

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw and the Zoning Bylaw 2018 to better regulate short-term rentals and similar uses.

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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 ZONING AMENDMENT BYLAW”.

Zoning Regulation Bylaw Amendments

- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended as follows:
 - (a) Introduction and General Regulations is amended by adding the following new subsections (5) and (6) to section 17:
 - “(5) Without limiting the generality of subsection (1), strata hotels, whether as a principal or accessory use, are prohibited in all zones except where expressly permitted under this bylaw.
 - (6) In addition to the uses expressly permitted in their zones, strata hotels are permitted within properties listed in Schedule U.”
 - (b) Schedule A – Definitions is amended by adding the following definitions in the appropriate locations according to the alphabetical order of definitions:
 - “ **“Bed and Breakfast”** means a commercial use that provides transient lodging for the general public in a space that is shared with the operator and includes a breakfast served on the premises by the operator;”
 - “ **“Bedroom”** means a room within a dwelling unit which is used, designed, or intended for sleeping;”
 - “ **“Hotel”** means a commercial use that provides transient lodging to the general public accessed by a contiguous common space, all, including the contiguous common space, under single ownership, which includes
 - a) an entrance lobby that is open to the public,

- b) a service desk or office with a guest register,
- c) an attendant on duty at all times, and
- d) daily housekeeping services,

and may provide accessory amenities such as restaurant, meeting rooms and recreational facilities, and includes motels and hostels but does not include strata hotels;"

“ **Kitchen**” means a space used, designed, or intended for cooking or preparing of food, which contains a:

- a) sink;
- b) fridge; and
- c) stove, hotplate, microwave, air fryer, toaster oven, or other heating or cooking appliance;"

“ **Motel**” means a commercial use that provides transient lodging for the general public where each room or suite has independent access from the outside;"

“ **Strata hotel**” is a commercial use that provides transient lodging to the general public on premises in respect of which

- a) a strata plan is filed under the *Strata Property Act*, and
- b) different owners own different strata lots;"

“ **Time-Share**” means a residential use where individual dwelling units are owned, directly or indirectly, by multiple owners each of whom is entitled to annual use of it in proportion to their ownership share;"

- (c) Schedule A – Definitions is further amended by deleting the definition of “Short-Term Rental” and replacing it with the following:

“ **Short-Term Rental**” means the renting of a dwelling unit, or any portion of it, for a period of less than 30 nights and includes strata hotel and vacation rental but does not include a time-share when occupied by a time-share owner;"

- (d) Schedule D – Home Occupations is amended by deleting section 12(2) and replacing it with the following:

“(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 four times in a calendar year;" , and

- (e) by adding Schedule 1 attached to this Bylaw as the new Schedule U.

Zoning Bylaw 2018 Amendments

- 3 Bylaw No. 18-072, the Zoning Bylaw 2018, is amended as follows:

- (a) by adding the following new definitions to Part 2.1 Administrative Definitions in the appropriate locations according to the alphabetical order of definitions:

“**Bedroom** means a room within a **Dwelling Unit** which is used, designed, or intended for sleeping.”, and

“**Kitchen** means a space used, designed, or intended for cooking or preparing of food, which contains a:

- a) sink;
- b) fridge; and
- c) stove, hotplate, microwave, air fryer, toaster oven, or other heating or cooking appliance.”

- (b) by adding the following new definition to Part 2.2 Use Definitions in the appropriate locations according to the alphabetical order of definitions:

“**Bed and Breakfast** means a commercial use that provides transient lodging for the general public in a space that is shared with the operator and includes a breakfast served on the premises by the operator.”,

“**Motel** means a commercial use that provides transient lodging for the general public where each room or suite has independent access from the outside.”,

“**Strata Hotel** is a commercial use that provides transient lodging to the general public on premises in respect of which

- c) a strata plan is filed under the *Strata Property Act*, and
- d) different owners own different strata lots.”, and

“**Time-Share** means a residential property where individual **Dwelling Units** are owned, directly or indirectly, by multiple owners each of whom is entitled to annual use of it in proportion to their ownership share.”,

- (c) by deleting the definition of “Hotel” in Part 2.2 Use Definitions and replacing it with the following:

“**Hotel** means a commercial use that provides transient lodging to the general public accessed by contiguous common space, all, including the contiguous common space, under single ownership, which includes

- a) an entrance lobby that is open to the public,
- b) a service desk or office with a guest register,
- c) an attendant on duty at all times, and
- d) daily housekeeping services,

and may provide accessory amenities such as **Restaurant**, meeting rooms and recreational facilities, and includes **Motels** and hostels but does not include **Strata Hotels**.”

Schedule 1

SCHEDULE U – STRATA HOTEL PROPERTIES

<u>Civic Address</u>	<u>Strata Plan</u>
100 Harbour Road	VIS2360
500 Oswego Street	VIS6280
810 Humboldt Street	VIS6830
1234 Wharf Street	VIS962

