

Bed and Breakfast Guidelines

BED AND BREAKFAST ESTABLISHMENTS

This is an updated edition of a 1985 report, which forms the basis of Victoria's Bed and Breakfast policy.

This is provided for information purposes only.

BED & BREAKFAST

To expand and diversify the City's tourism economy in a manner which is complementary to low density housing, City Council amended its zoning in 1985 to permit small bed and breakfast operations throughout Victoria's neighbourhoods. To qualify, the operator must live in a detached (single family) dwelling and rent no more than two bedrooms. The business is restricted in the City's Zoning Bylaw Schedule "D"

i.e.:

- No food services after 12 noon
- No liquor service
- Parking on site for each bedroom rented (may be stacked on driveway)
- No signs to be displayed

Local regulations vary across the Capital Region. As of March 1999, Esquimalt and Oak Bay prohibited bed and breakfast home occupations. Sidney permitted two persons only per home. Saanich and Langford allowed the use on a scale similar to Victoria, but restricted floor area rather than number of bedrooms. Sooke permitted up to three bedrooms on urban-sized lots and also imposed a limit on number of persons.

OTHER BED & BREAKFAST OPERATIONS IN NEIGHBOURHOODS REQUIRE REZONING

Proposals that differ from the criteria listed above (e.g. detached dwellings with more than two bedrooms for rent or businesses of any size based in a duplex, townhouse or apartment), require re-zoning.

In 1981 Council established the following criteria to evaluate rezoning applications:

- Proximity to major thoroughfares and bus routes, or on the perimeter of an established neighbourhood;
- Adequate site area to provide increased off-street parking;
- The building has heritage or special interest and its continued retention would be an asset to the community,

The following clause was added by City Council Nov. 9, 2000:

- Greater flexibility may be warranted in the application of the above criteria based on the characteristics of the surrounding land uses and location in the city.

Consideration will be given to:

- the impact on local parking
- the impact on the stock of affordable housing
- the numbers of similar business in the neighbourhood.

Note:

Between 1981 and 1999 about a dozen successful rezoning applications were approved. Approximately 20 more were approved during the 1999-2000-compliance program.

During 1999 City Council embarked on a zoning compliance program for Bed and Breakfasts that concluded in September 2000.

Where a compliance order applies, the following process was endorsed by Council on 8 February, 2001.

- Applicant decides to comply with City bylaw and codes.
- Applicant will provide a written undertaking that illegal uses are terminated until a business license (and all City permits) are obtained.
- Applicant submits a building permit application for the work involved in legalizing the actual use in compliance with codes. The plans will be circulated in standard building permit process:

The zoning administrator confirms any outstanding zoning issues. (If zoning administrator concludes rezoning is necessary, the applicant must give a written undertaking to comply with city bylaws and codes regardless of any rezoning outcome).

The permits and inspection staff confirm any code issues / conditions, other divisions / departments establish conditions e.g. driveway crossing, etc.

First stages of rezoning evaluation process may go concurrent with building permit application circulation. However, a standard rezoning condition will be that the public hearing will be held only after all issues:

- concerning the building permit have been cleared up and the building permit is ready for issue.
- The final public hearing occurs.
- The owner is required to obtain an occupancy permit within 180 days.
- A business license may be issued.