

Madison Heiser

From: Madison Heiser
Sent: Wednesday, March 11, 2020 12:48 PM
To: Madison Heiser
Subject: STR Licence Refusal - Process to Appeal

From: Kaila Pilecki [REDACTED]
Sent: March 4, 2020 3:05 PM
To: Christine Havelka [REDACTED]
Cc: Scott Pilecki [REDACTED]
Subject: Re: STR Licence Refusal - Process to Appeal

Hi Christine,

Thank you for your email.

I am writing to appeal the notice I received on February 14, 2020 regarding my short-term rental licence at 2-1871 Fern St. Victoria, BC V8R 4K4.

“The City has completed a review of your short-term rental licence application for the property located at 2-1871 Fern St.

Your 2020 application has been rejected due to 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.”

I believe the bylaw was misinterpreted.

Within schedule A, “self-contained dwelling unit” is defined as, "Self-contained Dwelling Unit" means a suite of rooms in a building designed for occupancy of one family which has a separate entrance, and kitchen and bathroom facilities.

When the bylaw officer came to inspect my space, he let us know that by removing the fridge, toaster oven and kettle, our licence would likely be approved. I immediately changed the listing and removed these food-preparation items.

There is no kitchen (including no venting or electrical wiring to support a kitchen) in the rented area and it is not designed for occupancy of one family.

We have complied with the following requirements listed in schedule D, Section 11:

- 1) No food is provided
- 2) No liquor is provided
- 3) One parking space is provided
- 4) There is no sign
- 5) There is only one transient accommodation on the property
- 6) The accommodation includes two rooms and one bathroom, and is not a self-contained dwelling unit as it does not have a kitchen and is not designed for the occupancy of one family

a. Per schedule A, "Self-contained Dwelling Unit" means a suite of rooms in a building designed for occupancy of one family which has a separate entrance, and kitchen and bathroom facilities.

We have complied with the following requirements listed in schedule D, section 12:

(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;

a. Per schedule A, "Self-contained Dwelling Unit" means a suite of rooms in a building designed for occupancy of one family which has a separate entrance, and kitchen and bathroom facilities.

Please let me know next steps in this appeal.

Kaila and Scott Pilecki
[REDACTED]

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Kaila Pilecki
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

On Wed, Mar 4, 2020 at 2:49 PM Christine Havelka [REDACTED] wrote:

Hello Kaila,

I am responding to your inquiry on how to appeal the decision to refuse your Short Term Rental business license.

The first step is to make a formal submission in writing asking Council to reconsider the issuance of your license. This can be in an email to me. Once received, it will meet the 30 day appeal time frame.

Staff will respond shortly afterwards with information on the process on how the appeal will proceed.

Thank-you,

Christine

Christine Havelka

Deputy City Clerk / Manager of Legislative Services

Legislative Services

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