



AGENDA
FOR THE SPECIAL COUNCIL MEETING (PUBLIC HEARING)

Thursday, October 21, 2021, 7:00 P.M.

SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE
80 COMMERCIAL STREET, NANAIMO, BC

SCHEDULED RECESS AT 9:00 P.M.

Pages

1. CALL THE MEETING TO ORDER:

2. INTRODUCTION OF LATE ITEMS:

3. ADOPTION OF AGENDA:

4. PUBLIC HEARING REQUIREMENTS:

Lainya Rowett, Manager, Current Planning, to explain the requirements for conducting a Public Hearing.

5. CALL THE PUBLIC HEARING TO ORDER FOR ZONING AMENDMENT BYLAW 2021 NO. 4500.186 AND OFF-STREET PARKING REGULATIONS AMENDMENT BYLAW 2021 NO. 7266.01

- a. "Zoning Amendment Bylaw 2021 No. 4500.186" and "Off-Street Parking Regulations Amendment Bylaw 2021 No. 7266.01"

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To be introduced by David Stewart, Social Planner.

Call for submissions from the Public.

FINAL CALL FOR SUBMISSIONS:

Following the close of the Public Hearing for "Zoning Amendment Bylaw 2021 No. 4500.186" and "Off-Street Parking Regulations Amendment Bylaw 2021 No. 7266.01", no further submissions or comments from the public or interested persons can be accepted by members of City Council.

ADJOURN THE PUBLIC HEARING FOR "ZONING AMENDMENT BYLAW 2021 NO. 4500.186" AND "OFF-STREET PARKING REGULATIONS AMENDMENT BYLAW 2021 NO. 7266.01".

Bylaws:

That “Zoning Amendment Bylaw 2021 No. 4500.186” (To regulate short-term rentals) pass third reading.

That “Off-Street Parking Regulations Amendment Bylaw 2021 No. 7266.01” (To require one parking space for a short-term rental use) pass third reading.

6. REPORTS:

a. Remedial Action Order - 3365 Departure Bay Road

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To be introduced by Dave Laberge, Manager, Bylaw Services.

Purpose: To provide Council with information pertaining to illegal modifications that have been made to increase the floor space of a secondary suite at 3365 Departure Bay Road, and to seek approval to impose remedial action requirements pursuant to the provisions of the Community Charter to have the suite restored to its original size and configuration in accordance with the requirements of the BC Building Code and “Building Bylaw 2016 No. 7224”.

Recommendation: That Council:

1. issue a Remedial Action Order at 3365 Departure Bay Road pursuant to Sections 72 and 73 of the *Community Charter*;
2. direct Staff to advise the owner that they may request Council reconsider the Remedial Action Order by providing written notice within 14 days of the date on which notice of the remedial action requirement was sent;
3. direct Staff or its authorized agents to take action in accordance with Section 17 of the *Community Charter* without further notice and at the owner’s expense if the said remedial action is not undertaken within 30 days of Council’s resolution; and
4. direct the remedial action to have the suite restored to its original size and configuration in accordance with the requirements of the BC Building Code and “Building Bylaw 2016 No. 7224”.

7. ADJOURNMENT:

DATE OF MEETING September 21, 2021

AUTHORED BY DAVID STEWART, SOCIAL PLANNER

SUBJECT SHORT-TERM RENTAL BYLAW AMENDMENTS

OVERVIEW

Purpose of Report

To amend "Zoning Bylaw 2011 No. 4500" and "Off-Street Parking Regulations Bylaw 2018 No. 7266" in order to regulate and license short-term rental accommodations.

Recommendations

That:

1. "Zoning Amendment Bylaw 2021 No. 4500.186" (To regulate short-term rentals) pass first reading;
2. "Zoning Amendment Bylaw 2021 No. 4500.186" pass second reading;
3. "Off-Street Parking Regulations Amendment Bylaw 2021 No. 7266.01" (To require one parking space for a short-term rental use) pass first reading;
4. "Off-Street Parking Regulations Amendment Bylaw 2021 No. 7266.01" pass second reading; and

That Council:

5. confirm a business licence is required for all short-term rentals, including bed and breakfasts, in Nanaimo; and
6. direct Staff to prepare an explanatory guide and operator declaration form for Nanaimo residents interested in operating a short-term rental, including a bed and breakfast.

BACKGROUND

The review of regulations for short-term rentals (STR) is a direct recommendation of the 2018 Affordable Housing Strategy. On 2020-OCT-26, the City of Nanaimo Governance and Priorities Committee (GPC) received a report and presentation regarding regulating short-term rental accommodation. The report included information on previous consultation, STRs in Nanaimo, and municipal best practices. At the time, Council was presented with a number of options for regulating and licensing short-term rental accommodation. During the meeting, it was moved and seconded that the GPC recommend Council direct Staff to:

1. Prepare amendments to the City of Nanaimo's "Business Licence Bylaw 1998 No. 5351", "City of Nanaimo Zoning Bylaw 2011 No. 4500", and "Off-Street Parking Regulations Bylaw 2018 No. 7266" in order to:
 - a) add a definition to "City of Nanaimo Zoning Bylaw 2011 No. 4500" for "Short-Term Rentals";
 - b) add the definition of "Permanent Resident";
 - c) permit short-term rentals in Residential, Commercial, Downtown, and Corridor zones where the operator is a permanent resident of the dwelling unit or suite;

- d) apply existing limits on the number of guests and guestrooms permitted within a bed and breakfast to all short-term rentals;
 - e) continue to allow short-term rental guestrooms within a secondary suite provided the total number of long- and/or short-term rental rooms does not exceed two per dwelling unit (house and suite);
 - f) require a business licence for all short-term rentals and bed and breakfasts within the City of Nanaimo based on proof of residency (including two of the following: voter registration, income tax returns, British Columbia driver's licence, British Columbia medical services card, Home Owner Grant application, and British Columbia identification card); and
 - g) require one additional parking space for each short-term rental.
2. Prepare an explanatory guide and operator declaration form for short-term rentals that outlines short-term rental operator requirements, including providing contact information to Staff and neighbouring residences where the owner can be reached within 24 hours.
 3. Consult further with stakeholders and the public regarding Council's recommended option before returning to Council with bylaw amendments.

DISCUSSION

In response to Council's direction, Staff have consulted further with stakeholders and the public regarding Council's recommended option to permit licensed short-term rentals where the operator is a permanent resident of the dwelling unit or suite.

Following consultation, Staff have prepared amendments to the "City of Nanaimo Zoning Bylaw 2011 No. 4500" (the "Zoning Bylaw") and "Off-Street Parking Regulations Bylaw 2018 No. 7266" (the "Off-Street Parking Bylaw") for Council's consideration.

Consultation Summary

Prior to the 2020-OCT-26 GPC report, Staff undertook a consultation process for the STR review that included:

- Direct stakeholder engagement with Tourism Nanaimo/Vancouver Island, the hotel industry, and the Nanaimo Neighbourhood Network;
- A pre-COVID-19 public open house with approximately 40 attendees; and
- An online survey with 86 responses.

During the 2020-OCT-26 GPC meeting, Council requested Staff consult further with stakeholders and the public regarding Council's recommended option before returning to Council with bylaw amendments.

Following Council's direction, Staff launched a revised STR survey using the REIMAGINE Nanaimo engagement platform that was open between 2021-APR-07 and 2021-MAY-12 (see Attachment A). The survey focused on gauging public support for the proposed land use and business licence recommendations related to the regulation of short-term rental accommodation. A total of 484 people responded to the survey, with 461 completing all questions. It should be noted that the majority – 387 (80%) – of the 487 survey respondents

indicated they were home owners, with a smaller proportion – 93 (19%) renters – and a remaining 7 (1%) either selecting the ‘other’ category or not completing the question. This means the overall total responses are more reflective of the view of home owners versus renters.

The survey asked respondents to identify if they operate or plan to operate an STR and if they own or rent their home. A total of 196 respondents (41%) noted they either operate or plan to operate an STR. Given the significant percentage of respondents currently or interested in operating an STR, as well as the difference in participation rates between renters and owners, the results were summarized to include the following categories: all responses, STR operator responses, non-STR-operator responses and renter-only responses.

A significantly higher proportion of STR operators (84%) compared to non-STR operators (53%) supported allowing an STR rental of an entire home where the STR dwelling unit or suite is the primary residence of the STR operator. Only 44% of renters support allowing STR rental in an entire home.

A higher proportion of non-STR operators – 65% (66% for renters only) – compared to 53% of STR operators supported maintaining existing guestroom limits. A lower proportion of non-STR operators supported allowing STRs in secondary suites (55%) versus STR operators (89%), this number was even lower (45%) among renters. Finally, a significantly higher proportion of non-STR operators – 77% (82% for renters) – versus 23% of STR operators supported the business licence requirement.

The STR survey was launched concurrently with separate renter and landlord surveys. The landlord survey, directed at current rental property owners and managers, included the following question about STRs: “Do you, or have you ever considered renting out some or all of your units as short-term rentals?” Of the 243 respondents who completed this question, 23 (9%) already own or manage an STR and another 80 (33%) are considering converting their long-term rental to an STR. The remaining 140 (58%) indicated they do not have any interest in operating an STR.

The renter survey did not include any direct questions regarding STRs; however, STRs were frequently mentioned within the respondents’ comments (see Attachment B - Renter Survey - STR comments). Respondents noted a connection between STRs and the lack of available and affordable rentals in the city.

In addition to the survey, Staff held discussions by phone or Zoom with 21 interested stakeholders, including existing and future STR operators, the Nanaimo Hospitality Association, Vancouver Island University (VIU), the Nanaimo Regional General Hospital (NRGH), and the Nanaimo Family Life Association. A summary of these discussions is included in Attachment C - Stakeholder Feedback Summary

Proposed Zoning Bylaw Amendments

The proposed amendments will add the following definition of Short-Term Rental to the Zoning Bylaw:

Short-Term Rental: means the temporary rental (less than 30 consecutive days) of a portion of or the entire dwelling unit, secondary suite or room located on a property that is zoned to permit residential use. This definition specifically includes Bed and Breakfast.

The proposed Zoning Bylaw amendments are consistent with the Staff and Council recommendation within the 2020-OCT-26 GPC report. The amendments, if adopted, will permit the short-term rental of an entire dwelling unit or a portion of the unit provided the STR is located within the owner's primary residence. Tenants will not be able to operate short-term rentals due to challenges associated with enforcement, operator accountability, and obtaining property owner permission. Primary residence is defined within the amendment bylaw as follows:

Primary Residence: means the dwelling unit that a person resides in for at least eight months per calendar year, and that a person declares for legal purposes, including voter registration, filing of income taxes, British Columbia Driver's Licence, British Columbia Medical Services Card, Home Owner Grant, and British Columbia Identification Card.

In other words, Nanaimo residents will be permitted to rent out the entire home they own and live in on a temporary basis (maximum four months a year).

The maximum number of bedrooms that may be rented as a short-term rental will continue to be limited to no more than two guest rooms and four guests, including secondary suites, in most residential zones; and four guestrooms and six guests in commercial and multiple-family zones. As such, while property owners would be permitted to rent out their entire primary residence as a short-term rental, the number of guests and guest rooms available for rent as an STR would be limited.

Parking Requirements

The existing Off-Street Parking Bylaw requires one parking space per sleeping unit used as a bed and breakfast (B&B). The proposed bylaw amendment will replace this requirement by requiring all STRs, including B&Bs, to provide one off-street parking space per rental booking. This means that one extra parking spot would be required for the booking/rental of an entire dwelling unit to one person/family regardless of the number of guestrooms. If the dwelling unit is rented as multiple, separately bookable guestrooms, a separate parking space will be required for each guestroom.

Business Licence Bylaw

B&Bs are not currently required to obtain a business licence in the city of Nanaimo. Going forward, Staff are recommending that business licences be required for all STRs (including B&Bs) to allow for better monitoring and enforcement. It is recommended that the annual \$165 fee for the majority of Nanaimo business licences, including for hotels and home-based businesses, would be applied to STRs. All STRs that apply for a business licence will receive an explanatory guide and be required to complete an operator declaration form. AirBnB staff

have confirmed the platform can add a field for a business licence, but will not make the field mandatory or enforce business licensing or other municipal regulations.

The “Business Licence Bylaw 1998 No. 5351” (the “Business Licence Bylaw”) states that “any business entity carrying on business in Nanaimo must hold a valid City of Nanaimo business licence.” The definition of “business” in the bylaw states: “means carrying on a commercial or industrial undertaking of any kind or providing professional, personal or other services for the purpose of gain or profit, but does not include an activity carried on by the government, its agencies or government-owned corporations.” This definition of “business” can clearly include STRs and B&Bs. As such, changes to the Business Licence Bylaw are not needed in order to require STRs and B&Bs to obtain a business licence.

Explanatory Guide and Operator Declaration Form

The GPC recommendation included the preparation of an explanatory guide that outlines STR requirements and an operator declaration form.

The declaration form will include a safety compliance checklist. This would be in lieu of requiring building, fire building, and fire safety inspections as part of the business licence application process.

Staff are recommending Council direct Staff to bring forward an STR guide and declaration form for endorsement immediately following the adoption of the Zoning Bylaw and Off-Street Parking Bylaw amendments. The guide will include the following:

- Building and fire safety requirements;
- Zoning regulations;
- Parking requirements; and
- Operational best practices, including how to respond to neighbourhood concerns and manage disruptive guests.

All STR business licence applicants will be required to sign a declaration form confirming they have:

- Provided proof of primary residency status and confirmed they have read the guide;
- Completed a building and fire safety compliance checklist; and
- Provided a 24-hour owner contact for City Staff and neighbouring residences.

AirBnB have confirmed they can link the guidelines within their platform.

Enforcement

Currently, City of Nanaimo Staff have been enforcing illegal STRs on a complaint basis, and it is recommended that this approach be continued. Active enforcement would require additional resources for more bylaw officers and/or tools such as compliance monitoring software. Based on a review of the costs of active enforcement, it is not considered to be an effective use of resources to address the anticipated scale of potential problems.

If Council wishes Staff to pursue further enforcement measures to STR compliance and licensing, they may consider directing Staff to purchase a licence for compliance monitoring

software to monitor STR listings on common online platforms, such as AirBnB and VRBO. Compliance monitoring programs, such as Host Compliance, can maintain an address inventory of STRs in the municipality for an additional fee. Programs can also monitor rental activity, assist with enforcement by generating compliance letters, and maintain a 24/7 STR neighbourhood complaint hotline to respond to neighbourhood concerns. The fee for this software varies based on the number of STRs in the city and the software and features included, and can range from between \$20,000 to \$60,000 annually.

OPTIONS

1. That:

1. "Zoning Amendment Bylaw 2021 No. 4500.186" (To regulate short-term rentals) pass first reading;
2. "Zoning Amendment Bylaw 2021 No. 4500.186" pass second reading;
3. "Off-Street Parking Regulations Amendment Bylaw 2021 No. 7266.01" (To require one parking space per short-term rental) pass first reading;
4. "Off-Street Parking Regulations Amendment Bylaw 2021 No. 7266.01" pass second reading;
5. "Off-Street Parking Regulations Amendment Bylaw 2021 No. 7266.01" pass third reading; and

That Council:

6. confirm a business licence is required for all short-term rentals, including bed and breakfasts, in Nanaimo; and
7. direct Staff to prepare an explanatory guide and operator declaration form for Nanaimo residents interested in operating a short-term rental.

- **Advantages:** The proposed regulations will allow the City to better regulate short-term accommodation and protect the rental market by only allowing property owners to rent out a portion or all of their primary residence on a short-term basis, while not allowing short-term rentals of any additional residences.
- **Disadvantages:** Permitting the short-term rental of secondary suites and entire homes, even in owner-occupied homes, may still impact the availability of long-term rentals in Nanaimo.
- **Financial Implications:** The \$165 business licence fee will generate additional revenue; however, this may be offset by the cost of additional Staff time to process licences.

2. That Council provide alternative direction.

- **Advantages:** A number of alternative options were included within the 2020-OCT-26 GPC report with an evaluation of their advantages and disadvantages.
- **Disadvantages:** If Council chooses to support a more permissive option, such as allowing STR operators to have STRs on multiple properties, it may negatively impact the long-term rental market, impact neighbours, and permit unfair competition for hotel owners. Alternatively, if Council supports a stricter option, such as prohibiting entire home rental in any context or not allowing STRs at all, it may limit vacation accommodation options available in the city and could result in increased enforcement costs, should STR operators continue operating illegally and the City take a more active enforcement role.

SUMMARY POINTS

- Staff have prepared amendments to the Zoning Bylaw and Off-Street Parking Regulations Bylaw to regulate short-term rental accommodation.
- If the amendment bylaws are adopted, Nanaimo residents will be permitted to rent out part or all of the home they own and live in on a short-term basis, but STR operators will continue to be prohibited from renting out multiple properties that are not their permanent/primary residence.
- All short-term rental accommodations, including bed and breakfasts, will be required to obtain a business licence and declare that they meet life-safety measures.

ATTACHMENTS:

ATTACHMENT A: Survey Response Summary, 2021-APR-07 and 2021-MAY-12
ATTACHMENT B: Renter Survey STR comments, 2021-APR-07 and 2021-MAY-12
ATTACHMENT C (Part 1/Part 2): Stakeholder Feedback Summary including Hospitality Association Response
"Zoning Amendment Bylaw 2021 No. 4500.186"
"Off-Street Parking Regulations Amendment Bylaw 2021 No. 7266.01"

Submitted by:

Lisa Bhopalsingh
Manager, Community Planning

Lainya Rowett
Manager, Current Planning

Concurrence by:

Bill Corsan
Director, Community Development

Jeremy Holm
Director, Development Approvals

Dale Lindsay
General Manager, Development Services

ATTACHMENT A

Short-Term Rental Survey

Total Survey Respondents: 487




* Note not all respondents answered every question*

5/17/2021 5:53:48 PM



1. Do you own or rent where you currently live?

Respondents: 484




All responses

| Choice | Percentage | Count | |
|--------|------------|-------|---|
| Own | 79.96% | 387 |  |
| Rent | 19.21% | 93 |  |
| Other | 0.83% | 4 |  |
| Total | 100% | 484 | |

STR operators

| Choice | Percentage | Count | |
|--------|------------|-------|---|
| Own | 96.43% | 189 |  |
| Rent | 3.57% | 7 |  |
| Other | 0.00% | 0 | |
| Total | 100% | 196 | |

Non- STR operators



| Choice | Percentage | Count | |
|--------|------------|-------|---|
| Own | 68.42% | 195 |  |
| Rent | 30.18% | 86 |  |
| Other | 1.40% | 4 |  |
| Total | 100% | 285 | |

| # | Respondent | Other |
|---|----------------|-------------------------------------|
| 2 | 50.92.34.100 | both |
| 3 | 205.250.65.128 | Live with family |
| 4 | 24.69.116.94 | owned by parent. Living with parent |



2. Are you currently a short-term rental operator or have plans to become an STR operator?

Respondents: 481

All responses

| Choice | Percentage | Count | |
|--------|------------|-------|---|
| Yes | 40.75% | 196 |  |
| No | 59.25% | 285 |  |
| Total | 100% | 481 | |


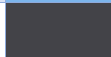
Renters only

| Choice | Percentage | Count | |
|--------|------------|-------|---|
| Yes | 7.53% | 7 |  |
| No | 92.47% | 86 |  |
| Total | 100% | 93 | |

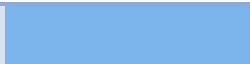
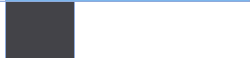
3. The City of Nanaimo currently recognizes and permits Bed and Breakfasts (room rentals within single-family homes); however, the bylaw does not currently recognize other types of short-term rentals, such as the rental of an entire home or apartment. Do you support the City of Nanaimo including the following definition of Short-Term Rental within Zoning Bylaw 4500: Short-Term Rental (STR) refers to the short-term (less than 30 days) rental of an entire residential dwelling, suite or room located on a residentially zoned property.

Respondents: 469



All responses

| Choice | Percentage | Count | |
|--------|------------|-------|---|
| Yes | 65.88% | 309 |  |
| No | 34.12% | 160 |  |
| Total | 100% | 469 | |



STR operators only

| Choice | Percentage | Count | |
|--------|------------|-------|---|
| Yes | 78.01% | 149 |  |
| No | 21.99% | 42 |  |
| Total | 100% | 191 | |

Non- STR operators

| Choice | Percentage | Count | |
|--------|------------|-------|---|
| Yes | 57.45% | 158 |  |
| No | 42.55% | 117 |  |
| Total | 100% | 275 | |

Renters Only

| Choice | Percentage | Count | |
|--------|------------|-------|---|
| Yes | 56.32% | 49 |  |
| No | 43.68% | 38 |  |
| Total | 100% | 87 | |

All comments

| # | Yes |
|----|---|
| 3 | But short term rentals should not be allowed |
| 4 | I support |
| 5 | Provided parking is adequate not on the street |
| 6 | provided the owner lives on property, or close enough to deal with any complaints from neighbours. |
| 7 | I agree that short term rentals should be allowed in entire homes |
| 8 | Why 30 days? 15? 60? |
| 9 | I am fine as long as the owner is living on the property |
| 10 | I have no issue with AirBnB or whatever allowed in Nanaimo as long as there are regulation set up that protect LTR and put their accomodations above a financial venture of someone else. Affordable available housing is more of a public interest that someone's additional income. |

| | |
|-----------|---|
| 11 | not enough information in this survey to say |
| 12 | Please allow STR of travel trailers that are in good condition and properly hooked up to water and electricity inside the property. |
| 13 | Though some STR are more than 30 days |



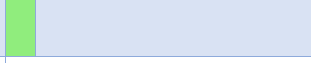
| # | No |
|-----------|--|
| 1 | less than 30 days is too short. |
| 2 | moderate income people need options other than expensive hotels. |
| 3 | This will directly impact the already crisis level vacancy rates. Metro Vancouver has entire apt buildings w/all units designated as short term rentals. This will eventually happen here. |
| 4 | I disagree with entire dwellings being short-term rentals. |
| 5 | Not if it causes long-term renters to be denied. YES if it opens up MORE rental spaces. |
| 6 | Bad idea, will put more pressure on rentals |
| 7 | There should be no STR permitted unless approved by all next door neighbors since they are the ones most affected by the additional noise and traffic. |
| 8 | Not when it is in part of a home when the owner concurrently lives in the home. |
| 9 | STR should be banned in residential neighborhoods |
| 10 | 30 days is too long to be considered a short term rental. It takes the property out of the market for regular renters. |
| 11 | should not include entire house or suite not attached to residence |
| 12 | More regulation is not necessary |
| 13 | owners businedd |
| 14 | How will you deal with the vacancy rate if you do this? Long term renters will be homeless people. Homeless people will cost you more. |
| 15 | could mean a month of vacationers on a residential street. These people are on holidays. We dont put hotels on residential streets. We have ample reasonable priced motels in nanaimo. Lets support business please. |
| 16 | I consider STR to be a separate building from the main residence. |
| 17 | Not ok with entire dwelling rentals - harms long term rental |
| 19 | Short term rentals, without strict regulation, takes much needed housing away from the locals who need it. This has been shown in many cities. |
| 20 | There should be no time restriction |
| 21 | Allowing one property to be rented out without restraints could arbitrarily allow owners to change the conditions and environment of a property or neighborhood. |
| 22 | Concern about how a suite is defined and whether a suite in a home can be rented by the owner of the home if the definition does not include the suite portion as part of the primary residence. |

| | |
|-----------|---|
| 23 | I think there should be an option for people to rent an apartment for a minimum of a week at a time. Families arrive from out of town and need a place to stay. Workers for Harmac and other companies arrive for shorter periods and the companies would like to have a regular place for their employees to stay. |
| 24 | Some short term rentals might be month to month. For example, Canadian snowbirds staying 1-2 months, or remote Island residents coming to Nanaimo to give birth (6 weeks) or other medical situations requiring more than 30 days stay. |



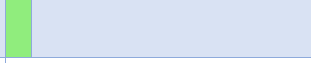
4. Staff's recommendation is to allow STRs in an entire home where the STR dwelling unit or suite is the primary residence of the STR operator. Primary Residence refers to the home where the operator lives as an owner or tenant for at least 8 months per calendar year, and which is used for bills, identification, taxes, and insurance. Do you support allowing a STR rental in an entire home where the operator is a permanent resident of the dwelling unit or unit?

All responses


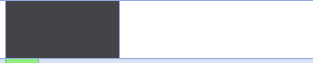
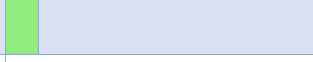
Respondents: 470

| Choice | Percentage | Count | |
|---------------|------------|-------|---|
| Yes | 66.17% | 311 |  |
| No | 24.26% | 114 |  |
| Unsure | 9.57% | 45 |  |
| Total | 100% | 470 | |




STR operators only

| Choice | Percentage | Count | |
|---------------|------------|-------|---|
| Yes | 84.46% | 163 |  |
| No | 7.25% | 14 |  |
| Unsure | 8.29% | 16 |  |
| Total | 100% | 193 | |

Non-STR operators

| Choice | Percentage | Count | |
|--------|------------|-------|---|
| Yes | 53.09% | 146 |  |
| No | 36.36% | 100 |  |
| Unsure | 10.55% | 29 |  |
| Total | 100% | 275 | |

Renters Only

| Choice | Percentage | Count | |
|--------|------------|-------|---|
| Yes | 43.82% | 39 |  |
| No | 41.57% | 37 |  |
| Unsure | 14.61% | 13 |  |
| Total | 100% | 89 | |

All comments

| # | Yes |
|----|--|
| 3 | But use 6 months per year |
| 4 | Reduce residency from 8 to 6 months. |
| 5 | Where they are permanent resident or not |
| 6 | STR's should be the complete choice of the homeowner not the government. |
| 7 | Time limits and not too many in a neighbourhood |
| 8 | Also should be allowed if the operator does not live there. |
| 9 | It is their home |
| 10 | Good idea, allows occupation while away |
| 12 | but should also be if not primary residence |
| 13 | This is a good regulation that means a property cannot be exclusively, or even mostly, a STR. |
| 15 | Y also for secondary property owners |
| 16 | I disagree with 8 months. Alot of people live away half the year. This is their house. They should be able to do what they want with it. |

| | |
|-----------|----------------------|
| 17 | Max 1 rental unit |
| 18 | excluding Stratas |
| 19 | 8 months is generous |

| # | No |
|-----------|---|
| 1 | Prefer privacy when staying elsewhere. |
| 2 | leading question stop taking away property rights |
| 3 | Owner should not need to be there majority of the time |
| 4 | This still leads to more traffic and noise and people taking up parking. It's awful to live beside one. |
| 5 | As a neighbor, this means people coming and going and we have no idea who they are. Terrible for building any type of community. |
| 6 | Owner should be there 12 months |
| 7 | Too much noise and parking issues, for the neighbours to deal with. |
| 8 | STR should be allowed if owner occupies any portion of the house |
| 9 | short term rentals have made it impossible for local people to afford rent. STR should be either made really expensive for people to get in on or made undesirable choice for the home owners. But make sure you differentiate the difference between a Bed n breakfast & an Air B n B. Bed in breakfasts are a staple in the tourism industry. |
| 10 | Short term rentals should never be permitted in residences |
| 11 | STR should be allowed regardless of owner occupancy |
| 12 | This is going to get abused and manipulated |
| 13 | I do not support this because I do not have confidence that the 8 months would be monitored and enforced. |
| 14 | Ban all STRs |
| 15 | No. I have a property I do not live in that I rent to VIU students. It is often vacant for the summer months. Allowing STR of that property would ease the pressure on hotels, allow an otherwise vacant property to see use, and make it less likely that I sell the property. |
| 16 | You dont enforce any bylaws now with air bnb and you wont with this |
| 17 | I do not support having a requirement for the property to be the operators primary residence. |
| 18 | Again, how will you control the already dismal rental vacancy |
| 19 | People in Vancouver falsify this easily. They go "home" for inspections, keep an "office" there for appearance. Staff's recommendation is ill-advised and naive. |
| 20 | You should allow short term rentals in secondary suites and vacation properties. |
| 21 | How do you enforce this? Living somewhere on paper is not hard.. |

| | |
|-----------|---|
| 22 | parking & parties issues in residential neighbourhood |
| 23 | They should be allowed whether or not the the operator lives there |
| 24 | Again, enables selfish exploitation at expense of property or neighborhood. |
| 25 | I have just retired and purchased a condo downtown in addition to my home. At present, it is a business investment providing critical income. It is also a form of insurance for me that I can downsize easily to a nice condo if my house becomes too much work. I like meeting people and providing accommodation and insight into Nanaimo. I'd like to be able to rent the condo out for one week at a time. |

| # | Unsure |
|-----------|--|
| 1 | 8 months is two academic terms |
| 2 | Only if it also includes the ability to rent the whole home and not just a room or suite. I personally prefer to rent Air bnb's where I have the whole place to myself and some privacy. |
| 3 | It depends on if the owner moves out of the property during the rental which takes up potential rental property elsewhere. Do whatever is needed to keep rental housing available. |
| 4 | What checks would be in place to ensure that the owner is actually present? |
| 5 | I would like the 8 months increased to 10. |
| 6 | I am okay if they are offering them as short-term rentals, but not as AirBnB's. Any homes or suites that are vacant for more than four months out of the calendar year should be long-term rentals |
| 7 | I support a STR whre the owner is in full time residence. for example a suite or room in a house similar to a bed and breakfast. I have concerns about renting the whole house when the owner is not there. Hard to police the 8 month rule. Often becomes a " party house " if the owner is absent thus disturbing the neighbours.. Am against not having at least the 8 month rule. This would take away rental supply |
| 8 | I feel this is a trick question - please go to question 3 for my answer - I support the entire residence being rented out and don't care if the owner lives there and yes it can be for under 30 days! |
| 9 | We support STR in legal suites that Owners own, but live adjacent to/above/ or below on the owners property. |
| 10 | I support short term rentals for legal suites that are attached to the owner's property (two separate dwelling on one property) |
| 11 | I suspect enforcement would be difficult |
| 12 | Question is unclear. I believe that there should be no requirement for a property to be owner occupied. |
| 13 | Not a very clear question |
| 14 | not enough information in this survey to say |
| 15 | If the owner/occupier of the home and suite can be the same person. Just because there is a 'suite' in a home does not mean that it is not part of the main home and can still be used by the |

main home owner. The suite should be considered part of the main home and thus eligible for rental.


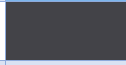
16 I support, but hope that parking, noise etc. implications are considered.

17 STR should be allowed in part or whole of any residence occupied or not by the owner.


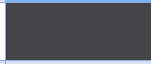
5. Currently the Zoning Bylaw limits the number of guests and guestrooms permitted within a Bed and Breakfast to 2 guest rooms and 4 guests in most residential zones and 4 guestrooms and 6 guests in commercial and multiple family zones. Staff are recommending these limits also be applied to all STRs, including entire home rentals. Do you agree with continuing to apply the existing limits for numbers of guests and guestrooms?

Respondents: 464


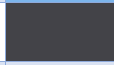
All responses

| Choice | Percentage | Count | |
|--------|------------|-------|---|
| Yes | 59.70% | 277 |  |
| No | 40.30% | 187 |  |
| Total | 100% | 464 | |


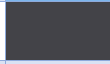
STR operators only

| Choice | Percentage | Count | |
|--------|------------|-------|--|
| Yes | 52.60% | 101 |  |
| No | 47.40% | 91 |  |
| Total | 100% | 192 | |

Non-STR operators

| Choice | Percentage | Count | |
|--------|------------|-------|---|
| Yes | 64.81% | 175 |  |
| No | 35.19% | 95 |  |
| Total | 100% | 270 | |

Renters only

| Choice | Percentage | Count | |
|--------|------------|-------|---|
| Yes | 65.88% | 56 |  |
| No | 34.12% | 29 |  |
| Total | 100% | 85 | |

All comments

| # | Yes |
|----|---|
| 2 | Increasing this limit will directly impact local neighbourhoods and the social culture/relationships and likely negatively impact the sense of "community". |
| 3 | Might as well but what difference does it make |
| 4 | only if its made an undesirable option |
| 5 | This statement is confusing. Are 2 guest rooms the equivalent of 2 suites or one suite that holds 4 people? |
| 6 | Short term is not inexpensive which is what people wsnt |
| 7 | If that means 4 adults. For example telling a family with two parents that max 3 children is not reasonablen |
| 9 | Yeah, i don't care how many people can rent as long as the owners financial venture is put after ensuring affordable, available housing for residents first |
| 10 | I think so, but I'm not sure how this would apply in entire home rentals. Does this mean that you cannot rent your entire home if it has more than 2 rooms in it? |

| # | No |
|----|---|
| 1 | No limits |
| 2 | stop taking away property rights this is not your job |
| 3 | This would hurt families of 5 or more who need a short term place to live |
| 4 | This could negatively impact the STR guests - considering family size and young ST renters (many of them need to joint rent to be able to afford) |
| 5 | Limiting is not necessary |
| 6 | we need long term rental protection not more short term rentals. |
| 7 | Don't limit |
| 8 | Allow up to 6 guests |
| 9 | Permit use of all bedrooms and persons that can be accomodated |
| 10 | Number of guests per room should be a bit higher to allow for families with more than two kids |
| 11 | Large homes can accomodate more |
| 12 | Why do you want to exclude families? |
| 13 | Should allow more people for entire home's. Should be scalable for number of bedrooms in house. |
| 14 | Increase number of rooms for BnB and str |
| 15 | 4 guests or two rentals in one home should not be allowed |




| | |
|----|---|
| 16 | Owners should be allowed to set limits within reason if they have a business license |
| 17 | Too limiting |
| 18 | Meh. If we lose a rental space for residents of Nanaimo, then it doesn't really matter how many people are staying there, that spot is lost to long-term rental. |
| 19 | Should be higher |
| 20 | Remove the limits |
| 21 | As a traveler and user of these services this would be very limiting if myself and some friends wanted to rent a house for a weekend to save money on our trip to the city. |
| 22 | If you have a room with, eg, a couple of bunk beds for kids you should not be limited to 2 kids for that room. |
| 23 | I don't believe the city needs to regulate this |
| 24 | The limit should be 1 room, 2 guests |
| 25 | zero guests - zero STRs |
| 26 | No limits |
| 27 | Many people choose short term stays as a family get together - often two families and can easily be a 8-10 person accomodation requirement. |
| 28 | depends on size of home and property |
| 29 | Not all homes and neighbourhoods are created equal. |
| 30 | You dont control it now and wont in the future |
| 31 | The existing limits should be lifted |
| 32 | This number should be increased to allow for rentals of entire homes. It may be difficult for people to try to 'lock off' portions of their homes to accommodate otherwise. Should not be penalized for having a bigger home. |
| 33 | still too high in residential neighbourhoods |
| 34 | To me this would depend on the size of the house |
| 35 | Most homes have 3 or more bedrooms |
| 36 | should allow 2 guests per room |
| 37 | i think it is up to the property owner to the maximum numner of people they will accept, and of course they must be easily reachable in order to assist with any issues that may arrise with their guests. |
| 38 | More guests should be allowed as some families have more than 4-6people. |
| 39 | Increase |
| 40 | Would you limit how many people can live in a family home? |
| 41 | Discriminates against families who want to stay together. Leave it up to the owner to manage guest number based on particulars. |

| | |
|----|--|
| 42 | It should be the amount of total bedrooms or sleeping accommodations. What if a family has more than 2 kids? |
| 43 | Should be a little more. |
| 44 | It should depend on the size of the property and at the discretion of the owner. |
| 45 | This should be up to the owner. |
| 46 | Some families are bigger than 4 ie. I have 5 daughters and including their spouses would put us at 10 people so a family trip would be out of range. |
| 47 | If you're going to allow STRs, larger houses should be included. |
| 48 | Often we rent to multi generational families... 2 grandparents, 2 parents and some kids |
| 49 | To high a limit in multiple family |
| 50 | Family's are going to be renting the STR's so the the regulations need to allow for the size of a family. |
| 51 | I think the number should be 10 |
| 52 | If a visiting family is larger than four people the four person limit shouldn't apply. |
| 53 | STR (as defined at less than 30 days) should not be allowed. |
| 54 | not enough information in this survey to say |
| 55 | That is crazy. That means two families (kids included) cannot rent an STR together for a weekend. Expenses are very high and often a single family cannot pay the expense on their own. |
| 56 | As a family with three children we really struggle to find accommodation. I think allowing two adults and three minors is reasonable. |
| 57 | If the STR applies to the entire home and the home has more than 2 rooms (in residential zones) then all rooms should be able to be included. 4 guests may also not make sense for the same reason. Perhaps saying 2 guests per guest room would be more reasonable. |
| 58 | A large primary house is a perfect place for a family to stay instead of a hotel or several hotel rooms and if the limit is 4 people in a 6 bedroom house when the owner is away that makes no sense. |
| 59 | If a unit has multiple bedrooms and can comfortably house more exceeding the current limits I believe an amendment should be considered. |
| 60 | What good comes from enforcing this arbitrary limits? |
| 61 | I have 4 children, so we are a family of 6. I think the number should be higher. |
| 62 | 1 room 2 guests |
| 63 | Certain families would be unable to secure STR with this in place. |
| 64 | These, at times are used as central family meeting points and a whole home that can accomodate more people should be allowed. |
| 65 | I think the limitation on guests and guest rooms should be a function of available parking. It is lack of parking overflowing to in front of neighboring that had the potential to upset neighbors. So if there is lots of room for parking why not allow more guests. |
| 66 | I think 2 rooms up to 4 guests max is more reasonable for families with children |




| | |
|-----------|---|
| 67 | permit 6 guests |
| 68 | you are not taking into consideration accompanying children or in-laws |
| 69 | I would assume 2 guests per bedroom so with 4 rooms - allow for 8 guests |
| 70 | two people per bedroom regardless of the size of the home should be allowed |

6. Currently, Bed and Breakfasts are permitted within secondary suites provided the total number of long- and/or short-term rental rooms does not exceed two per dwelling unit (house and suite). Do you support continuing to permit STRs including Bed and Breakfasts within a secondary suite?


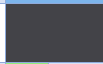

All Responses

| Choice | Percentage | Count | |
|---------------|------------|-------|---|
| Yes | 69.00% | 325 |  |
| No | 19.75% | 93 |  |
| Unsure | 11.25% | 53 |  |
| Total | 100% | 471 | |


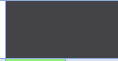

STR Operators

| Choice | Percentage | Count | |
|---------------|------------|-------|---|
| Yes | 89.06% | 171 |  |
| No | 3.13% | 6 |  |
| Unsure | 7.81% | 15 |  |
| Total | 100% | 192 | |

Non- STR operators

| Choice | Percentage | Count | |
|---------------|------------|-------|---|
| Yes | 54.87% | 152 |  |
| No | 31.41% | 87 |  |
| Unsure | 13.72% | 38 |  |
| Total | 100% | 277 | |

Renters only

| Choice | Percentage | Count | |
|--------|------------|-------|---|
| Yes | 44.94% | 40 |  |
| No | 35.96% | 32 |  |
| Unsure | 19.10% | 17 |  |
| Total | 100% | 89 | |

All comments

| # | Yes |
|----|--|
| 3 | I would like to see 3 |
| 4 | STR should be allowed in either the primary or secondary suite |
| 5 | only if its made an undesirable option |
| 6 | Of course |
| 7 | Permit and remove the limits |
| 8 | All sort term renatals should be allowed |
| 9 | Yes, but the city needs to monitor landlords to ensure that they are abiding by this rule |
| 10 | But Only one secondary suite should be allowed per dwelling. |
| 11 | Only one per residence |
| 12 | I would also like to see an allowance of having two suites and a primary dwelling for the operator. |
| 13 | But the amount of persons permitted should be based on sleep capacity. Some secondary suites have 3 rooms. |
| 15 | As long as #5 above is followed |
| 16 | See above |
| 17 | But also if the bed and breakfast or short term rental is contained within the main residence. |
| 18 | Stricter |

| # | No |
|---|---|
| 1 | this will remove affordable LTR housing units |



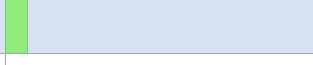
| | |
|-----------|--|
| 2 | That's restrictive and seems to defeat the purpose of the business model. What if a family wants to run an Air bnb in their secondary suite? What if the secondary suite has two bedrooms? Can it not be rented out to four people? |
| 3 | Should rent that out long term, what a waste |
| 4 | We have a massive housing shortage. |
| 5 | No STR in secondary suites |
| 6 | only if you want to intensify the LTR crisis |
| 7 | You wont restrict this now and wont in the future |
| 8 | Increase rental vacancy! Housing as a commodity is less important than housing actual residents |
| 9 | our commercial hotels need the business. please support them |
| 10 | unless approved by the homeowner as well |
| 11 | Unless the suites are only going to be vacant for less than 4 months out of the calendar year, these suites should be a part of the regular rental market. |
| 12 | I think there should only be one short term rental per dwelling |
| 13 | We need housing for Nanaimo residents |
| 14 | If the owner is living on the property and the property is large, more than two rental rooms should be allowed. For seniors, this may allow them to continue living on their property. House Insurance, building supplies, and the cost of tradespeople have gone through the roof. It is expensive to live on your own property and costs need to be covered. The costs only seem to be increasing. |

| # Unsure | |
|----------|--|
| 1 | ONLY if the owner lives within the same property. Otherwise, it would encourage the trend where income property owners re-designate long-term rentals as short term - thereby further reducing city occupancy rates further. It seems likely that management of these sites will be left to the renters themselves as owners are often absent. |
| 2 | Whatever it takes to protect LTRs until the housing crisis is resolved. |
| 3 | only if owner/operator lives there |
| 4 | We have parking issues due to a couple of these in our neighborhood |
| 5 | Not if suite and house are rented at the same time |
| 6 | please refer to my answer to question 3 |
| 7 | not enough information in this survey to say |


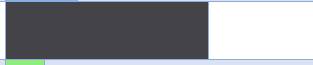
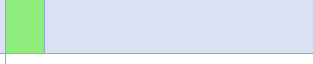
7. Bed and Breakfasts and other STRs do not currently require business licences in the City of Nanaimo. Based on the recommendation of the Affordable Housing Strategy and previous engagement work, Staff are recommending that business licences be required for STRs including Bed and Breakfasts. Do you support requiring business licences for STRs?

All responses


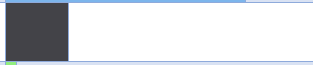
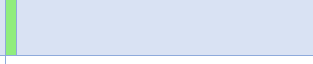
Respondents: 472

| Choice | Percentage | Count | |
|--------|------------|-------|---|
| Yes | 54.66% | 258 |  |
| No | 38.35% | 181 |  |
| Unsure | 6.99% | 33 |  |
| Total | 100% | 472 | |




STR operators

| Choice | Percentage | Count | |
|--------|------------|-------|---|
| Yes | 22.80% | 44 |  |
| No | 64.77% | 125 |  |
| Unsure | 12.44% | 24 |  |
| Total | 100% | 193 | |

Non- STR operators

| Choice | Percentage | Count | |
|--------|------------|-------|---|
| Yes | 76.90% | 213 |  |
| No | 19.86% | 55 |  |
| Unsure | 3.25% | 9 |  |
| Total | 100% | 277 | |

Renters only

| Choice | Percentage | Count | |
|--------|------------|-------|---|
| Yes | 81.82% | 72 |  |
| No | 13.64% | 12 |  |
| Unsure | 4.55% | 4 |  |
| Total | 100% | 88 | |

All comments

| # | Yes |
|----|--|
| 3 | It possibly adds to the sense of responsibility to the owner. |
| 4 | best way to track them |
| 5 | A licence makes sense. But nothing ridiculous |
| 6 | need to be taxed heavily to encourage owners to rent long term lease |
| 7 | If they must exist they should be licensed and taxed higher. Surrounding neighbors should be under a reduced tax rate. It is truly unnerving to live beside people that you have no idea who they are coming and going all the time. It can turn a quiet area into a noisy place. It's really awful. |
| 8 | Neighbors should pay less taxes as we now have to put up with more noise and traffic etc. |
| 9 | As long as the fee is the minimum amount. |
| 10 | All short term rentals should be banned |
| 11 | Most important yes of all. |
| 12 | Yes its a buisness they should be licenced. |
| 13 | Absolutely |
| 14 | Strongly support this. Taxes should be adjusted as such. Homes with businesses should pay higher tax rates. These businesses increase traffic and strain infrastructure. |
| 15 | I believe this is very important. |
| 16 | Theyre operating it as a business. |
| 17 | But you need to enforce all rules as well |
| 18 | If you're going to do it then yes |
| 19 | These are affordable and generate reasonable city revenue. Perhaps the parking considerations may be reduced or reconsidered for eligible STRs. |
| 20 | on par with commercial hotel and motels |

| | |
|----|---|
| 21 | Absolutely! |
| 22 | Unlike long-term rentals which are helping house Nanaimoites, this is a purely business move for vacationers. They should definitely be licensed as such. |
| 23 | Feel VERY strongly about this. |
| 24 | For standards to be applied |
| 25 | I have business license on mine, and I pay the local PST and MRDT tax on my listing which is on the Sunshine Coast. |
| 26 | I think it is reasonable to require a business license. |
| 27 | I think it is a legit business. And should be required to have a license. I do not think there should be a cap on how many are issued. |
| 29 | This should absolutely be mandatory. It allows the city to know just how much housing stock is used as STRs, and it generates funds to pay for the city's work on this issue. |
| 30 | It's a business is it not? You could put stipulations saying that if the property is used as STR more than x times per month or year than a BL is required. |
| 31 | Absolutely! |
| 32 | Selling space is a business. |
| 33 | People making income from STR should be forced to report income on their taxes. Forcing a business licence would give the city more recourse for those breaking the rules. |
| 34 | Absolutely |
| 35 | Requiring a licence may keep landlords accountable and the income made should be taxable. |
| 36 | B and B's and STR's must be monitored. Licensing these accommodations is only a money grab unless there is staffing to follow up on complaints and to do spot inspections. There have been several illegal B and B's on Protection Island. There are a couple of excellent B. and B's that get tarnished by poorly run and illegal units. |
| 37 | for sure |

| # | No |
|---|---|
| 1 | stop trying to add new taxes and taking away property rights this is not your job |
| 2 | Nonsense. This seems like a money-grab. Long-term landlords don't need a business license. Income from rental properties is suitably taxed. |
| 3 | bed and breakfasts are not the issue in BC. Issue is with Air BnB just ban them city wide |
| 4 | I'm taxed enough thank you |
| 5 | Business licence will only make things worse, and discourage people from renting at all. |
| 6 | mainly because in my situation I am not in competition with motels, hotels, etc |
| 7 | What does a business license have to do with affordable homes |
| 8 | It's a money-grab |

| | |
|-----------|---|
| 9 | Just a money grab |
| 10 | Its more paper and regulations and costs. |
| 11 | the idea for most of us is to use the STR on occasion not a full time business. |
| 12 | The home is already taxed |
| 13 | More beurocracy for the limited STR days and we already pay the occupancy and income taxes. |
| 14 | Lodging is a human right, do you guys need your mitts in every single thing possible? |
| 15 | not of the owner is a current occupant. |
| 16 | We already pay hefty property tax, don't need more paper pusher taxes. |
| 17 | Affordable housing will only be affordable if the province or municipality subsidies it |
| 18 | no licenses should be required |
| 19 | live next to set of B+B homes / they operate well |
| 20 | This should be required only if a business licence is also require for long term rentals as well. |
| 21 | business licenses are capitalistic in nature |
| 22 | I'm not sure what's involved in a business license (fees and rules I'm assuming) but I don't think it is fair to the home owner if they are going to be required to jump through more hoops or pay fees to help house people in STRs or B&Bs. |
| 23 | More paperwork for little benefit. |
| 24 | Business licencing will not provide any releif to Affordable housing. |
| 25 | How would you differentiate between non paying guests and paying guests? And why would you need to? Are you next going to require business licences to sell used goods on Kijiji and Craig's list? Surely staff resources could be put to better use. |



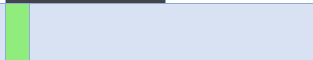
| # Unsure | |
|----------|--|
| 1 | Within limits. That is: if someone only rents out 3-4 times a year, I don't think a license should be required/ I am anxious about the cost and oversight. I would need more details to answer. If the cost was |
| 2 | not too high and the oversight not too onerous, I would be supportive, because I see the value in being able to keep track and know what's going on in our city |
| 3 | Depends on License cost |
| 4 | We are not in the city |
| 5 | How difficult is it to get a business license? What benefit to the city is there in requiring licenses? |
| 6 | License fees should be low. |

| | |
|---|---|
| 7 | As long as the expectations of the building licence is realistic. If owners provide food, then it is realistic that they take a Food Safe course. Short workshops or online courses on how to manage a B&B business would help support owners to do a good job hosting. |
| 8 | Why or why not? |

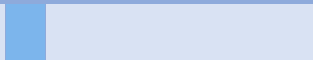
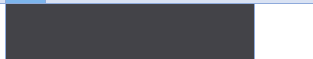
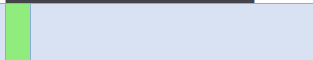
8. The City of Nanaimo currently responds to illegal STRs on a complaint only basis. Some other municipalities take a more active enforcement approach including subscribing to software to monitor and enforce STR rental activity. Would you like the City to take more active enforcement role with respect to STRs?

Respondents: 471


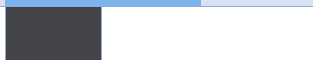
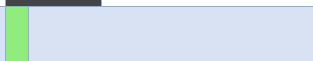
All responses

| Choice | Percentage | Count | |
|--------|------------|-------|---|
| Yes | 41.61% | 196 |  |
| No | 50.96% | 240 |  |
| Unsure | 7.43% | 35 |  |
| Total | 100% | 471 | |

STR operators

| Choice | Percentage | Count | |
|--------|------------|-------|---|
| Yes | 12.50% | 24 |  |
| No | 79.69% | 153 |  |
| Unsure | 7.81% | 15 |  |
| Total | 100% | 192 | |

Non-STR operators

| Choice | Percentage | Count | |
|--------|------------|-------|---|
| Yes | 62.32% | 172 |  |
| No | 30.43% | 84 |  |
| Unsure | 7.25% | 20 |  |
| Total | 100% | 276 | |

Renters

| Choice | Percentage | Count | |
|--------|------------|-------|--|
| Yes | 68.18% | 60 | |
| No | 21.59% | 19 | |
| Unsure | 10.23% | 9 | |
| Total | 100% | 88 | |

All comments

| # | Yes |
|----|---|
| 2 | We are in a housing crisis. Nanaimo compared to the rest of Canada, has a particularly high levels of child poverty and homelessness. More enforcement would highlight that the city CARES what happens in neighbourhoods, BEFORE a complain in made. This regulation would show a commitment that the City of Nanaimo actually cares what is happening. When a complaint is the starting point,, it's reactive and it misses the growing trends. |
| 3 | owners will do whatever it takes to avoid complying with the law. |
| 4 | Because they sure don't seem to care when paying tax payers complain. |
| 5 | Even at that we have complained many times and not a single thing was done about it. So much for the average tax payer who is playing by the rules. |
| 6 | as long as its better than the snow removal bylaw which is never enfoced. bylaw enforcement in this city is a Joke. There are rural towns in NovaScotia that do a better job with bylaw enforcement. the fines are too small and are pennies to most living in bc., Its cheaper to just pay the fines. |
| 7 | Active enforcement role |
| 8 | The city should take a more active role for everything. Complaint based is useless. |
| 9 | Absolutely |
| 10 | There are many illegal suites rented in our city. If only complaints are investigated, many people will not complain to avoid poor relations with neighbors. |
| 11 | You currently respond on complaints but dont do anything about it |
| 12 | If the staff recommendation is adopted and you don't begin active enforcement, including sniffing out fraudulent claims of residency, I'll not vote for a single person on council in the next election. |
| 13 | owners contact number should be posted on residence. On our street the police are having to respond to most of the complaints at air bnb re noise, d be visible on the property |
| 14 | Needs to be a level playing field for businesses that are currently 'following the rules' in the traditional hospitality industry. |

| | |
|----|--|
| 15 | I'm not sure what other measures could be implemented to enforce, but I think more should be done |
| 16 | It protects everyone. |
| 17 | And all bylaws. Not sure what your staff does all day but they ignore any violations they witness unless they receive a complaint. Even then, it's a tossup if they'll do anything. Would be nice if bylaws did their jobs instead of sitting at the beach and coffee shops all day. |
| 18 | Absolutely |
| 19 | The burden of reporting should not be placed on neighbours as this can damage relationships. |

| # | No |
|----|--|
| 2 | We are in a housing crisis. The City ought to be MORE accommodating, not Less. |
| 3 | You have better things to do |
| 4 | If neighbours are happy that speaks volumes to the STR |
| 5 | It will require more taxes to be paid for monitoring and discouraging people from a possible needed revenue. |
| 6 | Too much oversight. |
| 7 | Not needed. |
| 8 | Enforcement processes should be reactive and transparent |
| 9 | Let individuals chose if they would like to participate in STR's |
| 10 | Should be on complaint basis only. |
| 11 | The people who actually live in a neighborhood know best what a neighbourhood can tolerate. A one size fits all approach to enforcement does not work. |
| 12 | cost will go to taxpayers |
| 13 | waste of time and money |
| 14 | I belive that if there is an owner that is easily reachable by any neighbours, this should not be an issue. |
| 15 | I think that if there are no complaints by neighbors then some freedom should be maintained. |
| 16 | Police state- no thank you |
| 17 | If the system is working, don't try to fix it. |
| 18 | This isn't the solution to affordable housing, punishing tax paying homeowners who want to house guests. |
| 19 | Municipalities shouldn't invade personal activity. This is a democratic society, not a socialist one |
| 21 | not needed. based on my experience, short term rental do not cause nuisances |
| 22 | Do what Vancouver does. |


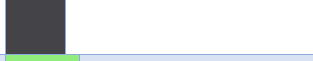

| | |
|----|--|
| 23 | Complaint basis works. Considering the city is facing issues regarding lack of affordable housing, rampant homelessness, drug use, and crime in the downtown and a plethora of actual public health and safety problems, i think the budget can be better spent elsewhere. |
| 24 | No definition for an 'illegal short term rental' was provided; is there even a definition for such a thing? |
| 25 | Home owners have the right to privacy and rent their suites out however they want. Long term tenants have more rights than home owners and home owners are left to pick up the pieces after abusive, unsafe, disrespectful renters. That is why many have switched to STR's. |
| 26 | This doesn't make sense if it removes people from a safe and reasonable accommodation and may only increase the homelessness issue. |
| 27 | You want more rentals available, make it easier for landlords to offer. Continue to investigate complaints, but leave those alone that are doing a great job and housing ppl. |
| 28 | That is very intrusive. |
| 29 | Continue responding only to troublesome properties. |
| 30 | Absolutely not. Let's not turn Nanaimo into a police state where we are all being watched. Frightening. If STRs are being run well, there will be no complaints. Don't fix something that isn't broken. |
| 31 | You can't restrict more housing during such a difficult time to live and find housing. People will leave the city |
| 32 | I dont believe it to be required |

| # | Unsure |
|---|---|
| 1 | depends on how much this is an issue/cost of enforcement vs licensing revenue |
| 2 | Only if there is a net financial benefit. |
| 3 | I don't know if it's a big problem or not right now. I can see why it could make sense, but if it's not a big problem, then I think it's okay to just let it go |
| 4 | This depends on what new regs are put in place. In general, I don't think this is a major issue in Nanaimo so complaints suffice, but the situation requires monitoring and this may need to be reassessed. |
| 5 | each and every STR should be looked into to reduce foreign investment |
| 6 | It depends on the type of tenants. I was reported and asked to shut down, as I rented a travel trailer on my property. |




9. Do you support requiring one additional parking space where an STR is located on the property?

Respondents: 466

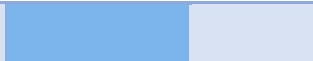

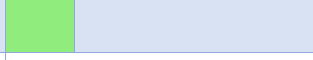
All responses

| Choice | Percentage | Count | |
|-------------------------------------|------------|-------|---|
| Yes | 57.30% | 267 |  |
| No, more parking should be required | 19.10% | 89 |  |
| No, less parking should be required | 23.61% | 110 |  |
| Total | 100% | 466 | |

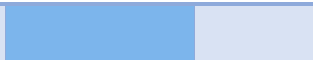

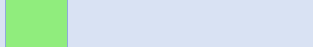
STR operators

| Choice | Percentage | Count | |
|-------------------------------------|------------|-------|--|
| Yes | 55.50% | 106 |  |
| No, more parking should be required | 18.32% | 35 |  |
| No, less parking should be required | 26.18% | 50 |  |
| Total | 100% | 191 | |

Non- STR operators

| Choice | Percentage | Count | |
|-------------------------------------|------------|-------|---|
| Yes | 58.61% | 160 |  |
| No, more parking should be required | 19.41% | 53 |  |
| No, less parking should be required | 21.98% | 60 |  |
| Total | 100% | 273 | |

Renters

| Choice | Percentage | Count | |
|-------------------------------------|------------|-------|---|
| Yes | 60.47% | 52 |  |
| No, more parking should be required | 19.77% | 17 |  |
| No, less parking should be required | 19.77% | 17 |  |

| | | | |
|--------------|------|----|--|
| Total | 100% | 86 | |
|--------------|------|----|--|

All comments

| # | Yes |
|----|--|
| 1 | Should not be taking up more road space that could be used by walkers/bikers |
| 2 | The City should be requiring more parking spaces for most developments. Most neighbourhoods that have secondary suites have their street littered with an excess of parked vehicles, making them feel uncomfortable and unwelcome for pedestrians and kids playing.. |
| 3 | Unsure |
| 4 | No extra spaces in the street. In house driveway only. There are so many extra cars per household on the streets. |
| 5 | Street parking negatively affect community walkability. |
| 6 | Yes. Parking should be provided. I have had renters from next door use my driveway, without permission. |
| 7 | Should follow rules for parking if there is a suite. One off road parking stall to be provided. |
| 8 | this question is not clear |
| 9 | keep roads clear for residents |
| 10 | Yeah, but what does "one more" mean? Clearly if street parking in an area is too tight, an STR should accommodate the cars it generates. But if a home has a 2-car driveway and only 1 car, then making that STR household build a 3rd spot would only decrease greenspace without adding value. So instead of "additional" I would say "dedicated" or something |
| 11 | this avoids any on street parking issues that could come into play. |
| 12 | One parking space per guest group should be required. |
| 13 | If street parking is unavailable |
| 14 | 1 per guest room |
| 15 | We have enough room |
| 16 | It's not safe to sidewalks and roads clogged with cars |
| 17 | This would be enough for residential zones provided Zoning bylaw updated as per question 5. |
| 18 | must be off-street, can be stacked |
| 19 | 1 additional off street parking for every 2 guests |
| 20 | People drive. |
| 21 | Yes, we live on a busy cul de sac and it would be extremely annoying to add another vehicle that didn't have a designated spot, semi regularly |
| 22 | only if the STR is not the entire home, because then the tenants/visitors would be using the home owners parking spaces as they wouldn't be there. |

| | |
|----|---|
| 23 | All rental parking should be off street. Street parking should be for guests only. |
| 24 | I have found short term renters parking in my driveway. |
| 25 | Only if street parking is unavailable. |
| 26 | Property should have adequate parking for each set of guests that does not impact neighbors.. |
| 27 | IF POSSIBLE |
| 28 | start enforcing this. So many suites depend on on street parking entirely, burden goes onto the neighbourhood not the rich landlord |
| 29 | Perhaps only in parts of the city where it is difficult to find parking...eg. downtown |

| # | No, more parking should be required |
|----|---|
| 1 | more barriers to using your property- this is not your job to reduce the use and enjoyment of private property owners. Deal with the zombies everywhere instead |
| 2 | 1 parking lot per short term rental unit |
| 4 | Get these cars off the streets blocking driveways |
| 5 | parking for each room being rented should be required. |
| 6 | Only if there is not parking for 2 already. |
| 7 | Depends on the number of guests and their vehicles |
| 8 | There should have been a bylaw requiring 1 full sized parking spot per bedroom years ago. |
| 9 | Let the market decide if its a suitable STR or not. |
| 10 | There should be 1 per rental unit |
| 11 | If more than 1-2 guests allowed then there should be more than one spot |
| 12 | our dead end residential street is full of excess air bnb vehicles in the summer |
| 13 | No on street parking |
| 14 | I don't support this requirement. |
| 15 | Leave as is. |
| 16 | If the owner is not there then no further parking should be required. |
| 17 | I do not support STR though. |
| 18 | should be based on max occupancy |

| # | No, less parking should be required |
|----|--|
| 1 | We are already an authorized suite with extra parking |
| 2 | No additional parkings |
| 3 | This presumes that renters have a vehicle, which is an error. It would disallow perfectly good and much-needed accommodation spaces. |
| 4 | We need to stop increasing the amount of impervious surfaces and removing natural spaces. |
| 5 | no parking as it will encourage people to switch to str as opposed to long term leasing, also, more parking ruins neighbourhoods. people need to use public transport. |
| 6 | Go green! Discourage vehicle use. |
| 7 | No street parking or public transit is more likely |
| 8 | Determine parking requirements based on physical characteristics of the building, usage should be irrelevant. |
| 9 | Too many rules, let people figure out parking for themselves |
| 10 | Indifferent. |
| 11 | Not everyone drives |
| 12 | I thought we were trying to go green. Why would you encourage more cars and parking spaces which will be built on currently green space (yards etc). |
| 13 | If public transit is an option, additional parking is unnecessary |
| 14 | existing parking is fine - who wrote these questions very deceiving |
| 15 | Street parking is fine if available. |
| 16 | Again, your over-complicating the issue. There are already parking enforcement rules in place across the city. |
| 17 | Residential neighbourhood usually have more than adequate street parking |
| 18 | often STR guests do not have a car |
| 19 | often, travellers to not have cars, so parking space requirement is excessive |
| 20 | How is parking defined? There are probably a lot of perfectly acceptable places to rent that would not be capable of adding more parking due to other bylaws, other restrictions and aesthetics preventing them from transforming their property into a parking lot. |
| 21 | Requiring a certain amount of parking is not conducive to the City's goal of promoting active transportation. |
| 22 | Many homes in Nanaimo only have access to street parking. |
| 23 | We should be encouraging people to move to a car-free lifestyle. Why require parking when it's possible that the primary resident doesn't have need of it. |
| 24 | Parking is weird anyway. |
| 25 | Depends on the location and whether Street parking is available. |

ATTACHMENT B

Renter Survey STR comments Survey open from 2021-APR-07 to 2021-MAY-12

"Young working people are getting squeezed out if opportunity to rent because there's not enough places. Soon we'll be like Vancouver there will be no affordable place for the next generation to live because of affordability and availability. Please limit the short term rentals or there wont be anywhere for the next generation to live."

"Far too expensive for this city, we should be paying near Vancouver pricing in this city. Lack of units due to short term rentals as well."

"Airbnb house next door would make a great rental for a small family. Also we just lost our preschool child care since the home-based facility's house was sold and the preschool has not been able to find another rental house. Simply none available that would suit. We need more rental houses."

"This mess all started with AirBnB and other platforms popularity."

"I got into my place just before the rental costs got totally out of control. If I move, I'd be looking at paying nearly double for a comparable place. Stop allowing vacant homes and air bnb apartments - or at least regulate and tax them"

"As much as I don't like airbnb's taking up rental houses.... the turnover of diverse people in the airbnb next door to us is the best aspect of it" (*comment edited to remove inappropriate language*)

ATTACHMENT C - PART 1

STAKEHOLDER FEEDBACK SUMAMRY

- A number of existing and prospective STR operators are interested in learning the rules and obtaining a business licence.
- The conversion of long-term renters to short-term rentals may impact affordable rental opportunities for seniors.
- The Tenancy Act does not apply to boarders and lodgers or Short-Term Rentals.
- STRs are frequently used to provide accommodation to hospital residency staff and traveling physicians. NRGH staff noted a number of trained physicians that do shifts in Nanaimo each month and stay for about a week at a time. Other physicians and medical professionals frequent Nanaimo through learning programs including six to ten rural physician learners that come in for a week or two of training throughout the year and up to 50 medical students that come to Nanaimo for a period of two to eight weeks.
- STR's are used by students who may be unable to find long-term accommodation or only need to attend the Nanaimo campus for a short period of time. Students may stay in a STR when they first arrive in Nanaimo until they are able to find long-term accommodation.
- The Nanaimo Hospitality Association supports licensing requirements for STRs and encourages the City to include a strong bylaw enforcement mechanism that includes fines and penalties for non-compliance by both the local hosts and the operators of the different platforms. The hospitality association's full responses is included as page 2 of this attachment.

ATTACHMENT C - PART 2



Mayor & Council
City of Nanaimo
450 Wallace Street
Nanaimo, BC

February 8, 2021

Re: Comments on Short Term Rentals

Dear Mayor Krog and members of Council

Thank you for allowing me the opportunity to present you with input from the Nanaimo Hospitality Association (NHA) on the subject of **Short Term Rentals** (STR) and the pending bylaw. The NHA does support the city bringing in a bylaw that will regulate STR's and level the "playing field" between the hotels and motels and the short term property rentals within the City of Nanaimo. This bylaw is long overdue in our opinion as there are a number of issues including the issue of Fire and Safety and the impact that unregulated and unlicensed STR's have on neighbourhoods that need to be addressed.

If you do vote in favour of a bylaw regulating STR's it will be imperative that the City also puts in place a strong bylaw enforcement mechanism that includes fines and penalties for both the local hosts and the operators of the different platforms for non-compliance. **Airbnb** and the other **Online Accommodation Platforms** (OAP) associated with STR's have a history of not always working with municipal governments when it comes to helping to enforce the regulations that municipalities have put in place.

The following is a list of Best Practices that is based on the learnings of cities such as San Francisco, Santa Monica, New York and Vancouver which have brought in bylaws to address the proliferation of unregulated and unlicensed STR's in their cities. I have also included at the end of this letter a case study of the City of Vancouver on this issue that was shared with me by the BC Hotel Association.

Best Practice #1: That it becomes mandatory for all short term rental platforms to show a valid Business License number for each individual host property on all listings,

- a. The City of Vancouver has encountered difficulties with unlicensed hosts entering fake license numbers on the different platforms without any suffering any consequences as the MOU between the City of Vancouver and Airbnb has a clause that indemnifies Airbnb from prosecution for what people do on their platform. Airbnb will not remove hosts from the site that are showing invalid or false license numbers. Due to this approach enforcement becomes the responsibility of the City. A legally binding agreement with Airbnb will be vital to avoid this happening in Nanaimo.

Best Practice #2: That the legal agreement includes a requirement that the different OAP's regularly provides the City of Nanaimo with a database that contains all of the listings for Nanaimo along with all of their current listing information.

Best Practice # 3: That the City of Nanaimo be able to provide the different platforms with a list of hosts deemed to be ineligible for registration and/or display on their platforms and that the platforms must be legally obligated to delist the unlicensed hosts.

Best Practice # 4: That the legal agreement stipulates that the hosting platforms will be subject to fines for non-compliance. Establishing legally binding punitive measures such as hefty fines will ensure that the short term rental platforms comply with their legal responsibilities.

Best Practice # 5: That all local host properties be subject to a Fire & Safety inspection prior to being able to host overnight guests and prior to them being able to list their properties on the different OAP's. This is vital to ensuring guests safety as most if not all properties currently listed on Airbnb and VRBO are either full houses or independent suites in a house. All of these units will have separate cooking facilities from those of the host cooking facilities.

With the dramatic downturn in the number of properties listed on the different OAP's due to the impact of Covid-19 and with a large number of regular businesses now closed and/or operating from home this is a perfect time for the city inspectors to shift their focus away from inspecting those businesses that they would normally inspect and instead take the opportunity to inspect the less than 275 STR's currently listed in Nanaimo. STR's should not be treated differently than other licensed businesses as STR's are in the business of housing overnight guests in accommodations. This is a Life & Safety issue.

Best Practice # 6: Guest, neighbours and bylaw staff must have a way in which to be able to get in contact with the host within six hours. 24 hours' notice as is currently being suggested is not sufficient to deal with noise complaints and or bylaw infractions that will need to addressed

Case Study on next page:

Vancouver Case Study: Why Memorandum of Understanding (MOU)s don't work

Typically, Airbnb claims to endeavor to comply with municipal regulations to the best of their ability, however, past lawsuits against municipalities with short-term rental regulations prove otherwise. One of the tactics that Airbnb typically employs is to push for a Memorandum of Understanding (MOU) with cities. Notably, in Canada the MOU between the city of Vancouver and Airbnb has noticeable gaps which make enforcement of short-term rental regulations less effective.

In 2018, the City of Vancouver and Airbnb signed off on an MOU that was intended to help City officials with enforcement of Vancouver's short-term rental bylaw. The key portions of the bylaw include a principle residence requirement and mandatory operator licenses with strict standards that hosts must uphold. However, platform accountability, with legally binding terms, is needed to ensure greater success of the bylaws. To date, 30% of STR units have yet to acquire a business license. Of the approximately 70% of listings that now have a license, roughly 20-25% of those have been flagged as potentially non-compliant.

It is important to note that Vancouver's MOU with Airbnb absolves the company of all legal responsibilities in the enforcement of Vancouver's bylaw. The lack of platform accountability places all the responsibility of enforcement on the city of Vancouver and its staff. The result? A flawed enforcement process with significant loopholes that could have easily been corrected had the platforms been held accountable.

A primary loophole is the enforcement of the mandatory business license number requirements for Airbnb listings in Vancouver. This provision in the bylaw was included in order to ensure only valid license holders had access to listings, however the enforcement of this requirement has been deeply flawed. For example, Airbnb hosts can enter invalid license numbers or the same license number for multiple listings which is not allowed. It is up to the city staff to undertake the onerous task of manually flagging unlicensed hosts.

A lack of platform involvement also leads to inaccurate or incomplete data for City officials and the province. For example, the provincial requirement to collect provincial sales tax from short-term rental platforms garnered an incredibly high return, much higher than the province was expecting. Critics have pointed out this information gap is likely due to the lack of accurate information on the number of non-compliant hosts that continue to operate in Vancouver.

Particularly, the trouble with MOUs is that they are entirely voluntary in nature. That is, instead of stringent mandatory regulations that encompass all short-term rental platforms, MOUs apply only to a particular company and, as is Vancouver's case, absolve that company of all responsibility to enforce municipal bylaws. Vancouver has realized this blind spot, and in its *One-Year Review Policy Report*, Vancouver City staff have recognized that requiring the platforms to remove illegal listings at the request of the City is the most expeditious way to compliance. To further strengthen their regulations, City staff have now recommended that the City request the province to identify approaches to hold all short-term rental platforms accountable for ensuring their listings and operators comply with applicable municipal and provincial regulations.

Thank you again for allowing the Nanaimo Hospitality Association the opportunity to provide comment on this important Bylaw. If you require further information from me on this matter please do not hesitate to contact me.

Sincerely

DSBrady

Dan Brady
Executive Director
Nanaimo Hospitality Association
C. 250-751-3863
E. danbrady@nanaimohospitality.ca

Current Bylaw

CITY OF NANAIMO

BYLAW NO. 4500.186

A BYLAW TO AMEND THE "CITY OF NANAIMO ZONING BYLAW 2011 NO. 4500"

WHEREAS the Council may zone land, by bylaw, pursuant to Sections 464, 465, 466, 469, 479, 480, 481, 482, and 548 of the *Local Government Act*;

THEREFORE BE IT RESOLVED the Municipal Council of the City of Nanaimo, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the "Zoning Bylaw Amendment Bylaw 2021 No. 4500.186".
2. The "City of Nanaimo Zoning Bylaw 2011 No. 4500" is hereby amended as follows:
 - (1) In Part 5 – Definitions, by deleting the definition of 'Dwelling Unit' and replacing with the following:

DWELLING UNIT – means a habitable room consisting of a self-contained unit with a separate entrance for the residential accommodation of only one family and contains a cooking facility but excludes all accommodation for the travelling public other than a Short-Term Rental.
 - (2) In Part 5 – Definitions, by adding the following definition of 'Primary Residence' between 'Pharmacy' and 'Principal Building':

PRIMARY RESIDENCE – means the dwelling unit that a person resides in for at least eight months per calendar year, and that a person declares for legal purposes, including voter registration, filing of income taxes, British Columbia Driver's Licence, British Columbia Medical Services Card, Home Owner Grant, and British Columbia Identification Card.
 - (3) In Part 5 – Definitions, by adding the following definition of 'Short-Term Rental' between 'Shopping Centre' and 'Side Yard'.

SHORT-TERM RENTAL – means the temporary rental (less than 30 consecutive days) of a portion of or the entire dwelling unit, secondary suite or room located on a property that is zoned to permit residential use. This definition specifically includes Bed and Breakfast.
 - (4) In Part 6 – General Regulations, by deleting Sub-Section 6.16 - Bed and Breakfast and replacing it with the following:

6.16 SHORT-TERM RENTAL

6.16.1 A Short-Term Rental may be established in any dwelling unit provided the Short-Term Rental is located within the operator's Primary Residence.

6.16.2 The number of guestrooms and guests permitted at one time within a Short-Term Rental shall not exceed the following:

| Zones | Maximum Number of Guest Rooms | Maximum Number of Guests |
|--|--------------------------------------|---------------------------------|
| R1/ R1a/ R1b to R5, R7, R10 to R14, AR1, AR2 and CS1 | 2 | 4 |
| R6, R8, R9, R15, COR1, COR2, COR3, CC1, CC2, CC3, CC4, CC5, CC6, DT1 to DT12, W2, W3, CD1, CD2, CD4 to CD10 | 4 | 6 |

6.16.3 When a Short-Term Rental is operating within a single residential dwelling which contains a secondary suite, the number of bedrooms in the secondary suite is included when calculating the maximum number of guestrooms permitted, as outlined in Subsection 6.16.2.

6.16.4 When a Short-Term Rental is operating within a single residential dwelling which also includes rooms for boarders and lodgers, the number of rooms and boarders and lodgers shall be included when calculating the maximum number of guestrooms and guests permitted, as outlined in Subsection 6.16.2.

- (5) By amending sub-subsection 7.2.3 by deleting 'Bed & Breakfast' as a permitted accessory use and adding 'Short-Term Rental' after 'Secondary Suite' with the Condition of Use 'Subject to Part 6' in the following zones: R1/R1a/R1b, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13, R14, and R15.
- (6) By amending sub-subsection 8.2.2 by deleting 'Bed & Breakfast' as a permitted accessory use and adding 'Short-Term Rental' after 'Secondary Suite' with the Condition of Use 'Subject to Part 6' in the following zones: AR1 and AR2.
- (7) By amending sub-subsection 9.2.1 by deleting 'Bed and Breakfast' as a permitted use.
- (8) By adding the following as Subsection 9.2.4:

The uses listed in the following table shall be permitted as an accessory use where indicated with an 'A' within each zone as per the Conditions of Use specified:

| Use | Zones | | | Conditions of Use |
|--------------------------|--------------|-------------|-------------|--------------------------|
| | COR1 | COR2 | COR3 | |
| Short-Term Rental | A | A | A | Subject to Part 6 |

- (9) By amending Section 10.2.4 by deleting 'Bed & Breakfast' as a permitted accessory use and adding 'Short-Term Rental' after 'Secondary Suite' with the Condition of Use 'Subject to Part 6' in the following zones: CC1, CC2, CC3, CC4, CC5, and CC6.
- (10) By amending sub-section 11.2.3 by deleting 'Bed & Breakfast' as a permitted accessory use and adding 'Short-Term Rental' after 'Secondary Suite' with the Condition of Use 'Subject to Part 6' in the following zones: DT1, DT2, DT3, DT4, DT5, DT6, DT7, DT8, DT9, DT10, DT11, DT12
- (11) By amending sub-section 14.2.2 by adding 'Short-Term Rental' after 'Secondary Suite' with the Condition of Use 'Subject to Part 6' in the following zones: CS1
- (12) By amending sub-section 15.2.2 by deleting 'Bed & Breakfast' as a permitted accessory use and adding 'Short-Term Rental' after 'Secondary Suite' with the Condition of Use 'Subject to Part 6' in the following zones: W2 and W3.
- (13) By amending sub-section 16.9.1 in the CD9 zone by deleting 'Bed & Breakfast' as a permitted accessory use and adding 'Short-Term Rental' after 'Secondary Suite' with the Condition of Use 'Subject to Part 6'.
- (14) By amending sub-section 16.10.1 in the CD10 zone by deleting 'Bed & Breakfast' as a permitted accessory use and adding 'Short-Term Rental' after 'Secondary Suite' with the Condition of Use 'Subject to Part 6'.

PASSED FIRST READING: 2021-SEP-21

PASSED SECOND READING: 2021-SEP-21

PUBLIC HEARING HELD: _____

PASSED THIRD READING: _____

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE: _____

ADOPTED: _____

MAYOR

CORPORATE OFFICER

CITY OF NANAIMO

BYLAW NO. 7266.01

A BYLAW TO AMEND THE CITY OF NANAIMO
“OFF-STREET PARKING REGULATIONS BYLAW 2018 NO. 7266”

The Municipal Council of the City of Nanaimo, in open meeting assembled, ENACTS AS FOLLOWS:

1. Title

This Bylaw may be cited as the City of Nanaimo “Off-Street Parking Regulations Amendment Bylaw 2021 No. 7266.01”.

2. Amendments

The City of Nanaimo “Off-Street Parking Regulations Bylaw 2018 No. 7266” is hereby amended as follows:

(1) By amending Table 4 in Section 7.2 by deleting the following the row:

| | |
|-------------------|---|
| Bed and breakfast | 1 space per sleeping unit used as a bed and breakfast |
|-------------------|---|

(2) By amending Table 4 in Section 7.2 by adding the following row after ‘Shopping centres, retail trade and services centres’:

| | |
|-------------------|--|
| Short-Term Rental | 1 space per Short-Term Rental guest booking. |
|-------------------|--|

PASSED FIRST READING: 2021-SEP-21

PASSED SECOND READING: 2021-SEP-21

PUBLIC HEARING HELD: _____

PASSED THIRD READING: _____

ADOPTED: _____

MAYOR

CORPORATE OFFICER

DATE OF MEETING October 21, 2021

AUTHORED BY DAVID LABERGE, MANAGER, BYLAW SERVICES

SUBJECT REMEDIAL ACTION ORDER – 3365 DEPARTURE BAY ROAD

OVERVIEW

Purpose of Report

To provide Council with information pertaining to illegal modifications that have been made to increase the floor space of a secondary suite at 3365 Departure Bay Road, and to seek approval to impose remedial action requirements pursuant to the provisions of the *Community Charter* to have the suite restored to its original size and configuration in accordance with the requirements of the BC Building Code and “Building Bylaw 2016 No. 7224”.

Recommendation

That Council:

1. issue a Remedial Action Order at 3365 Departure Bay Road pursuant to Sections 72 and 73 of the *Community Charter*;
2. direct Staff to advise the owner that they may request Council reconsider the Remedial Action Order by providing written notice within 14 days of the date on which notice of the remedial action requirement was sent;
3. direct Staff or its authorized agents to take action in accordance with Section 17 of the *Community Charter* without further notice and at the owner’s expense if the said remedial action is not undertaken within 30 days of Council’s resolution; and
4. direct the remedial action to have the suite restored to its original size and configuration in accordance with the requirements of the BC Building Code and “Building Bylaw 2016 No. 7224”.

BACKGROUND

3365 Departure Bay Road is an R1 single dwelling residential property with a legal lower level secondary suite.

A building inspector conducted a site inspection on the property in February 2019 with respect to a retaining wall permit and observed that work was being undertaken to alter the dwelling without a building permit. It was determined that an unfinished lower level storage room had been converted into a third bedroom for the adjacent two-bedroom secondary suite. An interior door was installed to connect the room to the suite, and an exterior door that previously provided outside access to the storage area had been removed and replaced with a window. The structural concrete around the window had been cut in the process.

These unpermitted and uninspected alterations were problematic. Secondary suites can have a maximum of two bedrooms and 968ft² of floor space, both which were exceeded with the alterations. Second, it was undetermined whether necessary fire separations exist between the main dwelling and secondary suite. Lastly, it was undetermined if the alterations to the structural

concrete have compromised the safety and integrity of the dwelling. The building inspector posted a Stop Work Order.

The property owner subsequently applied for and was issued a building permit to complete the scope of work required to restore the secondary suite and alterations to their original condition. The permit expired with no inspections being called, and no work completed.

The owner was notified in writing in October 2019 that the permit had expired, and was given 30 days to rectify deficiencies and call for a follow-up inspection. No work was undertaken.

The owner was notified in January 2020 that Council would consider a report recommending a notice be registered on the title of the property pursuant to Section 57 of the *Community Charter* to give notice to interested parties of the building regulation contraventions. Legal notation has been registered on the property title.

The Building Inspections Section file was retired and this matter was sent to the City Bylaw Services Section for enforcement action in March, 2020. The property owner informed a bylaw officer that the storage room had been opened up to provide more square footage for the secondary suite. The owner had mistakenly assumed that since a contravention notice had been registered on title that the City would not take any further action, and advised that they didn't have the financial means to complete the work. In consideration of the owner's circumstances and the fact that the COVID-19 pandemic was escalating at that time, additional time was provided.

A bylaw officer and building inspector met with the property owner in September 2021 and viewed the secondary suite. The inspector reiterated the safety concerns and scope of work that needed to be undertaken to remove the third bedroom and restore the suite to its original state. No progress had been made in completing the required work in the 18 months that had elapsed since the March 2020 meeting.

DISCUSSION

Structural alterations to the suite were uninspected and completed without a building permit. The storage room that has been converted to become part of the secondary suite is part of the main dwelling. "City of Nanaimo Zoning Bylaw 2011 No. 4500" (the "Zoning Bylaw") regulations (s. 6.15.2.4), which limit the size of secondary suites to 90m² (968ft²), have been contravened, and minimum fire separations between suites and the main dwelling are required by building code. A building inspector is of the opinion that the uninspected alterations and cutting of the structural concrete to install a new window may compromise the safety and integrity of the dwelling.

OPTIONS

1. That Council:

1. issue a Remedial Action Order at 3365 Departure Bay Road pursuant to Sections 72 and 73 of the *Community Charter*;
2. direct Staff to advise the owner that they may request Council reconsider the Remedial Action Order by providing written notice within 14 days of the date on which notice of the remedial action requirement was sent;

3. direct Staff or its authorized agents to take action in accordance with Section 17 of the *Community Charter* without further notice and at the owner's expense if the said remedial action is not undertaken within 30 days of Council's resolution; and
4. direct the remedial action to have the suite restored to its original size and configuration in accordance with the requirements of the BC Building Code and "Building Bylaw 2016 No. 7224".

- Advantages: The structure contravenes the Zoning Bylaw, was constructed without a permit, and is uninspected. Restoration of the suite to its original condition will mitigate safety and liability concerns.
- Disadvantages: The property owner will bear the expense of completing the required renovations.

2. Take no action.

- Advantages: None identified.
- Disadvantages: The City is aware that alterations have been made to the dwelling without permit or inspection that are contrary to the Zoning Bylaw regulations, which may be safety and liability issues.

3. Provide alternative direction.

SUMMARY POINTS

- 3365 Departure Bay Road is a single dwelling residential property with a legal secondary suite.
- Structural alterations were made to the dwelling without permit or inspection to increase the size of the secondary suite. The suite now exceeds the size permitted in the Zoning Bylaw.
- A bylaw contravention notice has been placed on title. A building permit was applied for and issued to complete work necessary to restore the suite to its original condition. The work was never completed.
- A remedial action order requiring the suite be restored to its original size and configuration in accordance with the requirements of the BC Building Code and building bylaw is recommended

Submitted by:

David LaBerge
Manager, Bylaw Services

Concurrence by:

Bill Corsan
Director, Community Development

Dale Lindsay
General Manager, Development Services