Portfolio, Public Markets**
May 2018 - Aug 2018 · 4 months
Victoria, Canada


 **Industry Analyst**
First Avenue Capital Corp.
Jan 2018 - Apr 2018 · 4 months
Vancouver, Canada

 **Merchandise Manager**
Sleeman Breweries Ltd.
Apr 2013 - Sep 2013 · 6 months
• Responsible for 115 premise and off premise liquor retail outlets in the Greater Vancouver region.
• Worked with Regional Sales Managers to increase product sales to new record levels

Senior Principal, Partnership Portfolio
BCI

Sep 2024 - Present
New York, New York, United States

Education


 **Sauder School of Business**
Bachelor of Commerce (B.Com.) · Finance
2012 - 2016
Activities and Societies: UBC Finance Club

Licenses & Certifications

 **Chartered Financial Analyst® (CFA) Charterholder**
CFA Institute
Issued May 2023

Volunteer Experience

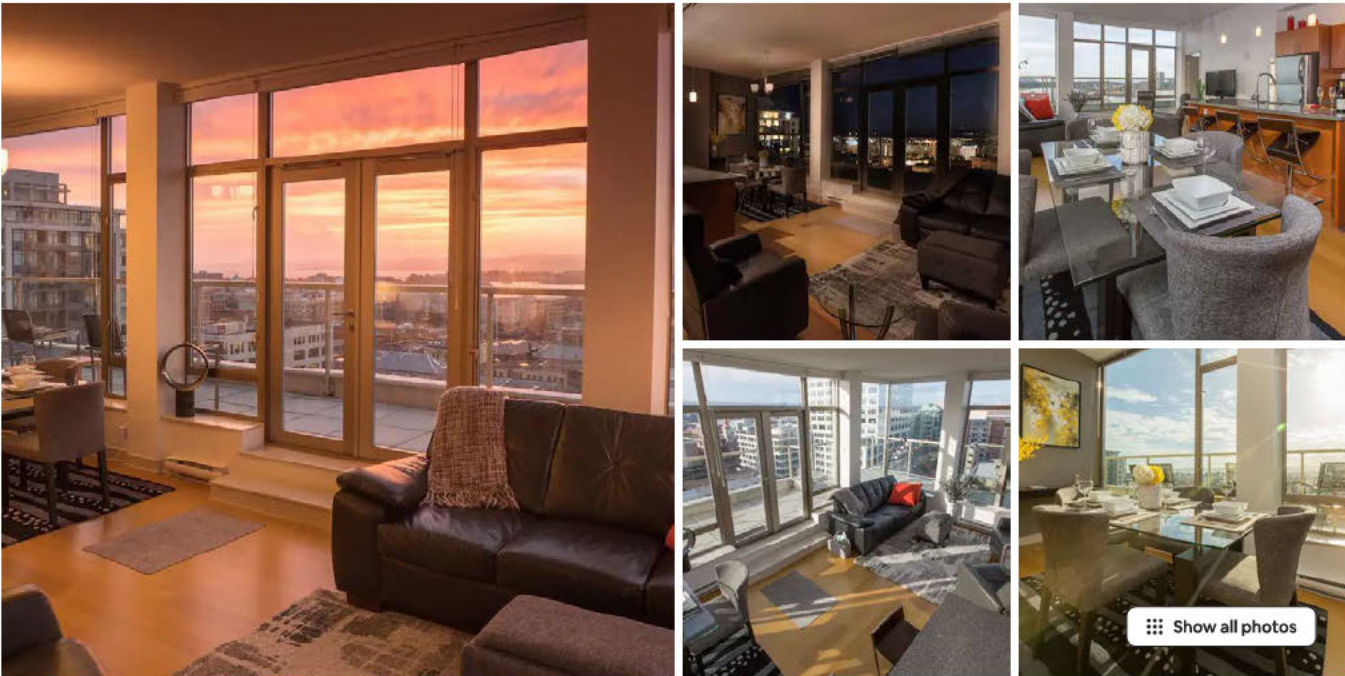
 **Distribution**
Meals on Wheels America
Sep 2010 - Apr 2011 · 8 months
Social Services

 **Assistant Organizer**
Red Cross Blood Services
Sep 2010 - Apr 2013 · 2 years 8 months
Health

Appendix W

Downtown Sub-Penthouse 2Bed/2Bath with Ocean View!

[Share](#) [Save](#)



Entire condo in Victoria, Canada
4 guests · 2 bedrooms · 2 beds · 2 baths
★ 4.88 · [40 reviews](#)

 Hosted by Kevin
3 years hosting

-  **Ocean and mountain views**
Soak up the views during your stay.
-  **Unbeatable location**
100% of guests in the past year gave this location a 5-star rating.
-  **Park for free**
This is one of the few places in the area with free parking.

Some info has been automatically translated.
[Show original](#)

Luxury rental in beautiful downtown Victoria, B.C.

1403 is a memorable contemporary, comfortable and quiet executive sanctuary perfect for the mature couple. The newly designed interior space, complemented by the expansive wraparound deck gives you a very spacious home from which to enjoy all of Victoria.

...

[Show more](#) >

Where you'll sleep


\$350 CAD night

CHECK-IN 12-01-2024	CHECKOUT 12-04-2024
GUESTS 1 guest	▼

Reserve

You won't be charged yet

<u>\$350 CAD x 3 nights</u>	\$1,050 CAD
<u>Cleaning fee</u>	\$120 CAD
<u>Airbnb service fee</u>	\$173 CAD
<u>Taxes</u>	\$147 CAD
Total	\$1,490 CAD

 **This is a rare find**
Kevin's place is usually fully booked.

 [Report this listing](#)



Bedroom 1
1 queen bed



Bedroom 2
1 double bed

What this place offers

- City skyline view
- Sea view
- Kitchen
- Wifi
- Dedicated workspace
- Free residential garage on premises – 1 space
- 65-inch HDTV with Chromecast, Netflix, premium cable
- Elevator
- Washer
- Free dryer – In unit

Show all 66 amenities

3 nights in Victoria

Dec. 1, 2024 - Dec. 4, 2024

< December 2024							January 2025 >						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7				1	2	3	4
8	9	10	11	12	13	14	5	6	7	8	9	10	11
15	16	17	18	19	20	21	12	13	14	15	16	17	18
22	23	24	25	26	27	28	19	20	21	22	23	24	25
29	30	31					26	27	28	29	30	31	



[Clear dates](#)

★ 4.88 · 40 reviews

Overall rating | Cleanliness | Accuracy | Check-in | Communication | Location | Value

5
4
3
2
1

4.9



4.9



5.0



4.9



4.8



4.8



Theresa

Canada

★★★★★ · 2 weeks ago · Stayed a few nights

A beautiful oasis, Kevin's place was just what we needed after teaching all day! The bedrooms were very comfortable, and the deck and views are stunning. The kitchen was well laid out and stocked. I would absolutely stay here again!

[Show more](#)

Nicole

Johannesburg, South Africa

★★★★★ · July 2024 · Stayed a few nights

Outstanding location. Super clean. Excellent communication. We loved the balcony and the views. We walked everywhere and loved the city.

Maryse Briand Antoine

6 years on Airbnb

★★★★★ · June 2024 · Stayed a few nights

Very well located place. We had a serious problem with the "Hunter Douglas " blinds and we managed to solve part of the problem...Also with the ceiling fans in the rooms and again,difficult to get satisfaction. It appears that we were the only ones to whom it happened according to our host Kevin. We are French speakers so the communication was not fluid.

[Show more](#)

Cathy

Kalispell, Montana

★★★★★ · June 2024 · Stayed a few nights

Such a beautiful place to enjoy Victoria! It is definitely a penthouse. Beautiful view of the harbor and the city below. Easy walking to so many places. You really don't need a car. An Uber can get you to the gardens. And they are well worth it, if you need a parking spot, it is very secure.

[Show more](#)

Linda

Rainier, Washington

★★★★★ · May 2024 · Stayed a few nights

This was a perfect place to stay that was close to great restaurants and all the amenities. The views were spectacular and the host was very helpful with instructions. We would come back again.

[Show more](#)

Julie

10 years on Airbnb

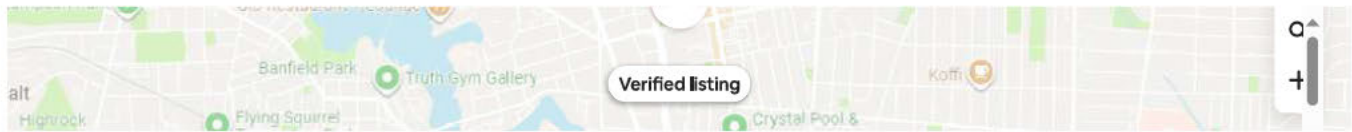
★★★★★ · May 2024

Our stay at Kevin's place was amazing! Great location, great check in and fantastic apartment. Extremely comfortable beds and very well furnished. Would recommend and stay there again.

[Show more](#)[Show all 40 reviews](#)

Where you'll be

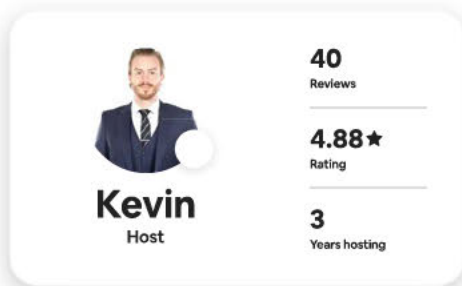
Victoria, British Columbia, Canada



We verified that this listing's location is accurate. [Learn more](#)

[Show more](#) >

Meet your Host



Co-Hosts

Darcy

Host details

Response rate: 100%
Responds within an hour

[Message Host](#)

Registration number: 42338



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

Things to know

House rules

Check-in after 3:00 p.m.

Checkout before 11:00 a.m.

4 guests maximum

[Show more](#) >

Safety & property

Carbon monoxide alarm

Smoke alarm

[Show more](#) >

Detailed Listing Information for Airbnb Listing - 1403 - 760 Johnson Street

51968148

Assigned to: City of Victoria

Platform Information

Platform Report Month: 2024-10

Platform: Airbnb

Listing Status: Active A

Address (Best Match): UNIT 1403 – 760 Johnson St, Victoria, BC Updated

Address (Platform Listing): 760 Johnson St, Victoria, BC V8W 0A4, Canada

Entire Unit? (Platform Listing): Yes

Number of Bedrooms (Platform Listing): 2

Business Licence on Listing: 42338

Property Host (Platform Listing): Kevin Smith

Property Host Address: 760 Johnson Street, Victoria, BC

Email: kevin.smith@bcl.ca

Phone:

STR Host (Platform Listing): Darcy Smith

STR Host Address:

Email:

Phone:

Listing History (for This Listing ID)

Night Stayed YTD: 37

Month	Nights Stayed	Separate Reservations
2024-10	14	3
2024-09	4	1
2024-08	0	0
2024-07	3	1
2024-06	8	2
2024-05	8	2

Address History

Type	Platform Address	Best Match Address	Date	User
User Edit	760 Johnson St, Victoria, BC V8W 0A4, Canada	UNIT 1403 – 760 Johnson St, Victoria, BC	2024-10-15	Crockett, Emma
Platform Data	760 Johnson St, Victoria, BC V8W 0A4, Canada	760 Johnson St, Victoria, BC	2024-06-27	System

Action History

Action	Date	User
-	-	-

Business Licence Information

BL Records Last Uploaded: 2024-10-11

Business Name: SMITH, KEVIN

STR Address: 1403-760 JOHNSON ST VICTORIA BC V8W 0A4

Business Licence Number: 00042338

Licence Type: SHORT TERM RENTAL

Expiry Date: 2024-12-31

Status: Issued

Operator Name: SMITH, KEVIN

Principal Residence: No

Onsite Owner: No

Building Rented: No

Folio Number: 01020116

Parcel Identifier (PID): 027-683-991

Detailed Listing Information for VRBO Listing - 1403 - 760 Johnson Street

9614765

Assigned to: City of Victoria

Platform InformationPlatform Report Month: 2024-10

Platform: VRBO

Listing Status: Active A

Address (Best Match): UNIT 1403 – 760 Johnson St, Victoria, BC Updated

Address (Platform Listing): 760 Johnson Street 1403 Victoria BC

Entire Unit? (Platform Listing): Yes

Number of Bedrooms (Platform Listing): 2

Business Licence on Listing: 42338

Property Host (Platform Listing): Kevin Smith

Property Host Address: 760 Johnson Street, 1403 Victoria BC

Email:

Phone:

Listing History (for This Listing ID)

Night Stayed YTD: 38

Month	Nights Stayed	Separate Reservations
2024-10	9	2
2024-09	15	3
2024-08	14	3

Address History

Type	Platform Address	Best Match Address	Date	User
User Edit	760 Johnson Street 1403 Victoria BC	UNIT 1403 – 760 Johnson St, Victoria, BC	2024-10-15	Crockett, Emma
Platform Data	760 Johnson Street 1403 Victoria BC	760 Johnson St, Victoria, BC	2024-09-17	System

Action History

Action	Date	User
-	-	-

Business Licence InformationBL Records Last Uploaded: 2024-10-11

Business Name: SMITH, KEVIN

STR Address: 1403-760 JOHNSON ST VICTORIA BC V8W 0A4

Business Licence Number: 00042338

Licence Type: SHORT TERM RENTAL

Expiry Date: 2024-12-31

Status: Issued

Operator Name: SMITH, KEVIN

Principal Residence: No

Onsite Owner: No

Building Rented: No

Folio Number: 01020116

Parcel Identifier (PID): 027-683-991

https://strdata.gov.bc.ca/listing/286330

1/1

Appendix Y

Marissa Peluso

From: Smith, Kevin <Kevin.Smith@bci.ca>
Sent: August 8, 2024 1:49 PM
To: Legislative Services email
Cc: str@victoria.ca; Crystal Anderson
Subject: RE: Principal Residence STR Application Appeal Notice: 1403-760 Johnson Street

Understood. Thank you for clarifying that any questions about the specifics of my case cannot be answered.

I will begin putting everything together over the weekend but are you able to provide me with any links to specific website locations and/or important documents that I should review prior to starting? I'm assuming that the City of Victoria website should have all of this information, but it's easy to miss items if they're split across several different web pages and/or different government entity websites such as the Province of British Columbia's website.

A similar question, are you able to provide any standard form documents such as:

- A list of documents the inspector would like me to show to prove this is my primary residence? I have several ideas but I want to be as fulsome as possible in the submission
- A document that outlines how the inspector would like me to actually write the appeal (defining various sections to include and how I should reference additional documentation that might be in the appendix for that section)? I'm just assuming it would make each review easier for the inspector to find/track relevant information being provided if it was standardized. Not a problem if this is not available.

Thank you for your help, I appreciate it.
Kevin

From: Legislative Services email <LegislativeServices@victoria.ca>
Sent: Thursday, August 8, 2024 12:16 PM
To: Smith, Kevin <Kevin.Smith@bci.ca>
Cc: str@victoria.ca; Crystal Anderson <cranderson@victoria.ca>; Legislative Services email <LegislativeServices@victoria.ca>
Subject: RE: Principal Residence STR Application Appeal Notice: 1403-760 Johnson Street

Hi Kevin,

Glad to hear! Our office is unable to respond to specific questions regarding the denial of your STR business licence application; however, we are here to assist with any procedural queries during the appeal process.

Take care,

Legislative Services
City of Victoria
1 Centennial Square, Victoria BC V8W 1P6
T 250.361.0571



The City of Victoria is located on the homelands of the Songhees Nation and Xwsepsum Nation.

From: Smith, Kevin <Kevin.Smith@bci.ca>
Sent: Wednesday, August 7, 2024 3:00 PM
To: Legislative Services email <LegislativeServices@victoria.ca>
Cc: str@victoria.ca; Crystal Anderson <cranderson@victoria.ca>
Subject: RE: Principal Residence STR Application Appeal Notice: 1403-760 Johnson Street

Amazing news! Thank you so much for reconsidering your position, this truly means a lot to me.

I do need a couple of days to regroup and recover from the sleepless night but I will come back to you with any questions and a go-forward plan for my submission in the coming days. I should be able to spend time working on this over the weekend and I will attempt to get any questions over to you early next week to avoid any timing issues this time around.

Have a great rest of your week.
Kevin

From: Legislative Services email <LegislativeServices@victoria.ca>
Sent: Wednesday, August 7, 2024 9:57 AM
To: Smith, Kevin <Kevin.Smith@bci.ca>
Cc: str@victoria.ca; Crystal Anderson <cranderson@victoria.ca>; Legislative Services email <LegislativeServices@victoria.ca>
Subject: RE: Principal Residence STR Application Appeal Notice: 1403-760 Johnson Street

Good Morning Kevin,

Thank you for your email, and I appreciate the time you have taken to further clarify. I have discussed your situation with the City Clerk and confirmed that section D.1.a. of the policy states “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,” and therefore, the City Clerk has considered the 30 days to begin as of the date of receipt which you have indicated as July 29th.

Therefore, you are invited to make a written submission in the form of reasons and/or supporting documents, for your appeal. Please provide this documentation by email to legislativeservices@victoria.ca by **August 21, 2024** (revised). You can also mail these documents to the attention of Legislative Services, City Hall, #1 Centennial Square, Victoria, BC V8W 1P6, or you can drop them in the mail slot on the right side of the Pandora Avenue entrance at City Hall, #1 Centennial Square. If you wish for your initial email including attachments to be considered as your written submission, please respond to confirm. We will forward your documentation to the Licence Inspector who will respond. This response will be forwarded to you and you will be given the opportunity to respond to the Licence Inspector.

Please reach out if you have any questions.

Thank you,

Legislative Services

City of Victoria

1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0571



The City of Victoria is located on the homelands of the Songhees Nation and Xwsepsum Nation.

From: Smith, Kevin <Kevin.Smith@bci.ca>

Sent: Wednesday, August 7, 2024 4:37 AM

To: Legislative Services email <LegislativeServices@victoria.ca>

Cc: str@victoria.ca; Crystal Anderson <cranderson@victoria.ca>

Subject: RE: Principal Residence STR Application Appeal Notice: 1403-760 Johnson Street

Hello,

Thank you for your email and acknowledgement of my immense desire to be heard by someone at the City of Victoria. I have been attempting to speak with someone about my situation for the past 8-months and I have not been given the time of day from anyone with any desire to actually hear my story. Respectfully, I'm asking you to reconsider by reflecting on the below additional information and further extenuating circumstances that caused the delay in my initial appeal response.

As a starting point, it's unreasonable to claim that Saturday August 3rd should have been the deadline for my appeal notice. Why is this an unreasonable date:

1. Your letter dated July 3rd mentioned I had 30 days from the date of your letter to respond. It was unclear to me whether you intended 30 calendar days or 30 business days. This is a simple clarification that should not have gone missed by your lawyers when drafting the standard form document.
2. All of my correspondence with your office has been by email. Nothing led me to expect that you would send such an important document by posted mail. Your letter may have been written on Thursday, July 3rd but the post mark is dated July 7th, 2024 (I have the envelope the letter was mailed in). An email which could have included your letter, or a courier delivery would have cleared up the timeline issue. Our traditional mail system is not appropriate for complex, time sensitive situations such as this. Are you able to confirm the date your mail was actually delivered to my home?
3. Your letter dated July 3rd included 5 links to vital information. This information would have been quite helpful if I received the letter electronically. Because the letter was delivered by traditional mail, I was unable to use the electronic links and was denied easy access, to this vital information within your letter.
4. I also believe it is common practice to grant some leeway concerning a 30 day deadline (especially if you have not clearly stated if these are meant to be calendar or business days). It's quite reasonable to assume that at least a 3 day grace period would have been considered reasonable for something as crucial as this is to my livelihood.
5. It's stated on the Legislative Services website that your office hours are between 8am-430pm Monday to Friday. If I had any questions when preparing to send the appeal notice (on Saturday August 3rd when your office is closed) then I would not have had the opportunity to speak to anyone within your offices to answer my questions.

6. Similarly, the City of Victoria offices at City Hall (which is two blocks from my home) is closed over the weekend. Notably, Saturday August 3rd is also in the middle of a long weekend for the province of British Columbia and it's not reasonable to assume that I would have adequate access to information from anyone within any department at the City of Victoria if I had questions when submitting my appeal.
7. My email notifying the Legislative Services Office of my appeal (sent on Monday August 5th) was originally accepted on Tuesday August 6th. This timing of acceptance suggests that Legislative Services does not automatically send appeal notices to the Short-Term Rental Offices over weekends (or when offices are closed).
8. This means that "time is not of the essence" within your appeal process because you would not have done anything with the information that I provided to you while your offices were closed. In any scenario, my appeal notice would not have been adequately reviewed until Monday/Tuesday August 5th/6th (timing is variable due to the long weekend working hours) and it is unreasonable to force disclosure before your offices are open on the next business day. My email was sent to you on August 5th which would have been the earliest time your offices would have read the email and therefore it should be accepted as a timely response.
9. A reasonable cutoff date would be the next day of business that the Legislative Services offices are open, which is stated to be from 8am-430pm Monday to Friday.

Separately, even if you disagree with the above logic, I implore you to consider the below description of my extenuating circumstances that caused my appeal notice to be delayed.

1. All of the communication regarding my license application has occurred online (through email communication). The only notice that I received by posted mail (during the entire 8-month application process) was the denial notice for my Principal Residence application. I have been actively looking in my email for the acceptance (or denial) notice since my bylaw inspection was completed on June 21st.
2. The rejection notice (delivered by posted mail was dated July 3rd, posted as of July 5th, and delivered at some point thereafter) was delivered to me while I was out of the country and on vacation / attending a wedding. I have flight details stating that I left the country on June 30th and returned to Canada July 17th. I then worked remotely from Vancouver (at my parent's condo) and officially returned to Victoria on July 28th.
3. The reason for the extended visit in Vancouver following our vacation was because my girlfriend's best friend was diagnosed with a brain tumor while we were away on vacation. She does not have family in Vancouver to assist her (she has a 1-year old child) so I asked my work if I could stay in Vancouver to help her out (without knowing I needed to return to Victoria to review this appeal process). She just completed her first surgery late last week to obtain a sample for a biopsy.
4. Your rejection notice states July 3rd as the date it was drafted. I actually received and read the rejection notice on July 29th when I opened my mailbox the day after I returned to Victoria. Despite the above sequence of events, I still responded to the notice within an expedited timeline, 1-week from the date I opened the letter. This is an extremely difficult timeline to be able to reach any of my advisors (which was exacerbated by the long weekend).

Additional information that may be relevant to the Legislative Services team and the Short-Term Rental office: The below information will show that that I have been actively over-communicating with the City of Victoria for the past 8-months regarding this application process. I have been attempting to have my application reviewed since January 2024 (all of the supplementary information is documented and can be provided to support this extensive timeline). The fact that we're 8 months into the year, and I'm just now getting a response to this application should display that there are several issues that could have been avoided if adequate review processes had been followed. Clearly, this review was not conducted within a reasonable timeframe by the City of Victoria and it's unreasonable to hold me to an unnecessary timeline. It's extremely disappointing that we're currently disputing a 3 day discrepancy. I'm an upstanding citizen with no prior record of criminal or social offences and I deserve to be provided with a fair review process.

Unreasonably deciding to withhold my application from a proper review is borderline negligent, and outright unfair when I have been forced to navigate this extremely difficult process described below:

1. The City of Victoria stated by email that they estimate a minimum of 21 business days to process a Principal Residence Business License. In prior years it took the city ~10 business days to process my Non-Principal Operators License. This year, they did not provide any upfront communication to state that the application process would take a significantly longer timeline to process.
2. I first applied for a Principal Residence license in January 2024. I completed the required bylaw inspection on March 5th, 2024, for that application.
3. Due to the application process taking much longer than expected, I offered to also purchase a Non-Principal Business Operators License if it expedited the review process. Subsequently, I was approved for that license but the City of Victoria in a couple of days, but the City of Victoria also withdrew my original application for a Principal Residence License.
4. The City of Victoria then would not accept my original Principal Residence application because that application had been signed by my Strata 2 months and 8 days earlier (the City of Victoria requires all signatures to be executed within 2 months of submitting the application).
5. I was then forced to re-apply (for a second time) for a Principal Residence license this year in April 2024. This required me to go back to my strata and request additional signatures. Of note, my strata manager stated several times that I did not actually need a Principal Residence license and that my Operators license would be sufficient. Knowing the regulations were changing and that he was likely not correct, I had to request several times over the following weeks to get the signatures I was requesting from the strata council.
6. After receiving the signatures and re-submitting my application (the only changes to this application was the date and new wet-signatures) I was then required to wait for a bylaw inspection (for the same residence, which is my only residence) despite having had an inspection completed a few weeks prior to submitting this second Primary Residence application. The second inspection occurred on Friday June 21st.
7. As you can see, the application process has been incredibly slow and unnecessarily difficult. I have been attempting to get my application reviewed for 8 months and it took the bylaw inspectors more than 3 months to complete my second inspection. Why is it considered fair to hold me to 30 calendar days when this has taken 8-months of back-and-forth with the City of Victoria to review my application?
8. What is not visible in my email history, is the fact that I have visited City Hall at least 10 times attempting to speak to someone about my personal situation (detailed below in the next section). Each time I physically went to knock on various offices at City Hall, each time I was not provided with any options or possible times to speak with anyone other than to call/email 250.361.0276/str@victoria.ca with my questions. Each time I made an inquiry (call or email), the responses were inadequate and did not effectively answer my questions.

It seems as if the City of Victoria's has a mandate to remove all short-term rentals without adequate consideration of the underlying circumstances at each residence (not every short-term rental can be returned to the long-term rental market). This email notification stating that you're not even planning on reviewing my appeal is extremely disheartening as I believe I have a very strong case that deserves to be heard by City Council. I believe that I'm actually someone that you're attempting to help with these new Short-Term Rental Regulations. However, because these new regulations were expedited (without consideration of unique circumstances) I'm getting bullied out of my own home by the people that are meant to help protect my property rights. If I'm given the opportunity to submit my case in more detail during my appeal process, I will expand and provide documentation/information for each of the explanations below:

I have anticipated a few questions you may have which I will try to answer briefly.

1. 1403-760 Johnson Street is my primary residence.
 - a. I live here all year round. I work one block away at 750 Pandora Avenue and I am required to be in the office a minimum of four times per week. My team says I need to be in the office every Monday, Tuesday, Wednesday, and Thursday. Fridays are typically flexible days and I can work from anywhere.
 - b. This is also my girlfriend's primary residence. This is clearly indicated on both of our drivers licenses.
 - c. I can provide letters of employment for both of us stating that we work in the city.
2. My home cannot be returned to the long-term rental market
 - a. I need to be physically in the office for work each week so I cannot rent out my home for extended periods.
 - b. My girlfriend has to be at work in Victoria 5 days a week during the school year.
3. Why can I rent out my home for short-term rentals?
 - a. I have 5 weeks of vacation each year. My work also allows me to work remotely for up to 4 weeks per year (this can be used 1-5 business days per week providing a significant amount of optionality throughout the year).
 - b. My girlfriend lives with me and also works in Victoria. She works at Victor School working with the children with the greatest disabilities in the Greater Victoria School system. She has July and August off work and all statutory holidays.
 - c. Our schedules allow us to book off lots of long weekends throughout the year. We mostly only allow rentals in the summer months when there is high demand for rentals in Victoria and my girlfriend is off for the summer.
 - d. I have put considerable time and effort into optimizing my home so that I can rent it out on a short-term basis. I have added locked storage under my customized hydraulic bed to store all of our clothes, toiletries, and day-to-day necessities. I've added two locked storage units on my balcony to store our out-of-season clothes, sporting accessories such as golf clubs and tennis rackets, and anything we do not need on a day-to-day basis. The storage in my parking garage houses all of the items we don't need regularly, as well as the essentials needed for renting the condo on a short-term basis (spare plates and glasses to replace broken items).
4. Where do I stay when I rent my home?
 - a. All of my friends and family (and my girlfriend's friends and family) live in Vancouver. We take the bus to save on expenses and travel to Vancouver to visit when our place is rented.
 - b. All of our friends are getting married and having children (I'm 33 and my girlfriends almost 31) so we are constantly going away for engagement parties, weddings, baby showers, etc.
 - c. We both enjoy camping around Victoria.
 - d. My parents own a cottage in Lake Cowichan which has Wi-Fi and a space for me to work.
 - e. To be clear, neither of us own or rent another place in Victoria (or anywhere else).
5. Why do I rely on short-term rental income?
 - a. I made the mistake of entering into a variable rate interest mortgage when I purchased my condo in June 2021. Interest rates increased at the fastest pace in the past 100 years causing my mortgage

payment to go from ~\$2,200 at closing to ~\$4,000 per month. My strata payments (\$1,030) bring my monthly cost of living to ~\$5,000.

- b. The cost of living in Victoria is extremely high. I'm looking to start a family in the next 1-2 years and I will need additional space but saving is extremely difficult in this economic environment.
- c. I do not enjoy renting out my home to strangers but my home is my only asset that I can have work for me to supplement my income.

6. What will happen without this short-term rental income?

- a. Without the additional rental income, I will be forced to sell my home.
- b. Selling my home is the worst possible outcome because I will be removed from the housing market and not be able to participate in any capital appreciation, which will make re-entering the housing market in the future impossible.

All I'm asking is for the opportunity for an adequate review of application. Please provide me with the opportunity to speak with someone in person.

I apologize for the long message. It could have been more concise if I had additional time but I was prioritizing getting this returned to you as soon as possible (and I have not been able to sleep).

Thank you for your time and consideration.
Kevin Smith

From: Legislative Services email <LegislativeServices@victoria.ca>
Sent: Tuesday, August 6, 2024 1:37 PM
To: Smith, Kevin <Kevin.Smith@bci.ca>
Cc: str@victoria.ca; Crystal Anderson <cranderson@victoria.ca>; Legislative Services email <LegislativeServices@victoria.ca>
Subject: RE: Principal Residence STR Application Appeal Notice: 1403-760 Johnson Street

Good Afternoon Kevin,

Our colleagues in the Short-Term Rental office have notified us that the short-term business licence decision for 1403-760 Johnson Street was issued to you on July 3, 2024. The Short-Term Rental Business Licence Appeal Policy establishes that a request for an appeal to the City Clerk must be submitted within 30 days after receiving notice from a Licence Inspector. Unfortunately, as your request for appeal was received on August 5, 2024, you have missed the deadline to proceed with the appeal process.

Please reach out if you have any questions.

Thank you,

Legislative Services
City of Victoria
1 Centennial Square, Victoria BC V8W 1P6
T 250.361.0571



The City of Victoria is located on the homelands of the Songhees Nation and Xwsepsum Nation.

From: Legislative Services email <LegislativeServices@victoria.ca>

Sent: Tuesday, August 6, 2024 9:07 AM

To: Kevin.Smith@bci.ca

Cc: str@victoria.ca; Crystal Anderson <cranderson@victoria.ca>; Legislative Services email <LegislativeServices@victoria.ca>

Subject: RE: Principal Residence STR Application Appeal Notice: 1403-760 Johnson Street

Good Morning Kevin,

I am writing to acknowledge receipt of your appeal regarding the denial of your Short-Term Rental (STR) Business Licence for 1403-760 Johnson Street.

Council 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.

You are invited to make a written submission in the form of reasons and/or supporting documents, for your appeal. Please provide this documentation by email to legislativeservices@victoria.ca by **August 20, 2024**. You can also mail these documents to the attention of Legislative Services, City Hall, #1 Centennial Square, Victoria, BC V8W 1P6, or you can drop them in the mail slot on the right side of the Pandora Avenue entrance at City Hall, #1 Centennial Square. If you wish for your initial email including attachments to be considered as your written submission, please respond to confirm. We will forward your documentation to the Licence Inspector who will respond. This response will be forwarded to you and you will be given the opportunity to respond to the Licence Inspector.

A written report will then go before Council at a public meeting and will include all documentation. Council will review the documentation and will make a decision to either uphold or overturn the Licence Inspector's denial of the STR Business Licence. When a meeting date is confirmed, we will notify you with the meeting details. Live and recorded meetings can be watched at [Council & Committee Meetings | City of Victoria](#)

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

Thank you,

Legislative Services

City of Victoria

1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0571



The City of Victoria is located on the homelands of the Songhees Nation and Xwsepsum Nation.

From: Smith, Kevin <Kevin.Smith@bci.ca>

Sent: Monday, August 5, 2024 6:15 PM

To: Legislative Services email <LegislativeServices@victoria.ca>

Subject: Principal Residence STR Application Appeal Notice: 1403-760 Johnson Street

Hello,

This email is to inform you of my intent to dispute the City of Victoria's decision to deny my application for a Principal Residence Short-Term Rental License. It was stated by the bylaw officer that my application was denied because the bylaw inspector does not believe 1403-760 Johnson Street is my principal residence. This decision was wrongfully made and took the City of Victoria over 8-months to respond to my

This statement by the bylaw officer is false and my application should be approved. My principal residence is 1403-760 Johnson Street, I do not own any other property and I do not rent any other property. There are several ways I can show that this is my principal residence, a few examples (non-exhaustive) include: my drivers license attached (my CRA assessment and BC Services card are not included at this time but also state this as my principal residence), I work across the street (750 Pandora) and need to be in the office every Monday, Tuesday, Wednesday and Thursday each week, all of my mail (and my girlfriends' mail) is delivered to this address and she does not own or rent another property, etc.

Once you provide an acknowledgement of this email and send me the Short-Term Rental Business License Appeal Process Policy I will provide you with my formal written Appeal Letter. Please let me know if there is anything else that is needed for you to review my appeal of this wrongfully denied application.

Thank you for your time and help resolving this matter.

KEVIN T. SMITH CFA

Senior Principal, Partnership Portfolio

Public Markets

750 Pandora Ave, Victoria BC

V8W 0E4 CANADA

BCI.ca



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