

Jonathan Rennison  
409- 595 Pandora Ave.  
V8W1N5 Victoria, B.C.

To whom it may concern,

I am writing to appeal the decision regarding my recent application for a principal residence rental license in the city of Victoria. I understand that the application has been denied due to the inability to establish the proposed space as my principal residence. I respectfully request reconsideration of this decision based on recent acknowledgments by city staff regarding the principal residence status of my property, along with the evidence I have provided below.

The bylaw officer declined to issue a license, citing the following statement:

*“The assessment revealed the proposed space for the short-term rental is operating beyond the occasional use exception as a home occupation. As such, the application has failed to establish the proposed space as your principal residence”*

I fail to understand how my property could be deemed to be operating beyond occasional use when I have resided there full-time for the past seven months, only renting my place for a total of 14 days total during that time span.

I would like to bring to your attention that my residency status has changed due to recent developments. Specifically, my previous residence is under contract of sale for redevelopment. As a result, the proposed space (409 - 595 Pandora Ave.) has become my principal residence and has been so since October of 2023.

I would like to highlight that I resided in the property (409 - 595 Pandora Ave.) for a full calendar year when I originally purchased it in 2021. This condo holds great personal significance to me and is not merely an investment property like many short-term rental owners might have. My decision to become a short-term host in 2022 was prompted by the delay in the sale of my house, which was caused by the municipal council's postponement of development permits until after the 2022 election.

During the waiting period for the finalization of development permits and completion of the sale of my house, I aim to earn some income to support my expenses during this transitional phase. Additionally, I see this as an opportunity to offer shared accommodation to guests visiting the city.

I would like to provide further clarification regarding my residency status and full-time presence at the building. As the strata council president, I have been residing at the building full-time since last October, and the proposed space has become my principal residence during this time.

As the strata council president of the building, I am writing to highlight that my full-time residency at the property since October (2023) which is widely known among owners, strata council members, management and residents. This knowledge extends from informal discussions, building maintenance, security and to official communications within the building community. To provide clarity and further support my case, I have several owners and residents willing to provide written documentation confirming my full-time residency at the property.

It is important to note that city staff have acknowledged my property as my principal residence for the purpose of permitting me 30-day rentals. Nevertheless, there seems to be a contradiction in acknowledging my property as my principal residence for the purpose of obtaining a principal residence license, which seems solely based on my rental activity in the spring and summer of 2023. This inconsistency appears arbitrary and capricious.

I want to clarify that, based on discussions with staff, I understood that withdrawing my original application and resubmitting another with a different business plan (*'two rooms with shared living space 'versus the entire place while away'*) was a viable option. However, I now realize there has been miscommunications regarding the specifics of the application process which is impacting my application.

During my interactions with staff, I was informed that I had the option to withdraw my original application (*entire place while away*) and resubmit another with a different business plan (*up to two bedrooms with shared living space*). I believe this course of action would better align with the nature of my property and address any concerns raised during the initial review process, as my property is well-suited for shared accommodations. I am confident that it meets the criteria for such a license.

However, subsequent to this initial communication, I received an email indicating that I would not be able to withdraw my original application as previously stated. This inconsistency in communication has led to confusion and has impacted the outcome of my application.

I would like to present evidence in support of my appeal, specifically screenshots of correspondence with city staff regarding the application process. Initially, I was informed that I could withdraw my original application and submit a revised one. However, following the denial, I was subsequently informed that the city staff would not entertain

another application regarding my revised plan of shared accommodation. Please find attached screenshots of this correspondence for your reference.

After careful consideration, I have developed a revised business plan that I believe addresses any concerns raised during the initial review process and better reflects the intended use of my property. I am committed to full compliance with all regulations and ensuring that my property contributes positively to the community. I want to ensure that the differing information provided by staff doesn't result in undue punishment, such as being unable to resubmit an application for three months or being denied a principal residence license.

If staff have the authority to deny both options (*entire place while away* or *up to two bedrooms with shared living space*) of principal residence licensing, it's reasonable to request that they consider this appeal under both options. Therefore, I respectfully request that my appeal be granted for consideration under both options of principal residence licensing. Additionally, I am asking to be granted this appeal in the form of a two-bedroom with shared living space.

During my inspection and interactions with the bylaw officer, I understand that one of the points of concern was my inability to provide vacation plans for the current year. I want to clarify that while I do not have vacations booked for this year, it does not indicate a lack of commitment to responsibly managing my property.

With the abundance of evidence I have provided, it should be unmistakably established that this property is indeed my principal residence. Therefore, I respectfully request to be granted the corresponding license accordingly, as this was the documented reason for denial.

I appreciate that recent changes in provincial legislation may pose challenges for staff in keeping up-to-date. However, I must note that there were numerous "clerical errors" in this application process. With the discrepancies documented in writing, I kindly hope that my appeal will be granted.

In light of the above, I respectfully request that you reconsider my application based on the revised business plan. I am dedicated to working closely with staff to ensure that my application is accurate and complete.

Sincerely,

Jonathan Rennison

**From:** [str@victoria.ca](mailto:str@victoria.ca) <[str@victoria.ca](mailto:str@victoria.ca)>

**Sent:** April 12, 2024 8:55 AM

**To:** Jon Rennison

**Subject:** RE: Principal residence license

Good morning Jon,

An operator, who rents up to two bedrooms of their principal dwelling with shared accommodations (shared kitchen, living space etc) while they are home may offer unlimited rentals with an approved and paid business licence.

If you wish to operate a short-term rental with a different business plan, you may withdraw your previous application and resubmit under a new business plan. Our office may contact you requesting details of your business plan.

Should any changes be made to existing bylaws our office would be happy to process any new application. Previous application will no be reconsidered.

Kind regards,

**Emma Crockett**

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On Apr 22, 2024, at 15:27, [str@victoria.ca](mailto:str@victoria.ca) wrote:

Good afternoon,

The pervious error was a clerical error of fee amounts.

If you wish to purse a non principal Short-Term Rental Business Licence, please submit a whole and complete application.

[2024-short-term-rental-business-application-form \(victoria.ca\)](#)

Kind regards,

**Emma Crockett**

Pronouns: she, her, hers

Short-Term Rental Administrator, Bylaw and Licensing Services

**From:** str@victoria.ca <str@victoria.ca>

**Sent:** April 29, 2024 10:10 AM

**To:** Jon Rennison

**Cc:** Michael Pickett

**Subject:** RE: 409-595 Pandora Ave - Principal residence license

Hello Jon,

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Short-term rentals are permitted in operator's principal residence as a home occupation, provided no more than two bedrooms may be rented as short-term rental, except that the entire principal residence may be used only occasionally while the operator is temporarily away.

Your 2024 application for a principal residence licence was denied, which applies to the business plan of offering up to two bedrooms or the entire principal residence. We will not be processing any additional applications for a principal residence licence at 409-595 Pandora as a licence decision has been provided.

We have received a notification from Legislative Services that you have submitted your request for your appeal.