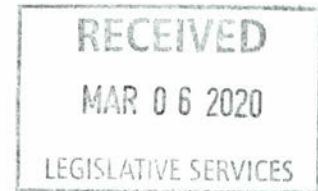


Kirsten Van Ritzen
4 Gorge Road E
Victoria, B.C. V9A 1K8

March 5, 2020

Kim Ferris
Bylaw Officer/Business Licence Inspector
Legislative & Regulatory Services Department
City of Victoria
1 Centennial Square
Victoria B.C. V8W 1P6



Dear Ms. Ferris,

RE: Notice of Appeal 1032229 Application

The application to renew our short-term rental licence was denied, with the stated reason being "... non-compliance with City bylaws, including Schedule D of the Zoning Regulation Bylaw, which provides that a short-term rental cannot occupy an entire self-contained dwelling unit, **except occasionally** while the operator is away." As the term "occasionally" is not properly or legally defined, it is more than evident that we have been in compliance with both the letter and spirit of this section of the bylaw.

We have repeatedly made it clear that the basement of our home is occupied full-time and year-round by our nephew, a young adult with disabilities who receives Persons With Disabilities support from the Province. He takes programs with Lifetime Networks and I am his Legal Caretaker. His suite is only made available as a short-term rental when he makes a trip to visit family members in Winnipeg.

Since the intended purpose of the bylaw is to increase the amount of rental properties available in Victoria, let me be absolutely clear that denying us a short-term rental license will do nothing to ameliorate that situation. The suite will sit empty, with the only result being denying us income, which will have a detrimental effect on our ability to provide support to our nephew.

We are therefore appealing the decision.

Regards,

Two handwritten signatures in blue ink. The first signature is on the left and the second is on the right, overlapping the first one.

Kirsten Van Ritzen & Ian Ferguson

Christine Havelka

Subject: FW: 1032229 Application Appeal
Attachments: Proof of PWD.pdf

----- Forwarded Message -----

From: Ian Ferguson <
To: K. Van Ritzen [REDACTED]
Cc: Jack Times-Colonist Knox [REDACTED]
Sent: Thursday, March 5, 2020, 02:56:50 p.m. PST
Subject: Re: 1032229 Application Follow-Up

On Thursday, March 5, 2020, 2:44:56 PM PST, Ian Ferguson wrote:

Dear Ms. Ferris,

Obviously we will appeal this arbitrary, unjustified and mean-spirited decision. I will deliver a letter of appeal to the city clerk tomorrow, Friday, March 6th, which is within the allowed 30 day appeal period. I have copied Kirsten Van Ritzen, who made the application to have our short-term rental license renewed, so she will have a record of the appeal to add to her correspondence regarding this matter. I have also copied my friend Jack Knox at the Times Colonist newspaper, as this is exactly the sort of bureaucratic overreach he finds of interest. As we've made clear, repeatedly, including to the young man who identified himself as a bylaw enforcement officer tasked with the job of investigating our situation (Here's a helpful hint for all bylaw enforcement officers, by the way...if you show up at someone's home, perhaps ask if they would prefer you remove your footwear before tromping though their house with your boots on) the portion of our property that we make available for short term rental on Airbnb is occupied full-time and year-round by our nephew, an adult with disability who receives PWD support from the province. We are his legal caretakers. He takes courses through Lifetime Networks and having him living in a separate suite allows him to learn the skills (cooking, cleaning, shopping, etc.) he needs to become as independent as possible, while still being supervised. When he goes to visit his family in Winnipeg, we make his home available for rent. We have had our application to renew our short-term denied because of, and I quote: "...non-compliance with City bylaws, including Schedule D of the Zoning Regulation Bylaw, which provides that a short term rental cannot occupy an entire self-contained dwelling unit, except occasionally while the operator is away." Leaving aside for a moment the use of the word "occasionally" which is not properly or legally defined in the bylaw, we are, by the City's own rules, in compliance. When the full-time, year long resident of the "self-contained dwelling" is away, the basement suite is rented out. Let me be clear, by denying our application to renew our license, you are doing absolutely nothing to ameliorate the shortage of available rental properties in Victoria. The apartment will, instead, sit empty when our nephew is away and we will be deprived of additional income. This will obviously have a deleterious effect on our ability to provide additional support to our nephew. So, with your arbitrary, unjustified and mean-spirited decision to deny our license renewal, all you've managed to do is make life more difficult for a disabled adult. Shame on you.

- Ian Ferguson
4 Gorge Road East
Victoria, BC,
V9A 1K8

:

Christine Havelka

Subject: FW: 1032229 Application Appeal

From: K. Van Ritzen <

Sent: May 27, 2020 11:23 AM

To: Legislative Services email <LegislativeServices@victoria.ca>

Cc: Ian Ferguson <

Subject: Fw: 1032229 Application Appeal

- the deputy city clerk has confirmed receipt of our mailed letter of appeal March 5
- additional documentation attached: proof of family member's Disability
- available upon request only (due to confidentiality): signed NIDUS forms - legal representation of guardianship

best,
K. Van Ritzen
Ian Ferguson



BRITISH COLUMBIA

Ministry of Social Development and Poverty Reduction

Confirmation Of Assistance

25-May-2020

Client: [REDACTED]
B 4 GORGE ROAD EAST
VICTORIA BC
V9A1K8

Currently receiving Disability Assistance under the *Employment and Assistance for Persons with Disabilities Act*

Estimated Assistance for June 2020

Cheque Issue Date: May 27, 2020

Estimated Assistance Amount: [REDACTED]

Disability Assistance

Type	Amount	Expiry Date
Support	[REDACTED]	
SHELTER: RENT	[REDACTED]	
BUS PASS	-	

Previous Assistance Issued for April 22, 2020

Paid to: [REDACTED]
Amount: [REDACTED]
Status: CASHED