

Pamela Martin

From: Lance R [REDACTED]
Sent: January 31, 2018 8:27 PM
To: Public Hearings
Subject: Please restrict short term rentals

Please restrict short term rentals.

This is having a detrimental affect on young professionals looking to start out in the city.

Restrict these rentals and see a world
of change across the housing spectrum in Victoria.

Thank you,
Lance

Alicia Ferguson

From: Legislative Services email
Subject: RE: OPPOSED - Proposed Business Licence Fee Increase / Principal vs Non-Principal Residences

From: City Life Suites [REDACTED]
Sent: February 21, 2018 11:35 AM
To: Legislative Services email <LegislativeServices@victoria.ca>
Subject: OPPOSED - Proposed Business Licence Fee Increase / Principal vs Non-Principal Residences

To Whom it may concern,

We write you again to **strongly express our opposition to the proposed transient business license fee increase for principal versus non-principal residences.** We have read and re-read your regulatory framework and understand the need for transparency among str's however to develop a framework based on principal versus non-principal residences may not be the most effective starting point. The dramatic increase of non-principal fee from \$115/\$120 per year to \$1500 per year is far too heavy handed. Even though it is less than the original proposal of \$2500 (met with harsh feedback from the community) it is still a punishing 1150% increase. How does council reasonably think this is a fair resolution? It appears the fee structure increase was devised to pay for the cost of regulating the newly proposed framework. Why should law abiding owners have to bear the cost of your newly imposed regulatory framework? What other type of bylaws within the City mirror this cost recoupment structure? This increase is far too harsh, it punishes those of us who have been following the transient zoned and business licence framework over the last decade. Which brings me to my next point.

May I ask Mayor and Council why regulation did not start with a.) regulating and fining the str's that are operating in non-transient zoned areas of the City; b.) regulating and fining those str's operating in transient zones without a transient business licence. If council were to start with those str's that were operating "underground" or illegally, perhaps there would be more compliance with str rental owners/agencies. It has come to my attention that very few str operators were aware they needed a transient business licence to operate a str. Who is to blame? The owner of the str? The City? How did the City communicate compliance for transient business license with str's? It seems clear, this was NOT communicated clearly or communicated at all, and the City failed miserably in regulating compliance throughout Victoria for most str owner's/operators.

In light of this, we urge Mayor and Council to begin regulatory framework of short term rentals by 1.) Regulation and fining the str's that are operating in non-transient zoned areas of the City; 2.) Regulation and fining those str's operating in transient zones without a transient business licence; 3.) Gain compliance of those str's to ensure they now operate with a transient business license based on the current licensing fee structure.

Based on the current proposal being addressed in tomorrow's council meeting, it has become clear the outspoken opposed community feedback since September 2017 fell on deaf ears. Council seems to have one agenda, and that is to eliminate all non-principal short term rentals in Victoria due to their "negative effects" on the community. By targeting non-principal residences with a harsh increased fee will discourage and eliminate str's that are current legally operating entities. They will not rent their homes long term as these owners use their property as second homes on an annual basis. This will not address the "housing crisis" council claims is directly correlated to the many str's operating today. Owner's with second homes in Victoria have chosen to operate their property as a str for the exact

reason a principal resident has, as a source of supplementary income. Therefore how can council differentiate and reasonably punish those owners who are non-principal residents whose sole intention is the same as the principal resident owner.

Those str's that are operating without a transient business licence will not comply with the current proposal. They will not pay fees, fines, etc. and will remain underground. Council will create a larger sub-culture directly correlated with a higher proposed fee structure. Please consider a more reasonable rate increase structure over the course of 3-5 years. It is punishing to increase fees 1150%. This is unheard of in the business world, how can this be considered by council? Consider a one time fee for those that have not purchased a business licence before. There should be a penalty for those not in compliance and no penalty for those that have complied year after year. Then develop a soft increase of 10% over the course of 3 years, as a suggestion, for the annual licensing fee. All fees should be the same, for principal and non-principal owners.

Many others have wrote to you on the positive impact of tourism str's have on the City of Victoria. Travellers want to come here, and they want a hotel alternative. I will not go into detail on this subject matter in this letter, however I did want to say our agency is a minimum one week rental, whereby most travellers who stay for one week or more do not tend to stay in hotels, thereby not affecting the hotel industry. We have wrote to council before. My husband and I relocated to Victoria from Saskatchewan after purchasing this business in 2015. City Life Suites Ltd. is our business, our sole income, our ways and means. We work very hard for our owners, the travellers who visit Victoria, and we employ cleaners, tradesman, servicemen, etc. through our agency. We are proud entrepreneurs who with one fail move by the City, by imposing this punishing fee increase of \$1500, will obliterate our business. **We plead with Mayor and Council, do not pass this proposed business licence fee of \$1500 (Principal vs Non-Principal Residences). Please consider an alternative proposal that I have laid out in paragraph three.**

Most Sincerely,
Melissa Frank
Rod Carroll

--
City Life Suites Ltd.
Self-Catering Vacation Rentals in Downtown Victoria BC
[Trip Advisor/FlipKey's Top Vacation Rental Victoria, BC 2011, 2012, 2013, 2014, 2015](#)
<http://www.citylifesuites.com>
<http://www.citylifesuites.co.uk/>
E-mail stay@citylifesuites.com
Phone [REDACTED] Pacific Time
[Follow Us On FaceBook](#)

Lacey Maxwell

From: Ellen Henry [REDACTED]
Sent: February 21, 2018 4:46 PM
To: Victoria Mayor and Council
Subject: Fwd: Short Term Rentals and a Hot Tourism Sector

Good afternoon,

I am forwarding an email I sent to you last month as I understand you will be reviewing this matter at tomorrow's meeting. I see that staff is recommending a licence fee of \$1500 for STRs that are not principal residences. I strongly disagree with this recommendation. It is not the job of one sector to cover enforcement costs and this fee is punitive. Why should a one bedroom STR pay more in licence fees than does a hotel?

In light of the recent Airbnb agreement which would see revenues generated to support affordable housing, it would appear that the City of Victoria is trying to stifle this initiative. Fewer licenced, tax collecting STRs means less money for this affordable housing budget. If anything you should be encouraging moves to add to housing stock. Why not come up with incentives for those who do decide to provide long term housing rather than punish those who don't?

I encourage you to reconsider the hard line the City has taken against STRs, especially by reducing the licence fee.

Thank you,
Ellen

----- Forwarded message -----

From: Ellen Henry [REDACTED]
Date: Thu, Jan 18, 2018 at 8:38 AM
Subject: Short Term Rentals and a Hot Tourism Sector
To: mayorandcouncil@victoria.ca

Good morning,

Tourism reports show that 2017 was another incredible year for the industry. After a number of years of solid growth, we are poised for more in 2018. However, staying in this city is in danger of becoming something only available to the wealthy. With hotels already near capacity and more closing to convert to long term housing, there is more pressure on room rates to rise. Tourism Victoria, nudged along by the hotel lobby, is delighted with this situation and reticent to allow any competition for hotels. Those travelling with children will be hard pressed to find affordable places to stay. When more than one bedroom is needed, rates of \$200 per night per room make our City off limits.

An alternative for families and for those who prefer a more home like accommodation option is short term vacation rentals. This is an excellent time for the City to work together with the growing short term rental industry to nurture growth of accommodation options.

Instead, the vacation rental industry is under attack in a short sighted move to solve the long term housing crisis. This is the wrong target not only for the above reasons, but also because the situation we are in was not caused by STRs. It was caused by many years of decisions that created an atmosphere where rental housing was not being built. We are now playing catch up, as are cities across Canada, and that unfortunately will take time.

I applaud the City's actions in streamlining zoning for "garden suites" and encouraging other innovation such as the proposal for 1126 Rockland to add 6 more rental units within the existing footprint. I also support cracking down on STRs in areas where the zoning never intended for their existence and they are creating a problem for residential neighbourhoods. The City squandered its ability to deal with this by not enforcing the existing bylaws and instead passing the harsh new policies in September. There are many other ways the City can encourage an increase in long term rental stock. Attacking the STR industry and hampering tourism growth is not one of them.

At our AGM last night, The Union passed some bylaws to help better manage STRs in the complex. I know that some buildings have issues with poorly managed units and stratas do have the ability to create rules and bylaws around this. A heavy handed approach by the City is not required.

There are many more measured steps that can be taken to address the long term housing challenge. I encourage you to explore other ideas and focus less on hampering the already at capacity tourism accommodation sector by shutting down STRs.

Thank you,
Ellen

--

Ellen Henry

Mobile: [REDACTED]

Email: [REDACTED]

--

Ellen Henry

Mobile: [REDACTED]

Email: [REDACTED]

Lacey Maxwell

From: Nancy Paine [REDACTED]
Sent: February 21, 2018 9:38 PM
To: Victoria Mayor and Council
Subject: STVR Regulation

Hello Mayor & Council,

My name is Nancy Paine and I own and operate SpaceHost, a service company that helps clients with their short term rental properties. I've addressed several members of council (those involved in the discussion on this issue) about my concerns with the proposed regulation. Many of my clients have shared their perspectives with me and I was especially moved by this letter, which I wish to share with you in advance of your meeting on the issue tomorrow, February 22, 2018:

I am writing to register my concern and objection to the proposed zoning for short term rentals in Victoria and to explain the affect that it has on us individually but also on others.

We purchased our house over 35 years ago for well under \$50K. We had 4 young boys. They are now grown up with families of their own. We added a kitchen to the downstairs some time ago so our growing children could use this as their own space while transitioning into adulthood and when they have needed a place to live from time to time. We are still in that same house which holds for us a lifetime of memories. We would like to stay here as we are part of a community of neighbours who are friends, most of whom we have known for over 30 years. Our children have grown up together and we have supported each other through life's ups and downs over the years. Studies on the Determinants of Health have pointed out that it is exactly this kind of stable community support has a marked positive affect on people's health outcomes and allowed them to stay in their own homes without having to move into care facilities.

At this time in our life, the costs of servicing a personal line of credit, maintenance, taxes, etc. are becoming prohibitive. As we are retired now, our incomes are entirely based on our pensions. We have been subsidizing our income by renting out our extra space on Airbnb while also being able to block off time to use that space when family or friends come from out of town to visit. We happily pay taxes on that income and would pay any extra taxes from the City to continue. We have no interest in long-terms rental to strangers and don't feel we should be forced into this by unfair zoning.

I understand that Council has now decided to enforce some restrictions on short term rentals with the aim of forcing more owners to lease their space for long term rentals as a way of 'freeing up' rental space. What I find unfair and inappropriate is how these restrictions have been applied. People who have purchased apartments in the downtown area, most of which they have never lived in, for the sole purpose of short term rental, have been 'grandfathered' while those of us who have lived in our communities for years and are looking only to subsidize our incomes so that we can remain there, have been denied this designation.

So why is that? It seems to me that many of the apartments within the downtown core have been sold by developers to people whose sole purpose is to generate income from them. If these owners could not continue this practise, there would likely be a sell-off of many of these apartments. This in turn would drive down the prices of the many new apartments currently being built in the designated City centre. So a decision has been made by Council that favours the absentee landlords and developers to the detriment of many householders who are either trying to continue living in their own houses or others who are trying to get into an overinflated market for a house by using some of their space for short term rental income.

To effectively push people out of houses that they bought originally as HOMES, not as investments, and instead support investors who run their properties as business and developers who have sold them as such, seems blatantly unfair.

My suggestion would be that if you are going to 'grandfather' short term rental units in the downtown core, that you include all existing short term renters in the surrounding communities. Another suggestion is to undertake an in-depth study on some proper measures that can be taken to provide affordable housing in Victoria without, intentionally or unintentionally, forcing current homeowners from their homes.

On behalf of this client and many others in the industry, please consider the harsh impact that your proposed regulation will have on many of your constituents. My clients are keen to work with the city and feel that the recent taxation decision to work with the STVR industry to mutual benefit is a step in the right direction. The proposed regulatory framework from your council does not work with the industry in a collaborative way but a combative one. I hope that this issue will be given more thoughtful

consideration by council and staff as this is a very complex issue with the livelihoods of clients such as the one above hanging in the balance.

Sincerely,

Nancy Paine
CEO SpaceHost



NANCY PAINE CEO Co-founder



spacehost.ca

February 22, 2018

Dear Mayor and Council,

Further to my written submission to the Committee of the Whole meeting of November 23, 2017, I would like to re-iterate our Coalitions' position, specifically those of strata owners, on the proposed Short-Term Rental (STR) Regulation Bylaw.

Many strata owners, and more importantly strata corporations still believe that the City of Victoria has no right to grant a residential strata lot owner a commercial business license to operate what is a commercial activity in a strata lot that is titled 'residential' under the Land Title Act, and is a central tenet under the Strata Property Act.

However, I believe that city staff has attempted to take a balanced approach to these overlapping legislative jurisdictions by including the following section in the STR Regulation Bylaw:

- (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

From our Coalition strata partners perspective, the requirement to seek and secure permission from the strata corporation before a STR business license can be granted is substantial, and is key to keeping the spread of STVR's in check within a strata. As I have mentioned before, it was our legal counsel that stated, firmly, that the city cannot license a use that is contrary to a strata's bylaws. City staff have quite rightly incorporated this requirement into the STR Bylaws.

I encourage Council to approve the current Short Term Rental Regulation Bylaws, as presented for 1st and 2nd readings, specifically Section D, in its entirety, as described above.

Eric Ney

Citizen Coalition Against Short-Term Vacation Rentals

Facebook: www.facebook.com/yyjagainststvr

Twitter: twitter.com/yyjagainststvr

Petition: http://www.victoriavoice.ca/restrict_short_term_vacation_rentals

February 22, 2018
File #14480-22

STEVENSON
LUCHIES
& LEIGH

Barristers & Solicitors

TELEPHONE

250 381 4040
604 569 0654
888 381 8555

FACSIMILE

250 388 9406
604 687 8996

EMAIL

LAWYERS@SLL.CA

VICTORIA

SUITE 300
736 BROUGHTON STREET
VICTORIA
BRITISH COLUMBIA
CANADA V8W 1E1

VANCOUVER

SUITE 510
938 HOWE STREET
VANCOUVER
BRITISH COLUMBIA
CANADA V6Z 1N9

WESTSHORE

SUITE 103
2849 PEATT ROAD
LANGFORD
BRITISH COLUMBIA
CANADA V9B 3V5

SOOKE

6689 SOOKE ROAD
(DIRECT CORRESPONDENCE
TO VICTORIA OFFICE)

Reply to: Justin J. Hanson
Downtown Office
Phone ext. 2508
hanson@SLL.ca

Legal Assistant: Melissa Gunson
Phone ext. 2521
melissa@SLL.ca

Victoria City Hall
1 Centennial Square
Victoria, BC V8W 1P6

Dear Victoria City Council:

Re: Proposed Bylaw NO. 18-036 - Short Term Rental Regulation Bylaw

It has been brought to my attention that the proposed bylaw NO. 18-036, SHORT-TERM RENTAL REGULATION BYLAW, contains the following provision as a requirement for licensing:

3(2) (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

I must inform you that this provision would be very problematic for strata councils, strata owners and their underlying strata corporations.

Strata corporations, and in turn strata councils, are governed wholly by the Strata Property Act. The Act prescribes what information must be kept by strata corporations and what information must be provided upon the request of a strata owner. There is no requirement in the Act to provide information upon the request of an owner, or any other body for that matter, outside of the prescriptive sections of the Act. A letter as described by 3(2)(d) would fall outside any of these prescriptive sections of the Act.

Strata councils are under no obligation to provide any letter of any kind to an owner with respect to their interpretation of the strata corporation's bylaws. Further, no strata council would be in a position to offer an interpretation of any provisions of the Strata Property Act for the City's benefit. The prudent legal advice that would likely be provided to any strata council asked for such a letter would be to not respond, as there is no requirement to do so, and to avoid any liability that may arise from responding.

The City is in effect making a strata council an approving body for the issuance of a business license. The City is creating a requirement of a strata owner to seek approval from a strata council, and that strata council has no commensurate requirement to respond. Again, prudent legal advice to that strata council would be to not respond, as there is no statutory requirement to do so.

STEVENSON
LUCHIES
& LEGH

Barristers & Solicitors

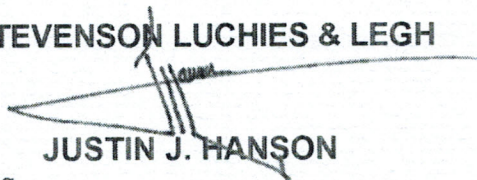
Consequently, the application process for the strata owner is frustrated through no fault of their own and through no fault of the strata council, but by the design of the City's application requirements. This in turn could lead to issues within the strata corporation itself.

As a strata lawyer who has drafted bylaws for many strata corporations to limit or ban short-term rentals I offer this perspective as someone who is interested in the responsible governance of strata corporations and their strata councils, not as someone who supports short-term rentals. Strata councils have a very demanding set of responsibilities as per the Strata Property Act. Trying to involve strata councils in something that is very much the City's business and that which falls outside of the prescribed activities of the Strata Property Act does not support the goal of promoting responsible governance within strata corporations.

For the reasons provided above, I would strongly recommend that you strike 3(2)(d) from the proposed bylaw. If you must involve strata corporations at all in your process, I would suggest that you replace it with a requirement to provide a copy of current bylaws and that your licensing officer be given adequate training to be able to identify those bylaws which would expressly restrict short-term rentals in a given strata building.

Respectfully,

STEVENSON LUCHIES & LEGH

A handwritten signature in black ink, appearing to read "Justin J. Hanson", is written over a horizontal line. The signature is stylized with a large, sweeping initial 'J'.

/mg

Pamela Martin

Subject: FW: I can't make the March 8th meeting on amendments to short term rentals
Victoria so please read

From: Mark Cammiade [REDACTED]

Date: February 27, 2018 at 2:20:21 PM PST

To: "ccoates@victoria.ca" <ccoates@victoria.ca>

Subject: Fw: I can't make the March 8th meeting on amendments to short term rentals Victoria so please read

Subject: I can't make the March 8th meeting on amendments to short term rentals Victoria so please read

Dear Mayor and Council,

I'm a long time resident of the Greater Victoria area. Two years ago my wife and I recently bought a house in the James Bay area and we love our neighborhood.

I totally understand and support councils efforts to improve the affordability of housing in our area.

Having said that, when my wife and I were looking for a new home, we felt that we could offset the very high mortgage payments on our home by putting a nice basement suite in it for Vacation rental so we looked for and found a perfect area for this.

We went to the City of Victoria's Permits Department and showed them our plans. We told them we were building it for a Vacation rental, they told us they didn't see any reason this would be a problem. When the building inspector, Lorne Bielle, came to see the suite's progress, we mentioned that we were doing it for a Vacation short term rental; he also said he knew of nothing wrong with our plan.

I agree that the City of Victoria can have it both ways, by charging the Vacation rental in-home suite owners the annual fee, of \$1,500 to allow their suite to be a short term rental.

The fee can go towards a subsidy or towards building apartments for lower income earners housing.

In the Times Colonist's article "B.C. Airbnb reach tax deal" it stated that the City of Victoria has lost 1,100 hotel rooms thus limiting the potential tourism revenues of businesses in the city, the article also mentions of sympathy for people who have run short term rentals in a basement suite as a mortgage helper, these rentals also help other groups using these units, for example the families of loved ones that are needing to be in a Victoria hospital for a short time. The city estimates there were 1,500 Vacation rentals in this area. If 1,000 of the short term rentals paid the annual fee, it would amount to 1.5 million dollars a year, which would be a substantial contribution towards the housing situation.

My wife and I would be proud to be part of this housing solution and sincerely hope that you are considering units in homes in areas that are more suitable to tourists as opposed to general workforce in the amendment **licence required** 3(b) \$1,500 for all short term rentals that do not qualify under paragraph (a).

Thank You for your time,

Mark Cammiade

613 Marifield Ave.

Victoria BC V8V 1N5

ph.# [REDACTED]

Pamela Martin

From: Peter Bonyun [REDACTED]
Sent: March 1, 2018 4:28 PM
To: Public Hearings
Subject: Short Term Rental Regulation ByLaw No. 18-036

Dear Mayor Helps and Councillors,

I am writing in support of this Bylaw that is being considered by council on Thursday, March 8.

I am convinced that passage of this Bylaw is fundamental to creating a healthy housing market in Victoria. From both an home ownership and long-term rental perspective, housing costs will be more reasonable for residents of the city if they are not competing with visitors for accommodation that can be provided by our local hotel industry. At the same time, investors in long-term rental real estate will retain an ability to realize returns consistent with historical standards. A return to investors from short-term rentals that is substantially above historical standards is not worth the harm created by widening the gap between the relatively well to do and those who are struggling to have a decent standard of living in our city. In the end, deterioration in the quality of life in Victoria would hurt all of us.

I urge you to vote in favour of this bylaw.

Yours truly,

Peter Bonyun
737 Humboldt Street, Unit S707
Victoria, BC V8W 1B1