



## Council For the Meeting May 16, 2024

---

**To:** Council **Date:** May 8, 2024  
**From:** Curt Kingsley, City Clerk  
**Subject:** Transient Accommodation Business Licence Appeal – 867 Humboldt Street

---

### RECOMMENDATION

That Council receive this report for information and either uphold or overturn the Licence Inspector's denial of a transient accommodation business licence for a Bed and Breakfast application for 867 Humboldt Street.

### EXECUTIVE SUMMARY

This report presents documents from an Appellant and the City's Licence Inspector for Council's consideration under the Section 8(1) of the Business Licence Bylaw.

The Business Licence Bylaw provides for the licensing and regulation of businesses and establishes the Licence Inspector's authority to refuse a licence. The Bylaw is attached as Appendix A.

Business licences are issued by the City of Victoria on a yearly basis. If an application is not compliant with the City's requirements, a Licence Inspector may deny a business licence. In this instance, the Licence Inspector notifies the applicant of this decision and advises them how to seek Council's reconsideration in accordance with section 60(5) of the Community Charter. The City Clerk's Office coordinates the appeal process.

An Appellant may seek an opportunity to be heard by Council for a denied business licence in accordance with the Community Charter, section 60(5). This entitles the applicant who is subject to the decision to have Council reconsider the matter. In this case, the City and appellants' counsel agreed to use the process set out in the Short-term Rental Business Licence Appeal Process Policy, with the modification that the appellants were provided with one week longer than normal to make their initial submission. The Policy is attached as Appendix B. The Policy establishes the following process:

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

reasons for denial of the License (Appendix E).

6. Once this process is complete, the City Clerk's Office informs the Appellant and Licence Inspector of the date that Council will consider the appeal.
7. The City Clerk's Office consolidates these documents and submits them to Council for Council to determine whether the License Inspector's denial of the License is upheld or overturned.

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

In this instance the owner at 867 Humboldt Street was denied a transient accommodation business licence and has exercised the Community Charter right to have council reconsider the matter. The submissions of both the operator and the Licence Inspector are attached as appendices as noted above.

Respectfully submitted,

Curt Kingsley  
City Clerk

### **Report accepted and recommended by the City Manager**

#### **Attachments**

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