

Business Licence (Short-term Rental) Appeal re 1468 Rockland Avenue

Submission of the Owner

I. Introduction

1. This is an appeal from the decision of the Licence Inspector to refuse to issue a business licence to Jean-Sebastien Beauparlant (the “appellant”), for the operation of a short-term rental at 1468 Rockland Avenue.
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 inspector falsely believes that 1468 Rockland Avenue is not owner occupied. The inspector uses unconvincing proof of inoccupancy via obsolete social media information and lack of personal items during visit. Instead the inspector should rely on billing information, taxes information, presence during inspections, driver license issues by BC as proof of occupancy.

The inspector believes that the owner is not compliant. I, the owner, was not aware of BC short term license bylaws and has made all necessary changes to comply with these rules once advised.

The inspector tries to find faults in the owner's behaviour without significant proof or valid information.

III. Facts

1. Against Fact 13 of Inspector, as stated by the inspector in fact 8, the house is divided into two entities therefore since the application at the time was only for the 1468 Rockland a visit for 1468A was unnecessary.
2. In June 2023, my long term tenant left the premises with all their belongings and furniture. In the same month, I moved back into my house.

3. In August 2023, shortly after I moved back into the house, the inspector visited the house and noticed the lack of furniture and personal items after the tenant left.
4. On September 19, 2024, Lydia Laflamme was removed from the applications since the application was done prior to the tenant from the basement leaving and Lydia's couldn't prove her residency to the basement yet. Proof of BC occupancy was required for the application.
5. In September 2023, the tenant from the basement suite left the premises with all their belongings and furniture.
6. In September 2023, a few days after the tenant left, the inspector visited the house and noticed the limited amount of furniture and personal belongings after the tenant left.
7. During the first inspection, the inspector informed the owner that the inspection only needs to be done once for dimension purposes and only the paperwork should be administered each year.
8. In the application made in December 2023, the owner was informed that he couldn't get granted a license unless he allows a second visit for 1468 Rockland.
9. In December 2023, I traveled to Montreal to be with my family and hide my belongings in the garage to prevent robbery.
10. In January 2024, I came back to the house to be present for the inspection with my belongings still in the garage.
11. Against fact 28, while the review that suggested multiple guests occurred. The bedroom on the top floor and the bedroom on the main floor were rented. Only two bedrooms were rented as the bylaws allows. I was also present for the occupancy of the tenants. The review stated super responsive because the communication was done virtually not because I was not present.
12. Against fact 29, during the first inspection, the inspector informed the owner that the whole house can be rented four times a year to allow for vacations. The owner then created a listing for the whole house as guided by the inspector.

IV. Argument

13. Against argument 39, being unaware of the rules and regulations and correct my listings once giving guidance should not be considered as inconsistency nor non-compliant.
14. Against article 40, The inspector claims that there was not a long term tenant is false. Wendy Taylor lived in the basement from December 2020 to September 2023. I applied for a permit in advance since the process took me 4 months for the main part of the house. The inspection was done shortly after the tenant left and Lydia hadn't moved in yet.
15. Against article 41, The Inspector has the wrong information since I don't update my social media. I don't live in Montreal nor work for the claimed company since January 2023 [Appendix A]. My LinkedIn, airbnb and Facebook haven't been updated in years. I don't live in Montreal but in Victoria. This is the wrong Lydia Laflamme. I have a driver license from BC,

make my taxes in BC, pay utilities bills to BC and was present at all inspections [Appendix B]. Those are proof that I live in Victoria.

16. Against article 42, I used my license for all my listings before I was advised that my house could not be considered as one entity and the license cannot be applied for the basement.
17. Against article 44, there is no evidence that I don't live in Victoria and will act against regulations, only speculations. I made all the changes guided by the inspectors.
18. Against article 45, offering to rent my property for when I take vacation is not proof of inoccupancy.
19. Against article 46, hiding my clothing when I make a visit is not proof of non residency. The pictures show that my work computer setup was in place.
20. Against article 47, I have a driver license from BC, make my taxes in BC, pay utilities bills to BC and was present at all inspections with my work from home setup in the pictures and my car in BC. Those proofs cannot be overlooked because of the lack of personal items to make the visits look cleaner. I will be happy to provide more proof if required.
21. Against article 48, being unaware of the rules and regulations and correcting my listings according to guidance should not be considered as consistent non-compliance.
22. I strongly doubt that all airbnb listings have to conform to an inspection every year. If so the second inspection was unnecessary and only in the intent to refuse my license.
23. The inspector never requested from me any proof of occupancy other than bills and identification with address. I would have happily provided more proof if requested. Rather they made their own assumption based on personal information that other property owners wouldn't be subject to.
24. I started the process for this appeal in February, it took 7 months for the inspector to reply to this inquiry. it is clear that the intent was to wait for the license to expire before responding.
25. For all these reasons, it is clear that the inspector's arguments are not founded and based on speculations. My license was refused for no apparent valid reason.
26. Therefore, I submit that this appeal should grant me my license as short-term rental business license for 1468 Rockland Avenue and prevent the inspector from refusing my future applications on unfounded evidence.

Appendix A



Employee Name:	Jean Beauparlant	Pay Date:	2024-03-27
Employee #:		Pay Period:	2024-03-16 - 2024-03-31
Employee Address:	1468 Rockland Victoria, BC V8S 1W1 Canada		
Division:	Risk & Internal Audit Division		
Business Title:	Sr. Analyst, Model Analytics and Validation		

Employer Name: Healthcare of Ontario
Pension Plan Trust Fund

Employer Address: 1 York Street
Suite 1900
Toronto, ON M5J 0B6

Offer Package Boîte de réception x

A

À moi ▾

 Traduire en français ×

Hi Sebastian,
Hope all is well.
We sent you the offer package (via email/Workday) early this week.
Let me know if you have any questions about next steps.

Kind Regards
Rosalyn

ven. 2 déc. 2022 05:26    

Appendix B



Service address
SEBASTIEN BEAUPARLANT
1468 ROCKLAND AVE
VICTORIA BC V8S 1W1

Billing date Page
Feb 13, 2024 1 of 2

Your bill highlights

Your bill for Dec 12, 2023 to Feb 9, 2024

- ✔ Thank you for your payment of \$458.17 on Jan 12, 2024.
- To track your electricity usage, visit bchydro.com/login.

Auto-pay amount

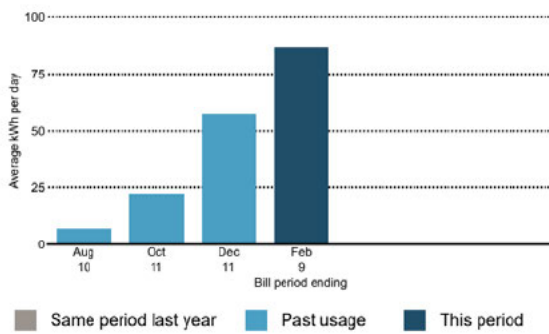
\$710.35

Withdrawn on or after Feb 20, 2024

[Turn for bill details →](#)

Your electricity usage over time

\$11.31
average daily
cost of electricity
this bill period



Did you know?

You used a total of 5,189 kWh from Dec 12, 2023 to Feb 9, 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.

JEAN SEBASTIEN BEAUPARLANT
Account number:

**Manage your account
online with My TELUS**

Quickly and easily view your usage, view full bill details,
make account changes and more by visiting
telus.com/mytelus

Account summary

Balance forward from your last bill\$0.00

New charges

Internet	\$105.00
Other charges and credits	\$0.00
GST / HST	\$5.25
PST	\$7.35
Total new charges	\$117.60

Total due\$117.60

The total due will be charged to your credit card on February 24.



Printing this pdf version
of the bill will not provide
the quality required for
processing at a financial
institution. Please try
paying online or by
iMashere using your
credit card.

J BEAUPARLANT
1468 ROCKLAND AVE
VIC BC V8S 1W1

DRIVER'S LICENCE and SERVICES CARD
British Columbia CAN

BEAUPARLANT,
JEAN SEBASTIEN GASCON

DL [REDACTED]

Issued: 2020-Nov-04

DOB [REDACTED]

Expires: 2025-Oct-10

Restrictions/
Endorsements: 21

Class: 5

Wt: 77.3 kg Ht: 185 cm

Sex: M

Eyes: BRN

Hair: BLK

1468 ROCKLAND AVE
VICTORIA BC V8S 1W1



CANADA

BRITISH COLUMBIA

BEAUPARLANT, JEAN SEBASTIEN GASCON 1990 010 18