Winnipeg

*Legal Services Department • Services juridiques*

# INTER-OFFICE MEMORANDUM

| | | | |
|---|---|---|---|
| **TO:** | **Carlos Gameiro**<br>City Clerks | **FROM:** | **Angela Czarnecki**<br>Legal Services |
| **FILE:** | G.1/2025(225) | **DATE:** | May 8, 2025 |

**RE: Community Safety Business Licensing By-law No. 91/2008 – Technical Amendment**

Please find attached the above-referenced By-law. This By-law is expected to be considered at the meeting of Council on May 22, 2025.

In the Council Minutes dated February 23, 2023, it states that Council concurred in the following recommendation:

2. That the proposed regulatory framework for short-term rental accommodations (STRAs) be approved, as amended, as the basis for a more detailed program involving zoning, licensing, and taxation elements, details of which are further set out in Appendix C, which includes the following highlights: …
   E. In addition, individuals with a permanent residence in Winnipeg, or corporations or partnerships wholly owned by Winnipeg residents with a short-term rental accommodations license would be allowed to rent three (3) non-primary residential properties owned by them or the wholly-owned Winnipeg partnership or corporation as a short-term rental accommodation, **conditional on their owning the properties on February 23, 2023**, with a combination of the following:

As a result, section 61.8(2)(c) should be amended to state:

**Conditions on non-primary residence STRA licenses**

61.8(1) In order to qualify to obtain a non-primary residence STRA license under this Division, an applicant must provide evidence sufficient for the designated employee to reasonably conclude that ~~**the applicant is**~~ (*replace with* "***the proposed STRA owner is***") one of the following:

(a) An individual whose primary residence is within the boundaries of the city of Winnipeg;
(b) A partnership whose members all have primary residences within the boundaries of the city of Winnipeg; or
(c) A corporation whose shareholders all have primary residences within the boundaries of the city of Winnipeg.

And section 61.8(2) should be amended to state:

61.8(2) In order to qualify to obtain a non-primary residence STRA license under this Division, (c) the dwelling unit must have been owned by the ~~**applicant**~~ (*replace with* "***current owner***") on February 23, 2023; and

The above proposed amendments would correct the By-law to follow the intention of Council on February 23, 2023 to require the "owner" of the proposed STRA property to: (1) have owned the property on February 23, 2023 to qualify for a license, and (2) meet the Winnipeg residence requirement. The current term "applicant" does not accomplish this intention of Council since that term can include a lessee of the premises who could not have "owned" it as required. Therefore, a technical amendment is appropriate in this case.

As a result, please place the within By-law directly before Council for consideration at its meeting scheduled for May 22, 2025. An electronic copy of the By-law has been provided by my assistant to Jennifer Ridge and Nicole Carnegie via email.

If you have any questions, feel free to contact me.

**Angela Czarnecki**
Solicitor

AC/mr
Enclosure