# Business Licence (Short-term Rental) Appeal re 3150 Balfour Avenue Submission of the Licence Inspector

### I. Introduction

- 1. This is an appeal from the decision of the Licence Inspector to refuse to issue a business licence to Bryan Dobinson (the "appellant"), for the operation of a short-term rental at 3150 Balfour 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 appellant was granted a short-term rental licence in 2023 based on his business plan to offer two bedrooms in compliance with City regulations. However, it has since become clear that his intent was to offer the entire upper level year-round. This intention is evidenced by his actions, including constructing a wall to create a self-contained unit and his continued unlicensed operations. The appellant's continuous disregard for the regulations and persistent misrepresentation to staff demonstrate a clear willingness to evade the rules and operate in non-compliance. There is evidence suggesting that the appellant lives and works in Alberta or with his girlfriend in Saanich, however, it is not the Licence Inspector's responsibility to verify an individual's residence. What is required under City regulations is proof, satisfactory to the Licence Inspector, that the premises where the short-term rental occurs is the operator's principal residence. The licence was denied because it is evident that the upper level at 3150 Balfour Avenue is not the appellant's principal residence and intends to be a full time short-term rental business.

### III. Facts

- 5. The appellant Bryan Dobinson has owned the property at 3150 Balfour Avenue since August 23, 2019.
- 6. The property is zoned R1-B (Single Family Dwelling District).
- 7. Neither transient accommodations nor short-term rentals have ever been permitted use under the R1-B zone. The offering of short-term rentals is only permitted as a 'home occupation' under Schedule 'D'.
- 8. On July 19, 2023, the appellant Bryan Dobinson applied for a 2023 business licence to operate a short-term rental as a principal resident operator at 3150 Balfour Avenue.
- 9. On August 5, 2023, Bylaw Officer Halkett inspected the home. The purpose of the inspection was to understand the layout of the home and business plan for a potential short-term rental. Bylaw Officer Halkett was led through the inspection by the appellant Bryan Dobinson. Bylaw Officer Halkett entered the home through a door that led into the kitchen. The inspection revealed a one floor dwelling unit with three bedrooms. The appellant informed Bylaw Officer Halkett he would be residing in the smallest bedroom and offering the two larger bedrooms to guests while he was home. The appellant stated he would lock off the small bedroom and the pantry should he be away while renting. The appellant informed Bylaw Officer Halkett he would only rent on weekends as he works during the week.
- 10. On August 11, 2023, Bylaw Officer Halkett reviewed the building plans for 3150 Balfour Avenue and identified possible work without permit. The building plans indicated a stairwell should be present beside the pantry in the dwelling unit; however, no stairwell was observed during the inspection, suggesting that a wall had been constructed in its place. The plans also revealed the home had a lower level [Appendix C].
- 11. On September 5, 2023, Bylaw Officer Halkett met the appellant outside of 3150 Balfour Avenue to reinspect the home. The appellant directed Bylaw Officer Halkett to an entrance on the opposite side of home from the door previously accessed during the August 5 inspection. Upon the appellant opening the door, Bylaw Officer Halkett immediately observed a split-level entrance with a wall constructed at the top of the stairs, which obstructed access to the upper level, the space previously inspected on August 5. The appellant escorted Bylaw Officer Halkett into the lower level and repeatedly referred to the space as his 'office'. The lower level contained a kitchen, living area, bathroom and large storage room.

- 12. On September 7, 2023, Bylaw Officer Halkett informed the appellant his business licence application could not move forward due to the significant amount of unpermitted work and safety concerns.
- 13. Between September 7 October 25, 2024, City assessed the results of the second inspection and identified multiple instances of unpermitted work. It was determined by staff that if the immediate safety concerns were addressed, the application could proceed with the understanding that the appellant would continue to complete the required permits. Staff informed the appellant of the required actions to ensure safety and bring the property into compliance. The appellant agreed and removed the wall at the top of the stairwell, which was confirmed by staff during a subsequent inspection [Appendix C].
- 14. On November 8, 2023, the application for 2023 Principal Resident Short-Term Rental Licence was reviewed in full, including the results of the inspections on August 5 and September 5, 2023. It was determined that the appellant's business plan to offer short-term rentals at 3150 Balfour Ave was eligible under the Short-Term Rental Regulation Bylaw and Zoning Regulation Bylaw.
- 15. On November 8, 2023, the licence was approved for 3150 Balfour Avenue and the appellant was notified, with the condition that the appellant must continue to address the unpermitted work in the home.
- 16. On November 16, 2023, city staff identified an Airbnb listing for 3150 Balfour Avenue, advertising the 'Entire Home', an accommodation for six guests with 3 beds, hosted by the appellant. The calendar showed full availability for the rest of 2023 and into 2024, and a 1-night minimum stay [Appendix D].
- 17. On December 4, 2023, city staff identified a classified advertisement for an Airbnb cleaner at 3150 Balfour Avenue. Tasks included verifying inventory and restocking supplies between guests [Appendix E].
- 18. On December 4, 2023, city staff reviewed the appellants Airbnb listing offering the 'Entire Home' and observed a fully available calendar for 2024 [Appendix F].
- 19. On January 9, 2024, the appellant applied for a 2024 Principal Resident Short-Term Rental Licence [Appendix G].
- 20. On January 30, 2024, during communications with the appellant regarding scheduling an inspection, staff requested the appellant change his listing to comply with the regulations, informing him he was operating without a valid licence [Appendix H-I].
- 21. On February 6, 2024, Bylaw Officer Carr inspected the home. The purpose of the inspection was to understand the layout of the home and business plan for a potential short-term rental. Bylaw Officer Carr was met by the appellant and his girlfriend Mandy

Doxtator. The appellant declared Mandy Doxtator as the designated responsible person on the application form and stated her principal residence is a home in Esquimalt [Appendix J-L].

- 22. During the inspection of the home, Bylaw Officer Carr entered the upper level through the side entrance door and observed the keypad was labelled with instructions for guests. Bylaw Officer Carr noted several other items within the upper floor were labelled. The appellant informed Bylaw Officer Carr he planned to offer the two larger rooms while he resided in the small bedroom. The lower level contains a kitchen, living room and bathroom, which can be accessed through the main door. The appellant informed Bylaw Officer Carr the lower level, which he referred to as his 'office', would not be available to guests. Additionally, the appellant stated the whole home would be offered up to six times a year for 1-2 weeks periods, while he is working at 'camp' in Alberta. The appellant also informed Bylaw Officer Carr if he left for vacation, he would continue to rent the room while away [Appendix J-L].
- 23. On February 7, 2024, the appellant contacted Bylaw Officer Carr stating after discussion with his partner, Mandy Doxtator, he wanted to speak with Bylaw Officer Carr about the business plan he provided and ensure there was no confusion [Appendix M].
- 24. On February 7, 2024, Bylaw Officer Carr received a phone call from the appellant. During the call the appellant informed Bylaw Officer Carr he wished to change his offering of 2-3 minimum nights to 1-night stays. Bylaw Officer Carr asked the appellant if the home was his principal residence, the appellant affirmed it was. However, the appellant stated he would be working in Alberta once he received a contract but also worked in Victoria [Appendix N].
- 25. On February 20, 2024, Bylaw Officer Carr obtained open-source data that reflected the appellant has a full-time contract for a company in Alberta since 2022 [Appendix O].
- 26. On March 8, 2024, the application was reviewed in full including the results of the inspection, internal records, historical compliance and the appellants online advertisement. The review revealed a discrepancy between the appellant's declared business plan of offering two bedrooms while he is home, and his actual business operations. In 2023, the appellant advertised and operated the entire upper floor as a self-contained dwelling, which is prohibited under the licence type. The listing indicated an intention to continue this business plan full-time in 2024. As such, the application failed to satisfy the Licence inspector that the upper dwelling unit was the appellants principal residence.
- 27. On March 12, 2024, the Licence Inspector advised the appellant that the application for a short-term rental licence at 3150 Balfour Avenue had been rejected as it failed to meet the requirements set out in the Short-Term Rental Regulation Bylaw and Schedule D Home Occupations.

### IV. Relevant Regulation

28. The City regulates short-term rentals through the *Short-term Rental Regulation Bylaw* and through provisions of the zoning bylaws. In relation to the property, the relevant zoning bylaw is the *Zoning Regulation Bylaw*, which states, in part:

17...

- (4) Without limiting the generality of subsection (1), short-term rentals, whether as a principal or accessory use, are prohibited in all zones except
  - (a) where they are expressly permitted subject to regulation applicable in those zones:
  - (b) rental of no more than two bedrooms in a self-contained dwelling unit, as home occupation, provided that:
    - (i) the self-contained dwelling unit is occupied by the operator of the short-term rental; and
    - (ii) short-term rental complies with all regulations in Schedule D as if it were a transient accommodation.
- 29. The city regulates home based businesses, including principal resident short-term rentals, through *Schedule 'D' Home Occupations*, which states, in part:
  - (12) Subject to the following requirements, a short-term rental is permitted as a home occupation in a principal residence.
    - (1) subject to subsection (2), no more than two bedrooms may be used for short-term rental and the short-term rental cannot occupy an entire self-contained dwelling unit.
- 30. The City of Victoria regulates the principal resident requirement for a short-term rental through the *Short-Term Rental Regulation Bylaw*, which states in part:

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:
  - (e) provide, in the form satisfactory to the Licence Inspector,
    - evidence that the premises where the short-term rental will be offered are occupied by the operator as their principal residence;

### V. Argument

- 31. One of the objectives of the City's regulations of short-term rentals was to address the problem of homes being diverted from the long-term market to a vacation rental market. This is the rationale behind the provisions of the zoning bylaw which limit short-term rentals to a) up to two bedrooms within self-contained principal dwelling, with shared spaces and b) the whole home on occasion.
- 32. In 2023, staff strived to identify a viable approach in supporting the appellant in successfully obtaining a short-term rental licence that aligned with city regulations, and rectify the unpermitted work at the property. This included the appellant being required to remove a wall he had installed to separate the two floors [Appendix C].
- 33. The 2023 short-term rental application for 3150 Balfour Avenue was approved based on the business plan to offer two bedrooms on the upper level, while the appellant was occupying the third small bedroom. The appellant declared that if the whole home was to be offered while he was away, it would only be during the weekends. Based on the appellants verbal statements and inspection results, it was determined on November 8, 2023, the appellant had an eligible business plan that aligned with City of Victoria regulations.
- 34. Within eight days of approving the appellant's 2023 short-term rental licence, staff identified the appellants listing offering the 'entire home'. The appellants primary business plan was to move into the small bedroom and offer the two larger rooms while he was home. Additionally, the appellant stated if he were to offer the entire home, it would only be on weekends. However, the appellants listing directly contradicts these statements. The appellant immediately and only ever offered the 'entire home', the upper level as a self-contained dwelling unit, with a fully available calendar at a 1-night minimum stay [Appendix D].
- 35. Furthermore, it is now evident the appellants intent was always to offer the space as a self-contained dwelling, illustrated by his previous actions of installing a wall to separate the upper and lower levels. This modification, coupled with the appellant's actual

- operation at the property, clearly shows the intention was always to offer the space as a self-contained dwelling unit [Appendix C-D, P].
- 36. The appellants appeal appears to rely on having now removed the kitchen space in the lower level, which he repeatedly claimed to staff was solely used as an 'office', resulting in the upper level becoming his principal residence by default. However, staff have no confidence the removal of the lower kitchen will impact or change the full-time short-term rental on the upper level, given that the appellants previous claims and demonstrations towards the regulations have consistently proven to be misleading.
- 37. Despite the appellant's claims to Bylaw Officer Carr during the 2024 application, that he would be residing in the small bedroom while hosting guests and offering the whole home for approximately 6-12 weeks a year, his true 2024 short-term rental plans were evident from his listing. The listing showed a 1-night minimum stay for the entire upper floor, available almost every day of the year. The few blocked dates were believed to be guest reservations [Appendix F].
- 38. Moreover, the appellant's labelling of the entrance and items in the upper level, along with hiring a cleaner to maintain, stock, and manage inventory, is consistent with a full-time short-term rental model [Appendix E, J].
- 39. The appellants Airbnb listing offering 1-night stays in June 2024, reflects reviews from February and March 2024, confirming he continued to operate unlicensed short-term rentals despite staff requesting compliance with the regulations [Appendix Q].
- 40. The appellant's appeal relies on the sentiment that he is providing a valuable service for travellers. Nonetheless, enjoyment of hosting and the allure of the city's features do not provide a valid justification for operating outside of the regulations intended to safeguard housing.
- 41. A fundamental concern is the appellant's consistent disregard for regulations. Given the significant financial incentive of the short-term rental business and the appellant's history of making drastic and unpermitted alterations to his home, the intent is clear. The appellants previous actions, including creative measures to operate a full-time self-contained dwelling, demonstrate a pattern of non-compliance. As a result, staff do not have satisfactory confidence that the appellant's behaviour would change if granted a licence [Appendix C, F, H, Q].
- 42. The city does require proof of residence documents to process a principal resident short-term rental application. While the documents assist in establishing an applicant's eligibility, they are not solely relied upon to verify a person's principal residence since address changes can be done online without secondary checks. Additionally, many utility bills offer e-billing options, making mailing addresses redundant.
- 43. The *Short-Term Rental Regulation Bylaw* does not require the Licence Inspector to confirm the appellants specific place of residence. The evidence gathered indicates that

the appellant does not reside in the self-contained dwelling unit on the upper level of 3150 Balfour Avenue. The appellant may have been residing in the lower level, with his partner in her home, in Alberta, or elsewhere. However, the regulation does not require an alternative residence or explanation be provided. The Licence inspector is solely responsible for determining if the applicant has met the requirements of the *Short-Term Rental Regulation Bylaw*.

- 44. The appellant has constructed a narrative based on misleading and untruthful claims to obscure their true intention of operating a full-time short-term rental, thereby circumventing regulations designed to protect long-term housing.
- 45. For all these reasons, the Licence Inspector submits that the appellant's application for a short-term rental business licence had to be refused as it contravened the Short-Term Rental Bylaw, Schedule 'D' Home Occupation and Zoning Regulation Bylaw.
- 46. Therefore, the Licence Inspector submits that this appeal should be dismissed and the decision to refuse a short-term rental business licence for 3150 Balfour Avenue be upheld.

	Mark Fay, Manager of Bylaw and Licensing
Dated: <u>August 16, 2024</u>	
ALL OF WHICH IS RESPECTFULLY SUBMITTED	

Services

### NO. 18-036

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

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 and where permitted pursuant to section 528 of the *Local Government Act*.

### Contents

- 1 Title
- 2 Definitions
- 3 Licence Required
- 4 Power to Refuse a Licence
- 5 Licence Number to be Included in Advertising
- 6 Responsible Person
- 7 Offences
- 8 Penalties
- 9 Severability
- 10 Transition Provisions
- 11 Commencement

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

"operator" means a person who rents out, or offers for rent, any premises for short-term rental but does not include a person who acts as an intermediary between the short-term rental tenant and the person who receives the rent;

"principal residence" means the usual place where an individual makes their home;

"responsible person" means a person designated by the operator as the primary contact under section 6.

"short-term rental" means the renting of a dwelling, or any part of it, for a period of less than 30 days and includes vacation rentals;

"strata corporation", "strata council", and "strata lot" have the same meaning as in the Strata Property Act.

### **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
  - (e) provide, in the form satisfactory to the Licence Inspector,
    - (i) evidence that the premises where the short-term rental will be offered are occupied by the operator as their principal residence; or
    - (ii) provide the name and contact information for the responsible person in relation to the short-term rental premises.
  - (3) The licence fee for purposes of subsection (2)(b) is:
    - (a) \$150 where the short-term rental is offered in the operator's principal residence; or
    - (b) \$1,500 for all short-term rentals that do not qualify under paragraph (a).

### Power to Refuse a Licence

- 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

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**

- 6 (1) A person may only operate a short-term rental in premises other than their principal residence if they designated a responsible person who, at all times that the short-term rental is operated, has access to the premises and authority to make decisions in relation to the premises and the rental agreement.
- (2) 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.
- (3) The operator may be the responsible person except when subsection (5) applies.
- (4) The responsible person must be able to attend at the short-term rental premises within two hours of being requested to do so.
- (5) 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

- 7 (1) A person commits an offence and is subject to the penalties imposed by this 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 be 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**

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

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**

- 10 (1) In the calendar year that this bylaw is adopted only, the fee payable under section 3 shall be prorated by 1/12 for each month in that year prior to the adoption of this bylaw, including the month the bylaw is adopted.
- (2) Any operator who, at the time of adoption of this bylaw, holds a valid licence for a short-term rental under the Business Licence Bylaw shall be credited with amount paid for that licence towards the fee payable under section 3.

### Commencement

11 This bylaw comes into force on adoption.

READ A FIRST TIME the	22 <sup>nd</sup>	day of	February	2018
READ A SECOND TIME the	<b>22</b> <sup>nd</sup>	day of	February	2018
READ A THIRD TIME the	<b>22</b> <sup>nd</sup>	day of	February	2018
ADOPTED on the	8 <sup>th</sup>	day of	March	2018

"CHRIS COATES"
CITY CLERK

"LISA HELPS" MAYOR

# Schedule "D" HOME OCCUPATIONS

- 1 Where <u>home occupations</u> are permitted pursuant to the provisions of this bylaw, the following conditions shall apply to the use: Location 2 For the purposes of a home occupation, the location of a business is the address at which the operations of the business are managed. Exception 3 A home occupation is not required to be operated wholly within a dwelling unit where the work is undertaken entirely off the lot on which the dwelling unit is located. Prohibition The sale of goods to customers attending on the lot on which the 4 dwelling unit is located is prohibited. Permitted Uses 5 The following uses are permitted as home occupations: (a) artist studio;
  - (b) mail order, provided that no merchandise is sold to customers attending on the <u>lot</u> on which the <u>dwelling unit</u> is located;
  - (c) making, processing and assembly of products on a small scale;
  - (d) manufacturing agent;
  - (e) personal and professional services, including barber, hairdresser, bookkeeper, medical therapy;
  - (f) teaching, provided that attendance is limited to 5 persons in a detached dwelling and to 1 person in a <u>duplex</u> or <u>multiple dwelling</u>;
  - (g) testing, servicing and repairing of goods.

### Schedule "D"

### **Prohibited Uses**

- 6
- (1) All uses that are noxious or offensive to any other dwelling units or the general public by reason of emitting odour, dust, smoke, gas, noise, effluent, radiation, broadcast interference, glare, humidity, heat, vibration, or hazard or any other emission are prohibited.
- (2) The following uses are prohibited:
  - (a) except as provided in Section 11, Bed and Breakfast;
  - (b) car repairs and garages;
  - (c) <u>clubs</u>;
  - (d) kennels;
  - (e) radio dispatch services;
  - (f) restaurants;
  - (g) retail stores;
  - (h) salvage lots;
  - (i) storage lots;
  - (j) except as provided in Section 11, <u>transient</u> accommodation;
  - (k) in any <u>building</u> which has been converted from <u>single family dwelling</u> to <u>duplex</u>, <u>multiple dwelling</u>, <u>boarding house</u>, <u>rooming house</u>, or <u>housekeeping</u> <u>apartment</u>, pursuant to the applicable provisions of this bylaw, music teaching or any business which results in the transmission of sound:
  - (I) cannabis-related business; and;
  - (m) except as provided in Section 12, short-term rental.

Amended Jan 11, 2018 Bylaw 17-110

nended March 8, 2018

### Stock in Trade

Except for one licensed vehicle, which shall be a car, van, or pickup truck, no business-related materials, including machinery or vehicles, shall be visible at any time on any <u>lot</u> on which a <u>home occupation</u> is carried out nor shall any machinery or vehicles be parked or stored on the <u>lot</u> unless completely enclosed within a <u>building</u>.

### Limitation

- 8
- (1) Subject to this section, not more than one person shall be engaged in a <a href="https://www.nore.googl
- (2) Where any <u>lot</u> upon which a <u>home occupation</u> is carried on has a boundary or portion of a boundary in common with any <u>lot</u> which is located in a zone which permits retail use, then no more than two persons may be engaged the <u>home occupation</u> where one of the persons resides on the <u>lot</u> on which the home occupation is carried on.

# Schedule "D" HOME OCCUPATIONS

- (3) This section does not apply to any employees of a <u>home occupation</u> who at no time attend on the <u>lot</u> on which the <u>home occupation</u> is carried on, nor park in the immediate vicinity of the <u>lot</u>.
- (4) More than one person may operate a <u>short-term rental</u> in their principal residence.

Amended March 8, 2018 Bylaw 18-035

9 No more than three <u>home occupations</u> shall be carried on in any one <u>dwelling unit</u>, provided that only one of the <u>home occupations</u> has customers that attend the dwelling unit.

Amended Jan 11, 2018 Bylaw 17-110

### Advertising

- 10 Except as expressly permitted in this bylaw, or in the Sign By-law, no sign or other advertising device or advertising matter may be exhibited or displayed on any <u>lot</u> on which a <u>home occupation</u> is being carried on.
- Subject to the following requirements, where any <u>building</u> is used as a <u>single family dwelling</u>, up to two bedrooms may be used for <u>transient accommodation</u> as a <u>home occupation</u>.
  - (1) Notwithstanding Section 4, meals or food services may be provided to any customers but not after 12:00 noon.
  - (2) No liquor shall be provided to any customers.
  - (3) One parking space for each room available for <u>transient</u> <u>accommodation</u> shall be provided on the <u>lot</u> and a parking space may be located behind another parking space.
  - (4) No sign may be erected, used, or maintained for the purpose of advertising <u>transient accommodation</u> use within a single family dwelling.
  - (5) A <u>single family dwelling</u> may be used for <u>transient</u>
    <u>accommodation</u> whether or not the property contains a
    <u>secondary suite</u> or <u>garden suite</u> provided however that
    only one <u>transient accommodation</u> use is permitted on the
    property

Amended March 8, 2018 Bylaw 18-035

(6) <u>Transient accommodation</u> is restricted to no more than two bedrooms and cannot occupy an entire <u>self-contained</u> dwelling unit.

Amended March 8, 2018 Bylaw 18-035

Subject to the following requirements, a <u>short-term rental</u> is permitted as a home occupation in a principal residence.

Amended March 8, 2018 Bylaw 18-035

(1) subject to subsection (2), no more than two bedrooms may be used for <u>short-term rental</u> and the <u>short-term rental</u> cannot occupy an entire self-contained dwelling unit;

### Schedule "D"

- (2) the entire <u>principal residence</u> may be used for a <u>short-term</u> <u>rental</u> only occasionally while the operator is temporarily away;
- (3) no liquor may be provided to short-term rental guest; and
- (4) No sign may be erected, used, or maintained for the purpose of advertising <u>short-term rental</u>.

Amending Bylaw 09-01 adopted Jan 19, 2009 Amending Bylaw 17-110 adopted Jan 11, 2018 Amending Bylaw 18-035 adopted March 8, 2018

### Appendix C

### 3150 Balfour Avenue

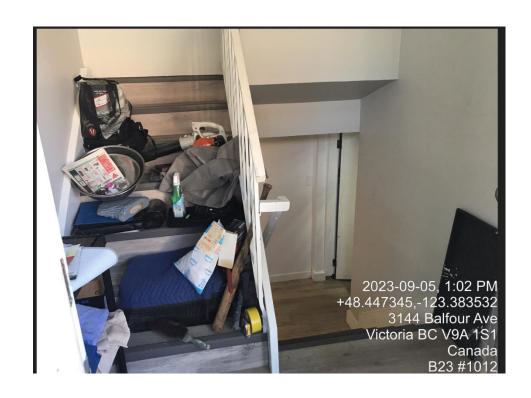
Identified unpermitted construction of wall obstructing access of stairwell between upper and lower levels.

Before – August 5, 2023.











#### Bliss on Balfour











### Entire home in Victoria, Canada

6 guests  $\cdot$  2 bedrooms  $\cdot$  3 beds  $\cdot$  1.5 baths

★ New



### Hosted by Bryan

New Host



### Self check-in

Check yourself in with the smartlock.



### Furry friends welcome

Bring your pets along for the stay.



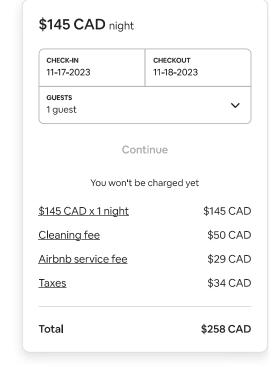
Free cancellation before 3:00 p.m. on November 16

Bliss on Balfour is a contemporary designed suite with lots of windows and natural light. Centrally located within 15-30 of all major transportation centers.

Bedrooms include queen beds, storage and Smart TV's. Chefs stocked kitchen is ready to satisfy a group of 6.

Fully contained deck and backyard makes it safe for your children and furry family members. Outdoor sitting area and soft tub for relaxing in after taking in the wonderful...

### Show more >



Report this listing

### Where you'll sleep









Bedroom 1 1 queen bed

Bedroom 2 1 queen bed

### What this place offers

Kitcher	r
---------	---

🤝 Wifi

Free parking on premises

Private hot tub

& Pets allowed

□ TV

Free dryer - In unit

Bathtub

Security cameras on property

Show all 59 amenities

### 1 night in Victoria

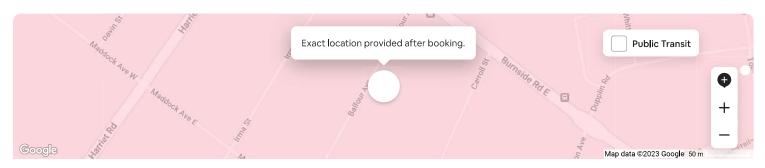
Nov. 17, 2023 - Nov. 18, 2023

		Nove	mber	2023					December 2023				
Su	Мо	Τυ	We	Th	Fr	Sa	Su	Мо	Τυ	We	Th	Fr	Sa
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19	20	21	22	23	24	25	17	18	19	20	21	22	23
26	27	28	29	30			24	25	26	27	28	29	30

#### Clear dates

### No reviews (yet)

### Where you'll be



### Victoria, British Columbia, Canada

Centrally located for east access by driving also located on major BC transit routes. Just a 10 minute drive to beautiful inner harbour. Butchart gardens, BC ferries and Victoria airport are all within 30 minutes. Access to Mile 0 and esquimalt lagoon are within 20 minutes. Galloping Goose trail is about 8 minutes away, then take a nice bike ride, jog or stroll to the inner harbour. Just a short walk away is the Gorge water way where you can walk and enjoy...

### Show more >



Hosted by Bryan

Joined in August 2014

Identity verified

Response rate: 100%

Response time: within an hour

Contact host

To protect your payment, never transfer money or communicate outside of the Airbnb website or app.



### Things to know

### House rules

Checkout before 11:00 a.m.

6 guests maximum

Pets allowed

### Show more > Safety & property

### 11/16/23, 7:51 AM

Security camera/recording device

Carbon monoxide alarm

Smoke alarm

### Show more >

### Cancellation policy

Free cancellation before 3:00 p.m. on Nov. 16.

Review the Host's full cancellation policy, which applies even if you cancel for illness or disruptions caused by COVID-19.

### Show more >

Airbnb > Canada > British Columbia > Capital > Victoria

### Explore other options in and around Victoria

Surrey

Vacation rentals

Richmond Vacation rentals

North Vancouver Vacation rentals

Vancouver Island Vacation rentals

Seattle

Vacation rentals

Burnaby

Vacation rentals

Squamish

Vacation rentals

Forks

Vacation rentals

Portland |

Vacation rentals

### Support

Help Centre

AirCover

Anti-discrimination

Disability support

Cancellation options

Report neighbourhood concern

### Hosting

Airbnb your home

AirCover for Hosts

Hosting resources

Community forum

Hosting responsibly

### Airbnb

Newsroom

New features

11/16/23, 7:51 AM

Careers

Investors

Gift cards

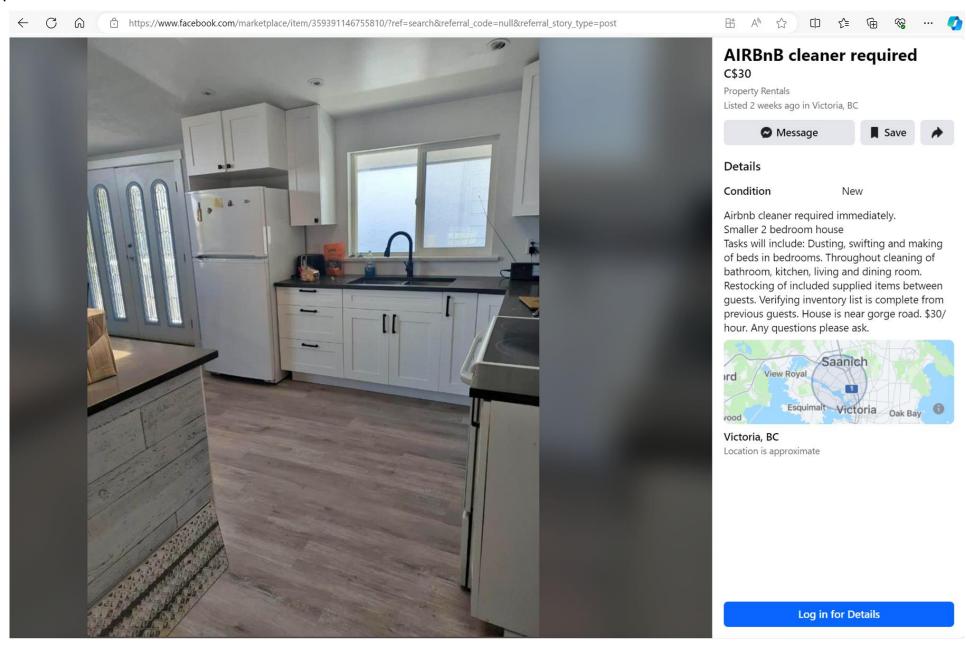
Airbnb.org emergency stays

### ⊕ English (CA) \$ CAD

© 2023 Airbnb, Inc.

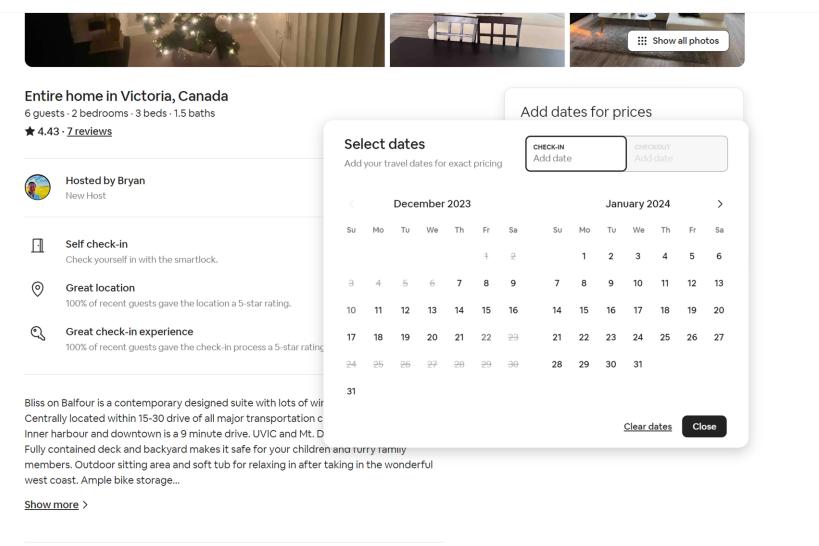
Privacy · Terms · Sitemap

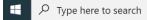
### Appendix E



### Appendix F

Airbnb Listing Calenda – Captured December 4, 2023.







































6 guests · 2 bedrooms · 3 beds · 1.5 baths

**★** 4.43 · <u>7 reviews</u>



### Hosted by Bryan

New Host



#### Self check-in

Check yourself in with the smartlock.



### **Great location**

100% of recent guests gave the location a 5-star rating.



### Great check-in experience

100% of recent guests gave the check-in process a 5-star rating

Bliss on Balfour is a contemporary designed suite with lots of wir Centrally located within 15-30 drive of all major transportation c Inner harbour and downtown is a 9 minute drive. UVIC and Mt. D

Fully contained deck and backyard makes it safe for your children and Turry Tamily members. Outdoor sitting area and soft tub for relaxing in after taking in the wonderful west coast. Ample bike storage...

Show more >

### Add dates for prices

### Select dates

Add your travel dates for exact pricing

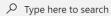
CHECK-IN Add date

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25	26	27	28	29			24	25	26	27	28	29	30	

31

Clear dates









































6 guests  $\cdot$  2 bedrooms  $\cdot$  3 beds  $\cdot$  1.5 baths

**★** 4.43 · 7 reviews



### Hosted by Bryan

New Host



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Show more >

### Add dates for prices

### Select dates

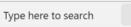
Add your travel dates for exact pricing

CHECK-IN Add date

May 2024

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28	29	30					<del>26</del>	27	28	29	<del>30</del>	31	

Clear dates





































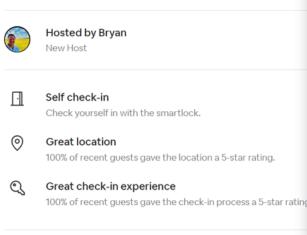






6 guests  $\cdot$  2 bedrooms  $\cdot$  3 beds  $\cdot$  1.5 baths

**★** 4.43 · <u>7 reviews</u>



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Fully contained deck and backyard makes it safe for your children and Turry Tamily members. Outdoor sitting area and soft tub for relaxing in after taking in the wonderful west coast. Ample bike storage...

#### Show more >

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										Clear c	lates	Clo	se



































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### Hosted by Bryan

New Host



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Check yourself in with the smartlock.



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Add dates for prices

### Select dates

Add your travel dates for exact pricing

CHECK-IN Add date

September 2024

August 2024

3 7

17

23 24 25 26

27 28 29 30 31 29 30

Clear dates

Close

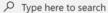
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Show more >













































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Show more >

### Add dates for prices

### Select dates

Add your travel dates for exact pricing

27 28 29 30 31

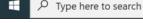
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20	21	22	23	24	25	26	17	18	19	20	21	22	23	

Clear dates

26 27

Close





































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Show more >

### Add dates for prices

### Select dates

Add your travel dates for exact pricing

CHECK-IN Add date

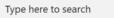
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15	16	17	18	19	20	21	12	13	14	<del>15</del>	<del>16</del>	17	18	
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29	30	31					<del>26</del>	27	28	<del>29</del>	30	31		

Clear dates

Close













































**Legislative and Regulatory Services Department**Bylaw and Licensing Services Division

1 Centennial Square

str@victoria.ca victoria.ca/str

# 2024 Short-Term Rental Business Licence Application

### **Important Notice:**

Victoria, BC V8W 1P6

There are new provincial laws that may affect your future eligibility to operate a short-term rental. If at some point you become ineligible to operate a short-term rental as a result of provincial legislation, you will not be reimbursed or receive a discount on your 2024 licence fee.

This application must be completed in full and submitted with all required supporting documents. You can submit your completed package by email to str@victoria.ca, or mail it to the above address.

Any submissions that do not meet the requirements above will result in having to reapply. Owner and Strata Consent must be provided by signing pages 4 and 5 of the application.

All related documentation and information are available at victoria.ca/str. For information or assistance completing this form, please contact Bylaw and Licensing Services at 250.361.0215 or email str@victoria.ca.

*Short-Term Rental Address (APARTMENT / UNIT Address: 3150 Balfour Ave	T#/STREET ADDRESS)
Postal code: V9A 1S1	
*Applicant Information (who the Licence is issed	o TO)
An application can be submitted by an owner, tenant or man	nagement company of a property. Please select one of the following options:
Sole Proprietor's name: (If you plan to operate the bearing and Dobinson	usiness on your own, either under your own name or a business name):
FIRST NAME, LAST NAME	
Partnership name(s): (If you plan to operate the bus	siness with one or more partners):
(1) FIRST NAME, LAST NAME	(2) FIRST NAME, LAST NAME
Limited/Incorporated company name: (If you plan to your personal assets):	o operate the business as a separate legal entity, separate from yourself and
BUSINESS NAME	
Limited/Incorporation Information: (if se	elected above)
Incorporation number:	
Have you included documents of Incorporation and Notice o	of Articles?
Yes	
	nents of Incorporation and Notice of Articles and acknowledge that a \$30 fee plus for this service [Administrative Fees Bylaw No. 04-40]. Please note, documents ovided historically will not be considered.



# **Legislative and Regulatory Services Department**Bylaw and Licensing Services Division 1 Centennial Square

Victoria, BC V8W 1P6

str@victoria.ca victoria.ca/str

### 2024 Short-Term Rental Business Licence Application

\*Applicant Contact:

Phone number:	Email:
Mailing address (the address where the applicant receive	es mail, including the physical licence):
✓ Same address as short-term rental property	
Other:	
*Licence Type	
Non-Principal Residence	
✓ Principal Residence	
Select all business plans that apply:	
✓ Offering whole home, while you are away	Offering up to two bedrooms with shared living spaces, while you are home.
	items of identification that prove this is your principal residence. One piece must be es your address (e.g., driver's licence, BC Services Card). The second piece of ID car service address and mailing address.
*Designated Responsible Person	
(If managed by an agency, the designated responsible	person can be a representative from this agency.)
times that the short-term rental is operated, has access t	nsible person serves as the primary contact for the short-term rental (a person who, at all to the premises and has the authority to make decisions in relation to the premises and th to attend the short-term rental premises within two hours of being requested to do so.
Relationship to Operator: Girlfriend	
Name: Mandy Doxtator	Email:
Address:	Phone number:
The above Designated Responsible Person has cons	sented to the use of their contact information.
*Business Plan / Advertisement	
Host Name (the profile and or name used to offer the sh	nort-term rental): Bryan Dobinson
Relationship to applicant (if not the same person):	
Do you have another person, property manager or service limited to advertisement, management of bookings and c	ce company that participates in your short-term rental business?(this may include but not communications with guests)
<ul><li>No, only the individual(s) declared as the applicant</li><li>✓ Yes</li></ul>	will participate in the business
If yes, please complete the information below (incl	uding page 3)
Select all that apply:	
Property manager / property management company	Family member
☐ Cleaning service	☑ Other Mandy Doxtator ( Girlfriend )



### Legislative and Regulatory Services Department Bylaw and Licensing Services Division 1 Centennial Square Victoria, BC V8W 1P6

str@victoria.ca victoria.ca/str

### 2024 Short-Term Rental Business Licence Application

### **Property Manager/Property Management Company**

Name of management company:		
Name of property manager or main contact:		
Phone Number:	Email:	
Business Address:		
Issuing municipality:		Licence number:
If the issuing municipality is not the City of Victoria, is it:		
☐ Inter-municipal		
☐ Inter-community		
Cleaning Service / Other Business		
Name of management company:		
Name of property manager or main contact:		
Phone Number:	Email:	
Business Address:		
Issuing municipality:		Licence number:
If the issuing municipality is not the City of Victoria, is it:		
☐ Inter-municipal		
☐ Inter-community		
Family Member Other		
Name of individual: Mandy Doxtator	·	
Relationship to applicant: Girlfriend		
Phone Number:	Email: _	



### **Legislative and Regulatory Services Department**

Bylaw and Licensing Services Division 1 Centennial Square Victoria, BC V8W 1P6 str@victoria.ca victoria.ca/str

## 2024 Owner Consent Form Short-Term Rental

 $^{*}$ If there is more than one registered owner, all owners are required to sign the Owner Consent Form. **Bryan Dobinson** This is to certify that I \_\_\_\_\_\_, as the legal owner of (OWNER) 3150 Balfour Ave have read the (UNIT/STREET ADDRESS) Short-Term Rental Business Licence (address) Application Form submitted by Bryan Dobinson (APPLICANT) and consent to the above premises being used as a Short-Term Rental in compliance with City of Victoria Bylaws. I, the undersigned, confirm as the business owner(s)/operators(s) that the above noted information is true and will comply with ALL relevant provisions of the Short-Term Rental Regulation Bylaw No. 18-036 and all other applicable City Bylaws. Owner's name: Bryan Dobinson Date: January 8 2024 Owner's signature: \_\_\_\_\_ Date: \_\_\_\_\_ Owner's signature: Owner's signature: Date: \_\_\_\_\_

If your application is received more than 60 days after consent is given above, it is not considered valid consent.



# **Legislative and Regulatory Services Department**Bylaw and Licensing Services Division

1 Centennial Square Victoria, BC V8W 1P6 str@victoria.ca victoria.ca/str

# 2024 Strata Council Consent Form Short-Term Rental

*Is this property part of a strata? Yes \(\bigcup \) No \(\bigcup \)	If yes, please complete the information below.
This is to certify that I(STRATA COUNCIL EXECUTIVE MEMBER;	, as Strata Council Executive Member
for(UNIT AND STREET ADDRESS)	have read the Short-Term Rental Business Licence Application Form
submitted by(APPLICANT)	. I can confirm that our Strata has no bylaws prohibiting the above
address from operating as a Short-Term Rental in complia	nce with City of Victoria Bylaws.
I, the undersigned, confirm as the business owner(s)/ope relevant provisions of the Short-Term Rental Regulation B	rators(s)/licencee(s) that the above noted information is true and will comply with al ylaw No. 18-036 and all other applicable City Bylaws.
Applicant's name(s):	
Applicant's signature(s): 1.	Date:
(if applicable) 2.	Date:
Strata council executive member's name:	
Strata council executive member's phone number:	
Strata council executive member's email:	
Strata council executive member's signature:	Date:
If your application is received more than 60 days after con	nsent is given above, it is not considered valid consent.



# **Legislative and Regulatory Services Department**Bylaw and Licensing Services Division 1 Centennial Square Victoria, BC V8W 1P6

str@victoria.ca victoria.ca/str

# 2024 Short-Term Rental Business Licence – Important Information

Completion of this application does not guarantee approval. Approved licences will be issued **only** upon receipt of payment of the Short-Term Rental Business Licence fee. Operating a Short-Term Rental without a valid licence is an offence for which penalties are prescribed. A person found guilty of an **offence** under this Bylaw is subject to a fine of not less than \$250 and not more than \$500 for every instance that an offence occurs or each day that it continues (*Short-Term Rental Regulation Bylaw No. 18-036*; *Sec. 8*).

Licences are effective from January 16 to January 15 of the following year, are non-transferable and the licence fee(s) paid are non-refundable. Short-Term Rental Business Licenses must be re-applied for at the start of each calendar year and must include up-to-date supporting documentation.

#### Please see website for:

Short-Term Rental Regulation Bylaw No.18-036
Schedule D – Home Occupations; Zoning Regulation Bylaw No. 80-159

**Privacy Notification:** This information is being collected for the purpose of determining the Operator's eligibility for a Short-Term Rental Business Licence in the City of Victoria pursuant to its Bylaw(s). In providing this information, you have consented to its use for the above-described purpose and declare that all the information provided herein is correct. This information may be shared with applicable City of Victoria departments and related agencies for the purpose of required inspections and approval of this licence application. The legislated authority to collect your personal information is Section 26 (c) of the *Freedom of Information and Protection of Privacy Act* and Section 3 (2) of the *Short-Term Rental Regulation Bylaw*. If you wish to obtain further information regarding the collection of your personal information, please contact the Information Access and Privacy Analyst Archives and Records Management, 1 Centennial Square, Victoria, BC V8W 1P6 250.361.0347 or email foi@victoria.ca.

#### \*Declaration:

I, the undersigned, confirm as the business owner(s)/operators(s) that the above noted information is true and will comply with ALL relevant provisions of the Short-Term Rental Regulation Bylaw No. 18-036 and all other applicable City Bylaws. Further, failure to meet these obligations may result in the business licence being suspended or reported to City Council for possible revocation. I understand I cannot commence business until such time as a Short-Term Rental Business Licence has been approved, paid in full, and issued.

Applicants's name(s) (printed): Bryan Dobinson		
Applicant's signature(s): 1	Date signed: January 8	, 20 <b>24</b>
(if applicable) 2.	Date signed:	, 20
Date Stamp (office use only)		

# Appendix H

From: str@victoria.ca

**Sent:** January 30, 2024 3:26 PM

**To:** Bryan Dobinson

Subject: RE: 2024 INSPECTION - 3150 BALFOUR AVE

Good afternoon Bryan,

Here are a few options for rescheduling your inspection with Officer DUARTE:

Wednesday February 28th at 930am

Or

Wednesday February 28th at 1pm

Additionally, we have observed your listing is advertising a 2-night minimum stay. Complying with the City's Short-Term Rental Regulation Bylaw requires just a few simple steps:

- 1. Immediately modify your advertisement to reflect a minimum stay of 30 days or more.
- 2. Immediately cancel any bookings of less than 30 days.

Failure to comply with City regulations may result in enforcement, including daily fines.

Kind regards,

#### **Emma Crockett**

Pronouns: she, her, hers

Short-Term Rental Administrator, Bylaw and Licensing Services

Legislative and Regulatory Services Department

City of Victoria

1 Centennial Square, Victoria BC V8W 1P6









The City of Victoria is located on the homelands of the Songhees and Esquimalt People.

From: Bryan Dobinson <

Sent: Tuesday, January 30, 2024 3:03 PM

To: str@victoria.ca

Subject: Re: 2024 INSPECTION - 3150 BALFOUR AVE

Good afternoon Emma. I am going to have to reschedule my inspection. My grandma has sustained a fall and now but me mobilized to assisted living. So me and a few family members now have the task or selling and packing up her long time home. When is another appointment available later this month? Please let me know. Thank you.

On Jan 24, 2024, at 2:57 PM, str@victoria.ca wrote:

#### Good afternoon

Thank you for confirming the date and time of your incoming inspection .

Kind regards,

#### **Emma Crockett**

Pronouns: she, her, hers
Short-Term Rental Administrator, Bylaw and Licensing Services
Legislative and Regulatory Services Department
City of Victoria
1 Centennial Square, Victoria BC V8W 1P6
T

<image001.png>

<image002.png>

<image003.png>

<image004.png>

The City of Victoria is located on the homelands of the Songhees and Esquimalt People.

From: Bryan Dobinson

Sent: Tuesday, January 23, 2024 6:53 PM

To: str@victoria.ca

Subject: Re: 2024 INSPECTION - 3150 BALFOUR AVE

Good evening, I'm sorry I thought this sent a while ago but it didn't send and sat in the outbox. Sure could we set up inspection for February 2 at 930. Thank you. Bryan

Sent from my iPhone

On Jan 15, 2024, at 10:27 AM, str@victoria.ca wrote:

Good Morning,

Hope this email finds you well. The next step in your 2024 application process is scheduling an inspection.

Bylaw Officer DUARTE is available:

FRIDAY FEBRUARY  $2^{ND}$  @ 930 AM

Or

#### SATURDAY FEBRUARY 3RD @ 1PM

If these options do not work with your schedule, please let me know at your earliest convenience and I will look at future dates.

I have attached a few helpful documents for your review.

Please note, as stated in the attached document "What You Need to Know" if the Inspecting Officer determines that there is a valid reason to inspect an area, you will be asked to grant access. Unless it is unreasonable to inspect those areas at that time, you are required to provide access.

Kind regards,

#### **Emma Crockett**

Pronouns: she, her, hers
Short-Term Rental Administrator, Bylaw and Licensing Services
Legislative and Regulatory Services Department
City of Victoria
1 Centennial Square, Victoria BC V8W 1P6

<image001.png>

<image002.png>

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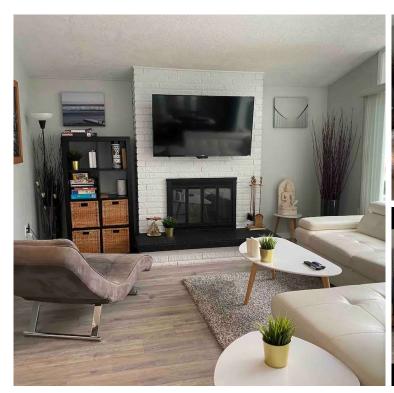
The City of Victoria is located on the homelands of the Songhees and Esquimalt People.

- <Schedule D.pdf>
- <Short-term Rentals Info.pdf>
- <STR Regulation Bylaw.pdf>
- <Bylaw Inspections-What You Need to Know.pdf>

# Bliss on Balfour

Appendix I

↑ Share 
○ Save











#### Entire home in Victoria, Canada

6 guests · 2 bedrooms · 3 beds · 1.5 baths

★ 4.69 · <u>16 reviews</u>



## Hosted by Bryan

2 months hosting



#### Free cancellation before Feb. 1

Get a full refund if you change your mind.



#### Self check-in

Check yourself in with the smartlock.



#### **Great location**

94% of recent guests gave the location a 5-star rating.

Some info has been automatically translated.

Show original

Bliss on Balfour is a contemporary designed suite with lots of windows and natural light. Centrally located within 15-30 drive of all major transportation centers.

Inner harbour and downtown is a 9 minute drive. UVIC and Mt. Doug is 13 minute drive.

Fully contained deck and backyard makes it safe for your children ...

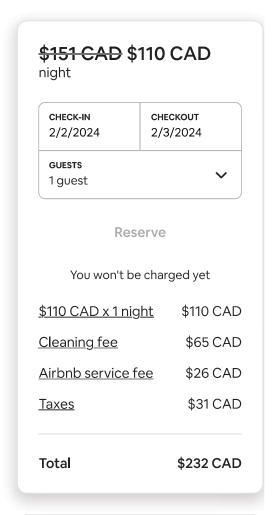
#### Show more >

Where you'll sleep











#### Lower price

Your dates are \$41 CAD less than the avg. nightly rate of the last 60 days.

Report this listing





Bedroom 1 1 queen bed

Bedroom 2
1 queen bed

# What this place offers

Nitchen Kitchen

ি Wifi

Free parking on premises

**%** Pets allowed

55" HDTV with Hulu, Netflix, premium cable, Roku

Free washer – In unit

Free dryer – In unit

Bathtub

Security cameras on property

Show all 68 amenities

# 1 night in Victoria

Feb 2, 2024 - Feb 3, 2024

<

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1	<del>14</del>	13	12	11	<del>20</del>	<del>19</del>	<del>18</del>	<del>17</del>	<del>16</del>	<del>15</del>	<del>14</del>	
								. ,				

# ★ 4.69 · 16 reviews

January 2024

Overall rating	Cleanliness	Accuracy	Check-in	Communication	Location	Value
5	4.5	4.8	5.0	5.0	4.9	4.6
4						
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#### Chad

Maple Ridge, Canada

#### **★★★★** · **4 days ago** · Stayed a few nights

Bryan's home was exactly as advertised. The location is nice and quiet. The home was clean and had many extras that were greatly appreciated. Highly recommended!

#### Curtis

1 year on Airbnb

#### **★★★★★ · 1 week ago ·** Stayed over a week

Very comfortable! Host is very friendly and pro-activly made sure we had all our needs met.

#### Brenda

Burnaby, Canada

#### ★★★★ · 3 weeks ago · Stayed with a pet

Great space! Modern and bright. Thoughtful extra touches to get you started. I absolutely loved that everything was clearly labelled and left us with no guesswork. Would stay here again. Bryan was super accommodating. We needed an early check in. He was also quick to reply to all of my questions.

#### **Show more**

**Kyle** 

Edmonds, Washington

\*\*\*\* · December 2023 · Stayed with a pet great

Ashley

Toronto, Canada

\*\*\*\* · December 2023 · Stayed with kids

Great host and very nice spot would highly recommend

Would definitely stay again!!!!!

Juliana

1 month on Airbnb

\*\*\*\* · December 2023 · Stayed a few nights Very good place

Show all 16 reviews

# Where you'll be

#### Victoria, British Columbia, Canada

Centrally located for easy access, also located on major BC transit routes. Just a 10 minute drive to beautiful inner harbour. Butchart gardens, BC ferries and Victoria airport are all within 30 minutes. Access to Mile 0 and esquimalt lagoon are within 20 minutes. Galloping Goose trail is about 8 minutes away, then take a nice bike ride, jog or stroll to...

Show more >

# Hosted by Bryan

Joined in August 2014

★ 16 Reviews

Identity verified

Response rate: 100%

Response time: within an hour

#### Contact host

To protect your payment, never transfer money or communicate outside of the Airbnb website or app.



# Things to know

#### House rules

Check-in: 4:00 p.m.-12:00 a.m.

Checkout before 11:00 a.m.

6 guests maximum

# Show more > Safety & property

Security camera/recording device

Pool/hot tub without a gate or lock

Carbon monoxide alarm

# Show more > Cancellation policy

Free cancellation before Feb. 1.

Review the Host's full cancellation policy, which applies even if you cancel for illness or disruptions caused by COVID-19.

#### Show more >

Airbnb > Canada > British Columbia > Capital > Victoria

# Explore other options in and around Victoria

Surrey

Vacation rentals

Richmond

Vacation rentals

North Vancouver

Vacation rentals

Vancouver Island Vacation rentals

Seattle

Vacation rentals

Burnaby

Vacation rentals

Squamish

Vacation rentals

Forks

Vacation rentals

**Portland** 

Vacation rentals

## Other types of stays on Airbnb

Victoria vacation rentals

Accommodations with outdoor seating in Victoria

Family-friendly rentals in Victoria

Accommodations with outdoor seating in British Columbia

Accommodations with outdoor seating in Canada

Victoria monthly stays

Pet-friendly home rentals in Victoria

Pet-friendly home rentals in British Columbia

Family-friendly rentals in British Columbia

## Support

Help Centre

AirCover

Anti-discrimination

Disability support

Cancellation options

Report neighbourhood concern

#### Hosting

1/30/24, 3:13 PM

Airbnb your home

AirCover for Hosts

Hosting resources

Community forum

Hosting responsibly

#### Airbnb

Newsroom

New features

Careers

Investors

Gift cards

Airbnb.org emergency stays

## ⊕ English (CA) \$ CAD

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# Appendix J

Inspection: 3150 Balfour Avenue, 14 images.

Image 1: Exterior

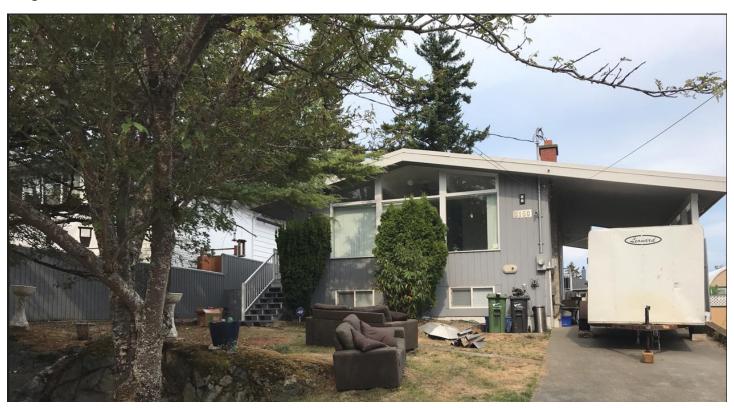
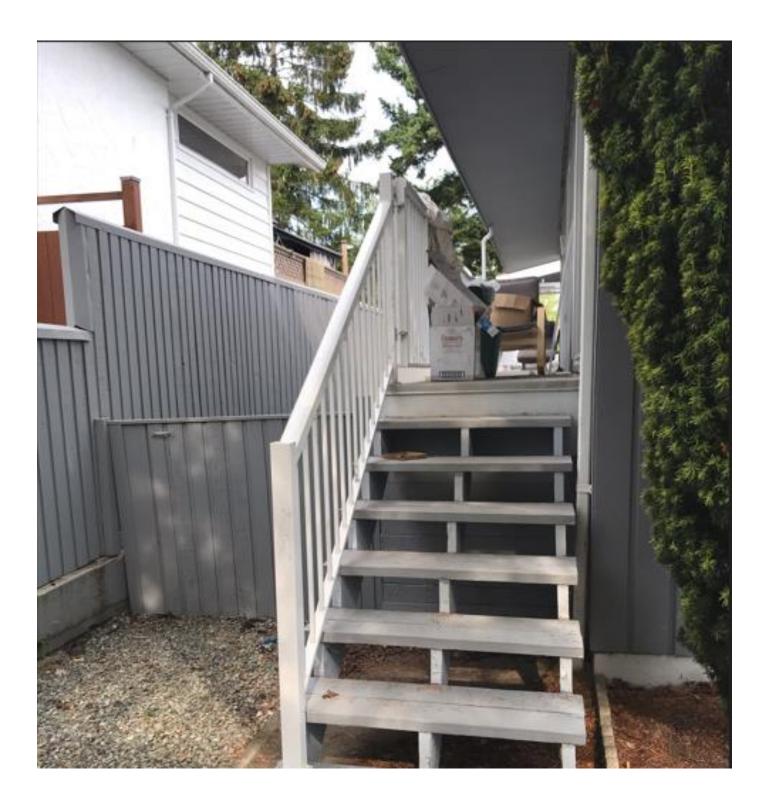


Image 2: Side entrance to upper level ('A' on floor plan)



Images 3-4: Side door to upper level ('B' on floor plan)



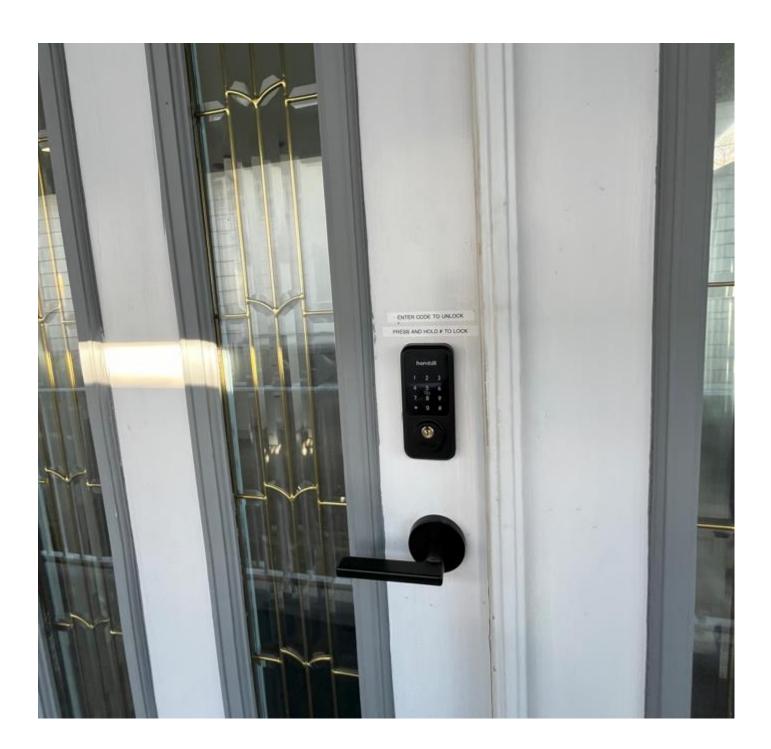
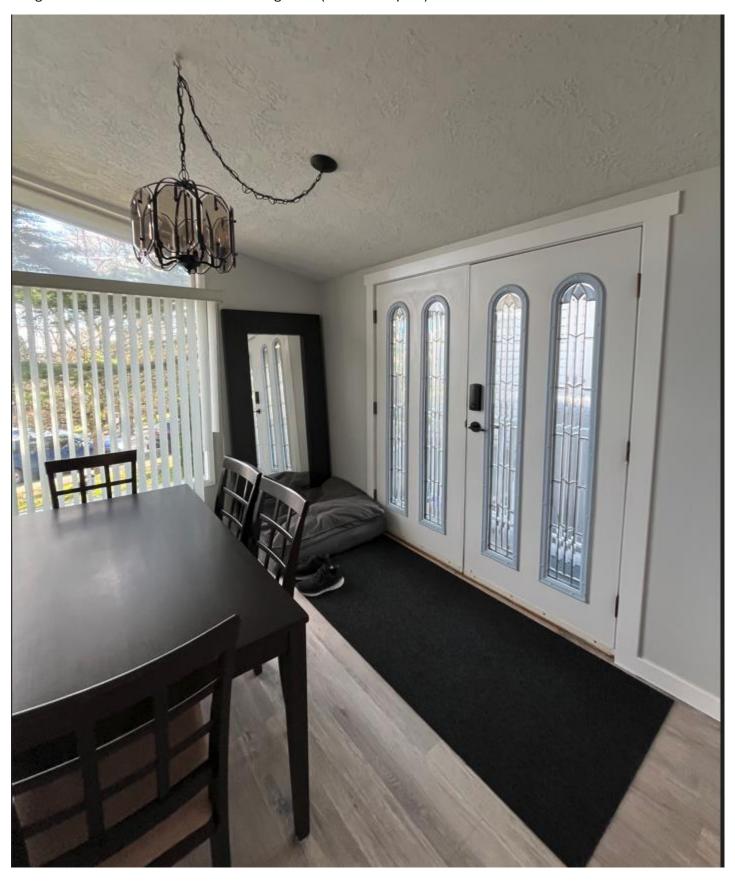
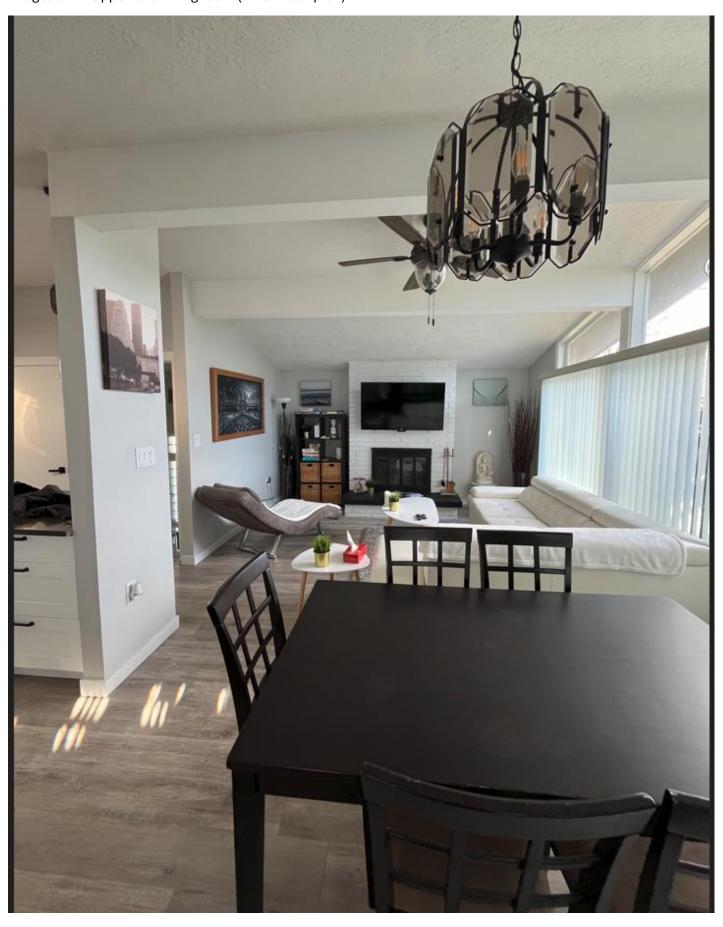
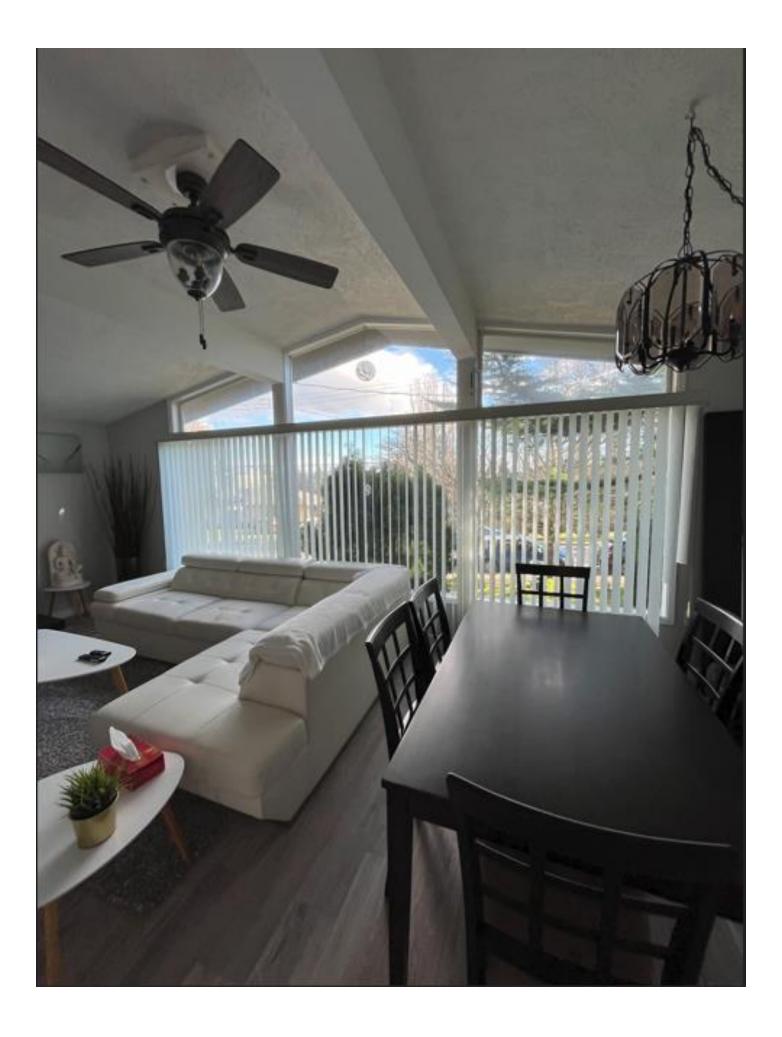


Image 5: Interior view side door from dining room ('C' on floor plan)



Images 6 - 7: Upper level living room ('D' on floor plan)





Images 8-9: Kitchen on upper level ('E' on floor plan)



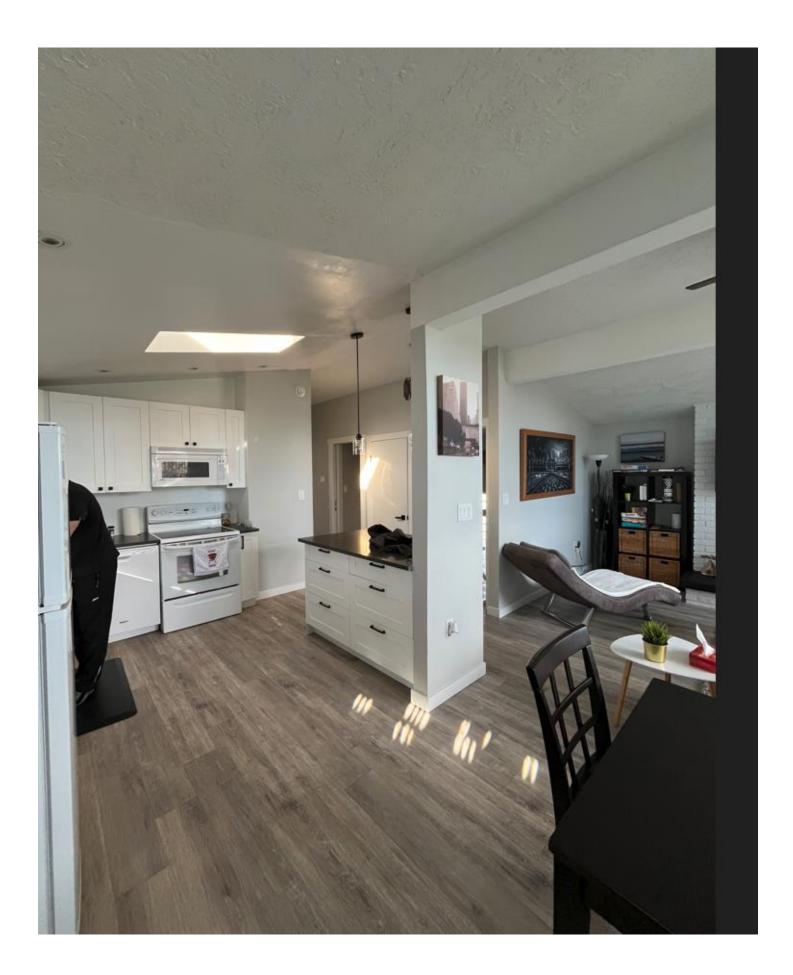


Image 10: Hallway ('F' on floor plan)

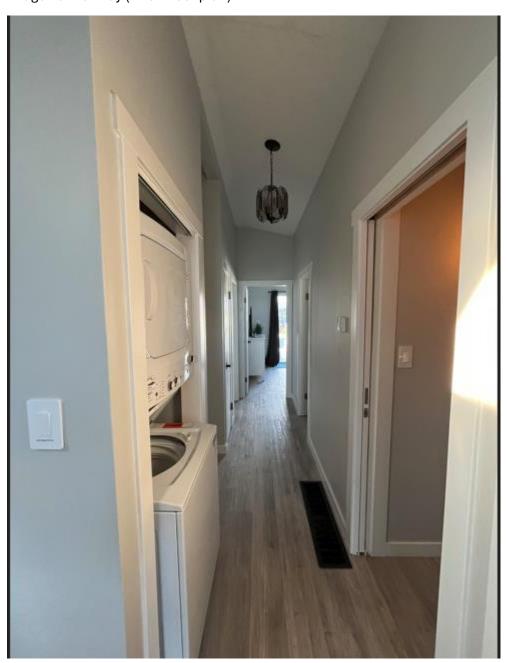


Image 11: First bathroom upper level ('G' on floor plan)

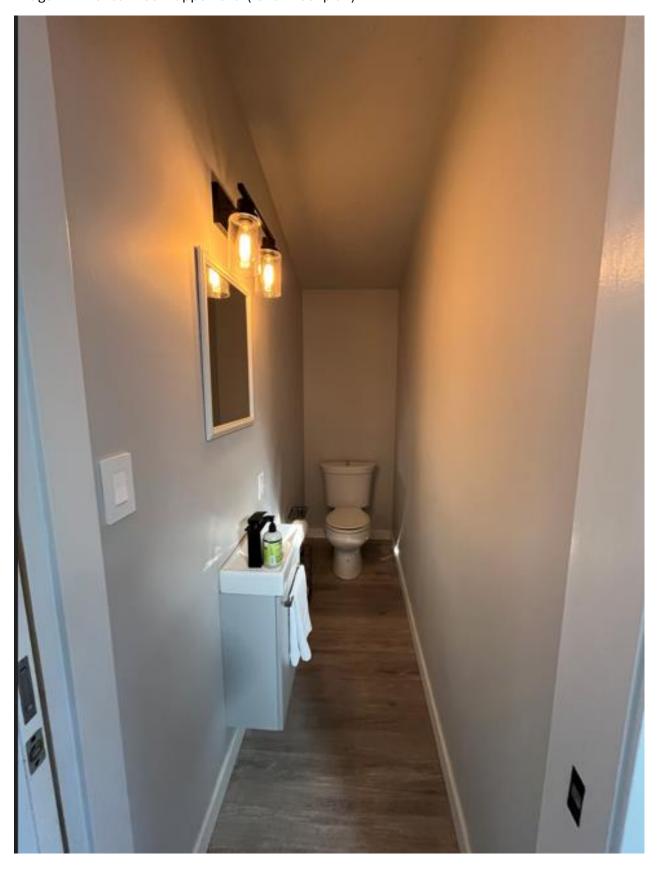


Image 12: Second bathroom on upper level ('H' on floor plan)

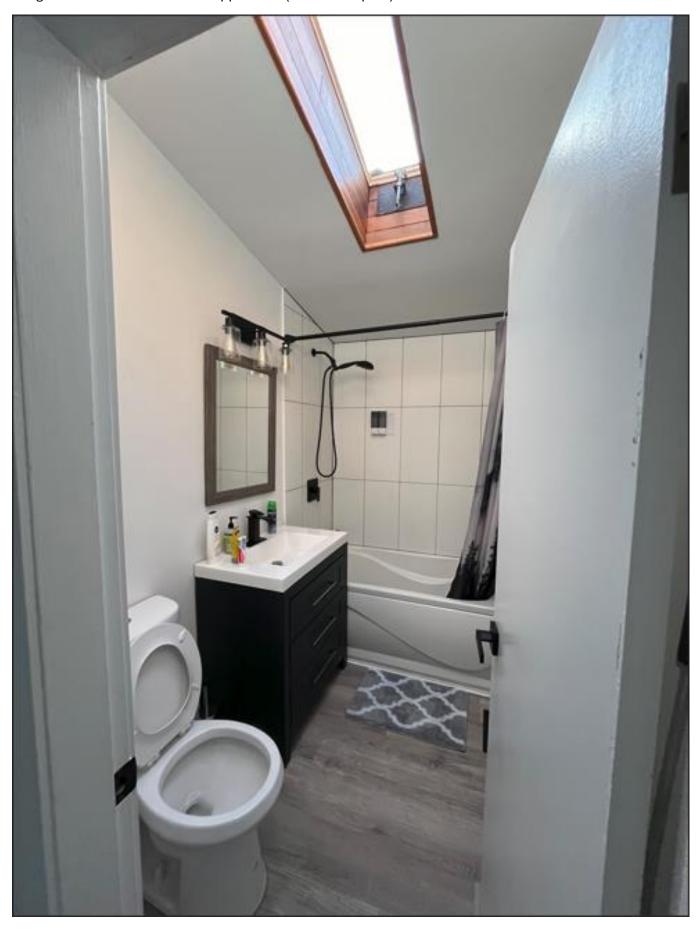


Image 13: Bedroom 1 ('I' on floor plan 'STR Room 2')

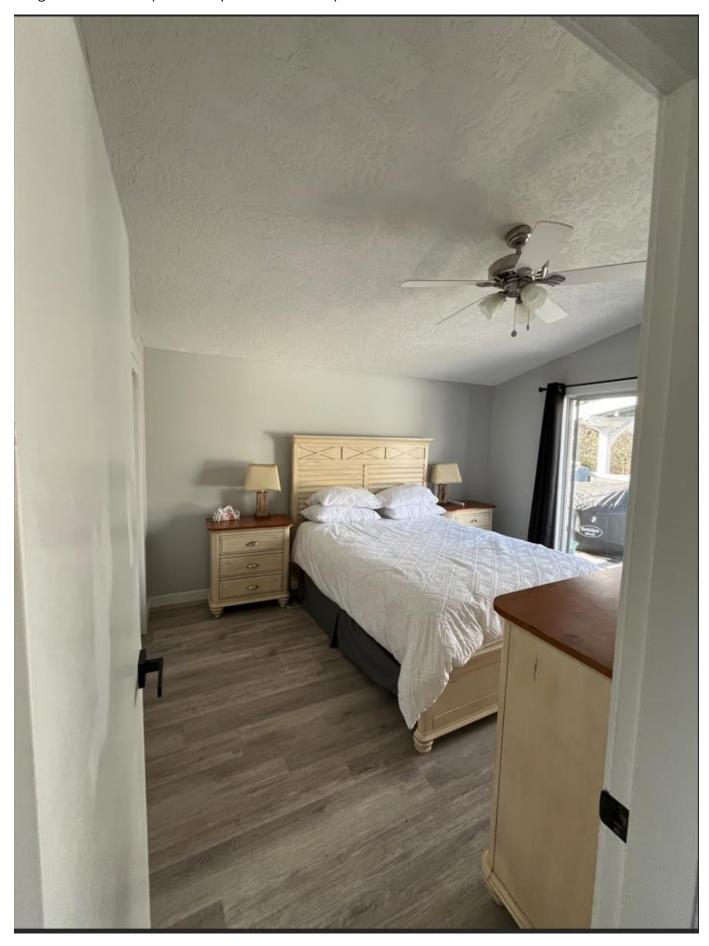


Image 14: Bedroom 2 ('J' on floor plan 'STR Room 1')

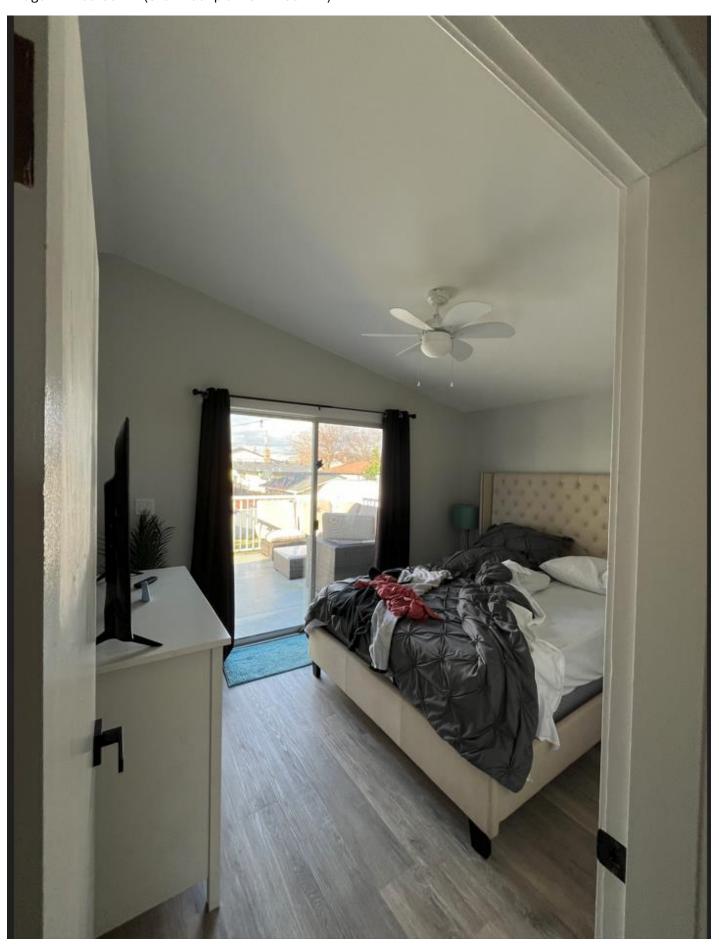


Image 15: Bedroom 3 ('K' on floor plan 'Primary')

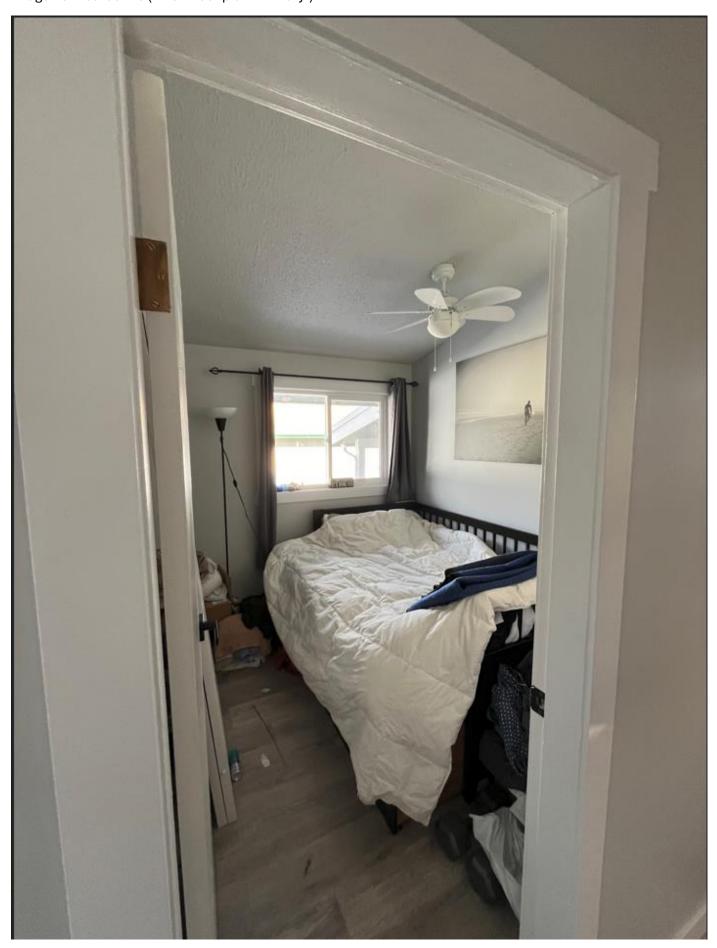


Image 16: Access to stairwell ('L' on floor plan)

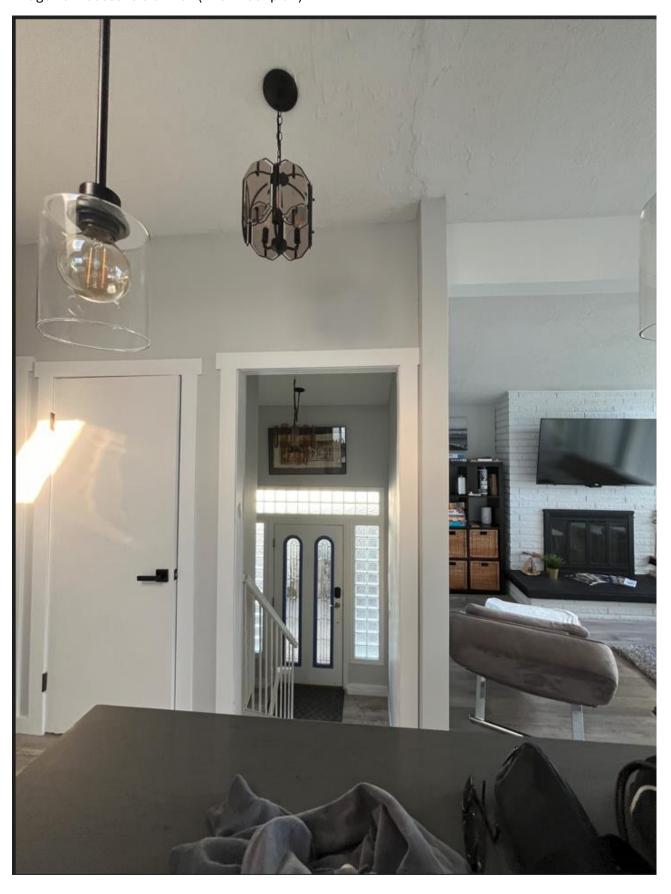


Image 17: Front door, split landing ('M' on floor plan)

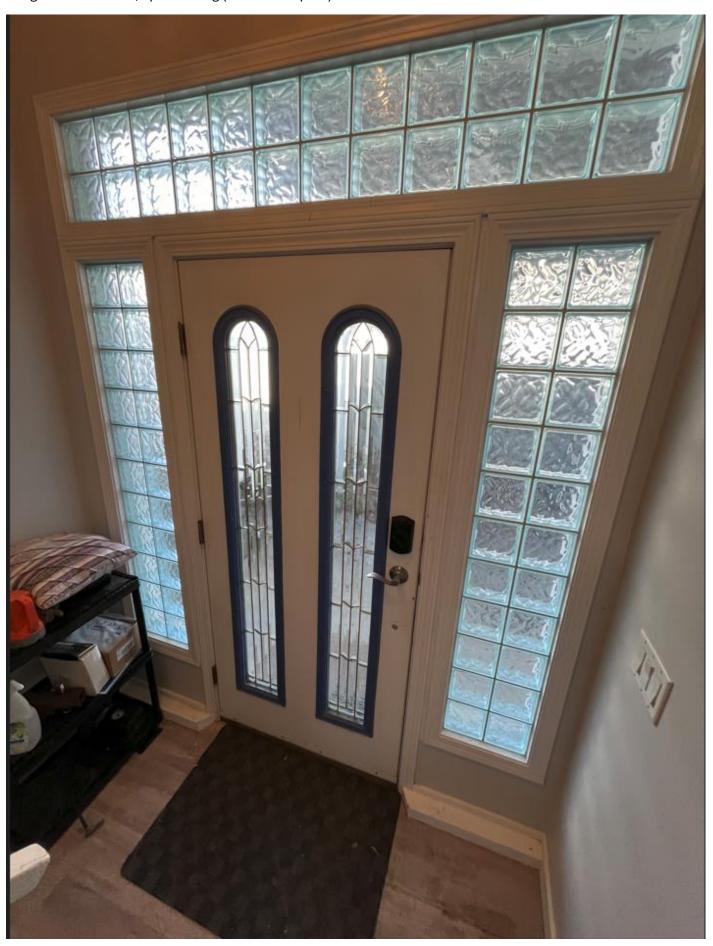


Image 18: Stairwell to lower level ('N' on floor plan)

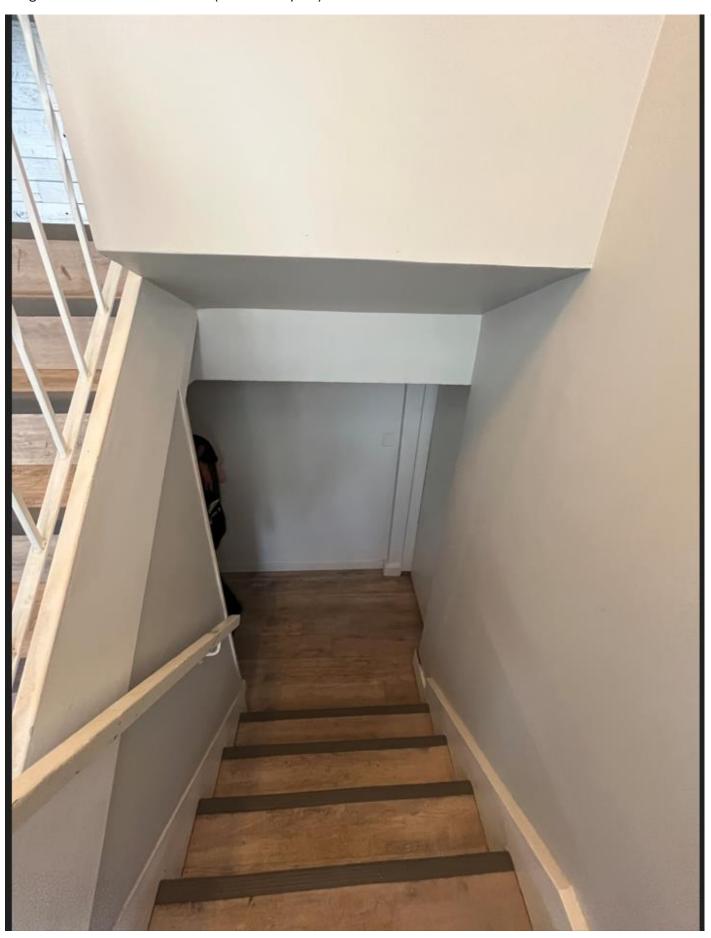


Image 19: Living space ('O' on the floor plan)

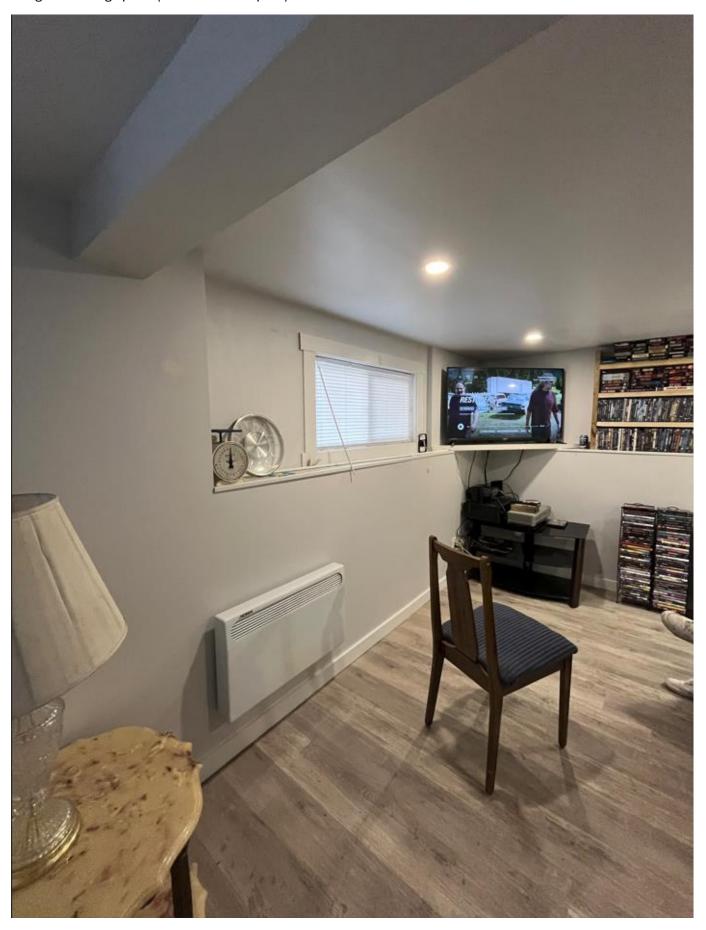


Image 20: Workshop ('P' on floor plan)

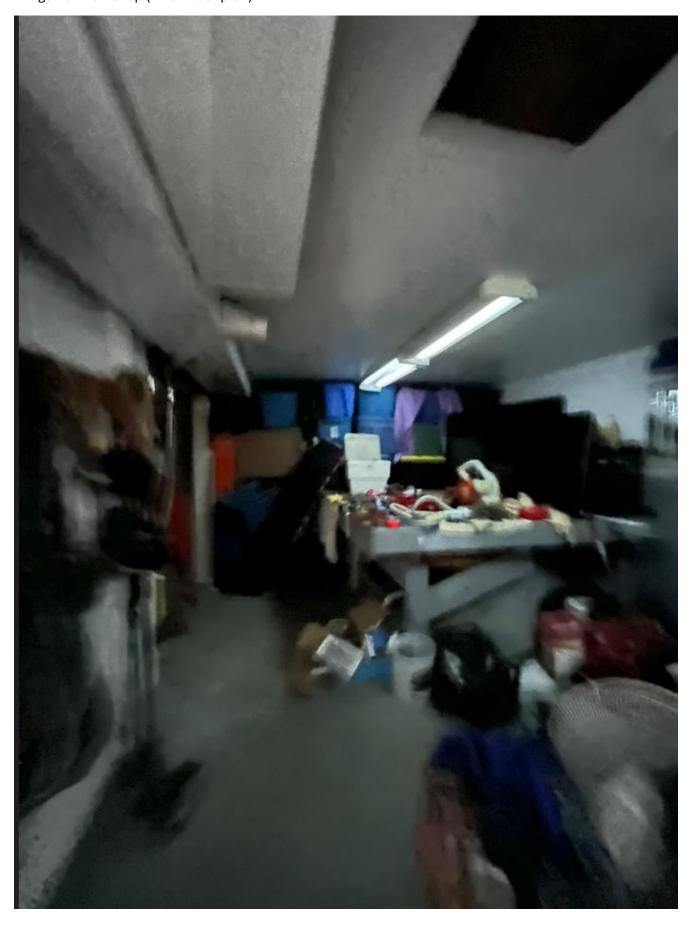


Image 21: Kitchen lower level ('Q' on floor plan)

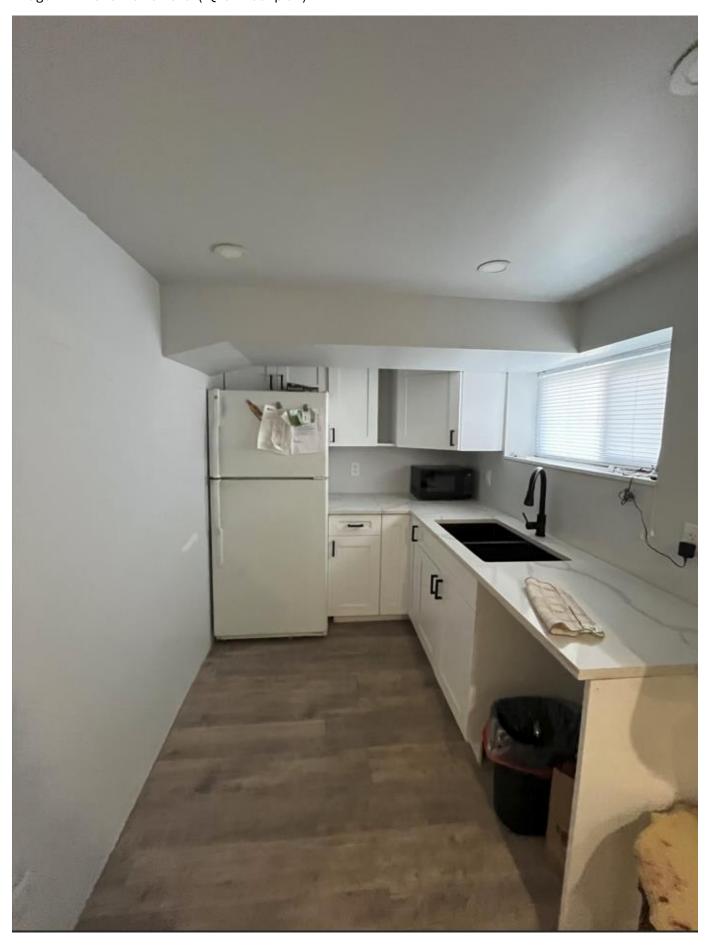


Image 22: Office lower level ('R' on floor plan)

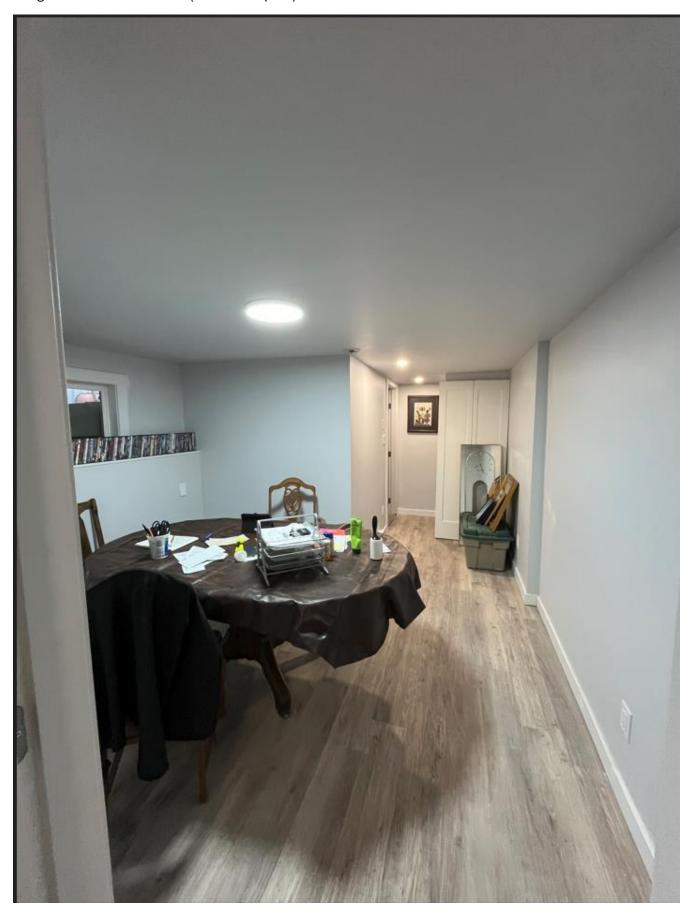
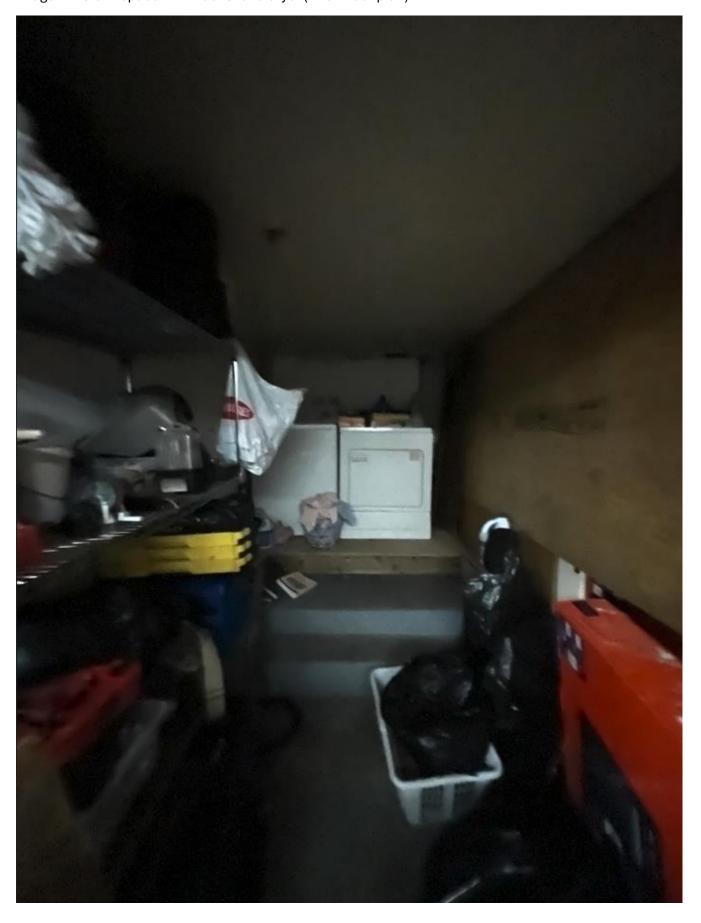
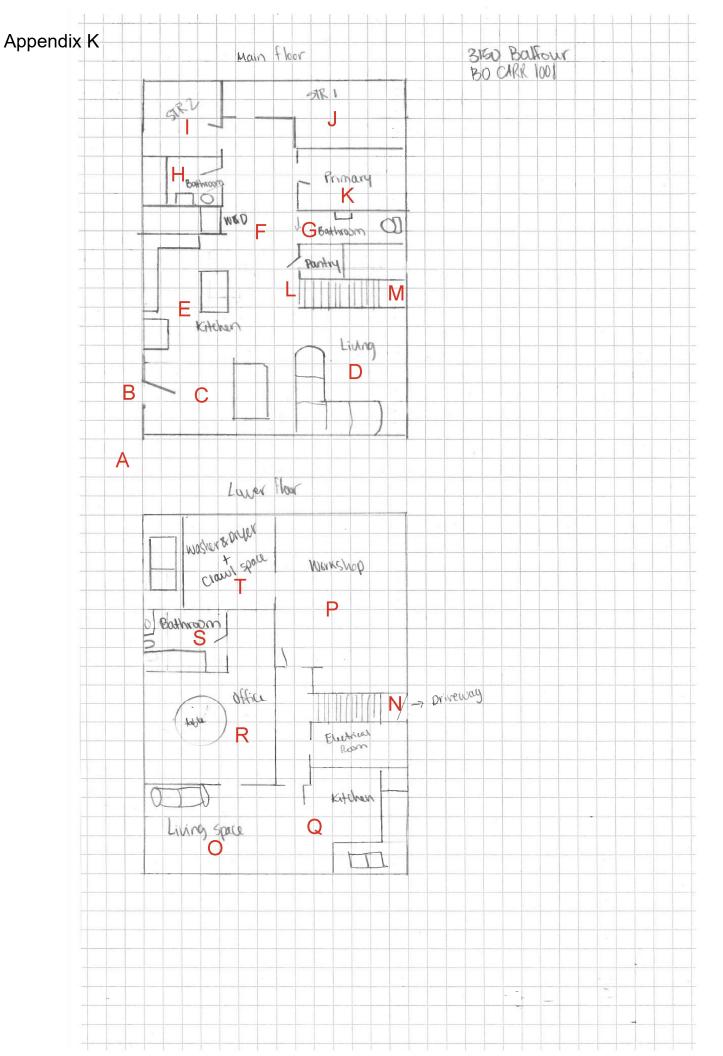


Image 23: Bathroom lower level ('S' on floor plan)



Image 24: Crawl space with washer and dryer ('T' on floor plan)





## Appendix L



#### **BYLAW OFFICER**

OFFICER NAME			Bylaw Officer (BO) CARR							
DATE/TIME	2024-02-06 1:00 PM		CFS#	227421	LOCATION		3150 Balfour Street			
INDIVIDUAL PRESENT					□ No					
NAME	NAME Bryan DOBINSON				D.O.B. (YYYY- MM-DD)		<b>(-</b>			

## STATEMENT

On **Tuesday, February 6, 2024**, at approximately 1:00 PM, Bylaw Officer (BO) CARR was working in full uniform, at 3150 Balfour Street to conduct a short-term rental (STR) inspection. Upon arrival, CARR was met at the driveway to the home by Bryan DOBINSON and his girlfriend Mandy DOXTATOR. CARR identified herself as a bylaw officer for the City of Victoria and provided DOBINSON with a copy of the 'Bylaw Inspections' handout. CARR explained that she would be putting on boot covers before entering the home.

The inspection began at the driveway where DOBINSON showed CARR the new drainage system, he had put in place according to the requirements of the city. The new trench was photographed, and DOBINSON then took CARR up to the home. The entrance used was on the side of the home and it led to the main floor. CARR observed a label on the door key pad lock used to direct guests. DOBINSON then took CARR around the wrap around deck where she saw a sliding glass door which opened to one of the STR rooms.

DOBINSON then took CARR into the home where she saw a very cleanly kitchen and living space. The space appeared to be ready to receive accommodation. There were bags for wet umbrellas at the entrance of the kitchen. Many items in the home were labelled for clarity. The living room was clean and matched the exact appearance in the photographs for the AirBnB add. Through the kitchen was a small closet which had been converted to accommodate a washer and dryer. Next to the washer and dryer, there was a full bathroom and across from that bathroom was a small pocket half bathroom. Further up the hallway were the 3 bedrooms. The two larger bedrooms were designated as STR bedrooms. Both very cleanly and free of personal effects. DOBINSON advised that the smaller bedroom is used as his primary bedroom. This bedroom appeared to have been lived in and contain some personal effects.

DOBINSON then took CARR to the staircase which led to the lower floor. At the entrance to the staircase was a doorway which had been removed per requirements from inspection in 2023. On the landing of the stairs was a separate entrance/exit which led out to the carpark/driveway. At the base of the stairs was a hallway which lead to a workshop/crawlspace. On the other end of the hallway was an electrical room. Past the electrical room was a door which could be locked. Through the door was a living space, kitchen with sink and fridge, office space, and bathroom. DOBINSON advised that the office space would be blocked off to guests as it contained personal work information.

CARR and DOBINSON then returned to the main floor to discuss the business plan. CARR advised that operators are to come up with a concrete business plan that should be reflected in their bookings online. She explained the two options where were possible under the license. DOBINSON expressed that he wished to rent 2 rooms out while he was home, and that he would rent the entire home out on occasion while away for work. DOBINSON advised that he may be gone for work upwards of 6 times a year for 1 or 2 weeks on end. While away and rent the entire home, he would not restrict any parts of the home other than the office on the

lower floor. Guests would access the home via keycode on side door. Advertisements would be found on AirBnB and VRBO. Typical minimum length of stay would be 1 night and DOBINSONS partner DOXTATOR would be the responsible person. When offering up to 2 bedrooms with shared living spaces, DOBINSON would be renting the two larger bedrooms upstairs. He advised that he occasionally switches which room he will stay in. Primarily, he stays in the smaller bedroom with a double bed. All spaces would be open to guests aside from lower floor office. If DOBINSON would leave on vacation, he would continue to rent the room while away. CARR then thanked DOBINSON for his compliance with the inspection, took photographs of the exterior of the home, and departed. Thirty (30) photos were taken (attached to CFS). Bylaw Officer (BO) CARR Victoria Bylaw Services

From: Bryan Dobinson <■ February 7, 2024 1:24 PM Sent: To: Lauren Carr Subject: Re: 3150 Balfour ave Yes that sounds great. Please give me a call at a whenever you're free. Thanks Sent from my iPhone > On Feb 7, 2024, at 1:57 PM, Lauren Carr > wrote: > Hi Bryan, > That's no problem. Ill be in a meeting for the next hour. Can I give you a call when I'm done? > Lauren Carr > Bylaw Officer > Bylaw & Licensing Services > City of Victoria > 1 Centennial Square > Victoria BC V8W 1P6 > Tel: 2364648178 > The City of Victoria is located on the homelands of the Songhees and Esquimalt People. > > > -----Original Message-----> From: Bryan Dobinson < > Sent: Wednesday, February 7, 2024 12:55 PM > To: Lauren Carr > Subject: 3150 Balfour ave > Good afternoon Lauren. Thank you for coming by and doing my inspection yesterday. I was thinking over last night about the business plan and talking it with my partner. Just a few ideas and comments I would like to chat with you about so that there is no confusion on the process system for the license. Is there a number I can give you a call at so we can have a discussion when you're available. Thank you. Bryan > Sent from my iPhone

# Appendix N

NOTE Feb 7, 2024 3:36 PM LAUREN CARR

CALL FROM DOBINSON 2024-02-07

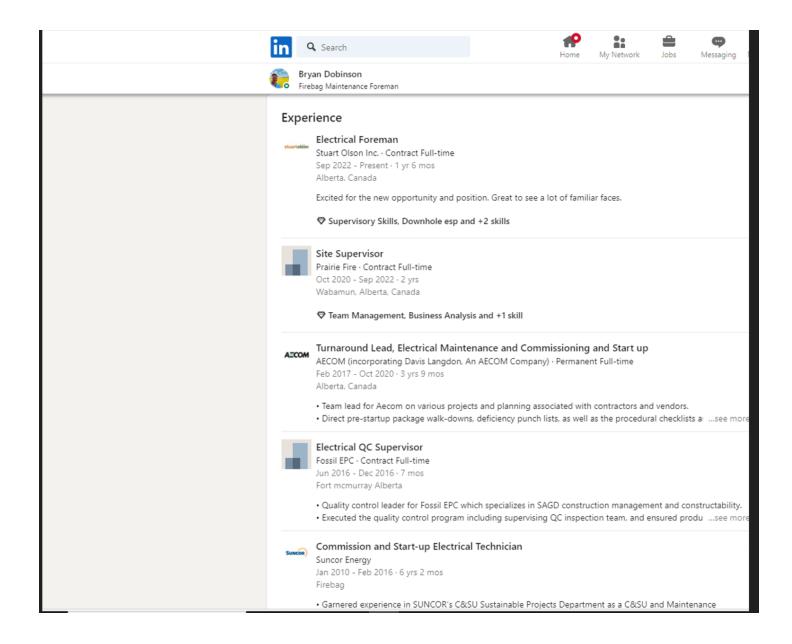
On the above date, at approximately 2:00 pm. CARR received a call from DOBINSON requesting that his business plan be changed from 2/3 night minimum, to a 1 night minimum. CARR requested to know why, DOBINSON stated that he himself had often been able to find last minute 1 night bookings when he himself was looking to use an AirBnB.

CARR then went over the rest of the business plan and DOBINSON wished to keep everything else the same. CARR then asked if 3150 was his primary residence. DOBINSON said yes, and that he was only in Alberta when he received a work contract and that he also has work on the island.

## Appendix O

# NOTE Feb 20, 2024 8:42 AM LAUREN CARR SNIP OF LINKED IN PROFILE ATTACHED

Snip shows possibly DOBINSONS Linked In profile which shows full time employment in Alberta. During inspection, DOBINSON had told CARR that he worked in Alberta.

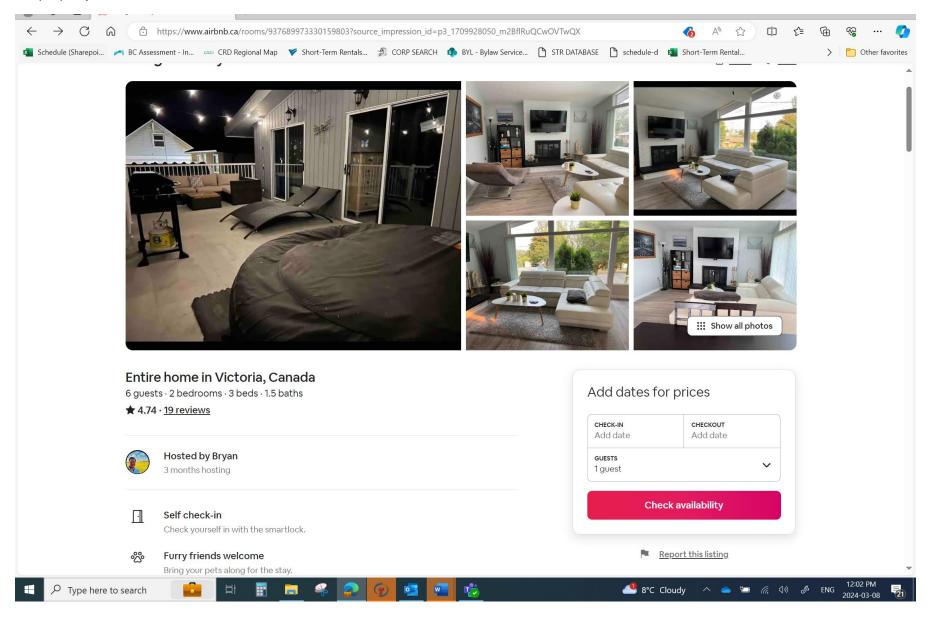


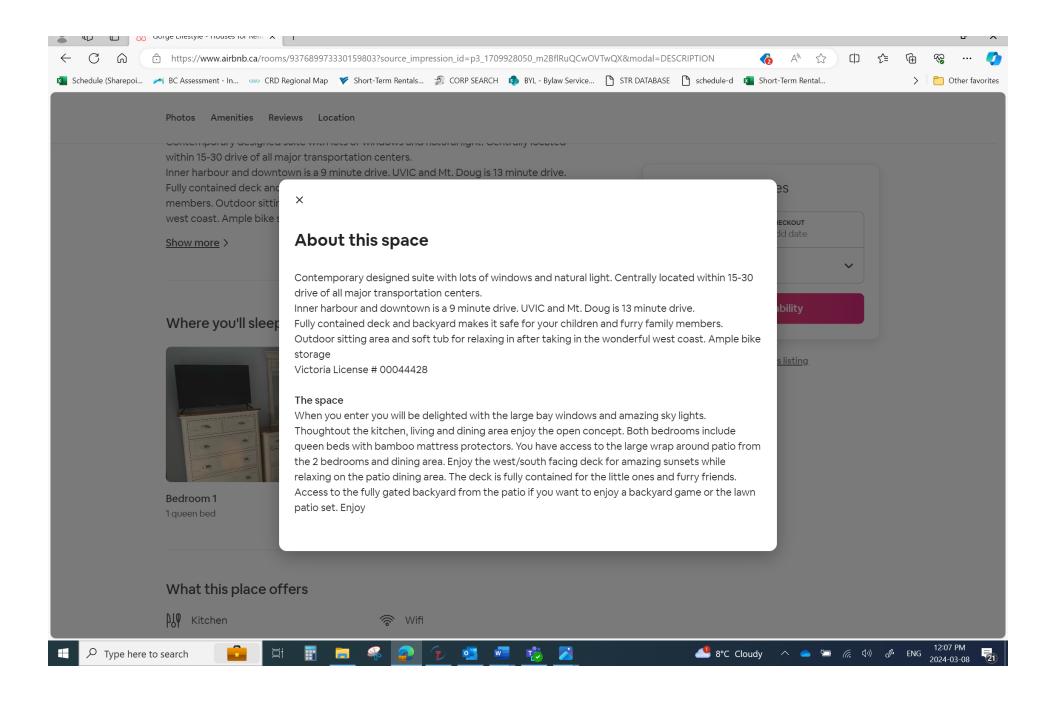
# Appendix P

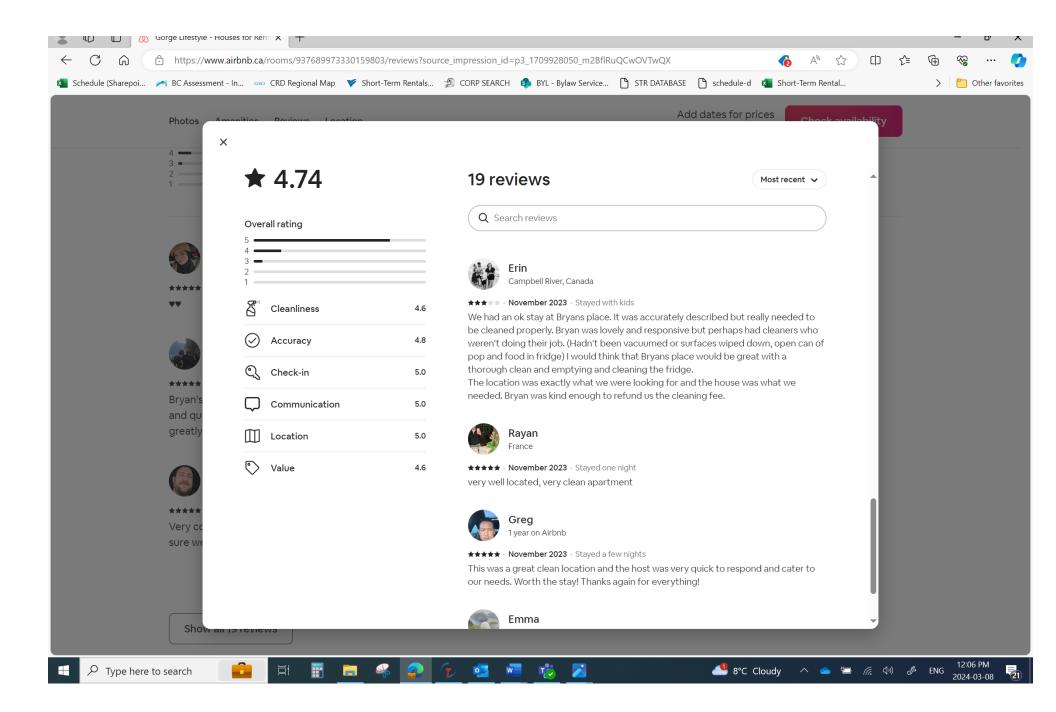
Listing Review, March 8, 2024 - https://www.airbnb.ca/rooms/937689973330159803ll

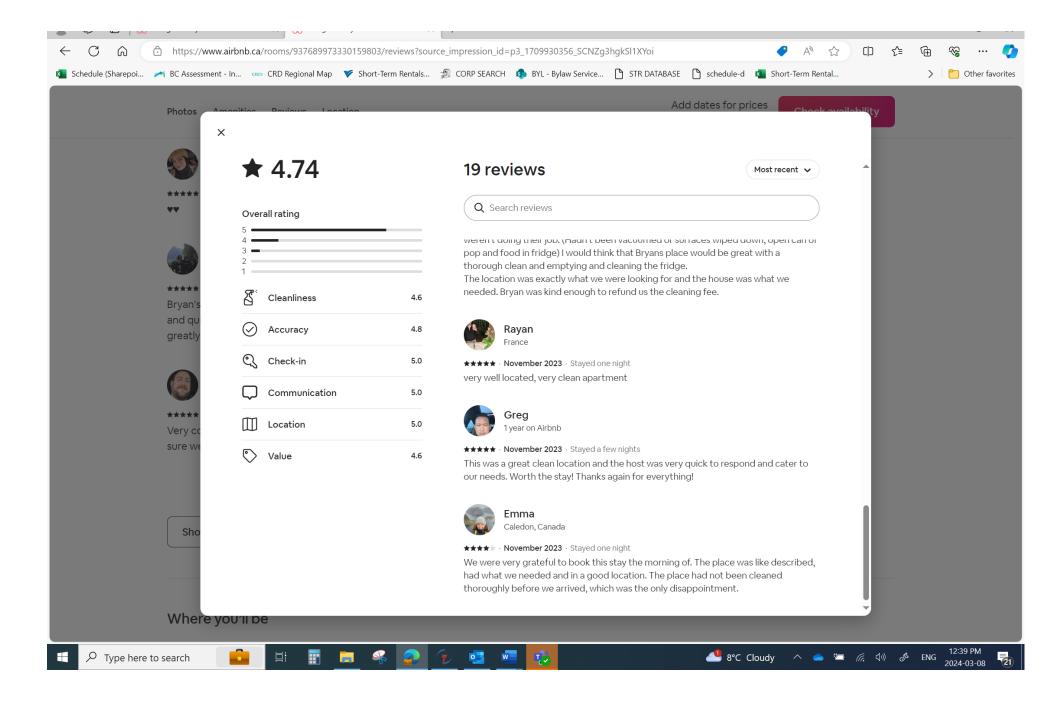
Listing offers 'Whole Home' and reflects an unhosted experience. Listing reflects a minimum of 19 guest stays between November 2023- January 2024.

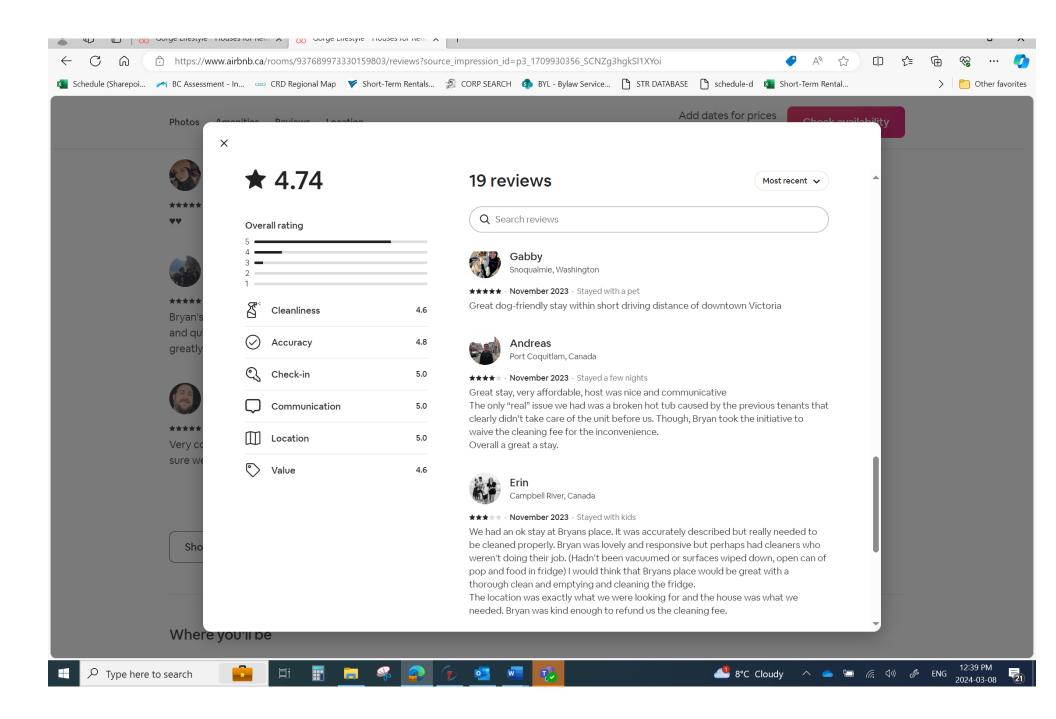
Described as a 'contemporary designed suite' and reviews from guests match the described offering, indicating the host is not present in the space or on the property.

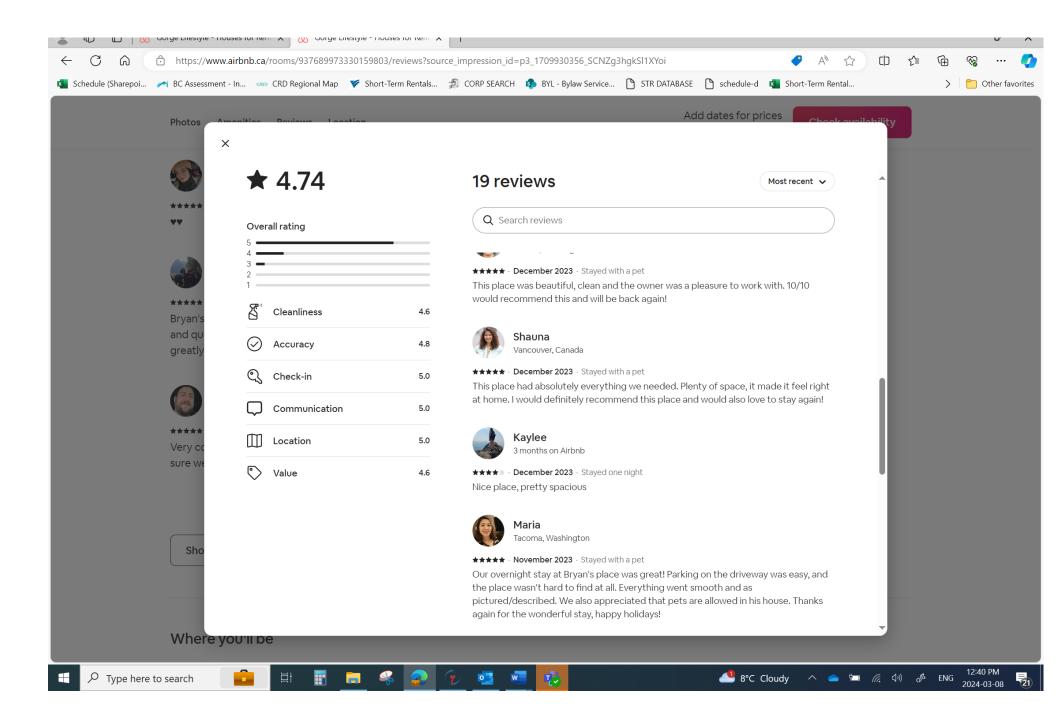


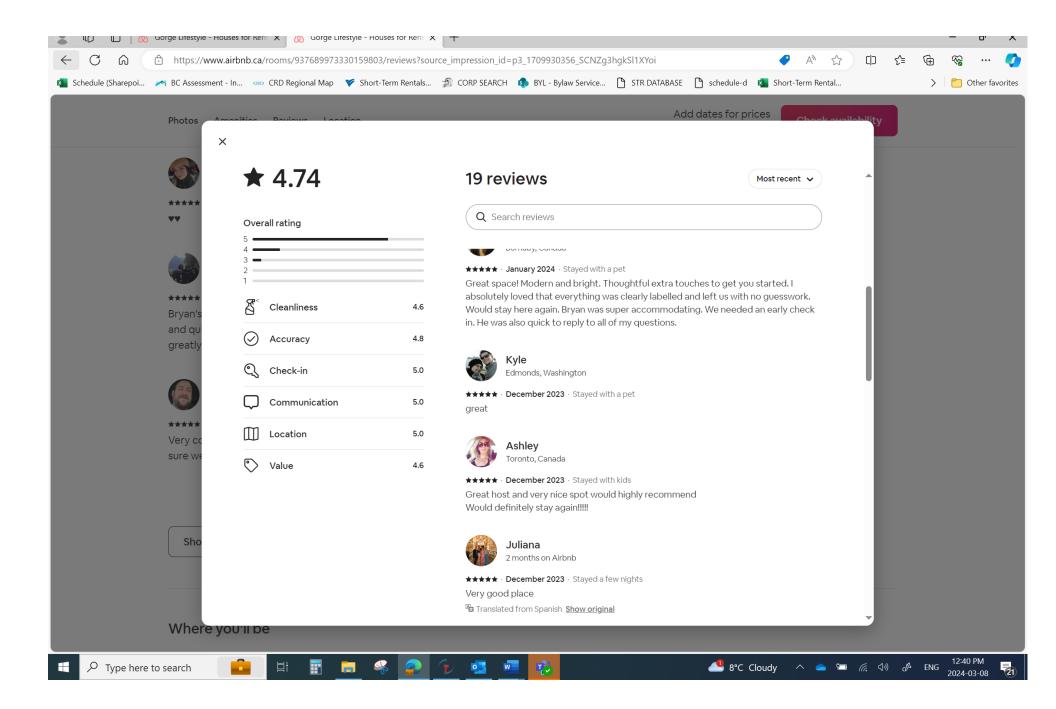


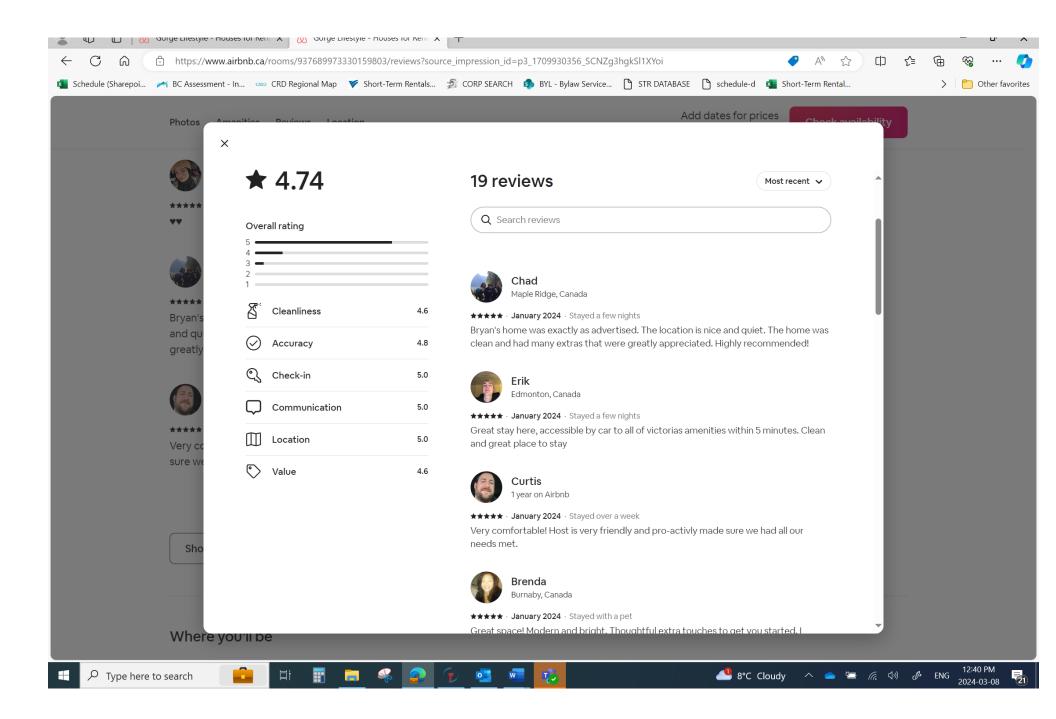


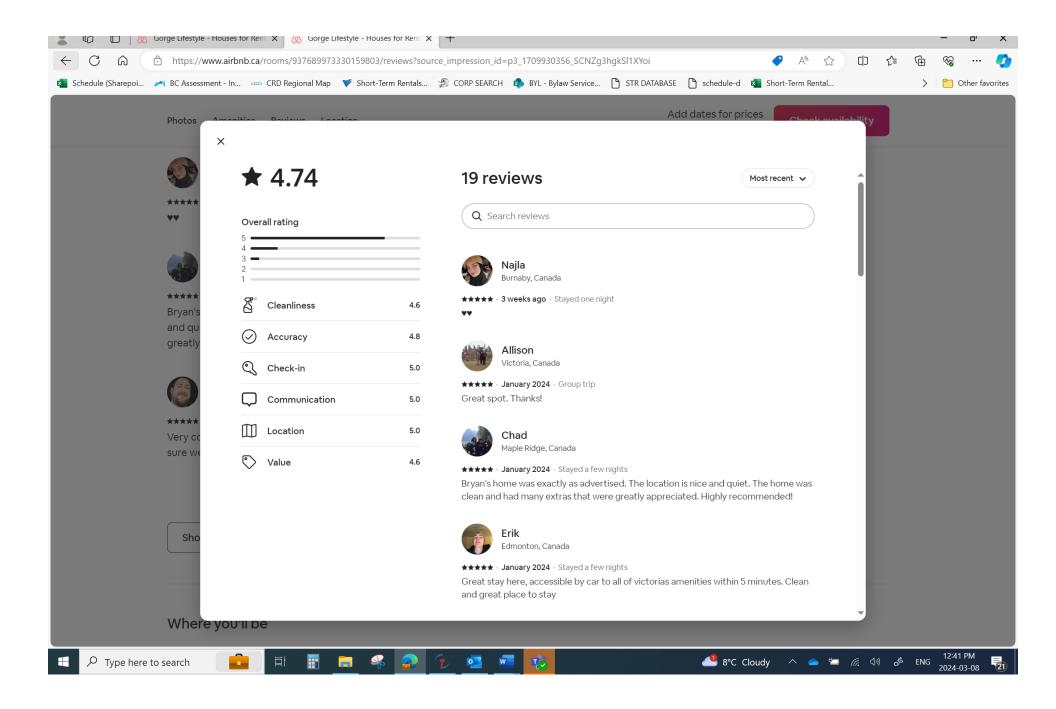












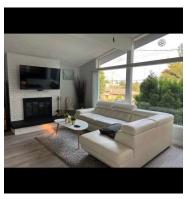
# Gorge Lifestyle

↑ Share ♥ Save











#### Entire home in Victoria, Canada

6 guests · 2 bedrooms · 3 beds · 1.5 baths

★ 4.75 · <u>20 reviews</u>



## Hosted by Bryan

Superhost · 7 months hosting



#### Self check-in

Check yourself in with the smartlock.



### Bryan is a Superhost

Superhosts are experienced, highly rated Hosts.



## Free cancellation before Aug. 28

Get a full refund if you change your mind.

Some info has been automatically translated. **Show original** 

Contemporary designed suite with lots of windows and natural light. Centrally located within 15-30 drive of all major transportation centers.

Inner harbour and downtown is a 9 minute drive. UVIC and Mt. Doug is 13 minute drive.

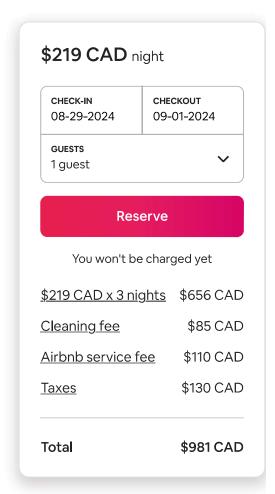
Fully contained deck and backyard makes it safe for your children ...

### Show more >

# Where you'll sleep









## This is a rare find

Bryan's place is usually fully booked.

Report this listing





Bedroom 1 1 queen bed

Bedroom 2
1 queen bed

# What this place offers

队 Kitchen

ি Wifi

Free street parking

Private hot tub – available all year, open specific hours

ా Pets allowed

55-inch HDTV with Hulu, Netflix, premium cable, Roku

Free washer – In unit

Free dryer – In unit

Bathtub

Exterior security cameras on property

Show all 68 amenities

# 3 nights in Victoria

Aug. 29, 2024 - Sep. 1, 2024

<

Su Mo Tu We Th Fr Sa Su Mo Tu We

August 2024

September 20



# ★ 4.75 · 20 reviews

Overall rating	Cleanliness	Accuracy	Check-in	Communication	Location	Value
5	4.6	4.8	5.0	5.0	5.0	4.7
4						
2	<b>\text{\tin}}\text{\ti}\text{\ti}}}}}}}}}}}}}}}}}}}}}}}}}}}}}}}}}}}</b>	$\oslash$	Q	$\Box$		•



## Marisel

Vancouver, Canada

★★★★ · March 2024 · Stayed with kids

It was very nice to be in the place, very clean and quiet.



## Matthew

Calgary, Canada

★★★★ · February 2024 · Stayed with kids

Great place, nice location. Would recommend staying here.



#### Allison

Victoria, Canada

★★★★ · January 2024 · Group trip

Great spot. Thanks!



#### Chad

Maple Ridge, Canada

★★★★ · January 2024 · Stayed a few nights

Bryan's home was exactly as advertised. The location is nice and quiet. The home was clean and had many extras that were greatly appreciated. Highly recommended!



Edmonton, Canada

★★★★ · January 2024 · Stayed a few nights

Great stay here, accessible by car to all of victorias amenities within 5 minutes. Clean and great place to stay



#### **Curtis**

2 years on Airbnb

★★★★ · January 2024 · Stayed over a week

Very comfortable! Host is very friendly and pro-activly made sure we had all our needs met.

Show all 20 reviews

# Where you'll be

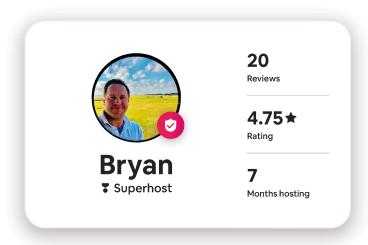
Victoria, British Columbia, Canada

## Neighbourhood highlights

Centrally located for easy access, also located on major BC transit routes. Just a 10 minute drive to beautiful inner harbour. Butchart gardens, BC ferries and Victoria airport are all within 30 minutes. Access to Mile 0 and esquimalt lagoon are within 20 minutes. Galloping Goose trail is about 8 minutes away, then take a nice bike ride, jog or stroll to...

Show more >

# Meet your Host





Lives in Victoria, Canada

Show more >

## Bryan is a Superhost

Superhosts are experienced, highly rated Hosts who are committed to providing great stays for guests.

Message Host



To protect your payment, never transfer money or communicate outside of the Airbnb website or app.

# Things to know

#### House rules

Check-in: 4:00 p.m.-12:00 a.m.

Checkout before 11:00 a.m.

6 guests maximum

# Show more > Safety & property

Exterior security cameras on property

Pool/hot tub without a gate or lock

Carbon monoxide alarm

# Show more > Cancellation policy

Free cancellation before Aug. 28.

Review the Host's full cancellation policy, which applies even if you cancel for illness or disruptions caused by COVID-19.

## Show more >

Airbnb > Canada > British Columbia > Capital Regional District > Victoria

# Explore other options in and around Victoria

Surrey Burnaby

Vacation rentals Vacation rentals

Richmond Squamish
Vacation rentals Vacation rentals

North Vancouver Forks

Vacation rentals Vacation rentals

Vancouver Island Portland

Vacation rentals Vacation rentals

Seattle

Vacation rentals

## Other types of stays on Airbnb

Victoria vacation rentals Victoria monthly stays

Family-friendly vacation rentals in Victoria Kid-friendly vacation rentals in Victoria

Vacation rentals with outdoor seating in Victoria Pet-friendly vacation rentals in Victoria

House vacation rentals in Capital Regional District Vacation rentals with outdoor seating in Capital Regional District

Kid-friendly vacation rentals in Capital Regional District

## Support

Help Centre

AirCover

7/24, 2:48 PM	Gorge Lifestyle - Houses for Rent in Victoria, British Columbia, Canada - Airbnb
Anti-discrimination	
Disability support	
Cancellation options	
Report neighbourhood concern	
Hosting	
Airbnb your home	
AirCover for Hosts	
Hosting resources	
Community forum	
Hosting responsibly	
Join a free hosting class	
Airbnb	
Newsroom	
New features	
Careers	
Investors	
Gift cards	
Airbnb.org emergency stays	
⊕ English (CA) \$ CAD	
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