

ATTACHMENT E

BYLAW CONSIDERATION SUMMARY

Consideration	Staff Comment	Nanaimo Current Status	PROs	CONS
<p><i>Should STRs be allowed as an entire home rental?</i></p>	<p>The AHS encourages the City to restrict STRs to dwelling units where the owner is currently residing on the property, either in the main dwelling or the secondary suite. It is unclear if “currently residing on the property” was intended to mean the operator is on site when guests are present or simply the property is the operator’s primary residence.</p>	<p>Not permitted in Zoning Bylaw.</p> <p>71% of STRs are entire home rental.</p>	<p>Unique accommodation type for families and large groups wishing to stay together.</p> <p>Legalizes existing units.</p> <p>Provides additional income for property owners.</p>	<p>Property owner not on site when guests are present.</p> <p>Impact on long-term rental market.</p> <p>Impact on hotels.</p> <p>May cause noise and other negative impacts to neighborhood.</p>
<p><i>Should STRs be restricted to a primary residence only?</i></p>	<p>Primary residency restriction is used by nearly all municipalities that permit entire home STRs.</p> <p>The definition of primary residence varies between municipalities but generally means the dwelling unit a person normally resides and declares for legal purposes, such as the address on their driver’s licence, income tax, BC ID, voter registration, BC Care Card, and/or the property declared on a home owner grant. If entire home rentals are to be permitted, Staff strongly recommend a primary residency restriction be included.</p>	<p>B&Bs only permitted. Operator must be on site.</p>	<p>Prevents owners of second homes from operating them as STRs.</p> <p>Protects long-term rental market.</p>	<p>May be difficult to enforce.</p>

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<i>Should STRs be allowed in Multiple Family Dwellings?</i>	Regardless of whether the City chooses to permit STRs in multiple family dwellings, strata regulations or property rental agreements may further prohibit it. While the City is not responsible for enforcing strata regulations, the City may choose to require strata or property owner permission as a condition of business licensing.	Not permitted. 11% of STRs are in multiple family dwellings.	Legalizes existing uses. Negative impacts are minimal.	May contradict strata or property management regulations. Will impact long term rental availability if primary residency restriction not enforced. May impact neighbours.
<i>Should STRs be allowed in Secondary Suites?</i>	If the City chooses to no longer permit STRs within a secondary suite, this will result in a number of existing properties becoming non-compliant. Staff recommend that the existing regulation remain.	A B&B room may be located within a self-contained suite in place of secondary suite space. A SFD may have up to 2 bedrooms used as either a B&B room or a long-term secondary suite.	Currently permitted. Self-contained suites with cooking facilities are highly desired by B&B guests and are provided by a number of existing B&Bs in Nanaimo.	Continuing to allow a B&B or STR in a secondary suite space may impact the number of longer-term rental spaces available; allows owners to remove long-term suite spaces for more lucrative STR space.

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<p><i>Should the Zoning Bylaw limit the total number of guest days permitted by an STR?</i></p>	<p>The AHS encourages the City to ensure that zoning regulations that apply to B&Bs are extended to STRs.</p> <p>Staff recommend the existing B&B bedroom limits be applied to all STRs.</p>	<p>Within low density dwelling zones (R1/R1a/R1b to R5, R7, R10, R13, R14, AR1, AR2, and COR1), the maximum number of guestrooms is limited to 2 and maximum number of guests to no more than 4.</p> <p>Within mixed use or higher residential density zones (R6, R8, R9, R15, COR2, COR3, CC1, CC2, CC3, CC4, Downtown, W2, W3, and W4), the maximum number of guestrooms increases to 4 and the maximum number of permitted guests increases to 9.</p>	<p>Reduces the amount of noise, traffic or other negative neighbourhood impacts from STRs.</p> <p>Maintaining the existing cap will limit larger STRs to higher density or mixed use zones that can better accommodate the additional traffic or noise the uses may generate.</p>	<p>For entire home rentals, capping the number of guests may not be practical or enforceable; however, this may be addressed through the business licence application.</p>
<p><i>Parking requirement - per bedroom, per property? Should additional parking be required for entire home stays?</i></p>	<p>Visitors to Nanaimo often arrive by vehicle or rent a vehicle in order to explore sites through the island. While it may be argued that for entire home rentals, guests may be able to use the hosts' normal parking space, that space may not always be available.</p> <p>Staff recommend one additional parking space be required <u>per STR</u> for all STR types.</p>	<p>1 space required per B&B sleeping unit.</p>	<p>Single consistent regulation.</p> <p>Additional space will accommodate most STR guest needs.</p>	<p>Additional parking may not be available in multiple family dwellings.</p> <p>1 per STR rate less than currently required, may not be sufficient to accommodate multiple guests.</p>

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<p><i>Should the City enforce a cap on the # of STR rental days?</i></p>	<p>STR rentals can be tracked to some extent by companies such as Host Compliance; however, most municipalities have found capping the number of rental days to not be an enforceable or effective regulation. Adopting and enforcing a clear primary residency restriction has been proven to be more effective.</p> <p>Of the 12 municipalities reviewed by Staff, none limit the number of days an STR can be rented out.</p>	<p>No existing requirement.</p>	<p>Recommended by hotel industry and rental advocates.</p> <p>If enforced, can eliminate year round, entire home rentals and reduce the impact of STRs on the long-term rental market.</p>	<p>Difficult to enforce.</p>