

BYLAWS

Mayor Helps withdrew from the meeting at 12:39 a.m. due to a potential non-pecuniary conflict of interest with the following item, due to her relationship with an AirBnB operator. Councillor Thornton-Joe assumed the Chair in her absence.

Councillor Lucas withdrew from the meeting at 12:39 a.m. due to a pecuniary conflict of interest with the following item, as she is the general manager of a hotel.

Councillor Madoff withdrew from the meeting at 12:39 a.m. due to a pecuniary conflict of interest with the following item, as she runs a Bed and Breakfast in her home.

2. Bylaw for Zoning Amendments to Schedule D – Short-Term Rental Home Occupations

Motion:

It was moved by Councillor Isitt, seconded by Councillor Loveday, that the following bylaw be given first reading:

- a. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1147) No. 18-035*

Carried

For: Councillors Coleman, Isitt, Loveday, and Young
Opposed: Councillors Alto and Thornton-Joe

Motion:

It was moved by Councillor Isitt, seconded by Councillor Young, that Council amend *Zoning Regulation Bylaw, Amendment Bylaw (No. 1147) No. 18-035*, by inserting the following as the new section 2(3):

"Bylaw No. 80-159, the Zoning Regulation Bylaw, is further amended in section 17(4)(b)(ii) of the General Regulations by deleting the words 'as if it were transient accommodation'."

Carried

For: Councillors Coleman, Isitt, Loveday, and Young
Opposed: Councillors Alto and Thornton-Joe

Motion:

It was moved by Councillor Loveday, seconded by Councillor Young, that the following bylaw be given second reading, as amended:

- b. *Zoning Regulation Bylaw, Amendment Bylaw (No. 1147) No. 18-035*

Carried

For: Councillors Coleman, Isitt, Loveday, and Young
Opposed: Councillors Alto and Thornton-Joe

3. Bylaw for Short-Term Rental Regulation

Motion:

It was moved by Councillor Loveday, seconded by Councillor Young, that the following bylaw be given first, second, and third reading:

- a. *Short-Term Rental Regulation Bylaw No. 18-036*

Carried

For: Councillors Coleman, Isitt, Loveday, and Young
Opposed: Councillors Alto and Thornton-Joe



Council Report
For the Meeting of February 22, 2018

To: Council

Date: February 15, 2018

From: C. Coates, City Clerk

Subject: Zoning Regulation Bylaw, Amendment Bylaw (No. 1147) No. 18-035

RECOMMENDATION

That Council consider first and second readings of Bylaw No. 18-035.

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 18-035.

The issue came before Council on November 23, 2017 where the following resolution was approved:

Zoning Regulation Bylaw Amendment: Schedule D – STR Home Occupations

That Council direct staff to prepare amendments to the Zoning Regulation Bylaw, Schedule D - Home Occupations, to allow short term rental in up to two bedrooms in an occupied dwelling unit of any type and in entire principal residences on occasion when the normal resident is not present.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Chris Coates'.

Chris Coates
City Clerk

Report accepted and recommended by the City Manager:

A large, stylized handwritten signature in black ink, appearing to read 'Jocelyn Kenney'.

Date: Feb 16, 2018

List of Attachments:

- Bylaw No. 18-035

NO. 18-035
A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by updating the home occupation provisions of Schedule D to allow more than one home occupation at single dwelling, provided only one of the home occupations has customers that would attend and park at the dwelling; to prohibit cannabis-related businesses, and to allow short term rental in principal residences.

The Council of the Corporation of the City of Victoria, in an open meeting assembled, enacts the following provisions:

1. This Bylaw may be cited as the "ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1147)".
2.
 - (1) Bylaw No. 80-159, the Zoning Regulation Bylaw is amended in Schedule A – Definitions, by inserting a new definition of "Principal Residence" between the definition of "Preschool" and "Private Garage", as follows:

"Principal Residence" means the usual place where an individual makes their home."
 - (2) Bylaw No. 80-159, the Zoning Regulation Bylaw is further amended in Schedule D – Home Occupations by:
 - (a) in section 6(2),
 - (i) deleting the period at the end of paragraph (l) and replacing it with "; and"; and
 - (ii) adding the following as the new paragraph (m):

"(m) except as provided in Section 12, short-term rental."
 - (b) Adding the following as the new subsection (4) to section 8:

"(4) More than one person may operate a short-term rental in their principal residence."
 - (c) adding the following as new subsections (5) and (6) to section 11:
 - "(5) A single family dwelling may be used for transient accommodation whether or not the property contains a secondary suite or garden suite provided however that only one transient accommodation use is permitted on the property.
 - (6) Transient accommodation is restricted to no more than two bedrooms and cannot occupy an entire self-contained dwelling unit."
 - (d) adding, immediately after section 11, the following new section 12:

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

READ A FIRST TIME the day of 2018

READ A SECOND TIME the _____ day of _____ 2018

Public hearing held on the _____ day of _____ 2018

READ A THIRD TIME the _____ day of _____ 2018

ADOPTED on the _____ day of _____ 2018

CITY CLERK

MAYOR