

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw and the Zoning Bylaw 2018 to better regulate short-term rentals and similar uses.

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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 ZONING AMENDMENT BYLAW”.

Zoning Regulation Bylaw Amendments

- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended as follows:
 - (a) Introduction and General Regulations is amended by adding the following new subsections (5) and (6) to section 17:
 - “(5) Without limiting the generality of subsection (1), strata hotels, whether as a principal or accessory use, are prohibited in all zones except where expressly permitted under this bylaw.
 - (6) In addition to the uses expressly permitted in their zones, strata hotels are permitted within properties listed in Schedule U.”
 - (b) Schedule A – Definitions is amended by adding the following definitions in the appropriate locations according to the alphabetical order of definitions:
 - “ **“Bed and Breakfast”** means a commercial use that provides transient lodging for the general public in a space that is shared with the operator and includes a breakfast served on the premises by the operator;”
 - “ **“Bedroom”** means a room within a dwelling unit which is used, designed, or intended for sleeping;”
 - “ **“Hotel”** means a commercial use that provides transient lodging to the general public accessed by a contiguous common space, all, including the contiguous common space, under single ownership, which includes
 - a) an entrance lobby that is open to the public,

- b) a service desk or office with a guest register,
- c) an attendant on duty at all times, and
- d) daily housekeeping services,

and may provide accessory amenities such as restaurant, meeting rooms and recreational facilities, and includes motels and hostels but does not include strata hotels;

“**Kitchen**” means a space used, designed, or intended for cooking or preparing of food, which contains a:

- a) sink;
- b) fridge; and
- c) stove, hotplate, microwave, air fryer, toaster oven, or other heating or cooking appliance;”

“**Motel**” means a commercial use that provides transient lodging for the general public where each room or suite has independent access from the outside;”

“**Strata hotel**” is a commercial use that provides transient lodging to the general public on premises in respect of which

- a) a strata plan is filed under the *Strata Property Act*, and
- b) different owners own different strata lots;”

“**Time-Share**” means a residential use where individual dwelling units are owned, directly or indirectly, by multiple owners each of whom is entitled to annual use of it in proportion to their ownership share;”,

- (c) Schedule A – Definitions is further amended by deleting the definition of “Short-Term Rental” and replacing it with the following:

“**Short-Term Rental**” means the renting of a dwelling unit, or any portion of it, for a period of less than 30 nights and includes strata hotel and vacation rental but does not include a time-share when occupied by a time-share owner;”,

- (d) Schedule D – Home Occupations is amended by deleting section 12(2) and replacing it with the following:

“(2) the entire principal residence may be used for a short-term rental while the operator is temporarily away provided it is so used no more than 160 nights in a calendar year;”, and

- (e) by adding Schedule 1 attached to this Bylaw as the new Schedule U.

Zoning Bylaw 2018 Amendments

- 3 Bylaw No. 18-072, the Zoning Bylaw 2018, is amended as follows:

- (a) by adding the following new definitions to Part 2.1 Administrative Definitions in the appropriate locations according to the alphabetical order of definitions:

“**Bedroom** means a room within a **Dwelling Unit** which is used, designed, or intended for sleeping.”, and

“**Kitchen** means a space used, designed, or intended for cooking or preparing of food, which contains a:

- a) sink;
- b) fridge; and
- c) stove, hotplate, microwave, air fryer, toaster oven, or other heating or cooking appliance.”

- (b) by adding the following new definition to Part 2.2 Use Definitions in the appropriate locations according to the alphabetical order of definitions:

“**Bed and Breakfast** means a commercial use that provides transient lodging for the general public in a space that is shared with the operator and includes a breakfast served on the premises by the operator.”,

“**Motel** means a commercial use that provides transient lodging for the general public where each room or suite has independent access from the outside.”,

“**Strata Hotel** is a commercial use that provides transient lodging to the general public on premises in respect of which

- c) a strata plan is filed under the *Strata Property Act*, and
- d) different owners own different strata lots.”, and

“**Time-Share** means a residential property where individual **Dwelling Units** are owned, directly or indirectly, by multiple owners each of whom is entitled to annual use of it in proportion to their ownership share.”,

- (c) by deleting the definition of “Hotel” in Part 2.2 Use Definitions and replacing it with the following:

“**Hotel** means a commercial use that provides transient lodging to the general public accessed by contiguous common space, all, including the contiguous common space, under single ownership, which includes

- a) an entrance lobby that is open to the public,
- b) a service desk or office with a guest register,
- c) an attendant on duty at all times, and
- d) daily housekeeping services,

and may provide accessory amenities such as **Restaurant**, meeting rooms and recreational facilities, and includes **Motels** and hostels but does not include **Strata Hotels**.”

- (d) by deleting the definition of “Short-Term Rental” in Part 2.2 Use Definitions and replacing it with the following:

“**Short-Term Rental** means the renting of a **Dwelling Unit**, or any portion of it, for a period of less than 30 nights and includes **Strata Hotel** and vacation rental but does not include a **Time-Share** when occupied by a time-share owner.”,

- (e) by deleting section 3.1.9.i(ii) and replacing it with the following:

“(ii) the entire **Principal Residence** may be used for a **Short-Term Rental** while the operator is temporarily away provided that it is so used no more than 160 nights in a calendar year.”, and

- (f) by inserting in row 13 in section 8 of Part 4.4 Old Town District-1 Zone (OTD-1) the following in Column B:

“d. **Strata Hotel** is a permitted use”.

Effective Date

4 This Bylaw comes into force on adoption.

READ A FIRST TIME the	1st	day of	August	2024
READ A SECOND TIME the	1st	day of	August	2024
READ A THIRD TIME the	1st	day of	August	2024
AMENDED the	1st	day of	August	2024
ADOPTED on the	1st	day of	August	2024

“CURT KINGSLEY”
CITY CLERK

“MARIANNE ALTO”
MAYOR

Schedule 1

SCHEDULE U – STRATA HOTEL PROPERTIES

<u>Civic Address</u>	<u>Strata Plan</u>
100 Harbour Road	VIS2360
500 Oswego Street	VIS6280
810 Humboldt Street	VIS6830
1234 Wharf Street	VIS962

