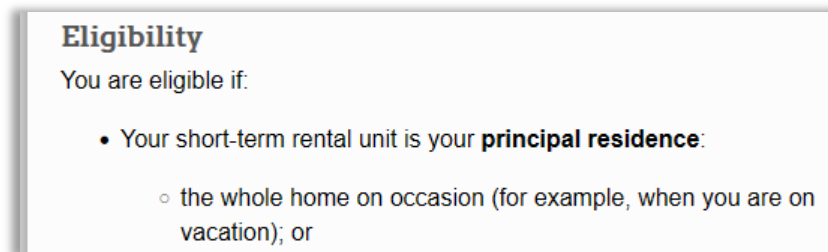


August 22, 2022

Owner response to the licence inspector's submission dated August 15 for consideration of council.

Addressing the Licence inspector's points in section II:

When the Licence inspector reviewed the rental, it was during a time the owner was not present and rented his condo without making use of the common living area and kitchen. As per the 'Eligibility' description from the City of Victoria website shown below, this is not a violation of the practices within the context of a short-term rental licence.



Addressing the statement in point #11 claiming; *"the appellant that their licence had been approved based on their application, but it was discovered that the appellant does not reside within the unit rented on Airbnb"* which is an incorrect statement.

Addressing the Licence inspector's points in section III:

Point #14 recaps the definition of a self-contained suite as an entry, bathroom, and kitchen. The inspector uses the Websters definition of Kitchen as *"a room where food is prepared and cooked"* to then describe the area occupied by Dr. Oosthuizen as a *"lock-off suite"* in point #18 of section IV. However, the Websters dictionary is not an authority having jurisdiction this scenario. Using the definition of a kitchen below is aligned with the BC Real Estate Association when classifying the spaces in a home. This bedroom then cannot be defined as a kitchen, also not meeting the definition of a suite.

***Kitchen** means any room, or area of a room within three feet of such equipment: Sink and/or other device for dish washing, stove or other device for cooking, refrigerator or other device for cool storage of food, cabinets and/or shelves for storage of equipment and utensils, and counter or table for food preparation.*

Addressing the Licence inspector's points in section IV:

As addressed above, the License Inspector performed their review at a time when the owner was not present and did not have any interaction in the shared living or kitchen area with the guests. However, the inspector has incorrectly extrapolated this scenario as the default use of the STR licence at this property.

Dr. Francois Oosthuizen
#105-1234 Wharf Street
Victoria, BC, V8W 3H9

We assume point #19 was included to imply that the owners at 1234 Wharf St have a standing alternative to rent their unit without a STR license. This is not viable for the owner of #105 due to the following:

- The unit cannot be rented as a shared space, and the owner requires use of the common living area & kitchen.
- The hotel service is limited to a maximum of 10 days per year.

Conclusion

We hope the explanations provided have clarified any issues presented by the license inspector both for the Short-Term Rental not being typically offered as a self-contained suite, as well as dispelling the possibility of a secondary living suite in the bedroom. During the typical rental scenario, the listing on Airbnb will reflect a shared living arrangement. We anticipate this is satisfactory to show the requirements have been met and the short-term rental licence can be approved for this location.

Thank you for your consideration on this matter.

Dr. Francois Oosthuizen
Resident & Owner.
#105-1234 Wharf St.