



SHORT-TERM RENTAL REGULATION BYLAW

BYLAW NO. 18-036

This consolidation is a copy of a bylaw consolidated under the authority of section 139 of the *Community Charter*.
(Consolidated on August 01, 2024 up to Bylaw No. 24-059)

This bylaw is printed under and by authority of the Corporate Administrator of the Corporation of the City of Victoria.

NO. 18-036

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

(Consolidated to include Bylaws No. 19-067, 24-059)

19-067

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 or Zoning Bylaw 2018 No. 18-072, and where permitted pursuant to section 528 of the *Local Government Act*.

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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

24-059 "dwelling unit" has the same meaning as in the *Zoning Regulation Bylaw*;

24-059 "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;

24-059 "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;

- 24-059 “platform service provider” has the same meaning as in the *Short-Term Rental Accommodations Act*;
- 24-059 “principal residence” means the residence in which an individual resides for a longer period of time in a calendar year than any other place;
- “responsible person” means a person designated by the operator as the primary contact under section 6.
- 24-059 “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;
- “strata corporation”, “strata council”, and “strata lot” have the same meaning as in the *Strata Property Act*;
- 24-059 “strata hotel” has the same meaning as in the *Zoning Regulation Bylaw*.

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
- 24-059 (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.
- 24-059 (3) The licence fee for purposes of subsection (2)(b) is \$150.

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

- 24-059 6 (1) 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.
- 24-059 (2) The operator may be the responsible person except when subsection (4 5) applies.
- (3) The responsible person must be able to attend at the short-term rental premises within two hours of being requested to do so.
- (4) 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

- 24-059 7 (1) A person commits an offence and is subject to the penalties imposed by this Bylaw, Bylaw Notice Adjudication 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

24-059 10 Repealed

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