WHAT DOES THE WINNIPEG STR REGULATION REALLY NEED?

For many of the councillors and area residents the concerns about “neighbourhood livability” often come up when discussing short term rentals, or rentals of any kind for that matter. While there isn’t an “app for that” like we usually turn to, however there is something quite similar…

The Neighbourhood Livability By-Law: I want to draw attention to this comprehensive piece of legislation that the City of Winnipeg already has in place called the “Neighbourhood Livability By-Law”. This hefty document seems to contain every possible scenario of property ownership/maintenance/management. Right down to how long and how wide my kitchen counter top needs to be (Part 2, Section 39-1) I don’t think there are many long or short-term rentals that would easily adhere to the entirety of the items listed within this highly specific legislation. Neither would many local primary residences. I read over this entire by-law document during this past long weekend which prompted me to start looking around my own home for “infractions”. (I guess this is what people who don’t have a cottage do for “fun” on that extra day off from work!) I discovered that my primary residence does not currently meet all of the requirements listed in the by-law either. One of the boards on the rear deck stair treads is loose which is listed as a no-no in the by-law (Part 1 Section 13-1). My downspout isn’t in compliance either because it fell off recently in the strong wind (Part 1, Section 11-2 (b)) If you inspect any house new or old, big or small, in Winnipeg I’ll bet you could find at least one item that fails the house in some minutia of this zillion category and sub-category property maintenance and management document.

We Already Have Some Great Stuff: What I did notice within this collection of by-laws was a plethora of highly detailed regulations already in place for fire safety, garbage handling, noise … you name it, it’s already in there. These by-laws are designed to govern the living habits and condition of all of the households in Winnipeg, whether they are short or long-term rentals or even the regular single-family residences. I am all for having fire regulations for STR, luckily it already exists. I am all for health regulations for STR, fortunately that already exists too. It looks like our council has put a ton of work into this document at some point because I can’t see a singular molecule of home ownership responsibility that was missed within it. This legislation is tight! I am a perfectionist and I would want nothing more than to have my own short-term rentals and all of the local STR listings owned by my peers to be the best of the best in tourist accommodations available in all of Western Canada! If the City Council is trying to help give my industry a more professional image than it already has, I am 110% behind their efforts on going this direction. The large contingent of STR owners who have banded together in Winnipeg is looking forward to the opportunity to work with council and the property planning committee to make some ground-breaking and mutually beneficial tweaks to this well established set of by-laws together. The only part I am still confused

about is … if all of the other types of houses in Winnipeg are meant to fall under the "Neighbourhood Livability By-Law", why then would the couple hundred local secondary residence short term rentals require a fully customized fresh set of regulations? Who decided all of a sudden that this huge undertaking was a thing? Is it a thing? The straight forward rules in the Neighbourhood Livability By-Laws package seem to be common sense. Kudos to whomever thought of all of these "what if" scenarios contained in it that most of the public would take for granted as a given. There are only so many ways to describe best practices in fire safety, the proper handling of refuse and acceptable noise decibel levels at certain times of day on specific days of the week. Why would we spend 18 months to create, (or re-create really), all sorts of new ways to say what has already been said so thoroughly and precisely? I don't understand why City Council wants to go after a completely different set of rules for short term rentals than the ones covering every other type of house, condo, house trailer, etc. located within our city? If so…why? "A house is a house!" Right?

So Now What Since we already have all the right tools sitting in our tool box, I think a simple licensing program would allow the city to build a database for all of the local hosts so the local individual hosting businesses can be easily tracked to facilitate regulation enforcement. A merit and demerit system has been successfully utilized in many other cities to suspend or revoke licenses for unfavourable operators. Not unlike what a driver's license does to curb bad driving habits. In this scenario the unprofessional hosting element can be retrained or eliminated allowing the remainder of good businesses to flourish; which should have always been council's intent.

What Are Other Municipalities Doing? Many municipalities are starting to realize that they already have the right regulations in place within their existing legislation. Here I was all over Calgary and Regina's by-laws when I could have just looked in the mirror at the by-laws in our own city. For a handy example of interesting things other cites are doing, the waterfront municipality Lambton Shores, down on the tip of Lake Huron in Southern Ontario, is doing a phased in licensing approach. Their first year of licensing is offered to hosts at no-cost (no doubt to encourage uptake and compliance within the STR community). The current mayor of Lambton, Mayor Bill Weber, said, "I am confident that a registration program is a great first step towards a balanced approach that supports local tourism, while ensuring these accommodations are safe and appropriately managed." I would like to see something like this straightforward registration model go forward in Winnipeg. (Lambton is still in our neighbouring province of Ontario, but just NOT Toronto of course right!) I would love it if we could all just agree to never bring up that hideously heavy-handed Toronto model in the City of Winnipeg council chambers again. This example from cottage country in the Great Lakes feels proactive, collaborative and fair. As does Winnipeg's "Neighbourhood Livability By-Law".

What is Contained in the Current By-law? Below I have included a snapshot example from parts of the document for those reading this who are not yet familiar with this set of by-laws. These are common areas of concern that have been discussed at city hall recently in relation to short term rentals. Neighbourhood Livability By-law Properties must be kept free of garbage 6(1) Garbage must not be allowed to accumulate upon a property. 6(2) Garbage must not be allowed to blow or otherwise be carried from a property onto other property, a street or a park. Furnished accommodations 30. Where furnished accommodations are provided in any dwelling, all furniture, refrigerators, cooking appliances, beds, bedspreads, bedsprings, pillows, mattresses, bed linen, blankets, bed covers, blinds and curtains must be maintained in good repair and in a clean and sanitary condition.

Smoke alarms 48(1) The requirements imposed by this section are in addition to, and not in lieu of, requirements imposed by the Fire Prevention By-law and other regulations. 48(2) Smoke alarms conforming to CAN/ULC-S531-02 "Standard for Smoke Alarms" must be installed in every dwelling unit. 48(3) Smoke alarms within dwelling units must be installed between each sleeping area and the remainder of the dwelling unit and, where the sleeping areas are accessed by a hallway, the smoke alarms must be installed within the hallway. 48(4) Smoke alarms in a dwelling must be installed on or near the ceiling and otherwise in conformance with CAN/ULC-S553-02 “Installation of Smoke Alarms”. 48(5) Smoke alarms must be hardwired unless they are located in a dwelling constructed prior to 1981 which has not subsequently renovated in a way that would permit hardwiring. 48(6) Where smoke alarms are installed with hardwired, there must be no disconnect switch between the overcurrent device and the smoke alarm. Fire alarm and smoke alarm systems 49. All fire alarm systems and smoke alarm systems installed in a dwelling must be operational and in good repair at all times.

Our Regulation Program is 90% Complete: When I did an intense going over of this all-encompassing legislation, I found it fascinating because there were things in it that I didn’t know. However, I still have to ask, “Do we really require a separate and specific rule set just for a few short-term rental houses in Winnipeg?” (Which are really just houses by the way, the same as all of the other houses on the streets where they sit). By now all of the city council members have seen all of the glowing letters of support from the neighbours next to each one of my STR listings in Crescentwood. The thoughtful letters they submitted illustrate how it is possible for short term rentals to fit seamlessly into the neighbourhood landscape when managed properly. Originally, I started out in this business in the spring of 2018 with the goal of having “zero neighbourhood impact”. Not unlike the philosophy of “leave no trace” when you go camping in a pristine wilderness environment. However, once the pandemic hit, my overall concept of “community” shifted. “Zero neighbourhood impact” is no longer good

enough for my business or my neighbourhood! I am now more focussed on being an actual asset to the neighbourhood instead of striving for invisible. I now fully engage in all events, issues and activities that the Crescentwood/River Heights region offers. My revised post-pandemic business philosophy more closely

resembles “status quo is a no” (hey that even rhymes) as I steer my short-term rental enterprise forward into a new business landscape. I am hoping the City of Winnipeg will share an optimistic mindset heading into the bright future of local tourism with us! My best suggestion to put forward for short term rental regulation today is that we just use the current “Neighbourhood Livability By-Law” and back it up with a licensing program (primarily as a record keeping database of who’s who in STR industry) with some stiff consequences for that small, but persistent, pocket of problem hosts who habitually drift over the lines. It is our hope that the new regulations cull that undesirable element from the herd. This should pave the way for the top-notch individuals in our powerful affiliation of short-term rental owners, hosts, property managers, maintenance personnel, et all as they continue to be the ambassadors Winnipeg so desperately needs. Let us help you put this bustling prairie town on the map as THE go-to destination in the Canadian tourism sector!

Thank you in advance for your anticipated collaboration and guidance.

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