



**The Corporation of the City of St. Catharines
CITY COUNCIL AGENDA
Regular, Monday, November 16, 2020
Electronic Participation, 5:30 PM**

As part of the City's commitment to safety during the COVID-19 pandemic, this meeting of Council will be held electronically.

This Meeting may be viewed online at www.stcatharines.ca/youtube

Public Comments: The public may submit comments regarding agenda matters to the Office of the City Clerk by contacting clerks@stcatharines.ca by Monday, November 16, 2020 before Noon. Comments submitted will be considered as public information and entered into public record.

Electronic Delegations: Those wishing to speak to an item on the agenda must complete the [City's Electronic Delegation Form](#) by Sunday, November 15, 2020 before 11:59 p.m. and attend a test session with City staff on Monday, November 16, 2020 at 10 a.m.

His Worship Mayor Walter Sendzik takes the Chair and opens the meeting

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- 1. Resolve into General Committee**
Council will proceed to General Committee Agenda Item 4 - In-Camera Session
- 2. Motion Arising from In-Camera Session**
- 3. Mayor's Report**
- 4. Adoption of the Agendas**
- 5. Declarations of Interest**
- 6. Adoption of the Minutes (Council and General Committee)**
 - 6.1 Regular Meeting of Council, Minutes of [November 2, 2020](#)
 - 6.2 General Committee, Minutes of [November 2, 2020](#)
- 7. Resolve into General Committee**
Council will proceed to General Committee Agenda Item 1 - Motion to Move Reports on Consent

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8. Public Meetings Pursuant to Planning Act and Public Notice By-Law

- 3 - 88 8.1 Planning and Building Services, Planning Services
 City Initiated Zoning By-law Amendment – Short-term Rentals (Airbnbs, VRBO etc.)

9. Special Presentations

10. Resolve into General Committee

Council will proceed to General Committee Agenda Item 3 - Discussion Reports

11. Motion to Ratify Forthwith Recommendations

12. Motions

13. Call for Notices of Motion

14. Report Requests

15. By-laws

- 89 15.1 Reading of By-Laws

16. Agencies, Boards, Committee Reports

16.1 Minutes to Receive:

- Accessibility Advisory Committee, meetings of [September 30, 2020](#) and [October 28, 2020](#) (Draft)
- Anti-Racism Advisory Committee, meeting of [November 3, 2020](#) (Draft)
- Cultural Sustainability Committee, meetings of [February 3, 2020](#) and [October 20, 2020](#) (Draft)
- Equity and Inclusion Advisory Committee, meeting of [November 4, 2020](#) (Draft)
- Fallen Firefighters Memorial Task Force, meeting of [October 6, 2020](#) (Draft)
- Neil Peart Commemorative Task Force, meeting of [October 15, 2020](#) (Draft)
- Recreation Master Plan Advisory Committee, meeting of [September 29, 2020](#) (Draft)
- Recreation Facilities Allocation Policy Sub-Committee, meeting of [October 22, 2020](#) (Draft)
- Town and Gown Advisory Committee, meetings of [July 25, 2019](#) and [January 30, 2020](#) (Draft)
- Transportation Advisory Committee, meeting of [February 27, 2020](#) (Draft)

17. Adjournment



Corporate Report City Council

Report from: Planning and Building Services, Planning Services

Report Date: November 6, 2020 **Meeting Date:** November 16, 2020

Report Number: PBS-155-2020 **File:** 20 115746 ZA

Subject: City Initiated Zoning By-law Amendment – Short-term Rentals (Airbnbs, VRBO etc.)

Strategic Pillar:



Recommendation

That Council approve an amendment to the City of St. Catharines Zoning By-law 2013-283, to permit short-term rentals as a home-based business, subject to certain conditions, as outlined in Appendix 1; and

That the Notice of Decision required by the Planning Act, R.S.O. 1990, c.P. 13, as amended, be processed by staff; and

That upon expiration of the appeal period, staff be directed to forward any appeals to the Local Planning Appeals Tribunal for consideration and final approval; and

Further, that the Clerk be directed to make all necessary notifications. FORTHWITH

Summary

This report recommends the adoption of a city-wide Zoning By-law Amendment to By-law 2013-283 to include short-term rentals (STRs) as a permitted home-based business use, subject to certain conditions. The amendment also proposes revisions to existing wording pertaining to home based businesses and bed and breakfasts to provide clarity and ease of interpretation.

The recommendation for inclusion of STRs as a permitted home-based business, subject to certain conditions, achieves the following outcomes:

- Retains the intended residential function of a dwelling unit as the primary use.
- Prohibits dwelling units from being solely used as STR accommodation (a commercial use) and directs this type of use to zones that permit hotel/motel.
- Supports the local economy by providing options for accommodations to the travelling public.
- Provides the opportunity for residents to earn supplementary income to assist with managing housing costs.

The City's plan to address STRs requires a multi-step process. This report and proposed Zoning By-law Amendment are part of the first step, which intends to define and outline permissions for the land use. The second step will be to establish and implement a licensing framework that provides enforcement tools beyond the land use permissions and can provide the opportunity for staff to work directly with STR operators to mitigate and manage disruptive guest behaviour (e.g. noise, nuisance, garbage, etc.). The components and timeline associated with each step are outlined below in Table 1. A decision regarding the Zoning By-law Amendment (step one) is required before proceeding to establish a licensing program (step two).

Table 1

Background and Direction	Step One: Zoning By law Amendment	Step Two: Licensing
<ul style="list-style-type: none"> ✓ Staff Research ✓ Public Feedback ✓ Staff Report for Information ✓ Council Direction 	<ul style="list-style-type: none"> ✓ Draft By law Amendment ✓ Public Open House • Public Meeting • Council Decision • Appeal Period 	<ul style="list-style-type: none"> • Draft Licensing By-law • Report to Council • Council Decision • Implementation
June 2019 to February 2020	February 2020 to December 2020	December 2020 to March 2021

Relationship to Strategic Plan

The proposed Zoning By-law Amendment ties into several aspects of the City's Strategic Plan. These related goals are listed below:

Economic Prosperity

Strategic Goal - Support the City's commitment to building and growing a diverse and resilient economy through fiscal responsibility, urban regeneration and collaborative partnerships. The proposed zoning by-law amendment:

- Provides residents with opportunities to earn supplementary income; and,
- Provides accommodation options for visitors to the City.

Social Well-Being

Strategic Goal – Build and support strong, inclusive neighbourhoods that provide high quality of life for residents of all ages. The proposed zoning by-law amendment:

- Maintains the integrity of residential neighbourhoods by permitting short-term rentals as a home-based business (secondary to the principal residential use).

Cultural Renaissance

Strategic Goal – Celebrate the City's rich history, diversity, arts and cultural assets through leadership, promotion and investments that support measurable, sustainable creative growth. The proposed zoning by-law amendment:

- Supports visitors to the City being hosted by residents who can share a local and personalized perspective.

Background

Short-term rentals (STRs), often advertised on Airbnb, Vrbo, Flipkey and other online platforms, have become more prominent within our community. Council first directed staff to review short-term rentals in the City of St. Catharines on June 24, 2019. This direction was provided as a result of Council's consideration of implementing a Municipal Accommodation Tax (MAT). In a previous report to Budget Standing Committee ([EDTS-B021-2019](#)), staff indicated that regulations for short-term rentals would need to be addressed before assessing the viability of implementing a MAT on these types of accommodations. A separate report regarding the viability of a MAT was provided to Council on February 24, 2020 and should be referred to for further details ([EDTS-02-620-20](#)).

On February 24, 2020, Council also received a report from staff ([PBS-013-2020](#)) outlining a summary of research and public and stakeholder feedback received regarding short-term rentals and identifying various options for regulating short-term rentals in the City. As a result, Council provided staff with the following direction:

“That Planning and Building Services staff be directed to commence the process of amending the City's Zoning By-law immediately to consider short-term rental use, including but not limited to, bed and breakfasts, short term rental of rooms in a dwelling unit, and short term rentals of entire dwelling units; and

That only upon finalization of a Zoning By-law Amendment that permits and regulates short term rentals, that City staff undertake the creation of a Licensing program for short term rental properties that considers, among other items, maximum numbers of bedrooms to be rented, enforcement measures, and licensing fees, and that every attempt be made for this to be delivered by January 1, 2021; and

That the projected costs of any Licensing program be presented to the Budget Standing Committee prior to consideration of implementation.
FORTHWITH”

This report is in response to Council's direction.

STRs are not explicitly addressed by the City's current Zoning By-law. The Zoning By-law Amendment is the first step that the City is taking towards addressing STR use and operation within St. Catharines. Additional steps, as identified in previous reports, including further establishment and implementation of a licensing program, decisions and implementation regarding a Municipal Accommodation Tax (MAT), will be required to adequately address the various components of STRs. A decision regarding the Zoning By-law Amendment is the first step in the process and one that is required before the next steps can be taken.

With the onset of the Covid-19 pandemic, the timing of this report has been delayed due to competing priorities. As such, this has subsequently impacted the timing of the next steps associated with addressing STRs. The projected costs of a Licensing program have not been determined and were not available to be provided to the Budget Standing Committee for their consideration in establishing the 2021 budget. Following a decision regarding the proposed Zoning By-law Amendment, and after the appeal period has expired or any appeals are resolved, staff will be in a position to proceed with the next steps, including reporting back to Council regarding a Licensing program.

Report

Short-term rentals (STRs) are accommodations rented for a period of less than one month (not exceeding 28 consecutive days). These types of accommodations can serve a variety of needs, but due to their short-term nature, they are commonly used by visitors, travelers, tourists and out-of-town guests. They have traditionally been provided by hotel/motels, inns and bed and breakfasts. The introduction of online platforms, such as Airbnb, Vrbo, Flipkey and others has made it easier for residents to offer their homes as a STR and advertise, connect with potential renters, and facilitate transactions.

The purpose of the Zoning By-law is to establish permissions and regulations for the use of property. Currently there are no zoning permissions for STRs, however a bed and breakfast is permitted within detached dwellings as a home based business. A Zoning By-law Amendment is the first step towards permitting and regulating STRs.

The Zoning By-law regulates land use only. It is not a tool to address excessive noise, unruly behaviour, garbage and waste issues, and illegal activities which are sometimes associated with STR use. Staff have heard from many members of the community who have struggled with these issues in their neighbourhood and are looking to the City to help. It is important to note, the use itself does not cause these issues; it is the behaviour of guests staying in STRs that often result in complaints about these issues. For this reason, these issues may not be addressed by the proposed Zoning By-law Amendment (step one), however as the City proceeds in this process to step two (establishing licensing), the goal will be to strengthen and improve staff's ability to regulate and enforce to protect and maintain the ability for residents to enjoy their residential neighbourhoods.

Existing Provisions

The City of St. Catharines Zoning By-law (2013-283) does not currently include a definition for the term 'short-term rental'. The City does recognize both 'hotel/motel' and 'bed and breakfast' uses as types of short-term accommodations (less than 28 consecutive days) that are permitted. Table 2 below, outlines the definition, parking requirements and zones that hotel/motel use and bed and breakfasts are respectively permitted.

Table 2

Type	Definition	Permitted Zones
Hotel/Motel	A building(s) that provides temporary accommodation to the public for a period not exceeding 28 consecutive days, and may include independent cooking facilities and ancillary uses such as but not limited to restaurants, retail and service commercial uses, meeting and convention facilities, banquet facilities, recreation and entertainment facilities, and may also include one dwelling unit. Requires 1 parking space per guest room.	<ul style="list-style-type: none"> • Commercial Zones (C3, C4, C5, C6) • Employment Zones (E1) • Mixed Use Zones (M1, M2, M3) (Appendix 2)
Bed and Breakfast	A home-based business wherein rooms or beds are rented for a period not exceeding 28 consecutive days, and meals are served to overnight guests. Additional regulations: <ol style="list-style-type: none"> a) permitted within a detached dwelling and/or detached accessory dwelling b) conducted by a person(s) residing in the principal dwelling unit c) a maximum of 4 rental rooms are permitted d) shall provide meals to guests of the bed and breakfast only e) requires 1 parking space per rental room 	<ul style="list-style-type: none"> • Residential Zones (R1, R2, R3) • Institutional Zones (I1, I2) • Mixed Use Zones (M2) • Agricultural Zones (A1) (Appendix 3)

As noted above, bed and breakfast is the only form of short-term accommodation (less than 28 consecutive days) currently permitted within dwelling units (within a residential, agricultural or institutional zone) in St. Catharines.

Proposed Amendments

Through staff's previous research and report to Council, five goals were identified to help guide the amendment:

- Protect housing supply;
- Support opportunities for supplementary income;
- Reasonable to enforce;
- Protect residential neighbourhood character; and
- Support tourism and tourist spending in the City of St. Catharines.

The above goals were considered in the development of the proposed Amendment and the Amendment is also consistent with the Provincial Policies, the Regional Official Plan and the City's Official Plan.

The Amendment proposes the following:

- A definition of a STR.
 - Permits rentals of an entire dwelling unit as a home-based business.
 - Rental period shall not exceed 28 consecutive days.
- Restricts STR to the primary residence of the occupant of the dwelling unit.
- Requires parking is provided on site at a ratio of 0.5 parking spaces per bedroom.

This will result in the key difference between a bed and breakfast and a short-term rental being that a bed and breakfast permits the rental of rooms in a dwelling unit while short-term rental permits the rental of an entire dwelling unit.

Short-term

As noted previously, the Zoning By-law currently includes definitions for both hotel/motel and bed and breakfasts. Both definitions indicate rental of accommodations for a period not exceeding 28 consecutive days. To remain consistent with other short-term accommodations permitted in the City, staff recommend the definition of a short-term rental only apply to rentals that are less than 28 consecutive days.

Home Based Business

In residential zones, and throughout the City where dwelling units are permitted, the Zoning By-law (2013-283) allows for a home-based business, which is secondary to the principal residential use. Staff recommend permitting STRs as a home-based business, requiring that the use is limited to a secondary function of the principal residential use. Staff are not supportive of STR being the principal use of a residential dwelling unit, as this does not retain the intended residential land use and is not in keeping with the home sharing function of short-term rentals within residential dwelling units.

Principal Residence

With persistent low vacancy rates, rising housing costs and anticipated growth for the city, it is a priority of the City to support and encourage maintenance and growth of the housing supply.

Staff recommend restricting STRs to the principal residence of the operator. The operator, whether a tenant or owner, may only offer their principal residence for STR. The Zoning By-law Amendment proposes to define a principal residence as a dwelling unit in which a person resides a majority of the year. This helps to ensure that an operator may only have one STR, as you can only have one principal residence, and by limiting the rental to a unit they reside in, ensures oversight of the property. This in turn increases the operator's interest in the protection and maintenance of the home and surrounding neighbourhood. By limiting STRs to dwellings that are the principal residence of the operator, the intended residential use, as identified by the City's Official Plan and Zoning By-law is retained.

Parking

Staff consider a bed and breakfast to be a similar use to STRs, as both involve rental of accommodations within a dwelling unit for a period that does not exceed 28 consecutive days. The distinction between the two is that bed and breakfasts are limited to rental of rooms within a dwelling unit, while STRs permit rental of an entire dwelling unit. This

results in the two uses functioning differently. When an entire unit is rented (STR) it is rented to one party. With a bed and breakfast, it is possible for each bedroom to be rented to independent parties. For bed and breakfasts, the Zoning By-law (2013-283) currently has an established requirement of one parking space per rental room. This is consistent with the established parking requirement for hotel/motel use.

When considering establishing a parking requirement for STR use, staff recommend a requirement of 0.5 parking spaces per bedroom. This is to reflect that the users renting an STR belong to one party and can therefore share parking amongst the members of the party. Unlike a bed and breakfast, where guests of each party would travel separately, with STR, guests belong to the same party and can travel as a collective group, leading to increased opportunities for members of the party to arrive in fewer vehicles. Section 3.11 of the By-law prescribes that when calculating the minimum parking requirement, the minimum number of required parking spaces shall be rounded to the nearest whole number or if midpoint (i.e. 0.5), to the higher whole number. Staff have used 0.5 parking spaces per bedroom to ensure that on the lower end of the spectrum, the requirement is always rounded up (e.g. a one-bedroom rental is required to provide at least one parking space).

Table 3

Number of Bedrooms	Minimum Parking Required
One	One Space
Two	One Space
Three	Two Spaces
Four	Two Spaces
Five	Three Spaces
Six	Three Spaces

Staff also recommend permitting parking for STRs in tandem, which would allow for vehicles to be parked one in front of another, rather than side by side. Due to the renters being members of one party, coordinating vehicle stacking on site can be managed by the guests of the STR.

Staff recommend introducing a new footnote to the existing parking table (3.12.3 of By-law 2013-283) to specify that parking required for a STR shall be dedicated to the unit operating the STR. This is required to ensure that on properties with multiple units (e.g. duplex, triplex, fourplex, apartment etc.) should one unit within a building propose to operate a STR, they may only do so if there is enough parking on site dedicated exclusively to their unit. For example, if one unit within a triplex proposes to operate a STR, and there are three parking spaces on site, one of which is dedicated to the unit, the unit may only operate a STR with a maximum of two bedrooms. If the unit proposed for STR has three bedrooms, a minimum two dedicated parking spaces are required. While there are three parking spaces on site, only one of them is dedicated to the unit, and therefore the other two cannot be used to facilitate STR. This is intended to ensure that each unit can independently support the proposed STR use, and that there will be no loss of parking for the other units on site.

Additional Amendment – Home-Based Business

Staff are recommending an amendment to the existing provisions for Home Based Businesses (Section 2.2.4 of By-law 2013-283) to remove the term “principal dwelling unit” and replace it with “dwelling unit”. This is to eliminate any potential for confusion surrounding the dwelling types that are permitted to operate a home based business and ensure that all residents, regardless of what type of dwelling unit they reside in (detached, triplex, townhouse etc.) are afforded equal opportunity to operate a home based business from their residence. This proposed amendment will not impact the requirement for a home-based business to be secondary to the principal residential use.

Additional Amendment - Bed and Breakfast

Currently, the Zoning By-law permits a bed and breakfast only within a detached dwelling. Since the resident is present on site while hosting guests who have rented rooms in their dwelling, the residential use of the unit, no matter the unit type, is upheld. Staff recommend amending this provision to allow for bed and breakfasts in any dwelling unit.

Staff also recommend that the new footnote to the existing parking table (3.12.3 of By-law 2013-283), explained above, be applied to bed and breakfasts to ensure that on multi-unit properties, adequate parking is dedicated to the unit operating a bed and breakfast.

Planning Policy Context

Provincial planning legislation requires Council’s decision on a planning application to be consistent with the Provincial Policy Statement (PPS), and must conform to Provincial plans, upper-tier official plans and lower-tier official plans. Accordingly, planning staff have evaluated this Application for Zoning By-law Amendment against the policies of the Provincial Policy Statement, the Provincial Growth Plan for the Greater Golden Horseshoe, the Regional Official Plan, and the Garden City Plan, all of which apply to this application, and staff recommendations have been formulated accordingly.

For Council’s reference, the land use planning framework in Ontario, as it relates to this application, is outlined in Appendix 4.

The PPS calls for the sustainability of healthy, liveable and safe communities by accommodating an appropriate range and mix of housing options, employment, institutional, recreation, parks and open space and other uses to meet long-term needs. The Growth Plan contains policies that encourage the development of complete communities with a diverse mix of land uses and range of housing types, taking into account affordable housing and density and ensuring lands are zoned to support the achievement of complete communities.

The Regional Official Plan (ROP) permits a full range of residential, commercial and industrial uses generally within the Urban Area, subject to the availability of adequate municipal services and infrastructure. Regional policies emphasize intensification and infill as the preferred form of development to help achieve complete communities that have a mix of land uses, employment opportunities and are active transportation and

transit supportive. The ROP promotes higher density development in Urban Areas and supports growth that contributes to the overall goal of providing a sufficient supply of housing that is affordable, accessible, and suited to the needs of a variety of households and income groups in Niagara.

The City's Official Plan identifies the need and importance for planning for and accommodating residential growth throughout the City. Lands designated 'Neighbourhood Residential' are intended to provide for a full range of housing opportunities to help accommodate projected growth. Home based business is permitted as an ancillary use within the Neighbourhood Residential Designation (Section 8.3) and permitted as a secondary use in the Agriculture designation (Section 14.1). Establishing short-term rental as a home based business is consistent with the overall intent of maintaining the principal residential use of a dwelling unit.

The by-law amendment proposes to introduce short-term rental as a permitted home-based business use in all dwelling units. This will provide further temporary accommodation options as well as assist with providing opportunities for supplementary income to assist with housing affordability, contributing to the creation of a complete community. Staff are of the opinion that the proposed Zoning By-law Amendment is consistent with the policies of the Provincial Policy Statement, Provincial Growth Plan, Regional Official Plan and Local Official Plan.

Enforcement

By-law enforcement is conducted based on complaints from the public and staff investigate and work to gain by-law compliance on a case by case basis. The penalties for contravening the by-law vary depending on the applicable by-law. Staff note that enforcement of STR use has proven to be challenging and is anticipated to continue to have challenges.

Zoning By-law

The Zoning By-law is a tool available to the municipality to regulate the use of land. The proposed Zoning By-law Amendment is focused on the land use permissions and related regulations for short-term rental use and staff enforce the provisions of the By-law. When a concern is received, staff will investigate the allegation and depending on the findings, owners can be prosecuted, and possibly penalized with a fine set by a judge. It is important to note, that while STRs are often advertised using an online platform, the presence of an advertisement for a STR may indicate intent to operate but it does not conclusively demonstrate that the use has occurred, additional evidence is required. Staff recognize that many of the comments from the public pertain to the behaviour of guests of short-term rentals; however, the behaviour of individuals is not something that can be regulated through the City's Zoning By-law.

Existing By-laws

The City does have existing by-laws in place that regulate behaviour, such as illegal parking, excessive noise and nuisances, and these apply City-wide to all properties, regardless of the use. These concerns can also be provided to the City for staff to investigate.

Parking By-law

The City's parking by-law establishes rules and regulations for parking throughout the city, including on-street parking, parking proximity to sidewalks and driveways, and fines or penalties for unauthorized parking. Parking enforcement is conducted by staff throughout the week and on weekends, during set hours. Residents are able to call City Hall for enforcement of the parking by-law.

Noise By-law

The City of St. Catharines has a noise by-law to address issues such as persistent noise created by construction, combustible motors, music and yelling. A written complaint letter may be submitted to the City's Legal Services; however, excessive noise often requires an immediate response. For such complaints, residents should contact the Niagara Regional Police Service, using their non-emergency number.

Licensing

Many other jurisdictions have introduced a licensing program requiring STR hosts to demonstrate compliance with various requirements, established by the City, prior to operating as a STR. Licenses can then be used as a tool for enforcement to determine whether a STR is operating in accordance with the established requirements or not. Depending on the scope of the program, implementing a licensing program could require significant staff time to monitor and regulate, including reviewing applications, conducting inspections and investigating complaints. While a licensing program could require extensive resources, it provides the opportunity for staff to establish requirements beyond land use permissions, such as fire safety plans, having a contact should the City receive a concern, and can establish penalties for contravening the by-law that staff can monitor and enforce. Licensing also provides the City the opportunity to better understand the number of STRs that operating and how they are used (e.g. number of nights per year, location). With more information staff can learn more about STRs and this can help to guide and improve our processes moving forward. The direction provided by Council on February 24, 2020 included direction for staff to undertake the creation of a licensing program following the establishment of applicable zoning provisions. The parameters of a licensing program have not yet been established, and the specific budget requirements are unknown at this time. Based on past consideration of other licensing programs, staff estimate that the resources required to support a STR licensing program could range from \$250,000 to \$1 million. Detailed and specific resource requirements, including staffing and budget will be established through step two of the process.

Should the recommended amendment to the zoning by-law be approved by Council, the creation of a licensing program will be the next step in the process of addressing short-term rental use in the City of St. Catharines.

Public Consultation

A public open house was hosted online by Planning and Building Services through the City's Engage platform from September 16, 2020 to October 16, 2020. The purpose of the open house was to present the proposed Zoning By-law Amendment and afford an opportunity for people to ask questions and provide comments before staff

recommendations are presented to Council for consideration. The Open House included an information video and summary document (Appendix 5) outlining the intent of the proposed Zoning By-law Amendment. Staff received 73 questions through the Engage page and the page was visited approximately 925 times. The information video was published to [Youtube](#) on September 16, 2020 and has received over 164 views. An additional 14 emails were received. The submissions provided through the Open House are included in Appendix 6 of this report. Comments received after the Open House (after October 16, 2020) are included in Appendix 7 of this report. The general themes of the comments and correspondence received have also been summarized below.

Housing

- The City should prioritize protecting residential units.
- There has been concern that STR cause increases to housing costs, making it more difficult for people to afford housing.
- Some residents expressed concern that STRs will detract from their property value.

Primary Residence

- Many people asked how STR operators will be required to demonstrate or prove that a unit is their primary residence.
- There were suggestions to establish a definition of primary residence and consider establishing a minimum number of days a person must reside in a unit (per month or annually).
- There were suggestions to establish a maximum number of days that a unit may operate as a STR (per month or annually).
- Consider limiting the number of STRs that an individual may operate.

Tourism and Economy

- Comments were provided in support of STRs providing accommodation options for tourists.
- Some comments indicated STRs encourage people to stay in St. Catharines and experience our local neighbourhoods.
- It was noted that in some cases STRs support jobs by hiring landscaping teams, cleaning services, etc.

Accessory Units

- Since accessory units are on the same site as the primary dwelling, suggest considering allowing accessory units to be operated as STR with resident on site in primary dwelling. This provides oversight to ensure STR is managed properly.
- Allowing residents to offer an accessory unit for STR helps owners afford housing costs.

Landlord/Operator

- Some comments indicated STR offers less risk than a long-term rental and is therefore preferred.
- Suggest addressing the regulations for long term rental to provide landlords increased protection.

Condominiums

- Condominiums should be able to establish their own rules beyond the Zoning By-law to limit the ability of STRs operating.

COVID 19

- Safety concerns were raised regarding COVID-19 and potential risks with allowing people to share homes. There are challenges with ensuring the premises have been adequately cleaned and disinfected.
- STRs provide options for front-line workers who seek accommodations to self-isolate from family.

Parking

- Residents have noticed excessive numbers of vehicles associated with STRs which often take up on-street parking spaces and leave fewer spaces available to residents and their guests.
- Issues with vehicles associated with guests of STRs parking illegally.

Strangers

- The turnover of people in STRs results in strangers coming into the community.

The proposed Zoning By-law Amendment addresses the above comments in the following ways:

- STRs as a home-based business ensures they are secondary to the principal residential use; protecting residential units for their intended residential purpose.
- Allows the opportunity for residents to earn supplementary income to support housing affordability while limiting an operator to one STR (their principal residence) in an effort to reduce the impact on rising housing costs.
- Establishing a parking requirement specific to the number of bedrooms being offered in a STR ensures an appropriate number of spaces are provided on site to support the use and minimize impact to the surrounding neighbourhood.

Should the proposed Zoning By-law Amendment be approved, the next step of the process (establishing a licensing program) will further consider and address the following comments that have been provided:

Property Standards

- There were a number of concerns surrounding STRs operating where the properties were not well kept, including garbage left out for long periods of time, lawns not being maintained, and overall curb appeal being diminished.

Noise

- Residents have experienced loud music, offensive language, loud parties and activity at all hours of the day.

Licensing

- Many questions were asked about the potential future licensing requirements and what the application costs, fines, and additional requirements would be.

Enforcement

- A number of people commented regarding the correlation between STRs operating on weekends when City Hall is closed and Zoning By-law Enforcement is not active.
- Many people inquired to find out what fines and penalties exist.

Management

- A number of people commented that if STRs are managed correctly and provide their guests with clear expectations they can operate with no impact on the surrounding community.

Public Notice

In accordance with established procedures, notice for the public meeting has been circulated.

Second Planning Opinion Advisory

Should Council consider not supporting the Recommendation, Council is advised to defer its decision until such time as a second planning opinion from an outside consultant can be obtained. In the event the second planning opinion is supported by Council, and Council makes a decision based on that second planning opinion, and if and when the matter should be heard before the Local Planning Appeals Tribunal, then the planner who has provided the second opinion shall be retained for the purpose of a hearing.

Financial Implications

There are no financial implications associated with this report.

Environmental Sustainability Implications

There are no environmental sustainability implications associated with this report.

Conclusion

In summary, staff is recommending approval of the proposed Zoning By-law Amendment. The Amendment would establish short-term rentals as a home-based business, which would contribute to the retention and protection of residential units while also providing residents the opportunity to share their homes as a method of earning supplementary income to support housing affordability.

The subject Zoning By-law Amendment has regard for matters of provincial interest, is consistent with the Provincial Policy Statement, conforms to and does not conflict with the Growth Plan for the Greater Golden Horseshoe, and conforms to and does not conflict with both the Region of Niagara's Official Plan and the City of St. Catharines Official Plan.

Prepared by

Taya Devlin
Planner I

Submitted by

Judy Pihach, MCIP, RPP
Manager, Planning Services

Approved by

Tami Kitay, MPA, MCIP, RPP
Director, Planning and Building Services

Appendices

- Appendix 1 - Proposed By-law Amendment
- Appendix 2 - Zoning Map of Hotel/Motel Use
- Appendix 3 - Zoning Map of Bed and Breakfast Use
- Appendix 4 - Land Use Planning Framework
- Appendix 5 - Open House Summary Sheet
- Appendix 6 - Open House Comments
- Appendix 7 - Additional Comments Received

CITY OF ST. CATHARINES

BY-LAW NO. 2020- _____

A By-law to amend By-law No. 2013-283 entitled “City of St. Catharines Comprehensive Zoning By-law 2013-283, as amended”.

THE COUNCIL OF THE CORPORATION OF THE CITY OF ST. CATHARINES enacts as follows:

That By-law No.2013-283, as amended, is further amended as follows:

1. Section 2.2.4 Home Based Business is amended by deleting the Section and replacing it with new Section 2.2.4 Home Based Business, as follows:

‘2.2.4 Home Based Business

A home based business is permitted in any zone within a dwelling unit (including the use of an attached garage), accessory structures thereto, within a detached accessory dwelling unit, and within an interior accessory dwelling unit, subject to the following regulations:

- a) Uses that are not permitted:
 - a. Automotive related uses
 - b. Small engine repair
 - c. Kennel
 - d. Restaurant
 - e. Nightclub
 - f. Animal care establishment
- b) No machinery or processes which emit noise, vibration, glare, fumes, odour, dust, radio, television or telecommunication transmission interference beyond the premises are permitted in conjunction with a home based business;
- c) More than one home based business may exist within a dwelling unit (including attached garage) and accessory structures thereto and a

home based business may be segmented between the above, provided that the total cumulative size of the home based business or businesses does not exceed 25% of the gross floor area of the dwelling unit (excluding attached garage and accessory structures) to a maximum of 40 m².

In addition to the above, a home based business or businesses is permitted in an interior accessory dwelling unit provided that the business or businesses do not exceed 25% of the total gross floor area of the interior accessory dwelling unit;

- d) Outside activities are permitted but there shall be no outdoor storage associated with a home based business;
- e) The home based business shall be conducted by a person(s) residing in the dwelling unit and/or detached accessory dwelling unit, and may include one non-resident employee or volunteer or assistant at any one time for all of the home based businesses located in the dwelling unit (including attached garage) and/or accessory structures.

A home based business located in an interior accessory dwelling unit is not permitted to have a non-resident employee, volunteer or assistant other than a resident of the principal dwelling unit or a detached accessory dwelling unit thereto;

- f) The sale of goods that are incidental to a home based business shall be permitted;
- g) One sign for all home based businesses located on the premises is permitted in accordance with the City's Sign By-law No. 2012-154, as amended;
- h) The total cumulative number of on-site clients or attendees of lessons, classes, instruction, treatment or service provided by a home based business or businesses located in a principal dwelling unit and dwelling units and structures accessory thereto shall be limited to a maximum of 5 at any one time, and no more than a total of 20 over a consecutive 24 hour period; and
- i) The residential appearance and character of the premises shall be maintained.'

2. Section 2.2.4.1 Bed and Breakfast is amended by deleting the Section and replacing it with new Section 2.2.4.1 Bed and Breakfast, as follows:

‘2.2.4.1 Bed and Breakfast

A bed and breakfast is permitted within any dwelling unit, including an interior accessory dwelling unit or detached accessory dwelling unit subject to Section 2.2.4 and the following additional regulations:

- a) Despite Section 2.2.4 c), a maximum of 4 rental rooms are permitted; and
- b) The bed and breakfast shall provide meals to guests of the bed and breakfast only.’

3. Section 2.2.4.2 Home Daycare is amended by renumbering the Section 2.2.4.3 and introducing a new Section 2.2.4.2 Short-term Rental, as follows:

‘2.2.4.2 Short-term Rental

Despite Section 2.2.4 c), a short-term rental is permitted within any dwelling unit, including an interior accessory dwelling unit or detached accessory dwelling unit subject to Section 2.2.4 and the following additional regulations:

- a) The dwelling unit shall be the principal residence of the operator (landowner/tenant).

4. Section 3.12.1 Residential Uses is amended by deleting the existing Table and replacing it with a new Table which enacts the following:

- a. Includes Short-term Rental as a permitted use and indicates an associated parking requirement of 0.5 spaces per rental room.
- b. The new Table is as follows:

Permitted Uses	Min. Parking Spaces Per Dwelling Unit
Apartment Building	1.25
Apartment Dwelling Unit within a Mixed Use Building ^(b)	1
Accessory Dwelling Unit – Interior ^(a)	1
Accessory Dwelling Unit – Detached	1
Bed and Breakfast ^(d)	1 space per rental room

Dwelling, Detached	1
Dwelling, Duplex	1
Dwelling, Fourplex	1
Dwelling, Quadruplex	1
Dwelling, Semi-detached	1
Dwelling, Triplex	1
Long Term Care Facility	0.4 per dwelling unit and per care bed
Private Road Development	1.25 ^(a)
Townhouse	1
Short-term Rental ^(d)	0.5 space(s) per rental room ^(a)
Special Needs Housing	2 ^(a)

5. Section 3.12.3 is amended by introducing a new footnote (d) as follows:
- ‘d) Only parking spaces dedicated to the unit associated with the use may contribute towards the parking requirement.’
6. Section 12 DEFINITIONS is amended by adding a new definition for ‘Short-term Rental’, as follows:
- ‘Short-term Rental: A home-based business wherein a dwelling unit is rented for a period not exceeding 28 consecutive days.’
7. Section 12 DEFINITIONS is amended by adding a new definition for ‘Principal Residence’, as follows:
- ‘Principal Residence: A dwelling unit in which a person resides a majority of the year’
8. All other provisions of By-law No. 2013-283, as amended from time to time, not considered in this By-law shall continue to apply to the lands described on the Schedule attached hereto and forming part of this By-law.

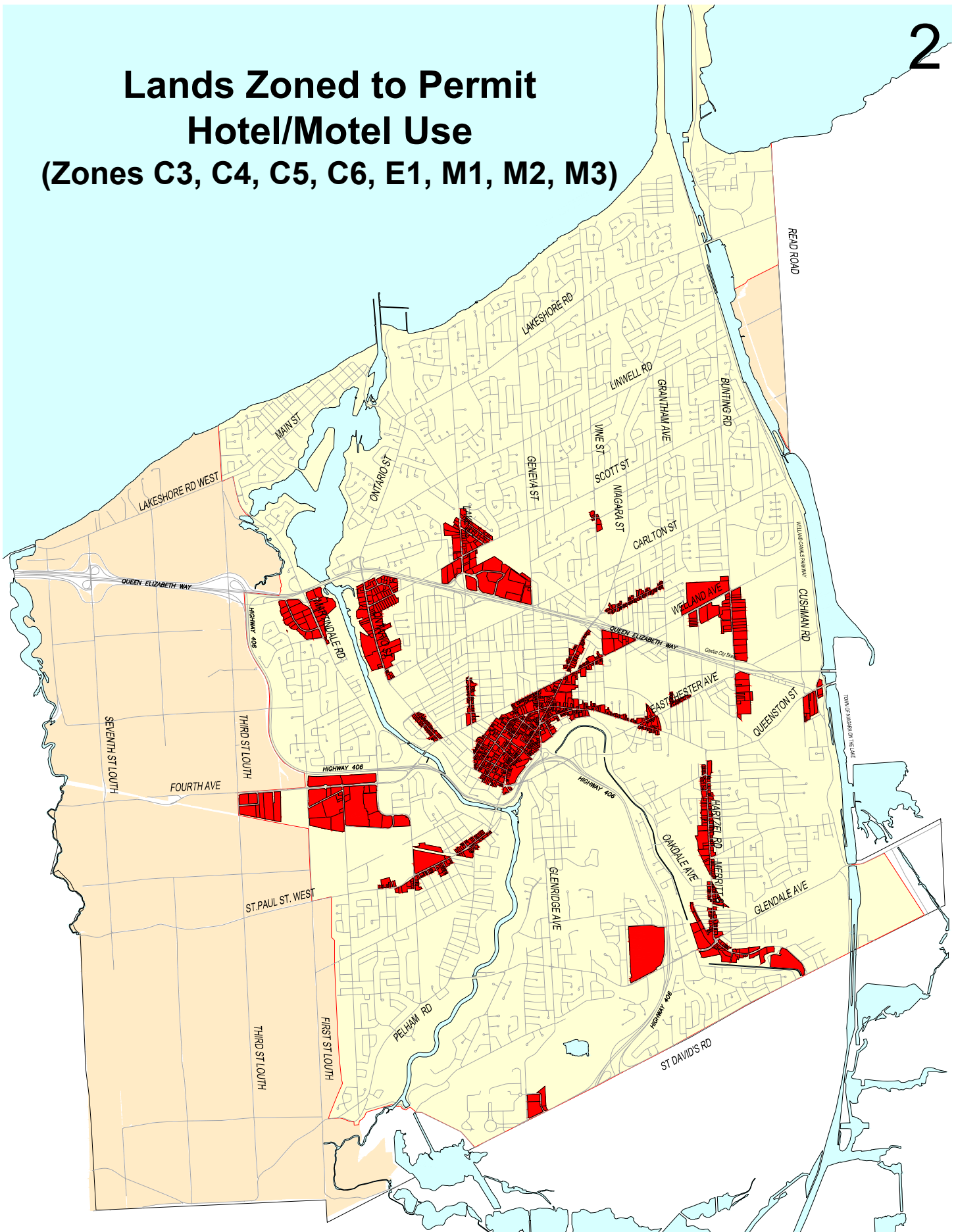
9. This By-law shall come into force and effect on the date of passing by Council, subject to the provisions of the Planning Act, R.S.O. 1990, c.P.13, as amended.

Read and passed this day of 2020.

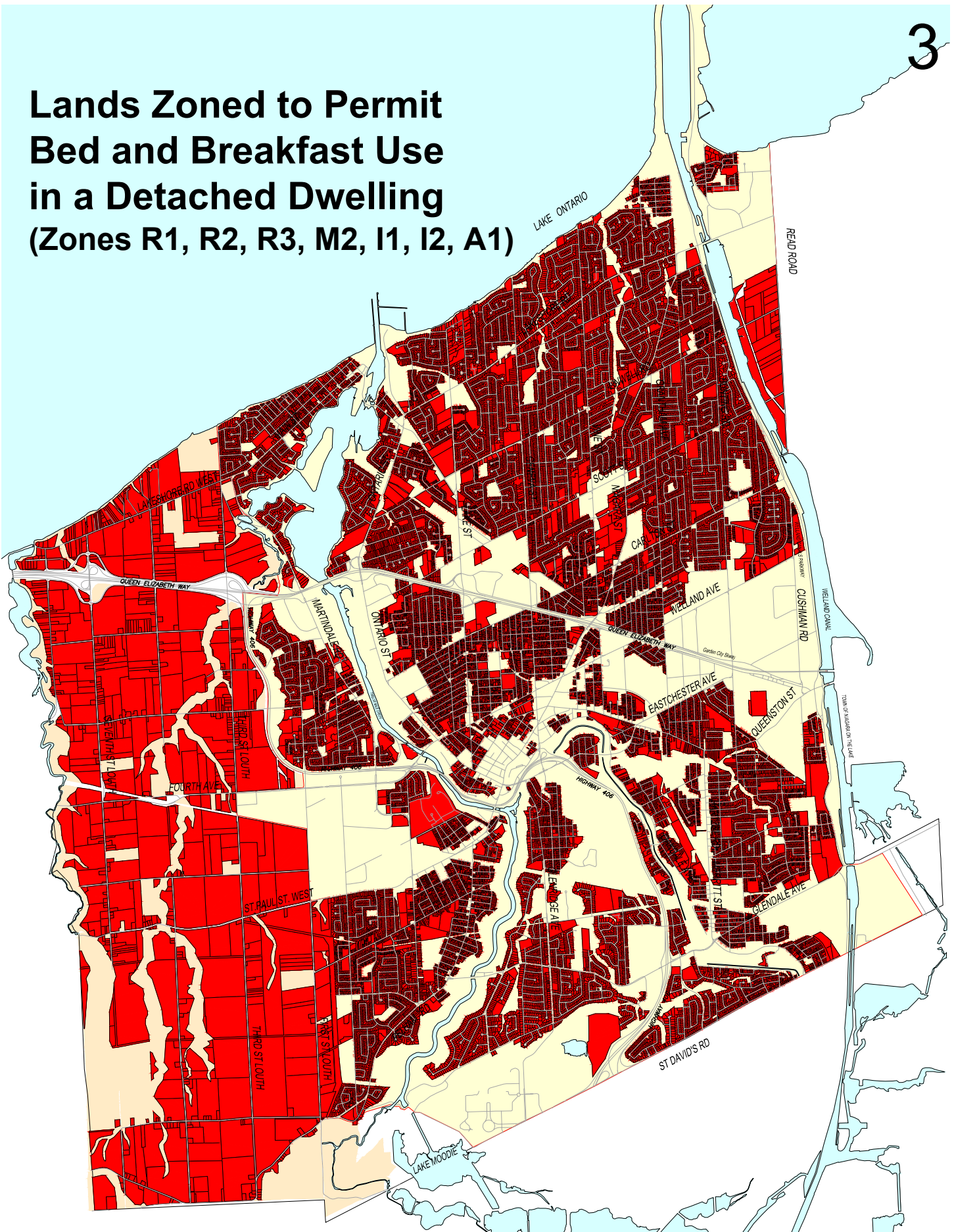
CLERK

MAYOR

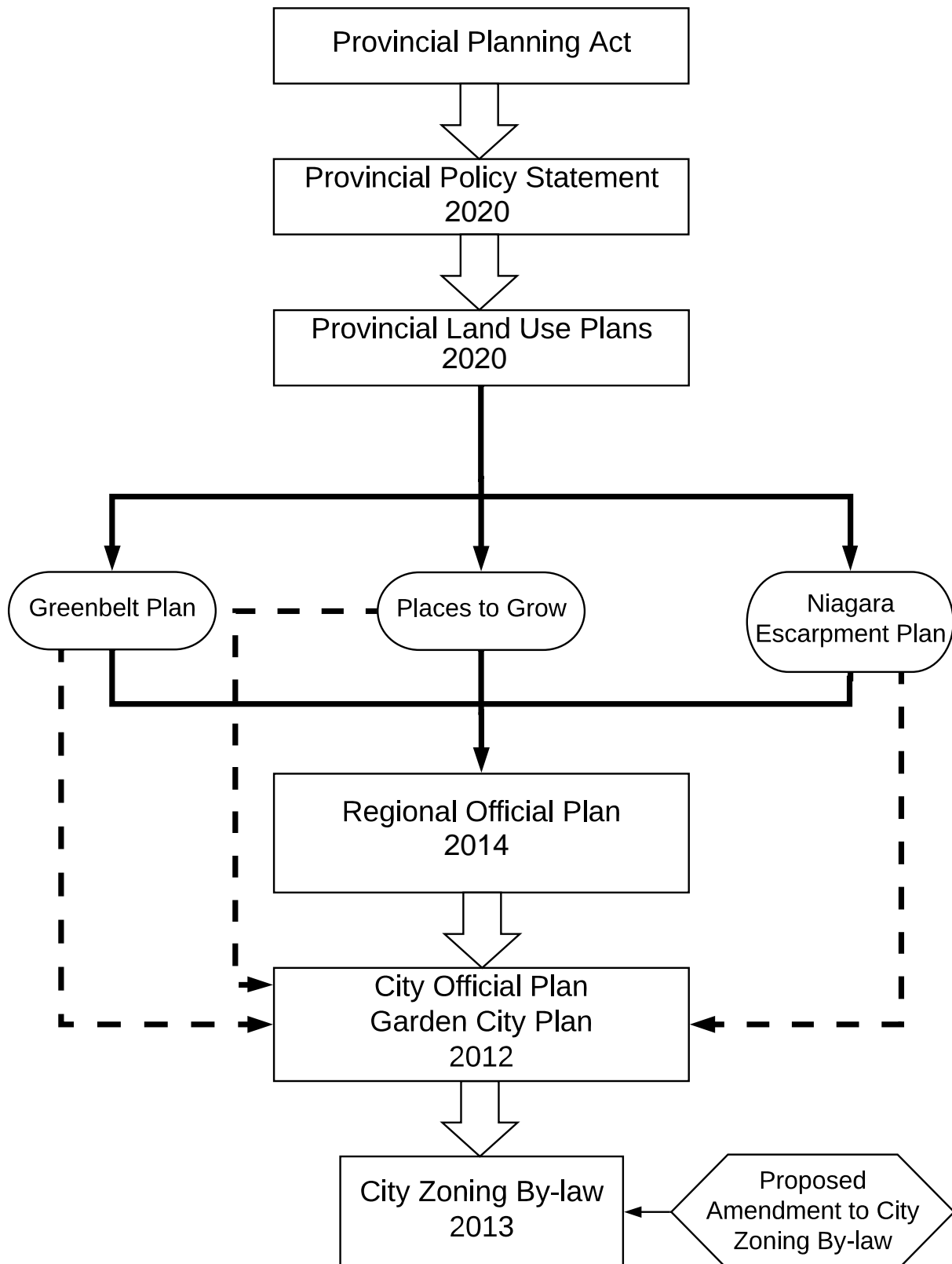
Lands Zoned to Permit Hotel/Motel Use (Zones C3, C4, C5, C6, E1, M1, M2, M3)



Lands Zoned to Permit Bed and Breakfast Use in a Detached Dwelling (Zones R1, R2, R3, M2, I1, I2, A1)



Ontario Land Use Planning Framework



Proposed Zoning By-law Amendment: Short-term Rental Accommodations

Following an initial [Report to Council](#) on February 24, 2020, Council directed Staff commence a Zoning By-law Amendment to address short-term rental use, including but not limited to, bed and breakfasts, short-term rental of rooms in a dwelling unit, and short-term rentals of entire dwelling units.

What are short-term rental accommodations?

Short-term accommodations are those rented for less than one month (fewer than 28 consecutive days). The City's Zoning By-law currently permits two forms of short-term accommodations:

1. Hotel/Motels
2. Bed and Breakfast

What are short-term rentals?

Short-term rentals are dwelling units that are rented for less than one month (fewer than 28 consecutive days) while the owner/occupant is not there. This is a type of short-term accommodation that is not currently permitted by the City's Zoning By-law.

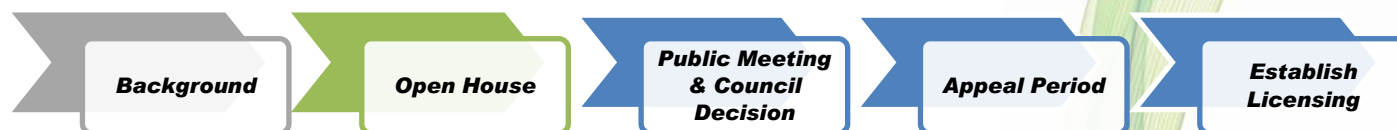
The Purpose

The Zoning By-law Amendment proposes to introduce short-term rental use as a new home-based business type. As a home-based business, the use is only permitted secondary to the principal residential use. This would provide residents the opportunity to rent out their entire dwelling unit when they are away short-term, but they may only offer the unit they reside in (considered their primary residence) for short-term rental. The amendment also proposes changes to the provisions for a home-based business and bed and breakfast to allow these uses in additional dwelling unit types.

Identified goals

- Protect housing supply
- Support opportunities for supplementary income
- Reasonable to enforce
- Protect residential neighbourhood character
- Support tourism and tourist spending in the City of St. Catharines

The Process



Proposed Amendments

Home Based Business

- Currently permitted within a **principal dwelling unit** (including the use of an attached garage), accessory structure thereto, and within an interior accessory dwelling unit.
 - Only detached, semi-detached and townhouse dwelling units are considered a **principal dwelling unit**.
- Proposed amendment to permit a home-based business within a **dwelling unit**
 - A **dwelling unit** includes a detached, duplex, fourplex, semi-detached, townhouse, quadruplex, triplex, apartment, and accessory dwelling unit.

Bed and Breakfast

- Currently permitted within a **detached dwelling** and/or detached accessory dwelling.
- Proposed amendment to permit a bed and breakfast within a **dwelling unit** (detached, duplex, fourplex, semi-detached, townhouse, quadruplex, triplex, apartment, detached accessory dwelling unit or interior accessory dwelling unit) and/or accessory structure.

Short-term Rental

- Proposed new use permitted as a home-based Business
- **Definition:** A home based business wherein a dwelling unit is rented for a period not exceeding 28 consecutive days.
- Requires 0.5 parking spaces per bedroom (spaces permitted in tandem)
- The dwelling unit must be the primary residence of the operator (owner/tenant). As a home-based business, the use shall be secondary to the principal residential use.

Hotel/Motel



Offers short-term accommodation as primary use

Bed and Breakfast



Offers rooms in a dwelling for short-term accommodation, with the resident present

Short-term Rental – Secondary Use



Offers a dwelling unit for short-term accommodation while the resident is away

How to get involved

Visit www.engagestc.ca/ShortTermRental for more information, to provide your comments or questions and subscribe to the page to be notified of project updates. You can also send your comments or questions by email to tdevlin@stcatharines.ca

Comments Received via Engage Open House

September 16 to October 16, 2020

ARCHIVED

1. I signed in to take the survey and it has concluded. I've been trying to access since Saturday when the notice was in the standard

Irene, 17 Sep 2020, 18:31

Hey Irene,

We apologize for the confusion. The survey is the one that first launched the initial rounds of public consultations late last year and has long since concluded. We are accepting any feedback you many wish via the questions and input tab where you left this question.

Feel free to circle back and leave any comments / questions you may have.

2. As a traveller ... I really think air bnb is crucial for every city ... as long as they are managed professionally it's a great way to get people to our area to spend money ... because many hotels don't allow pets ! You definitely have all my support !!!

Worldtraveler, 17 Sep 2020, 13:39

3. with all the stuff going on I think theses should be banned all together - people cant afford rent on min wage without 2 people right now to make a decent living you should be able to get a decent place to live short/long term -tiny homes/van living and or trailers for year round living should get more parking spaces made -cleaning services must be used before n after some people can be sick and not know it then boom your sick when doing so like a hotel dose

, 18 Sep 2020, 10:29

4. Lack of parking and strangers are a concern we have no idea who comes and goes in our community 😞

Pantherdew, 18 Sep 2020, 19:20

5. I live in Port Dalhousie in my own home. I also own the house right next to my property. The main part of this house is rented out to a friend of mine. The accessory dwelling of this house (lower basement level) I would like to rent out short term. I did this a few times (also listed it on AirBnB) and got a complaint via the City with an order to shut it down. There was never any noise or parking issue (confirmed by the complaint officer)...the complaint was random. I called Carlos Garcia asking if he can help...he did not know specifics of the by-law. It should be possible to rent out a part of a house (such as an accessory dwelling) short term while the primary resident of the house is on the premises and watch over the proper use of the short term tenant. This does absolutely not lead to any disturbance, does not endanger the character of the neighborhood, and brings tourists to Port Dalhousie (in fact we hosted people that would otherwise have stayed in Niagara on the Lake).

[REDACTED], 18 Sep 2020, 22:38

6. seems to me that student rentals are the cause of most problems and yet we are agree they are necessary and good as long as managed properly. I have stayed in Air BNBS in my travels and think they are a great alternative, especially for families.

Svince99, 19 Sep 2020, 11:20

7. Honestly, have yall lost your minds? Do you think St.catharines is different than any city in the World? Lol. We are already one of the worst regions for restricting business and developement. Now you want to attack another section? Last time I checked we lived in a Free Country. Let me know if that is still the case? Stop trying to control everything. Perhaps spend more time adresssing our homeless and drug problems in the city and less on homeowners and their choices.

St2ee, 19 Sep 2020, 12:36

8. I agree. End housing speculation. The owner must live on site or rent the house out for long term tenants.

kathie, 19 Sep 2020, 16:57

RestoreJunk

9. STRs bring tourism and money to St. Catharines- without them, who would visit? These homes bring in tourists from all over who spend money in St. Catharines restaurants, grocery stores, attractions etc. If STR's are official not allowed, not only will you lose all young entrepreneurs and investors in the area (we will move to a city that allows it), you will lose any/all tourism to Niagara Falls and NOTL.

ashleymarie16, 22 Sep 2020, 14:34

10. I have a short term retail two door s from me . I am tired of picking garbage from people who stay there and have no regards for the surrounding property owners. Here are few issues i have seen ,lawn not being cut for weeks, garbage sitting out front for days before scheduled pick up being turn open by animals including rats, large household items at the curb for weeks,parking on the wrong side of the road, parties with 10 plus cars and who knows how many people, being awoken in early morning hours by loud guest . Hotels have rules and people in place to enforce them . I have lived in my house for almost thirty years and take pride in maintaining it as do the other neighbors .

m white, 23 Sep 2020, 11:54

11. I live in a new subdivision where there are already a couple of residences operating illegally as Air BnB's. My comments with regard to the proposed amendments are: (1) I forsee this amendment as a loop-hole for property owners to continue to operate AirBnB's on a permanent basis. This is due to the fact that there is no minimum time period required by the bylaw where the principle owner must live in the house. Does living one day in the property within a 28 day period satisfy the city's requirement or even one hour! What is the primary resident doing if they rent out the whole residence for 28 days each month while it is their primary residence? I can see abuses occuring due to this change. Our experience with the Airbnb's in our neighbourhood has not been good. Excessive number of autos parked on the street. Noisy parties lasting past midnight. They disrupt the quiet, safe environment in our neighbourhood. I don't believe the changes proposed would help maintain property values. I believe the bylaw should be left as is with regards to Short Term Rentals in St. Catharines neighbourhoods. Allowing B & Bs with the current requirements but expanding to include all dwelling types is acceptable.

Frank Berardi, 23 Sep 2020, 15:38

12. I completely support All the amendments being proposed by the city of St. Catharines on STR . In my opinion STR's are basically bed & breakfasts with the owners living there.

Oasis in our garden city, 24 Sep 2020, 12:56

13. Short term rentals such as air bnb are flooding residential neighbourhood leading to overcrowded street parking, diminished curb appeal due to owners solely using the property as a business, and continuing to inflate the overpriced property values in Niagara because these air bnb's are more lucrative investments than traditional long term rentals. There are multiple on my street (brand new development) where people come in at all hours of the night and are having parties until 4-5am. The safety of my neighbourhood and my family are very important to me and I don't feel safe when I see new groups of random individuals showing up every other day to party.. One particular property was given a cease and desist order so they took a week long break from renting the property, and then it went right back up online and they have people renting there again. It is a growing trend amongst investors to purchase these properties solely as airbnb and never live in them. I can understand the value in doing this for a condo, but when it becomes lucrative enough that individuals can build 2000+ sq ft homes and still profit, then this trend will continue to live on and tarnish the reputation of neighbourhoods. As a concerned citizen, and a Niagara resident, I look to the city to put a stop to the ability of renting your property to strangers for anything less than 3 months at a time.

Denis, 25 Sep 2020, 9:51

14. I rent out our live aboard boat in a private owned marina when we are not using it..

Robyn, 25 Sep 2020, 11:04

15. Im against short term rentals period.

Lucylu, 25 Sep 2020, 12:01

16. For duellings that house students from Sept to May, it's hard to find renters for only a few months. Airbnb gives us the ability to keep renting to students. If that goes away, we would either have to charge students more or not be able to afford the house any longer.

Tobsq, 25 Sep 2020, 14:15

17. I support Airbnb because they have a positive economic impact on the entire city. Many homeowners who rent to long term tenants can experience bad tenants who disrupt neighbours daily and sometimes don't pay their rent. With Airbnb guests get extensively screened for quality if they are a bad apple they are gone after a couple of days, Airbnb ensures that the rent is paid. There are not many good places for families to stay when visiting the area so this brings in even more tourism to St Catharines and local businesses.

Kevin M, 29 Sep 2020, 19:34

18. I am in favour for STR's for St. Catharines. I see and hear how successful STR's rentals are in NOTL! This is a win win for both The city of St. Catharines and it's citizens. STR's provided extra, continuous income and exposure to the city. One of the main industries for the city is tourism. STR's allows families and groups of friends to not only rent a STR but STR's encourage and promote local business. STR's provide their guests with great detailed information about local restaurants, pubs, shops, grocery stores, etc. STR's with organizations such as Air BNB have strict guidelines for hosts and renters that they must follow. A good host will only allow guests with good reviews rent their homes. If a host does not apply Air BNB rules, they will not be allowed to advertise their property on their site. This for them will be a loss of extra income. The City should put in to place licensing for STR's, so that all STR's have guidelines to abide by. Things like noise restriction by a certain hour, security camera's outside the property to monitor the # of people staying at the home and the # of people allow to stay in a home, are a few suggestions. STR's increase property value to homes in their area. Often these are homes that are not maintained or run down by previous owners, devaluing properties. People who are interested in creating their home into a STR, will purchase (stimulate market), renovate (stimulate jobs)(spend \$\$\$ here for supplies and decor) , increase their property value along within the area. Along with all said, it is bringing in young intelligent, business, entrepreneurs to stimulate the cities

economy. The City of St. Catharines is a beautiful city, with much untouched opportunities here waiting to be discovered and developed. I am born and raised and still live in St. Catharines, I do not own a STR, but I see the vast great opportunities it provides the City. STR's should not be limited to home's people live in. Allow only citizens of St. Catharines, who already have a home here to develop a STR on another site. There are so many areas of the city that are run down and need a make over. We have plenty of malls/plaza's, grocery stores and restaurants. Bring the people in to help support all these business. As STR's bring in more \$\$\$, the city needs to become creative with development here, example, Port Dalhousie, so much potential, but most buildings are boarded up. Developers will not come here if they don't see the need or opportunities here. One feeds off the other, start the ball rolling, and it will lead to bigger and better things!! Look at NOTL, piece by piece NOTL was built up into a beautiful town that provides stimulated income to the town and its locals.

Sunshine, 1 Oct 2020, 7:50

19. We are right in the center of the wineries region, close to Niagara Falls. Having short term rentals, even if it is registered BandBs not only helps out your citizens but bring money and tourists in to St. Catharines. They walk downtown to eat, do their grocery shopping, go for coffee. It is a good thing for the owners as well as the city. A BnB is alot of work, I don't feel that everyone would be up to this task and it would not affect very many monthly rentals. The laundry, cleaning, purchasing supplies is constant. It is a full time job on its own. This city is an expensive city to live in. The property taxes are very high for the cities size as well as the water and sewer costs yet the pay here for various positions is below the national average. Please think of those citizens like myself struggling to make a go in St. Catharines.

Leslie V, 1 Oct 2020, 9:42

20. I had nothing against AirBnB/Bnb's until this passed Summer. Having 1 next to me another behind my property on [REDACTED] and one at the end of the street. I had to put up with collecting trash, beer caps thrown into the Yard which was nothing to the loud partying and cursing that went on every weekend. With the constant abuse received from out of Town Beach goers it was impossible to stay out doors to enjoy the weather while recovering from prostate cancer

surgery from January. Having had conversations with New members to our community being told how much they regret buying here and long term residence such as myself thinking of selling. I find it apauling that I have to leave my waterfront view and go to the Escarpment to relaxe and heal.

Denis , 5 Oct 2020, 10:16

21. Feedback:Under "What's Changing?" The first bullet point reads: Defining STRs as home based businesses wherein a dwelling unit is rented for a period not exceeding 28 consecutive days. Suggest: Defining STRs as home based businesses wherein a dwelling unit is rented for a period not exceeding 28 consecutive days for a maximum of 56 days per calendar year. Explanation: by adding a mximum number of days per calendar year the city will prevent homeowners from renting for 28 days then pause for 1 or 2 days and then start renting again for another 28 days, pausing for 1 or 2 days and repeat that cycle. If I was the homeowner living next to such a rental I would not feel comfortable with the constant turn around of different people. Also these are the types of properties which to become unkept over time.

Helen Verkuyl, 5 Oct 2020, 19:13

22. NO to Bylaw Amendment 20 115746 ZA The quality of life will diminish greatly.

Walter on Scott, 12 Oct 2020, 14:34

23. There are 5 AirBnb on [REDACTED], they are [REDACTED] as well as one on [REDACTED] and one new construction on [REDACTED] right on the lake. Including the new construction one person owns [REDACTED]. This is not his main residence as there are no cars during the week but weekends the driveways are packed. There is an abundant of noise and loud music after bylaw allows. There is over parking on the streets that we have to call by law. This has to stop we would like our community back.

Mitch, 13 Oct 2020, 10:41

24. I agree with Niagarapear completely! In the area of Port Wheeler East ([REDACTED] to be more specific) how did that monstrosity get building approval and it's being build as an Airbnb. Currently, there are 6 on the street and 5 around the corner and more in the area. The individual now owns 2 of these (3rd recently sold) Airbnb's and is building his new monstrosity and he DOES NOT live anywhere on the street or area, as he's a realtor making his money (also did the city approve of the new pool he installed and break wall issue). Many complaints about noise, parking and due to Covid-19 the occupancy is above the allowed person maximum. He's making \$4000-\$5500 every four days on these properties and they've been booked since March – how much tax is he paying on this? What's the city getting? So most of these homes are not the primary residences of the owners, there's no 'hotel/motel' taxes being paid, the streets are packed and over crowded with renters parking in all directions and we the residences pay high property taxes to the city and have to fight for quietness and parking for our guests. These Airbnb's devalue our property. Not to mention the renters that make it a 'party' weekend full of noise, drinking and disturbance! The City of St. Catharines should tax the Airbnb's like a hotel plus, as they are taking away from hotels, motels and Bed & Breakfast! Some cities around the world have implemented this and a lot of the Airbnb's stopped. There are so many issues and multiple calls to the city you get shoved aside with not regard. How about putting these Airbnb's on the streets of the Mayor (I believe him and his girlfriend recently stopped renting and bought a house) and council members to see how they enjoy them! The laws have to be strict, enforce and very high fines to those that break them!

Van, 13 Oct 2020, 14:09

25. Homes used for the sole purpose of being STR should remain an option. If housing is non sufficient in the area , this becomes a local government issue and the burden to provide long term housing shouldn't rest on the people who are trying to make a living and potentially live in the area while offsetting the high cost of housing prices by renting their homes on an ongoing basis.

David123, 13 Oct 2020, 22:28

26. I believe short-term rentals are essential to our city's businesses! I would hope that the city considers that there are many STRs that the

neighbors have not only come to love, but actually use to have their friends and families close by when visiting. These STRs are run by a neighbor, in the neighborhood and are invested in it and it's people! If anyone on council has ever stayed at a STR, and loved the community experience, my hope is that we all use a little common sense and realize that this important decision is far reaching and that the problem does not lie in the STR but in a ghost hotelier that does not live in the neighborhood. Many guests, myself included do not want to stay in a B&B. I hope our city is a beacon and an example for coming up with a viable solution to not drastically limit an STR to a B&B or accept a situation, such as a snowbird renting their home while away. How will this protect the neighborhood if the owner is far away? It will be a shame if families from all over, near or far, are unable to enjoy our beautiful city, tucked into a neighborhood, shopping at our stores, eating at our restaurants all because of a few STRs with no regard for the neighborhood, because they are not a part of it! Solution: I believe the problem with parties would simply be to mandate that the owner either: lives at the property, is adjacent to the property or is within no more than a few blocks from the property with proof of full time residency or they will be heavily, heavily fined. This way they are invested in the neighborhood and the well being of their neighbors. I also believe that they should be limited to one home, other than their principle residence. (Unless a different property is in the proper zoning, which includes hotels and other businesses.) The problem lies in owners of STRs who often (but not always) own multiple properties and therefor are essentially Ghost hoteliers taking over neighborhoods with little regard for the people because they don't live there. Simply put, if you own more than one STR other than your personal residence, which must be in your neighborhood, you are very heavily, heavily fined! When we moved to Ontario, St. Catharine's charm drew us to this city! Not only the location, close to airports, Toronto, Niagara not he Lake, hiking and more, but the European feel of the community. The home based businesses (In my neighborhood alone, we know who the roofer/contractor is, the mechanic (actually two), the cake maker, the coffee roaster, the salons and more.) It is a beautiful thing to see that the neighbors, living in the neighborhood invest in the people of the neighborhood, can make extra income, and in some cases their entire income, working from home. It connects us as neighbors, again...very European. The difference between staying in a hotel vs. a local STR when I first came to St. Catharines, looking to purchase a home was astounding. The hosts at the STR introduced my husband and I to the

community. We ate at restaurants, shopped in local stores and enjoyed activities in St. Catharines! Contrary our experience at the local hotel where we were advised to shop in Niagara on the Lake, eat in Niagara Falls and in Niagara on the Lake.

Sandra Lee, 16 Oct 2020, 9:33

27. Input 1- I'm in favour of short term rentals with responsible owners who live in the community where they are renting. I want the party houses gone that keep neighbours up and clog the streets with cars. Let's get rid of them. They give a bad name to the otherwise amazing industry providing great advantages to owners, our city and to visitors from around the world. Other communities apply a point system to a property for infractions, so they are fined and you remove their license for the rest of the year once they reach the limit. Why not implement a point system? 2- I would like to see the bylaw allow an owner within a residential community operate one additional rental property in that same community (without being a resident of that property). We are next to one of the wonders of the world, in an amazing area. Everybody's coworkers, friends, extended family, and acquaintances all want to come visit. Some want the hotel experience, but many do not. Do not squeeze out our city's short term rental options due to overly strict policies. The goal should be to eliminate the problem owners and the remote owners. Let responsible local owners earn some income when it's not at anyone else's expense. In fact, most short term rental owners welcome long term rentals (more than 28 days) for most of the year, so they are not taking away the amount of long term rental stock that others are claiming. 3- I would like to see an amendment to the proposed bylaw on short term rentals to allow short term rentals on an adjacent property to where the owner resides. If a person owns two properties side by side and would like to see short term rentals in the adjacent property, this should be accepted. Problems occur when owners are not in close proximity to their rental locations. We currently have a long term rental in an adjacent house and would like the option of having short terms fill in some of the gaps. This is not a detriment to the community. It's using an empty house to its best use. There could be a limitation of 60 days maximum on the short term rental usage. 4- Keep licensing fees low. We don't want to discourage responsible short term rentals. This should not be the city's way to earn income. We need to rebuild and support the decimated tourist industry after covid. Visitors are essential for this industry. Short term rental visitors spend far more

money on local businesses during their stay than even residents. Healthier businesses mean a healthier local economy.

ron, 16 Oct 2020, 9:49

28. there is a STR two doors down from me , advertised on Airbnb . i have called with rearguards to the garbage being out for days . Once again the garbage was put out on Friday with pickup not till Monday . No one to call on the weekend . Once again garbage torn open by rodents , blowing around the neighborhood for someone too pickup . Hotels have proper waste systems which include recycling ,(in the two years i have never seen any recycling from this address). Hotels employ people that live in our committees .

m white, 16 Oct 2020, 9:53

PUBLICLY ANSWERED

1. How is this to be monitored and if a STR is primarily occupied by a tenant - how does that change the free for all that's happening now? Someone can "tenant" part of the building and still use the rest as a STR. I propose that STR ONLY be allowed when it is a primary residence. ...as that was the whole point of the sharing economy.

AJH, 4 Oct 2020, 13:00

Hi AJH,

The Zoning By-law Amendment proposes to permit short-term rental use as a home based business, provided the unit being offered for STR is the operator/hosts primary residence. This allows every resident in the opportunity to offer their unit for STR regardless of if they own or rent their unit. To operate a STR, the operator/host must demonstrate that the unit they offer for STR is their primary residence.

2. Why are you even considering making short term rentals illegal?

Sheila, 3 Oct 2020, 16:36

Hi Sheila,

Short-term rentals, where the resident is not present on site, are not currently permitted in residential zones. The Zoning By-law Amendment proposes to allow short-term rental use as a home based business, when certain conditions have been met (i.e. must be the residents' primary residence, comply with parking requirements etc.).

3. Hi, I have a Bed and Breakfast, I do live onsite. It is a rural property, zoned Ag. Will these changes affect my business?

CherylB, 8 Oct 2020, 11:53
Hi CherylB,

Bed and Breakfasts are currently permitted to operate from any detached dwelling, including within the Agriculture Zone (subject to various zoning provisions, such as parking requirements) and will continue to be permitted as a home based business. The only change to bed and breakfasts being proposed by the Zoning By-law Amendment is to allow bed and breakfasts to operate from additional dwelling types (e.g. semi-detached, townhouses, triplex etc.).

4. I live in the Cole Farm subdivision and the house across the street from me is being rented out - the main floor has a permanent tenant and the basement is being rented out as a short term rental. The owner of the property does not live in the home. What would this type of rental be designated as? Is this type of rental currently breaking our city bylaw? We have not had any problems, as of yet, but the neighbours are concerned with the increased amount of traffic and street parking.

Peter Dirks, 30 Sep 2020, 16:22
Hi Peter,

In this situation, it depends if the basement is its own unit or if there are just rooms in the basement that are being rented to guests.

If the basement is an independent unit: renting the unit out as a short-term rental is not permitted by the City's current by-law.

If the house is one unit, and rooms in the basement are offered for short-term rental: this is permitted by the City's current by-law as a bed and breakfast, provided the resident is present (the resident can be a tenant and is not required to be the property owner).

5. How would you stop people from making a lot of noise either running machines for their business or bringing in other loud things like musical instruments, animals, loud people, etc.? This may especially affect people in structures that are not fully detached.

Karen K., 5 Oct 2020, 5:38
Hi Karen K,

With regards to noise and home based businesses, the City's Zoning By-law currently prescribes that no machinery or processes which emit noise, vibration, glare, fumes, odour, dust, radio, television or telecommunication transmission interference beyond the premises are permitted in conjunction with a home based business (Section 2.2.4 b) of Zoning By-law 2013-283).

The City has additional existing by-laws in place to address issues such as noise, parking and property standards, which continue to apply. Excessive noise/partying often requires an immediate response. For such complaints residents should contact the Niagara Regional Police Service (905.688.4111) who can immediately address the issue.

6. What type of amount would we be talking about for licensing these short term rentals.

Beth, 8 Oct 2020, 11:03
Hi Beth,

Staff are currently considering options for licensing and registration programs. We intend to develop a few options, including various fee structures, and bring them forward in the near future for Council and the public to consider.

7. What is the value of a licensing fee and will the fee structure be a flat fee or a sliding scale?

Port Weller Resident, 5 Oct 2020, 11:46
Hi Port Weller Resident,

Staff are currently considering options for licensing and registration programs. We intend to develop a few options, including various fee structures, and bring them forward in the near future for Council and the public to consider.

8. Can you please confirm that a license with rules and regulations will be required to operate both a short term rental home based business, owner present (B&B) and short term rental no owner present ('airbnb'). How are you planning to enforce the proposed bylaw?

Keldo, 1 Oct 2020, 19:35
Hi Keldo,

Staff are currently considering options for licensing and registration programs. We intend to develop a few options and bring them forward in the near future for Council and the public to consider.

The Zoning By-law Amendment proposes changes to the City's existing Zoning By-law. At this time, there are no proposed changes to the way the Zoning By-law is enforced.

As with all zoning concerns, residents who believe a STR is operating in their neighbourhood in contravention of the City's Zoning By-laws can report the property to the City. Staff will follow up with an investigation into every allegation, and, depending on its findings, owners can be prosecuted, and possibly penalized with a fine set by a judge of up to \$5,000. Individuals can report STRs for by-law noncompliance via our [Zone Land Use Infraction Form](#). Reports can also be filed with the City by calling Citizen's First at 905.688.5600.

9. How will the new ammendments be inforced as present Bylaw officers do not work weekends (which is when most Short Tem rentals are for), and as long as the people in the home to do not say they are renting nothing can be done. I see that a 0.5 parking per bedroom but what constutes a bedroom, our neighbour does not reside in this home (a bungalow) that he advertises 16 people can stay.

PJW, 24 Sep 2020, 13:25
Hello PJW,

Thank you for your questions.

At this time, no changes are proposed to the way the City's Zoning By-law is enforced (i.e. staff working hours). Residents who believe a STR is operating in their neighbourhood in contravention of the City's Zoning By-laws can report the property to the City. Staff will follow up with an investigation into every allegation, and, depending on its findings, owners can be prosecuted, and possibly penalized with a fine set by a judge of up to \$5,000. Individuals can report STRs for by-law noncompliance via our [Zone Land Use Infraction Form](#). Reports can also be filed with the City by calling Citizen's First at 905.688.5600.

In addition to the proposed Zoning By-law Amendment, staff are also considering options for a licensing program to address STR use, including approvals and enforcement. Additional methods of enforcement may be established through the future Licensing By-law. Staff intend to bring forward various licensing options for further review and discussion in the near future.

With regards to your question about bedrooms and the number of guests, we could certainly look at tying the number of bedrooms and associated parking spaces to a maximum number of guests permitted.

10. What fines will be applied to owners that do not live in the dwelling and continue to operate as a Short Term Rental. The properties in our area are rented for such high fees that a fine of \$5,000 once a year would be considered the cost of doing business. I would also like to know how a 6 bedroom, 6 bathroom oversize house gets a building permit approved in Port Wellar East as this new dwelling does not conform in size to anything in the neighbourhood

as as the same owners already own 3 other successful Short Term Rentals it is obvious this is their proposed use. If there are not significant fines and applied by the city these uses will continue.

Niagarapear, 23 Sep 2020, 15:23

Hi Niagarapear,

Residents who believe a STR is operating in their neighbourhood in contravention of the City's Zoning By-laws can report the property to the City. Staff will follow up with an investigation into every allegation, and, depending on its findings, owners can be prosecuted, and possibly penalized with a fine set by a judge of up to \$5,000. Individuals can report STRs for by-law noncompliance via our [Zone Land Use Infraction Form](#). Reports can also be filed with the City by calling Citizen's First at 905.688.5600.

In addition to the proposed Zoning By-law Amendment, staff are also considering options for a licensing program to address STR use. Additional penalties, including possible fines, may be established through the future Licensing By-law. Staff intend to bring forward various licensing options for further review and discussion in the near future.

Building permits can only be issued when a proposed structure complies with the City's Zoning By-law. A detached dwelling is not limited to a maximum number of bedrooms or bathrooms and staff cannot withhold a building permit based on a suspicion of how a building may or may not be used. If, once constructed, there is evidence that a dwelling is being used in contravention of the City's Zoning By-law, then a report can be made to City staff for further investigation.

11. This year my wife and I decided to supplement our income by doing a STR out of our principle residence. This has been beneficial to us financially. I am in favour of the amendments, Our concern is that the licensing part is not overbearing to the point where it is not worth it and that it would be simple to apply for. Is there a draft being proposed and if so could we get a hold of it to review ?

Carol Moes, 24 Sep 2020, 20:46

Hi Carol Moes,

Staff are currently considering options for licensing and registration programs however we do not have any draft prepared at this time. We intend to develop a few options and bring them forward in the near future for Council and the public to consider.

12. How do I register for the open house?

Tobsq, 24 Sep 2020, 11:22

Hi Tobsq,

The City is hosting the Open House digitally, so there is no meeting you need to register for. If you are looking to provide comments or questions for the open house, you can submit them by email to shorttermrental@stcatharines.ca or on the engage page the same way you submitted this question. You have the option to register/subscribe to the EngageStC.ca platform to receive notifications and updates on various projects in the City.

Staff will be presenting a report to Council on November 16th and there will be a Public Meeting prior to Council making a decision. You will be able to provide your written comments or register to speak at that meeting prior to Council making their decision.

We will be issuing Public Notice in advance of the Public Meeting, and this will include more detailed information on how to register to speak at the Public Meeting.

If you'd like, please email me at shorttermrental@stcatharines.ca and I can add you to our notification list to ensure you receive the Public Notice directly.

13. Is there any way to stop the proposed by-law amendments which allow for STR in a residential neighbourhood?

Misanthropist, 24 Sep 2020, 10:43
Hi Misanthropist,

Staff will be presenting a report to Council on November 16th and there will be a Public Meeting prior to Council making a decision. You will be able to provide your written comments or register to speak at that meeting prior to Council making their decision. Once a decision has been made, there is the option to appeal Council's decision to the Local Planning Appeal Tribunal.

We will be issuing Public Notice in advance of the Public Meeting, and this will include more detailed information on how to register to speak at the Public Meeting and how to file an appeal (after a decision has been made).

If you'd like, please email me at shorttermrental@stcatharines.ca and I can add you to our notification list to ensure you receive the Public Notice directly.

14. How will you address parking on streets where there is already limited parking? We live on a small court with only 5 street parking spots. Our neighbour operates an Airbnb and rents out 4 rooms in her house. She personally has 3 vehicles. Her 3 vehicles are parked in her driveway and her guests occupy 1-4 of the 5 spots from May until September every year. This is our 5th year dealing with this. If Airbnb's are made legal this will only get worse. For the other 5 houses on our circle it is a massive nuisance. Are we expected to have to call bylaw every night that she has a guest? Last year she

was booked 300 days of the year. This year even with CoVid she has been booked 7 nights a week since June.

Robinwhyte, 21 Sep 2020, 22:12
Hello Robinwhyte,

The by-law amendment proposes to require STR operators to provide at least 0.5 parking spaces per bedroom within the limit of their property. Where on-street parking is permitted, anyone is able to utilize on-street parking, provided they abide by the requirements set out in the City's parking by-law. The City does not have the capability to enforce who uses on-street parking spaces, provided all requirements of the parking by-law are followed.

If people are parking in contravention of the City's Parking By-law, these problems can be addressed by City parking enforcement officers.

To report parking infractions, call 905.688.5600 during the times of:

- Monday to Friday - 8:30 a.m. to 7:30 p.m.
- Saturday - 9 a.m. to 5 p.m.
- Sunday - 10:30 a.m. to 6:30 p.m.

For more information on parking by-laws visit our [Parking Enforcement Page](#).

15. Thank you for tackling this topic. It sounds to me like council is on the right track, wanting to license and properly and fairly tax str places. Not quite the same topic, but sort of related, as it effects the rental supply, is council also taking a look at houses that sit vacant for extended periods of time?

Lynda Rance Kroeker, 21 Sep 2020, 16:29
Hi Lynda,

Yes, Council has endorsed the concept of a vacant home tax and vacant residential land tax and has requested that Niagara Region look into it further (Item 11.1 of the [August 12, 2019 meeting of Council](#)).

16. Will unruly parties and large gatherings be broken up by the police?

Rich M, 21 Sep 2020, 7:19
Hello Rich,

Yes, excessive noise / partying often requires an immediate response. For such complaints residents should contact the Niagara Regional Police Service (905.688.4111) who can immediately address the issue.

17. If STR owners are found to be not in compliance, what kind of penalty will be imposed? Will there be a large enough fine that is enforceable such that owners will be encouraged to comply.

Rich M, 21 Sep 2020, 7:17
Hello Rich,

Thank you for your question.

Residents who believe a STR is operating in their neighbourhood in contravention of the City's Zoning By-laws can report the property to the City. Staff will follow up with an investigation into every allegation, and, depending on its findings, owners can be prosecuted, and possibly penalized with a fine set by a judge of up to \$5,000. Individuals can report STRs for by-law noncompliance via our [Zone Land Use Infraction Form](#). Reports can also be filed with the City by calling Citizen's First at 905.688.5600.

In addition to the proposed Zoning By-law Amendment, staff are also considering options for a licensing program to address STR use. Additional penalties, including possible fines, may be established through the future Licensing By-law. Staff intend to bring forward various licensing options for further review and discussion in the near future.

18. Are potentiel homebuyers notified of STRs before buying a house?. My daughter is looking for a house and is working full time, she won't be able to sleep if next door STRs renters are partying till 2:00 in the morning and seeing new STRs renters from week to week in the summer. A sign should be displayed outside of the STRs houses to show that they are STRs.

Anabella, 20 Sep 2020, 22:11
Hello Anabella,

The Zoning By-law Amendment proposes to permit STRs as a home based business and the City does not currently require that notification be provided publicly regarding the operation of a home based business. With STRs specifically, there are often safety concerns around identifying the home as a STR as this could lead to those homes being monitored and targeted for theft during the turnover time between a guest and the resident. The City is considering various options surrounding licensing STRs. The licensing requirements, including what information would be made available to the public, have not been determined at this stage. Further information regarding this aspect will be brought forward for consideration and discussion in the near future.

It's also important to note that if STRs are permitted, anyone would be able to apply at anytime to operate a STR, and if they meet the requirements they would be permitted to do so without providing notification to the public.

Regardless of a property being used as a STR, the City's noise by-law would still apply. For any excessive noise/partying, which often requires an immediate response, residents can

contact Niagara Regional Police Service (905.688.4111) who can immediately address the issue.

19. Currently in St. Catharines we have a NRP officer attempting to illegally evict tenants to allow the building to be transitioned into an Air B&B. Will there be changes to ensure, with our housing crisis, that this doesn't promote changing needed current housing into an Air B&B?

Shawn White, 20 Sep 2020, 8:34
Hi Shawn,

The Zoning By-law Amendment proposes to only allow short-term rental in a person's principal residence, meaning they live there a majority of the time and are only renting it out while they are temporarily away. The intent is to ensure dwelling units are used first and foremost for housing and not permitted to be used solely for short-term rental.

20. I am purchasing a home on Parkside rd and I will be living in the property for 6 months a year so I would like to rent the house in Airbnb for the period I would be away. Is this location allowed for short term rental? Thanks

Simone , 19 Sep 2020, 23:26
Hello Simone,

It appears that properties on Parkside Drive, St. Catharines are zoned Residential (R2 and R2 with Special Provisions). These properties are not currently permitted to be used as short-term rental.

If the proposed Zoning By-law Amendment is approved, then offering the property for short-term rental may be possible, if the property is your principal residence. It's also important to note that the City is working to establish additional Licensing that would need to be obtained before a person could operate a short-term rental. In addition to meeting the zoning requirements (should they be approved), you would also need to comply with any licensing requirements that are established.

21. The regulations being suggested are a good thing; however, they cannot and should not be applicable in condominium high rises or townhomes etc. Owners of units being rented in condo situations, must be made to understand that restrictions must be different. In an effort not to see my property devalued, I would not want to see any short-term rental activity at all and trust that the condominium's own

rules and regulations would offer all the necessary protection and not be diminished by any city regulatory actions.

Penny Dickenson, 19 Sep 2020, 21:27
Hello Penny,

Condominium corporations can certainly develop their own rules surrounding short-term rentals (provided they do not conflict with the City's Zoning). It would be the responsibility of the condominium corporation to enforce their own rules.

22. "Expanding bed and breakfast permissions to all dwelling types"
Does this mean that the city is also considering having a registration process and liscencing fee?

springy, 19 Sep 2020, 9:14
Hi Springy,

Yes, staff are currently considering options for licensing and registration programs. We intend to develop a few options and bring them forward in the near future for Council and the public to consider.

23. I would ask the City of St Catharines to improve control of Landlords. I am terrified to rent my space monthly to tenants. Tenants know how hard it is for landlords to evict them. They can get 6 month's free rent before a landlord can get them out of the house during which time they can destroy their homes. During this time the landlord is supposed to somehow continue to pay the mortgage and then spend thousands on repairs and earn no income in the mean time. We spend alot of money and alot of energy building our rental suits. Airbnb guests leave my space neat and clean and always pay. If you want more monthly rentals then help us landlords. We also need protection from bad renters.

Leslie V, 19 Sep 2020, 8:01
Hi Leslie,

Thank you for your feedback. The laws that affect landlords and tenants in Ontario are largely established by the Province (e.g. Residential Tenancies Act).

24. "provided the property owner / operator remains on site alongside guests" Does this mean that I as an operator must stay home during the entire stay of my guests and connot leave? This

seems to be a very draconian limitation and curtailment of my civil rights. I think better phrasing of this requirement is required.

springy, 19 Sep 2020, 9:11
Hi Springy,

Thank you for your feedback. This is in reference to Bed and Breakfasts where guests rent rooms rather than the entire dwelling unit. This means that the guests are being hosted within a persons' home and the resident is present during the stay to host their guests (i.e. provide meals, maintain the home etc.).

25. Currently they are illegal. The mayor made a public declaration regarding the illegal short term rentals. Now it looks like the city is looking for support in amending the bylaw to allow them in neighbourhoods. Is this correct?

Irene, 18 Sep 2020, 8:55
Hi Irene,

Offering an entire dwelling unit for short-term rental in a residential zone is not currently permitted. The Amendment proposes to allow for short-term rental of an entire dwelling unit only if that unit is somebody's primary residence. The Amendment does not propose to permit short-term rental as the sole use of a dwelling unit in a residential zone. At this time, we are looking for questions, comments and input before bringing the proposed Amendment to Council for a decision.

26. We are overrun in Port Weller west with 12, soon to be 13 short term rentals. Only one that presently exists has the landlord living in the house. All others are running with volunteers who say they are the resident so they can operate! The noise, swearing, partying throughout the night, parking in the limited street spaces and on the front lawns of the rentals to list just a few of the problems! The owners of a number of these rentals told me that they only rent to families even as I was looking out my window at 9 twenty year olds in the back yards. My question is, " is the city going to protect tax paying residents from the noise, property value and is the city going to allow themselves to be lied to by the owners of airbandb's while our neighborhood deteriorates?"

Ken Grosskurth, 19 Sep 2020, 7:17
Hi Ken,

Thank you for your comments and questions.

The City has existing by-laws in place to address issues such as noise, parking and property standards, which continue to apply. Excessive noise/partying often requires an immediate

response. For such complaints residents should contact the Niagara Regional Police Service (905.688.4111) who can immediately address the issue.

The intent of the proposed Zoning By-law Amendment is to address the land use (where short-term rentals can occur) and allow staff to develop a proposed Licensing By-law for short-term rentals to address their operation (how short-term rentals operate). It is important to note that the City has limited ability to prevent applicants from providing false or misleading information. One of the key requirements for licensing that staff will be focusing on is what information an applicant/operator will be required to provide to demonstrate that they reside in a given unit. Our intent is that this process will be easy to follow and also minimize the gaps and loopholes in the by-laws and provide staff with stronger tools for enforcement.

27. If a person builds a small house on existing property beside original house solely for the purpose of short term rental is this permitted

Jeuvais, 17 Sep 2020, 18:43
Hi Jeuvais,

No, a dwelling unit cannot be used solely for the purpose of short-term rental in a residential zone. The only time a dwelling unit may be used solely for the purpose of short-term rental is if the property is zoned to permit hotel/motel use (generally commercial, mixed use and employment zones).

28. How closely will the rentals be monitored. Throughout the summer there were at times more than 10 people staying in one home even though there were Covid restrictions.

Irene, 17 Sep 2020, 18:33
Hi Irene,

By-law enforcement is conducted based on complaints from the public. This is true for enforcement of various by-laws including the zoning by-law, noise by-law, and parking. With short-term rentals, in addition to our existing system of enforcement based on complaints, staff are also considering establishing a licensing by-law that could require residents obtain a license (subject to various criteria) prior to operating a short-term rental. Staff are currently working on various licensing program options to present to the public and Council for further discussion and input.

29. Will there be a permit charge paid to the city to operate, like in Niagara-on-the-Lake?

ashleymarie16, 22 Sep 2020, 14:31

Council has directed staff to consider a licensing system for short-term rentals, which could include a permit fee. Staff will be bringing forward additional information regarding licensing options for the public and Council to review and comment on prior to implementation.

30. How is this going to help the current housing shortage and need for more affordable, and safe housing . How does a short term rental improve the quality of life for St. Catharines residents? Will you be taxing the income made on the STR revenues so that the additional tax revenue can be used to improve the cities shortage of community centres /programmes to improve quality of life for kids/residents and reduce crime. Unless there is a benefit to the entire community and it's not just another way to make housing that much more difficult to find for those that need a decent place to life. I am not Interested in paying more taxes that would be needed to regulate these STR rental properties to ensure issues with illegal activity; noise and safety needs o residential area are maintained, There has been a lot of issues in other communities where AirBNB STR renters have caused significant disruption to neighborhoods impacting residents ability to enjoy their homes and feel safe.

SMR, 20 Sep 2020, 5:04
Hi SMR,

Thank you for your comments and questions. The Zoning By-law Amendment proposes to allow short-term rentals (STRs) as a home based business and requires that the unit is the primary residence of the STR operator. This is intended to ensure dwelling units are used first and foremost for housing and that STRs only operate in residential dwellings as an accessory use; providing residents the opportunity to earn supplementary income from their unit when they are not home. The by-law amendment does not propose to allow a residential dwelling unit to be used solely for STR use. This Zoning By-law Amendment was triggered by Council's consideration of implementing a Municipal Accommodation Tax (MAT) and it is possible that STRs could be subject to a MAT in the future, subject to Council approval.

PRIVATELY ANSWERED

1. If an STR is only allowed while the owner is away (out of town) then there should be a local contact available for guests and neighbors to contact should there be any issues during the stay

JasonNOTL, 19 Sep 2020, 7:25
1. Hi Jason,

Thank you for your suggestion!

2. Where does one find the answers to asked questions

Jeuvais, 19 Sep 2020, 16:22

1. Hi Jeuvais,

You should receive notification of answers to questions you've asked via email.

3. I have concerns about ongoing noise and issues at [REDACTED] as it is used as as AIR BNB and the homeowner does NOT reside there. Nobody does full time it's solely used as an air Bnb. I have many photos most recently 9 cars this weekend And a lot of noise. Where do I direct my concerns?

Marleeann4, 19 Sep 2020, 19:28

1. Hi Marleeann,

Depending on the concern, there are a few ways residents can reach out to ensure the best possible resolution.

Residents who believe a STR is operating in their neighbourhood in contravention of the City's Zoning By-laws can report the property to the City. Staff will follow up with an investigation into every allegation, and, depending on its findings, owners can be prosecuted, and possibly penalized with a fine set by a judge of up to \$5,000.

Individuals can report STRs for by-law noncompliance via our [Zone Land Use Infraction Form](#).

Reports can also be filed with the City by calling Citizen's First at 905.688.5600.

Noise Complaints / Excessive Partying

Excessive noise / partying often requires an immediate response. For such complaints residents should contact the Niagara Regional Police Service (905.688.4111) who can immediately address the issue.

Parking Problems

With multiple visitors, STRs may result in parking issues in residential neighbourhoods. These problems can be addressed by City parking enforcement officers.

To report parking infractions, call 905.688.5600 during the times of:

- Monday to Friday - 8:30 a.m. to 7:30 p.m.
- Saturday - 9 a.m. to 5 p.m.
- Sunday - 10:30 a.m. to 6:30 p.m.

For more information on parking by-laws visit our [Parking Enforcement Page](#).

4. I would suggest that all short term rental owners be required to register their property with the city to make the bylaw easily enforceable. Registration should be free but a fine of some amount (ex. \$250) for not registering. This way if there are complaints the city can easily check the list to see if the address in question is properly registered and allowed to be a short term rental.

bchas081, 19 Sep 2020, 21:35

1. Thank you for your suggestion!

5. This would be Input: I'm a home owner who has lived next to a short term rental for the past 5 years. The owner has listed the property to accommodate 16 people with only 1 bathroom. What happens, is every weekend in the summer it's either bachelor, bachelorette parties, kids birthday parties, guys weekend, girls weekend and golf parties. This means from May 24 to Labour day every week is taken up with 6 cars or more arriving for house that only accommodates 3 cars. When we've called to complain the city says that they must catch the renters at the house and they must admit they are renting. Another issues is when you call the city to complain they either don't or have limited staff that work on the weekends and are not able to show up until Monday when they have left. If this is something that could be enforced and be limited to 6 - It wouldn't be a bad idea, but from someone who has lived this for many years it isn't as easy as it may appear. You'll need to limit the number of people that can be in the rental, and ensure that enforcement is available on weekends. Just wanted to make sure you got the input from someone who is living it.

Laurelw, 22 Sep 2020, 9:22

1. Hi Laurelw,

Thank you for your input and for sharing from your experience.

6. Hello Taya, Thanks for putting the video together on short term rentals. As a homeowner in St. Catharines, I strongly support a by-law that will restrict entire units/homes offered as short-term rentals (beyond 28 days). Businesses such as Airbnb, are crushing our housing/rental supply, driving up prices and making our most vulnerable, even more vulnerable. We have seen the impact

firsthand, as short term rentals continue to impact our neighbourhoods and communities, negatively. Other cities in the area have already implemented this by-law. I sincerely hope The City of St. Catharines has done the research and understands that this by-law is an absolute must, and that we need to ensure that it is not delayed any further. Thanks so much for your time, Christine

christine.l.legros, 22 Sep 2020, 16:56

1. Hi Christine,

Thank you very much for your comments and input.

UNANSWERED

1. I'm in favour of keeping the current by-law which doesn't allow for ANY STR in ANY residential zone in St. Catharines. We currently have over 12 STR on our street and across from [REDACTED], [REDACTED] is building a STR 8 bathroom hotel Airbnb. He lied to the City regarding the building being a "single family residence" and he will be living there full-time as his permanent residence and he's gotten away with that due to financial incentive. I live in a 1 bedroom tiny cottage and need to work full-time. I wake at 5:15am so I'm not on vacation partying like the current Airbnb lake houses he owns. Also, will my taxes increase on my tiny cottage because [REDACTED] developed this 7 bedroom massive hotel Airbnb across from me? NOTE: Every home owner renting their entire residence out will lie to the City and say it's their permanent residence along with other ways around your amended by-law suggestions. Where are all these people???? Living on the streets while they rent out their primary residence?

MONEY BUYS EVERYONE, 24 Sep 2020, 9:37

2. Many of the airbandb's in Port Weller west are owned by a group and very few are presently lived in by the owners who are paying some locals to say they are responsible for the property! Why are these not being shut down? Port Weller west has been slammed with new parking restrictions and the airbandb "guests" are taking up many of the remaining parking spots and making it all but impossible for

residents to have company over for birthdays and other celebrations. Airbandb's are parking illegally across the end of driveways and on front lawns and aren't being ticketed while residents have gotten ticketed in the past. Why are airbandb guests not getting tickets for the offences? Who is going to protect residents from the noise, illegal parking, the decrease in our property value just to name few??

Ken Grosskurth, 4 Oct 2020, 13:05

3. How can STR be stopped for good. Don't like rowdy strangers all over our neighbourhood. 2 space parking for 7 bedrooms is ridiculous.

Lee, 4 Oct 2020, 16:16

4. Wont this affect tourism in Niagara which is already at a low?

Sallie, 6 Oct 2020, 15:55

5. We appreciate that the city is looking to move forward with an amendment to make this work and be fair for everyone in the community. Short term rentals have positive impacts on consumers and the tourism industry, positive impacts on neighborhoods and local businesses, and positive impacts on residents and households. It provides people with a great supplementary income and also helps stimulate the local economy. What guidelines will be put in place to protect the hosts and the community?

Spencer.giles92, 11 Oct 2020, 9:19

Devlin, Taya

From: Gergo Biro [REDACTED]
Sent: Friday, October 9, 2020 12:58 PM
To: Short Term Rentals
Subject: Short-term Rental Zoning By-law Amendment

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of City of St. Catharines email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon Taya,

Thank you for the opportunity to have the residents of St.Catharines express their opinions and concerns when it comes to short term rentals.

My name is Gergo Biro and I currently own a property in beautiful Port Weller that serves primarily as a cottage for my fiancé and I. When we are not using the property we have guests, friends and even family stay there occasionally mostly through Airbnb.

Speaking from a personal experience, the additional income that we were able to earn from the stays at our cottage has helped us tremendously during the COVID 19 pandemic. We, as many other Canadians have unfortunately suffered some financial hardship with our full-time jobs and if it wasn't for the ability to rent out our home short term then we would have been forced to lose our beautiful home.

Not only we were able to get through the pandemic so far but we were also able to provide jobs to our cleaners, landscapers and contractors who are constantly involved in the active management of our property. We think by restricting the guidelines of STRs to the extent as proposed, it will have a devastating impact on many homeowners and the overall local economy.

Perhaps having an exemption that one property whether primary residence or private use property (such as a cottage) can be operating as an SRT without the owner's physical presence, would be very helpful to especially those that rely on such income during the pandemic to make ends meet.

We have also hosted many first responders especially at the beginning of the pandemic. This has helped such people feel safer as they could properly self isolate while not exposing their loved ones to any hazard while in some cases also being physically closer to their work locations. We've found that the majority of our guests preferred to have no contact with anyone during their stay as they've felt safer to be only amongst themselves. Therefore, we believe with the new regulation most people will rather opt-out staying at a home where the homeowner/host or other people such as family members, relatives or friends of the host are also might be present.

As the demand increases to work from home, many people realize they do not have the necessary physical workspace in their homes (mostly of course condo units) or they require a more peaceful and quiet work area. We have hosted many young professionals and others that had this challenge and we were able to offer them a solution even if temporary.

To touch on the conventional long term rental option, there seems to be a huge imbalance when it comes to Landlord vs Tenant rights in Ontario which heavily favours the tenants at this point. Speaking again from an unfortunate personal experience we've had our share of negative experiences with seemingly great tenants that have turned out quite the opposite as time passed and we were not able to evict them. That is when we've decided that we want more control over our property in the future and thankfully we've been very fortunate with our guests through Airbnb and it's support, policies and insurance. We've always properly vetted our guests and made sure our rules and policies were understood before accepting a booking. So far we haven't had any issues with our guests as they have always been respectful to our property, our neighbours and the community.

For these reasons I recommend imposing a stricter law enforcement and municipal by-law fines when it comes to "disruptive Airbnbs".

Also, as I've mentioned earlier perhaps allowing one property to operate as an unrestricted STR property (where the owner/operator is not required to stay on-site while the house has guests) would be more reasonable when it comes to income supplementation, the safety of the guests/hosts and the supporting of the local economy during these unprecedented times.

I hope you will find this e-mail helpful as the discussions with The Council start later this month. Please don't hesitate to reach out to me if you have any questions.

Thank you for your time and wishing you a happy Thanksgiving holiday!

Best regards,

Gergo Biro

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Devlin, Taya

From: Martin Euchler [REDACTED]
Sent: Monday, September 21, 2020 10:39 AM
To: Short Term Rentals; Devlin, Taya
Subject: RE: Input/Feedback for Short Term Rental Bylaw Amendment

Follow Up Flag: Follow up
Flag Status: Flagged

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Hello Taya,
 thank you for the conversation this morning and getting back to me so quickly. There is just one question that occurred to me though...
 In my current situation I am renting out the unit for multiple months on a month to month basis (which means I am providing housing). Once these tenants leave, there might be a gap of a few weeks until the next tenant can move in (it is somewhat difficult to find good tenants...I usually experience maybe a 1...1.5 month gap). Why is there no provision in the amended law that allows me to use the unit as short term rental for this limited period of time?...this would not endanger the housing market. Can a provision like this be considered?
 Thanks in advance for your response...again, my cell number is [REDACTED]...or via e-mail.
 Martin

 Martin Euchler

[REDACTED]

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From: Martin Euchler
Sent: Saturday, September 19, 2020 1:15 PM
To: ShortTermRental@stcatharines.ca; tdevlin@stcatharines.ca
Subject: Input/Feedback for Short Term Rental Bylaw Amendment

Hello Taya,
 I submitted feedback yesterday through the website...however, have not received any confirmation that it went through. Therefore, I would like to repeat my input this way:
 I own a house (detached raised bungalow) in with the primary resident living permanently in the top half of the house full time. The house has an accessory dwelling (lower level of the raised bungalow with separate entrance) that I would like to rent out as a short term rental. I received a complaint (reason was random and not connected to any noise or parking issue) and the complaint officer (Tony Kammouh) stated that this constellation does not fit into the bed and breakfast category since the primary resident does not live in the same unit as the lower level dwelling has a separate

entrance. However, the primary resident is on the property all time. In my opinion it should not be a problem to operate the accessory dwelling as a short term rental....the main use of the house is still permanent residential. I called our Ward Carlos Garcia...he did not see an issue but did not know specifics either.

To summarize: If the city allows the operation of a bed and breakfast where the primary resident lives in the same unit/apartment, it should also allow the operation of a short term rental of an accessory dwelling if the main permanent resident is present on the property (in the same house). This fulfils all the targets that the amendment seeks:

- ☐ Main use of the property is residential with no effect on the character of the neighborhood
- ☐ Additional income for the owner/operator and support tourism
- ☐ Primary resident on site to prevent noise complaints

I would like to have a response to this feedback...we could maybe even discuss over the phone...it would be great if you could get back to me. My name is Martin Euchler and personal cell phone number is [REDACTED].

I am looking forward to your response.

Kind regards, Martin Euchler

Martin Euchler

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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Devlin, Taya

From: Lynne Irion [REDACTED]
Sent: Sunday, October 4, 2020 2:43 PM
To: Short Term Rentals
Subject: Short term rental propsal

Follow Up Flag: Follow up
Flag Status: Flagged

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Hello,

In response to your video on short term rentals. It is unclear as to how many times, in any one year, a person can rent out their primary residence for 28 days.

I live in Port Weller West and AirBnB's have become a huge issue in our community. My question is, what would stop a realtor (who will be the main offenders) from purchasing multiple properties, listing them as their children's primary residences and renting them out? Also your plan does not stop anyone from renting a residence for 28 days, moving back in for a few days, then renting for another 28 days? This would enable anyone to rent long term, as is the case right now. Your plan seems flawed in this respect.

I am totally against short term rentals in residential areas, however if it is approved, (as I'm sure it will be) I strongly urge the city to limit the number of days someone can rent out in any given calendar year. I also strongly urge them to require all short term renters to be licensed as they are in other cities. This would cut down on abuse.

Thank you for taking time to read.

Lynne Irion
 [REDACTED]

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Devlin, Taya

From: Penny Kent [REDACTED]
Sent: Wednesday, September 30, 2020 2:24 PM
To: Devlin, Taya
Subject: OPPOSITION TO BYLAW AMENDMENT 20 115746ZA

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Dear Madam

I am in opposition to the above changes to the bylaw. I live at [REDACTED]. For the past 9 years approximately the house nextdoor, [REDACTED], has been a rental property. There has constantly been a problem with bylaw violations, humane society, police, and fire department. Dog grooming business, woodworking business, in fact so much noise, traffic lined up on the street to get to the house. Noise levels, ear-splitting, grinding on metal, sawing, sanding, etc, 15 ft from my house. Any further information can be retrieved from Mr. Steve Stec, St Catharines Bylaw Officer, Sandi Bellows, ex-city councillor or St Catharines Legal Services.

Residential area MEANS residential and NOT industrial/ business. Some people want the quietness of strictly residential areas and changing the bylaw to increase business within that area is not compatible. If you wish to reach me for further information, please do so.

Penelope Kent
 Sent from my iPad

Devlin, Taya

From: john koshty [REDACTED]
Sent: Saturday, September 19, 2020 10:32 AM
To: Short Term Rentals
Subject: Proposed Airbnb bylaw changes

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We are against changing bylaws as they are now. The proposed changes would leave loopholes for owners to get around. The present bylaws are straight forward and SHOULD NOT be changed.

John & Ingrid Koshty

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Devlin, Taya

From: Mike Kwiatkowski [REDACTED]
Sent: Sunday, September 20, 2020 8:14 AM
To: Short Term Rentals
Subject: Short Term Rental amendment support

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I support the proposed Zoning By-law Amendment. As a homeowner with a neighbour who has been continually renting their home through Air BnB for the past 6 months I would like to see a hard limit on STR lengths that is enforced by the city. Housing supply and general nuisance of STR for noise complaints and lack of care for the property is reason enough to implement stronger by-laws for this issue.

Mike Kwiatkowski

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Short Term Rentals

I live in Port Weller West on Beachaven Drive. There is a short term rental next door to me, one across the street and one is soon to open down the street. There is also one around the corner. I believe we have 12 in this area and I am sure you have records showing where they are. I am a social person and Port Weller is a small community where everyone knows their neighbours. We don't have "real" neighbours anymore; I have never met the people who bought the house next to me nor the one across the street.

I know from the short term rentals surrounding me that these houses are "party places" where people come and drink substantial quantities of alcohol, play blaring music and talk and scream loudly during the day and at night. In the past few months I have had to call Niagara Regional Police three times. If I had known, I could complain before 11 pm, I would have called the police more often. On one occasion 9 people left the house and 12 arrived, needless to say, it was partying day and night during this time. The noise was so loud one day I had to bring my chair and book and sit at the end of my driveway to get away from the noise.

My neighbour who lives down the street informed me that 14 people stayed at [REDACTED] where there was drinking, swearing, arguing, playing football on the street and a "beer bong" where beer is consumed through a hose. These people also brought in 3 cases of liquor. They kept neighbours up until 3 am.

You can often tell how many people are staying at the house by the number of cars parked in the driveway. I have had 6 cars parked next door and 6 across the street. [REDACTED] has had even more. I am sending off my comments today, October 10. I walked my dog this morning and 6 short term rentals have 3 vehicles in each of them; one has a New York licence plate.

We have been informed all summer short term rentals are illegal and I believe complaints have been filed with the City for two years now. The by-law officer informed me that it is difficult to proceed to charge the owners for various reasons. What I don't understand is why a neighbour could not sign an affidavit that the owners do not live there.

Port Weller East is having the same issues. There is a huge house, which I understand has 8 bedrooms and parking for one car. I have been informed the City granted the permit based on a residential dwelling. The house does not suit the community where several small cottages and bungalows exist and I understand it too will be a short term rental. Beside this colossal house are two tiny cottages and when you turn around the corner, there are three large short term rentals in a row.

- 2 -

Our areas are not zoned commercial; they are low density residential traditional. Why is the City considering making these short term rentals legal? Allow them in commercial areas, not residential.

In addition, we are in need of affordable housing and rental accommodations. There are long lists of people waiting for apartments and houses.

In the Corporate Report of February 24, 2020 the STRs can be an opportunity for residents to earn income to supplement their costs. I understand one couple own 8 Air B & Bs in and around our area. These businesses make a substantial income; the rich keep getting richer and the poor poorer.

As far as tourism, again, let them open in commercial areas not in our communities. If tourists are visiting, let them book into a hotel, motel or a B & B where there is some control over the behaviour of guests. In the midst of COVID, these businesses need the support of tourists to employ people who live in the Niagara Region and, as we all know, our area has a high unemployment rate.

Again in your report, you refer to occupancy limits where a maximum number of rooms can be rented or a maximum number of guests are allowed. Additional staff will need to be hired to monitor because in my experience, I have been told by employees of the owners of Short Term Rentals that the homes are rented to a family and it ends up 12 young men show up. This is just one example, as referred to previously, this is an ongoing problem.

Your report references short term rentals being the primary dwelling of the host. Many of these STR owners own several properties; how will they be able to own multiple dwellings as their primary residence?

Also, in your report of February 24 you note that some jurisdictions have introduced a licensing program which can include zoning compliance, site plan, building inspection, fire inspection and safety plan. Additional staff will be required; is the City in a financial position to hire more staff to address complaints at the cost of other programs, especially during COVID times?

- 3 -

I have reviewed the options on page 158 of the report. Planning Option 1, which exists now, is not working. Option 2 I have no issue with; it would allow for legitimate Bed and Breakfast establishments in residential areas. The owner lives in these homes and has control over the behaviour and numbers of people who stay in their accommodations. They also pay licensing fees to the City.

I am in total disagreement with Options 3 and 4 where the owner does not live in the dwelling.

Your report lists Enforcement Options. As taxpayers, we have witnessed how difficult it is for City staff to enforce the presently operating short term rentals. "Guests" have lied to enforcement staff about who they rent from.

In summary, allow short Term Rentals in commercial areas with the proper licensing in place, not in a residential area. As I stated before, Bed and Breakfast establishments are available where the owner is on site. Hotels and motels in St. Catharines would welcome guests in particular during these COVID times where tourist dollars are desperately needed.

Submitted by

Sheila Massey



Devlin, Taya

From: Lynn Morrison [REDACTED]
Sent: Sunday, October 4, 2020 5:32 PM
To: Short Term Rentals
Cc: Devlin, Taya
Subject: Open House - Short Term Rentals

Follow Up Flag: Follow up
Flag Status: Flagged

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With regards to the zoning bylaw amendment we would like to make a few recommendations/comments.

1. Short term rentals that are NOT owner occupied should be kept illegal in the city of St. Catharines. An entire house should not be allowed to be used solely as a short term rental. The bylaw needs to be enforced.
2. There should be a limit on the number of consecutive days a short term rental can be rented. And/or the number of days per month it can be rented. They should not be allowed to be rented out continually.
3. Neighbours should have the ability to call the police with regards to excessive noise or other disturbances regardless of the time of day. The issue should be dealt with and the owner of the short term rental fined. If there are numerous incidents, the city of St.Catharines should have a means to close down the short term rental.
4. There should be a limit on the number of rooms/guests per short term rental (max 4 people) to ensure there are no parties. Outdoor sound systems/speakers should not be allowed.

Regards,
 Lynn Morrison and Peter Davies
 [REDACTED]

--

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Devlin, Taya

From: Camille Nicholson [REDACTED]
Sent: Friday, October 16, 2020 2:32 PM
To: Short Term Rentals
Subject: Fw: Airbnb Rentals in St. Catharine's-An Additional Response

Importance: High

Follow Up Flag: Follow up

Flag Status: Flagged

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Hello Again,

I have been following the questions and answers on the site and it's very unfortunate that many people have had such unpleasant experiences. I wanted to note that it would be interesting to find out what would be the percentage of people who now oppose STR's have used them in other cities or countries. I am not negating that there are obvious problems but I'm sure many people have been hosted on one of the many STR online sites when travelling.

As a family who has competitive athletes who travel for tournaments (before COVID of course), we have used STR's within the GTA and in the United States and overseas. So STR's do play a part in the economy and can be beneficial. For athletic clubs that host large tournaments in various cities, hotels/motels often get booked up. Families often turn to STR's.

A current example of this is the Niagara 2021 Canada Summer Games (now moved to 2022). The organization was actively looking for STR homes to host a plethora of people who will be partaking in the games which has now moved to 2022. Many families will be in the Niagara region to support the athletes, but also people will come in from various parts of the GTA to enjoy the games. They will be looking for STR homes.

As well, we know that we have a shortage of professional trades in our province. Often these men and women are brought in by companies to work on the Welland canal and other specialized projects within the Niagara region. These professionals are often flown in from around the country. Companies look for STR homes to host these people. Projects can last for a few weeks and companies prefer to have their workers have access to homes where they can have the comforts of home.

So STR's do not just host partiers from Toronto, which seems to be the complaint. There are many other uses, as listed above, which may be overlooked.

Thank you again for this opportunity.

Camille Nicholson

From: Camille Nicholson

Sent: Wednesday, September 30, 2020 6:59 PM

To: ShortTermRental@stcatharines.ca <ShortTermRental@stcatharines.ca>

Subject: Airbnb Rentals in St. Catharine's

Hello Ms. Kitay and Ms. Devlin,

I am writing this letter in response to the City of St. Catharine's proposed change to Airbnb rentals. I have registered on the site for the online discussion and look forward to getting involved.

My husband and I purchased a home in St. Catharine's in preparation for retirement. The home we purchased was built by an awesome, efficient and reputable builder, [REDACTED] Parkside Homes. The home is a raised bungalow with a legal tenant unit in the basement. We felt that this home would be perfect for when we downsize from our larger home. Having a bungalow is perfect for people in their later years and the legal tenant unit would allow some rental income. Presently, we have a lovely couple who lives in the tenant unit.

Our St. Catharine's home has been our retreat and we enjoy coming up on weekends to get away from the city. We love to frequent NOTL and the surrounding areas. We love the quaintness of NOTL and enjoy visiting the lavender fields at the NEOB Lavender boutique on Niagara Stone Road. On weekends that we are not able to come up to our home we have hosted guests through the Airbnb site.

We love the neighborhood where our home is situated, surrounded by a lot of green space and on a new street. We know all our neighbors on the street and they know us. Our neighbors are aware that we occasionally host guests who would like to visit the Niagara region.

I believe this year in particular many people rented Airbnb units due to the pandemic. Many people used the opportunity to take short visits to neighboring cities. The guests we hosted came to experience the vineyards and to explore Niagara-on-the-lake. The guests that we have hosted have been mature people who have been respectful of our home and the neighborhood. I have strict rules and I do not allow more than 8 people to stay in our home. My property has exterior surveillance so as to protect our home when we are not there and also to make sure that the correct amount of people are entering the home.

Hosting also brings revenue to cities as people are there to experience the area. For those who wish not to use the kitchen, I provide information where guests might eat locally, thereby adding to revenue of local restaurants. It is unfortunate that many of the wonderful local restaurants have closed due to the pandemic but we hope that they will somehow bounce back or open again, such as Karen's Place that served a wonderful breakfast.

People who host through Airbnb's are for the most part responsible home-owners. It is unfortunate that in some cases guests who rent the home are irresponsible. I would like to make the following suggestions.

1. Perhaps the city could implement a permit system as other jurisdictions have done such as Thorold. This would allow the city to know where the Airbnb's are located and have control over the amount of homes in one area.
2. Permitted homes could have a limit of 8 guests. This would eliminate larger homes renting to a larger number of guests. I believe that where there have been issues it has been in very large homes that hosted upwards of 10 people or more.

We are grateful for this opportunity to express our suggestions and we hope that the City of St. Catharine's will look at all perspectives in making their decision.

Regards,
Camille Nicholson and Francis Cowie

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Devlin, Taya

From: Elizabeth Robbins [REDACTED]
Sent: Wednesday, October 7, 2020 10:25 AM
To: Short Term Rentals
Subject: Good Ideas

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We love the proposals you're making for STRs. We agree with all your suggestions.

Thank you.

Elizabeth and Harry Riley
[REDACTED]

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ShortTermRental@stcatharines.ca

To: Taya Devlin, City of St. Catharines

RE: Short Term Rentals, AirBnB's, etc.

Wikipedia: A "Neighbourhood is generally defined spatially as a specific geographic area and functionally as a set of social networks. Neighbourhoods, then, are the spatial units in which face-to-face social interactions occur—the personal settings and situations where residents seek to realise common values, socialise youth, and maintain effective social control."^[clarification needed] [1]

Keep AirBnB's and Short Term Rentals out of 'Residential' designation neighbourhoods!!!

We are a small group of 3 families that surround an AirBnB operation. We live in E2 – 'Residential' Low Density. AirBnB and other Short Term Rentals are much more like hotel/motel businesses with temporary daily/weekly patrons, hotels/motels are found in Commercial, Tourist Commercial, Highway Commercial, and Industrial designations.



If you have not experienced having a Short Term Rental close to your home, you may not see the impacts this has on the community. Or if you have used AirBnB and the like in the past, you may see them as a great way to vacation with more amenities than staying in a hotel/motel/campground or other accommodation and in some instances at a lower cost. We never imagined we would be living beside or near a hotel/motel establishment.

The attempt to have mixed use areas in 'Residential' designations create many problems.

A number of tests or terms that have been used in the past to determine whether a proposed land use could be considered in 'Residential' in an Official Plan are:

- Is a short term rental consistent with the 'Residential' designation
 - Do short term rentals in 'Residential' areas serve the neighbourhood with respect to appearance, noise, traffic
 - Does it have regards for the designation
 - Does it conform to or comply with the designation
- High end residences being offered on AirBnB do not assist with the fact that we are experiencing low vacancy rate and it certainly does not address or provide affordable housing. It is changing our quiet, respectful, community neighbourhood where neighbours care for and help one

another, into a tourist/commercial destination.

It is estimated that there are approximately 200 AirBnB, VRBO, Booking.com, etc. homes offered for short term rentals in the City of St. Catharines.

It is in the best interest of homeowners and residents of the City, to give your voice to these Short Term Rentals and make it known that you do not want them in our neighbourhoods.

Comments on the Staff focus:

- Protecting the housing supply – don't see how this addresses the supply
- Providing reasonable enforcement options – Need to see what these are and have your bylaw enforcement officers and Niagara Regional Police review – they are the front line workers in this case. We trust our neighbours, we do not want to have to be a neighbourhood watch for renters. Any cost for additional monitoring/enforcing by these or additional agencies will not be incurred by taxpayers.
- Protecting residential neighbourhood character – this changes the character as there will be strangers in our midst
- Supporting opportunities for supplementary income – yes it probably does – we all have worked hard to own our homes, but in no way did the way in which we financed our homes impact our neighbours.

residential neighbourhoods are not tourist destinations. Is this type of commercial business not of concern to hotels/motels and other legal accommodation in the city by way of taking away their business?

Our experience:

The current bylaw does not provide for enforcement as the officer has to actually go to the house while occupied by a renter and see the rental agreement. This relies on neighbours flagging the offending residence to the City during the stay, in hopes that the bylaw officer is available at the time and able to speak with the renters to get further information.

Our nature is not to complain to authorities, but try to work out our dissatisfaction. This hasn't worked and the only recourse is to call the police or Citizens First. By providing you with our concerns, we are hoping that these commercial businesses are designated to a more suitable land use that will have no impact on the neighbourhood community. The Town of Pelham and other municipalities have taken the bold step to enforce STR's to the 'Downtown' and 'Agricultural' designations. This will not get rid of the ones that violate the bylaw unless residents who know these exist in their neighbourhoods step forward and advise the City.

One doesn't need to look far to see how things can go horribly wrong with renters, gangs of people descending on a neighbourhood, violence breaks out with injuries and death. We don't want this for our community.

Enforcement:

Currently, when there is a disturbance or illegal operation, it relies on neighbours to come forth and complain to the City. We have done this in the past through the Planning Department, Councillors, and Citizens First as well as the Niagara Regional Police, but it continues. With each renter, we start all over again. Our families should feel safe in our homes, but we do not. This has caused great anxiety for us as to our safety.

Niagara Region's Safety and Well-Being Plan:

The City of St. Catharines is working with the other 11 local municipalities on the Niagara Region's Safety and Well-being Plan.

<https://www.niagararegion.ca/projects/community-safety-well-being/default.aspx#:~:text=About%20the%20Project,root%20causes%20of%20social%20issues.>

The first goal of the plan is to create a community where everyone is safe. Would this not include safety in our neighbourhoods?

AirBnB Hosts:

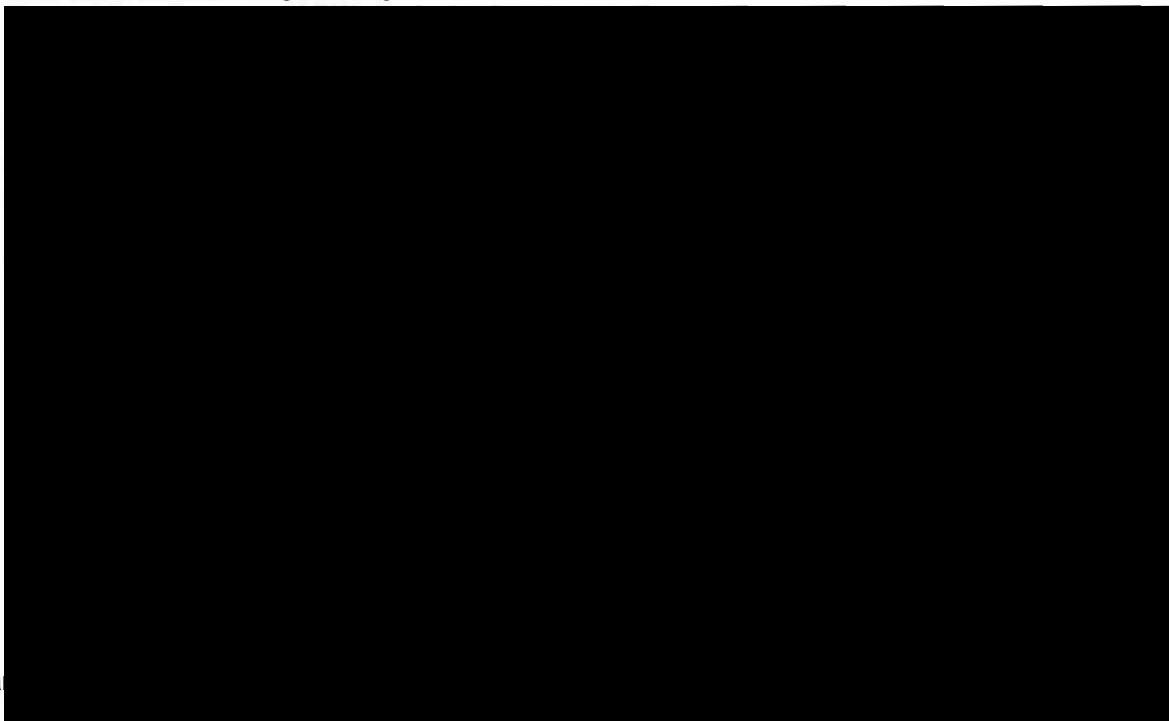
Hosts seem to be able to circumvent the legislation. We have heard that Renters are told not to answer the door when they see a City vehicle and not to engage with the bylaw enforcement officer.

During Covid-19 Cleaners couldn't possibly sanitize the residence in the short period of time between renters. Summer 2020 renters next to us were from Toronto – a red zone for Covid-19.

With the current by-law, the enforcer needs to see the rental agreement, which won't happen because the owner may have instructed the renter not to open the door to City Officials or say they are staying at a friend's house.

What stops 'Ghost Hotels' in our City. In Toronto, there are currently an estimated 7,000 properties listed on Airbnb, which do not comply with city bylaws. How do we keep track of these businesses. Two days ago, a shot was fired from one of these condo units, and came through the wall of a sleeping resident.

<https://www.cp24.com/news/downtown-councillor-calls-on-airbnb-to-de-list-so-called-ghost-hotels-after-shots-fired-into-neighbouring-condo-1.5144870>



Example from Collingwood:

<https://www.collingwoodtoday.ca/around-ontario/beyond-local-concerns-heighten-over-airbnbs-affect-on-housing-markets-1213008>

<https://www.ontario.ca/page/home-sharing-guide-ontario-municipalities>

How the Town of Pelham addressed STR's:

<https://www.pelham.ca/en/news/town-of-pelham-council-approves-zoning-and-official-plan-amendments-for-short-term-accommodations.aspx>

Town of Pelham Council approves Zoning and Official Plan amendments for short term accommodations

The zoning amendment permits short term accommodation rentals including bed and breakfast establishments and short term rentals of entire dwelling units in the Agricultural, Special Rural, Neighbourhood Commercial, General Commercial and Commercial Rural zones subject to meeting licencing requirements.

In closing:

There are questions to you throughout that we would like addressed, but also many comments. We are very emotional about the prospect of allowing AirBnB's in our 'Residential' neighbourhoods and are in opposition to this. However, if it does proceed, we want to make sure that the agencies responsible for enforcement of the bylaw are acutely engaged in the process for the new zoning bylaw, that their concerns are adhered to and that there is no cost to the taxpayer for scrutinizing these businesses.

Let's work together to provide the Garden City as an amazing, safe, caring place to live!

Bill and Jill Salton

Paul and Laurie Chamberlain

Additional Articles:

<https://www.theguardian.com/technology/2016/sep/17/airbnb-nuisance-neighbours-tribunal-ruling>

When AirBnB rentals turn into nuisance neighbours.

But unlike at a hotel, no concierge will be on-site to keep the unruly ones in line.
The house is our asset.

Do Airbnb properties make good neighbours.
Part of the new sharing economy.

<https://airbnbwatch.org/airbnbs-not-sweet-16-broken-neighborhoods/>

As it expands, Airbnb seems to be competing with itself to find new ways to ruin strong communities by replacing neighbors with dangerous strangers and big problems. Let's meet some of the competitors:

Attributes like "safety," "friendly neighbors," "affordable housing" and "peace of mind" are valued in every community, making them fan favorites. These are the places we spend our time, raise our children and build relationships with friends. Before Airbnb and other short-term rental services entered the scene, these are the things that countless Americans loved about their neighborhoods.

However, these pillars of strong neighborhoods face tough competition from Airbnb. Because of the lack of regulations and bad actors – namely commercial landlords buying and renting hundreds of units at a time – which Airbnb willfully ignores, our communities are matched up against "crime," "house parties," "dangerous strangers" and more.

Faced with Airbnb's many negative side effects, neighborhoods around the country are becoming unrecognizable to residents who have lived in them their entire lives. When commercial landlords are allowed to buy up multiple residences and replace neighbors with strangers and dangerous illegal hotels, the fabric of our communities – what people have come to love about where they live – is torn apart.

The winners of Airbnb's Not So Sweet 16 sure aren't the families living in neighborhoods across America. When our safe, stable communities face up against Airbnb and its no-rules tactics, broken neighborhoods come out on top.

It's time to stop Airbnb and its illegal hotels and commercial landlords from driving out residents, jacking up rent and destroying our communities! We must regulate short-term rentals to promote healthy, safe neighborhoods.

Take action today. Call on your city council to lead the way!

Aside from affordability concerns, some worry that a rapid expansion of short-term lets can alter an area's atmosphere.

People were most worried about the sense of community being damaged, with this referenced more than twice as frequently as property values and affordability.

"This thing is changing the sense of place of the neighbourhood. It's changing the feel of it, with almost a revolving door of strangers," one resident said.

Locals going about their daily lives.

Undermines the City's efforts to preserve affordable housing and may thwart attempts to regulate. Currently they are advertising on the internet and offering illegal accommodation. There hasn't been any severe penalties for the current hosts. Are they including this income on their Income taxes.

Tourists should be supporting local residents by spending in the places visited rather than making lives more difficult.

Why should I have to wait up until 11:00 p.m. to call the police to complain at 11:01 regarding noise.

By ignoring local laws, causing negative impacts on locals' quality of life is unethical.

Threatens the soul and identity of the neighbourhood.

<https://www.cbc.ca/news/canada/toronto/airbnb-listing-data-toronto-1.5116941>

'We want people to have a place to live,' city official says

Toronto's executive director of Municipal Licensing and Standards hopes the city's proposed short-term regulations will put an end to that trend — if and when they come into effect. Under the regulations, Airbnbs could only be operated through a person's primary residence for up to 180 nights a year, essentially making short-term rental investment properties illegal.

"We want six month and 12 month leases; we want people to have a place to live," said Carleton Grant, who helped develop the regulations.

"We want people to have affordable and available housing, not have our rental prices continue to increase because housing has been taken away by the investment group."

This weekend will no doubt end like all others have since our neighbor turned his spare house into a fully functioning hotel: The guests will leave, but the mounds of trash they produce will stay behind.

Because they're actually our neighbors, they respect our street and are fully accountable for everyone under their roof each night.

At its core, Airbnb is a great idea. The company needs to ditch the entire-house rental model and return strictly to its origins — homeowners renting space in their own homes. Whether to earn extra cash, meet new people, or both, homeowners choose to put their space on Airbnb; they need to be present and accountable for their guests. From my experience, Airbnb hosts who are on-site do take responsibility, but those who are absent shift this burden onto their neighbors — who didn't ask to live next door to a hotel.

Airbnb country manager Sam McDonagh said hosts are encouraged to "think carefully" about their responsibilities. Mr McDonagh stated that: "All guests, hosts, and listings must adhere to our carefully designed Community Standards, and before listing their spaces, hosts should think carefully about their responsibilities and ensure they are in compliance with all local rules and regulations".

Unregulated hotels operated in residential properties are disruptive to communities and pose serious safety concerns for guests and neighbors." — Airbnb Watch website

But Airbnb's business model does not seem concerned about following regulations, competing fairly with hotels that have to meet multiple and onerous rules to ensure guest safety and appropriate business practices or consulting other owners when one unit joins Airbnb. Nor is it concerned in the least about devastating the regular long-term rental market, something it completely denies having any effect on.

Airbnb and its advocates tend to take a libertarian approach — "it's my property and I'll do what I want to, including renting it out." That's simply wrong. You can't drill for oil in your backyard, set up a neighbourhood pub in your living room or put a giant neon advertising sign on your roof — nor should you be able to run a hotel from your home without meeting municipal rules.

Why would a permit be given to a host who has been ignoring bylaws, themselves, and have had the police called noise and trespassing.

Noisy neighbours can be a problem anywhere, of course, but the Airbnb phenomenon seems to expose people to more anti-social behaviour than they get from full-time neighbours, who can be held accountable for any disturbance.

These properties lumber full-time residents with constantly changing and potentially disruptive neighbours. It takes just one noisy weekend to put people who live nearby on constant alert to activities at an Airbnb property.

AGENDA ITEM #8.1

"Lots of the people who stay there are loud, they're making noise late at night – talking, listening to music and drinking in the backyard, which is right by my bedroom, making it hard for my husband and I to fall asleep – . "People staying in an Airbnb rental are usually on vacation, and what happens is that the neighbors end up inadvertently living next to a party house."

"How do you measure noise? The effect noise has on me may be different than the effects [it has] on others," he said. "In the end, strangers are not subject to the same social norms as long-term neighbors, and they may not behave the same way."

"We emphasize that the process of making complaints is hugely intimidating for neighbours, particularly when they relate to hosts who do not receive concerns constructively. It would be fair if neighbours understood, the specific circumstances that you would take action to remove such a business before making complaints which may only make a bad situation worse."

Devlin, Taya

From: [REDACTED]
Sent: Sunday, September 20, 2020 11:58 AM
To: Short Term Rentals
Subject: City fees, individual income and not angering neighbors

Follow Up Flag: Follow up
Flag Status: Flagged

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Dear Council member

As a business traveler (pre-COVID), I love the cheaper rates of Airbnb, and what it offers me. I can choose a place, near my meetings, with the right accommodations and safety. I am currently in a long term rental (5 years), but as we look to enter the real estate market, we would consider either STR or LT as a way to help have some “extra money”. The rights favor the tenant in rentals, and also STR gives people flexibility on when they have guests, or if traveling or busy with work, the person can just take it off the market for as long as they want.

- 1) I think there should be a two-tier fee system. Maybe one fee but different deposits. fees should less than LTR fees) or could be tiered based on the number of nights of occupancy a month. I.e. different fee for someone who averages 10 nights a month, than one who averages 22 nights a month)
 - a. Tier R- is when the Resident is on the premises. Ask for a \$150 deposit for any legitimate violations in the residence.
 - b. Tier NR- Charge – When the tenant is not residing on the property. Require 1000/yr. deposit for any legitimate violations or complaints
 - c. The purpose of the deposit is for accountability to make sure those renting out, are held accountable. The fees and deposit will make people more cautious and protect revenue. If I could lose money in fines, and or lose my permit, I will be more careful in clearly posting policies that prohibit parties, and other things that will annoy the neighbors.
 - d. Fees should less than LTR fees) or could be tiered based on the numbers of nights of occupancy a month. I.e. different fee for someone who averages 10 nights a month, than one who averages 22 nights a month)
 - e. Deposits will go towards next year’s permit, or returned within 90 days of written request emailed to X
- 2) I think there should be a system in place for enforcement
 - a. 1st offense a warning- If the “host did not do due diligence” to prevent the problem
 - b. 2nd Offence- a fine of \$X
 - c. 3rd offense- a fine of \$X, revocation of license for 18 months
 - d. If someone is renting out rooms without a valid current permit, then there should be a large fine. Enough to make people go through the process of getting a permit.
 - e. Examples of required due diligence on STR sites
 - i. Post on the STR site should include the number of people that can occupy a room and the total occupancy.
 - ii. Post on the STR site should include quiet hours.
 - iii. Wording should clearly state, guests even visiting cannot exceed X number of people (total occupancy), This would limit the parties that some hosts at these type of rentals.
 - iv. The renter will pay any legal fees and fines if a case if a complaint is filed against the residence for violation of St Catharines city b-laws. Link to bylaws on STR.
 - v. Any other policies that the council feels need to be addressed by regular complaints.

- 3) I would encourage the permit process to be streamlined, online, and something that can be applied for and approved within a week with at 3-month temporary permit. After inspection (within the 3 months) a yearly permit will be generated.
- Name and address
 - Resident residing on-premise (Y/N)
 - Number of rooms available
 - Total occupancy onsite
 - Does the property have separate access for
 - What sites will your rental be on?
 - Credit Card
 - Does your property meet all safety, security, and ST Catharines By-laws standards for a rental
 - Is this a renewal? What is your permit number? (Keep the permit number the same for the residence but send out a new one each year with expiration)

So here are some of my thoughts on how you can help, generate income for the city, control the quality of what is offered in our city. Thank you for your service to our community, and may you have much wisdom moving forward in the ever-changing dynamics of the city and the world.

Sincerely,

Paul Somsel

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Devlin, Taya

From: Dave [REDACTED]
Sent: Tuesday, October 27, 2020 12:20 PM
To: Short Term Rentals
Subject: Short-term Rental Zoning By-law Amendment

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Hello,

Whenever I read licensing and enforcement it puts up red flags. The city is always trying to hire more people which impacts my tax bill.

The city also uses parking space requirements as a way to nullify or negate activities they do not want. Parking spaces are sometimes bylaw defined as side by side to eliminate parking on the same driveway.

Now on to my suggestion.

Please try to factor in somewhere that any license fee should accommodate last minute rentals and accommodate either a daily or weekly reasonable license fee. An online license registration and printable permit application would be good. The application should facilitate online credit card payment and not require a bureaucratic city online review and approval process.

Thanks for reading

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Devlin, Taya

From: Risi, Rosa
Sent: Wednesday, October 28, 2020 5:15 PM
To: Devlin, Taya
Subject: FW: Public Notice_City Wide Zoning By-law Amendment_Short Term Accommodations Including Short Term Rentals

FYI

RosaRisi

Administration Coordinator

Tel: 905.688.5601 x1652

Email: rrisi@stcatharines.ca

From: Penny Kent [REDACTED]
Sent: Wednesday, October 28, 2020 3:58 PM
To: Risi, Rosa <rrisi@stcatharines.ca>
Subject: Re: Public Notice_City Wide Zoning By-law Amendment_Short Term Accommodations Including Short Term Rentals

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Hello...I have already expressed my opinion to you. The by law office is useless...complaint after complaint (for 8/9 years) and nothing changes or improves. No fines..nothing. So, changes to bylaws and enforcement with serious fines should be implemented. I'm am totally disgusted with the situation as it stands. I can only envision that if this amendment is allowed to pass into law, you will be inundated with so many complaints to bylaw, police, etc. My voice alone is not going to change anyone's mind, I do realize that. People, today have no respect for anyone or anything...I'm going to do what I want attitude...to hell with you. I'm presently dealing with screaming kids, daily! Most of the people on council live in nice neighbourhoods, neighbours respecting neighbours...and surely and have no idea what other neighbourhoods are like. I live in a nice neighbourhood but since nextdoor became a rental property the neighbourhood has deteriorated...cars parked on street (no sidewalks) continuously, traffic in and out of driveway and screaming kids. I can only envision chaos with more rental sites becoming businesses. As I have already stated. Residential is residential NOT business/industrial. Penelope Kent

Sent from my iPad

On Oct 27, 2020, at 2:08 PM, Risi, Rosa <rrisi@stcatharines.ca> wrote:

Please find attached Public Meeting Notice for the above noted.

RosaRisi

Administration Coordinator

Email: rrisi@stcatharines.ca

Tel: 905.688.5601 x1652 TTY: 905.688.4TTY (4889)

Mail: PO Box 3012, 50 Church Street, St. Catharines, ON L2R 7C2

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<PM Notice_Short Term Rentals.pdf>

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Devlin, Taya

Subject: FW: Budget questions please

From: Linda Crouch [REDACTED]
Sent: Wednesday, October 28, 2020 6:38 PM
To: Budget <budget@stcatharines.ca>
Subject: Budget questions please

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Hello Mayor Sendzik and our Budget Committee !

Thank you for this opportunity to ask questions.

1) On Feb 24, 2020, City Council passed a motion for the projected costs of a new licensing program for short term rentals, to be presented to Council on Nov 16, next month, when the zoning by-law amendment is considered.

What are the projected costs of the licensing system please?

What is the expected revenue in each year that the City has forecast from licensing short term rentals please?

2) What is the expected revenue from a Municipal Tax on hotel rooms, licensed B&Bs that will be considered also on Nov 16, next month please?

3) How would the revenue from the Short Term Rental licensing and the Municipal Tax, if passed, anticipated to be used:

- in this unprecedented Covid year?
- in future years?

Thank you!
Linda

Click [here](#) to report this email as spam.

Devlin, Taya

From: Linda Crouch [REDACTED]
Sent: Thursday, October 29, 2020 11:58 AM
To: Devlin, Taya
Subject: Re: PBS Report re Short Term Rentals please
Attachments: image968985.png; image539935.png; image448469.png; image625947.jpg; image479128.png

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Thank you Taya.

Based on the video and information on engagestc and in general, these are my questions:

I realize these are a LOT of questions to ask...but I am asking all of them on behalf of myself, neighbours and friends in my community.

So this email is not just one person with many questions and the answers will be shared with the much broader community, saving you many emails coming from all different people.

If you cannot currently answer some questions, kindly note those and please do answer the questions that you can.

Firstly, the engage webpage talks about a principal residence being ok for an STR.

However, I cannot locate any actual specific definition of a principal residence in the webpage for this purpose of an STR.

Can a couple have more than one principal residence? i.e. one each?

Does a principal residence in another city rule out a principal residence here?

Does your definition of this relate to the Income Tax Act's declarations of principal residency?

How much residency per year allows that to be declared a principal residence?

How could that specific time period possibly be enforced by by-law officers?

Currently a new home buyer on my street wants to rent 6 months of the year.

They are specifically buying it to be an STR, expecting the amendment to be passed.

Can they allow it to be run 12 months a year as an STR if they rent elsewhere?

1) Can you please advise me if the projected costs associated with STR licensing will be available in the upcoming staff report?

There was a motion passed on Feb 24 2020 saying that the projected cost of licensing must be done for the Councillors' consideration re STRs on Nov 16.

However, when I asked the Mayor this specific question last night during the Town Hall, he said the projected costs wouldn't be available until after City Council votes on this issue on Nov 16.

That's contrary to the Feb 24, 2020 motion and Councillors need that important information, so I require the answer from you please.

2) Do the projected costs of licensing include the need to hire several/numerous additional by-law officers who will certainly need to be hired?

2020 in Port Weller showed us the severe lack of by-law officers. Sunset Beach had to be enforced by hired security guards because the neighbourhood was in chaos. **Jones Beach was also problematic.**

Illegal parking blocked driveways and parked on people's lawns, yet many were not ticketed due to the lack of by-law officers.

It was utter hell for the neighbourhood because the City didn't have enough staff to enforce the existing by-laws.

Sure, new parking restrictions came in, but they are only worthwhile if they are strictly enforced.

One night, 1500 cars came out of the Sunset Beach area according to police doing RIDE checks on Arthur.

That's 1300 cars parked offsite of the beach in the neighbourhood... proving additional by-law officers are required for this aspect of the City alone.

How many by-law officers are needed for just that **EXISTING** aspect of their job?

You need to anticipate how many more by-law officers need to be hired to enforce STRs if the zoning by-law is passed, as drafted.

Currently, illegal renting of STRs are reported by neighbours to the City for bylaw enforcement, and very little happens.

STRs in my area were rented out every single weekend in 2020.

It would have been quite easy for by-law officers to ascertain if a house is an illegally operating Airbnb. Not done.

Does your report include:

- how many STR warnings were given to property owners here since the ban began?
- how many illegal STRs have been fined since then?
- what were the fines?
- was the same STR property owner ever fined more than once?

One nearby STR has 20 reviews posted online in 2020 alone!! ...all in the banned time period...and that's just reviewers, and of course, not all renters review.

How much evidence does/will by-law enforcement need to earn or fine these property owners who are ***already*** breaking the law in our city, when such evidence can easily be found online?

Imagine how these law-breaking homeowners will act once you legalize STRs again.

Other important city-wide issues under the jurisdiction of by-law officers, like property standards, fell by the wayside in 2020 unenforced, due to not enough by-law officers.

Since we are already short-staffed for by-law officers in St. Catharines, how many by-law officers are in the proposed budget ...just to catch up?

i.e. that is without counting the new hires needed if the amendment is passed?

What number of by-law officers are you specifically recommending *to be hired* in your staff report if STRs become licensed in existing neighbourhoods?

Is *the projected cost* of these by-law officers included in the Feb 2020 requested staff report regarding the cost of licensing?

3) Right now, the complaint process for problematic Airbnbs is to file an online complaint.

Do/will by-law officers work nights and weekends, when the renters are on site at these STRs/Airbnbs?

Are noise complaints left to police to enforce? Or ?

4) Please advise re Parkside Dr and the Broadway Gardens townhouses:

On the Q & A of engagestc.ca it states that the zoning on Parkside currently does not allow for Airbnbs/STRs.

Please advise:

- what is the reason that STRs are not currently allowed in residential neighbourhoods?
- what the zoning by-law proposes to allow STRs?

5) Kindly advise whether currently it is legal to have a STR in the "older" section of Port Weller East, specifically in the Newport, Lakeside, Stepney, Bromley area.

There's currently a proliferation of them there.

6) A current Airbnb on Lakeside sleeps 16 in a very small house with very little parking.

There is little street parking there as it is.

Does the zoning by-law amendment specifically address the need to increase parking spaces for each licensed STR?

Will it tie into the number of bedrooms per STR?

Just a few doors away, a 7 bedroom STR is being built, with only 1 parking space. There's a fire hydrant out front and it's a dead end street so no out-front street parking.


With these 2 STRs alone, the tourist/renter's will be taking over the streets and long established neighbourhood for the very few parking spots as Port Weller East was never planned for cars, nevermind this current and upcoming volume of cars per house.

How many parking spaces does the draft zoning by-law amendment require for each licensed STR?

7) According to the engagestc.ca webpage, a buyer has already purchased a home on my street (Parkside) with the sole intention of renting it out as an STR/Airbnb for 6 months of the year.

- a) what measures can the City use to enforce by-law compliance when we have absentee landlords?
- b) what is the zoning by-law amendment's criteria to define a house as someone's "principal residence" to therefore permit it to be licensed as a STR?
- c) what are the complete licensing requirements please?
- d) how often do licenses need to be renewed?
- e) is there provision for problematic license holders to be denied? If so, kindly explain.

Thank you very much for your time and consideration,

Linda Crouch

St. Catharines

On Wed., Oct. 28, 2020, 4:59 p.m. Devlin, Taya, <tdevlin@stcatharines.ca> wrote:

Hi Linda,

The report and by-law have not been finalized and are currently being prepared by staff for inclusion on the agenda for the November 16th meeting of Council. The documents will be made available when the agenda is published.

In advance of the agenda being published, a [video](#) and [summary sheet](#) are provided on the engage page which outline the proposed zoning by-law amendment.

Let me know if you have any questions about the information provided in either the video or on the summary sheet.

Thank you,

Taya

TayaDevlin

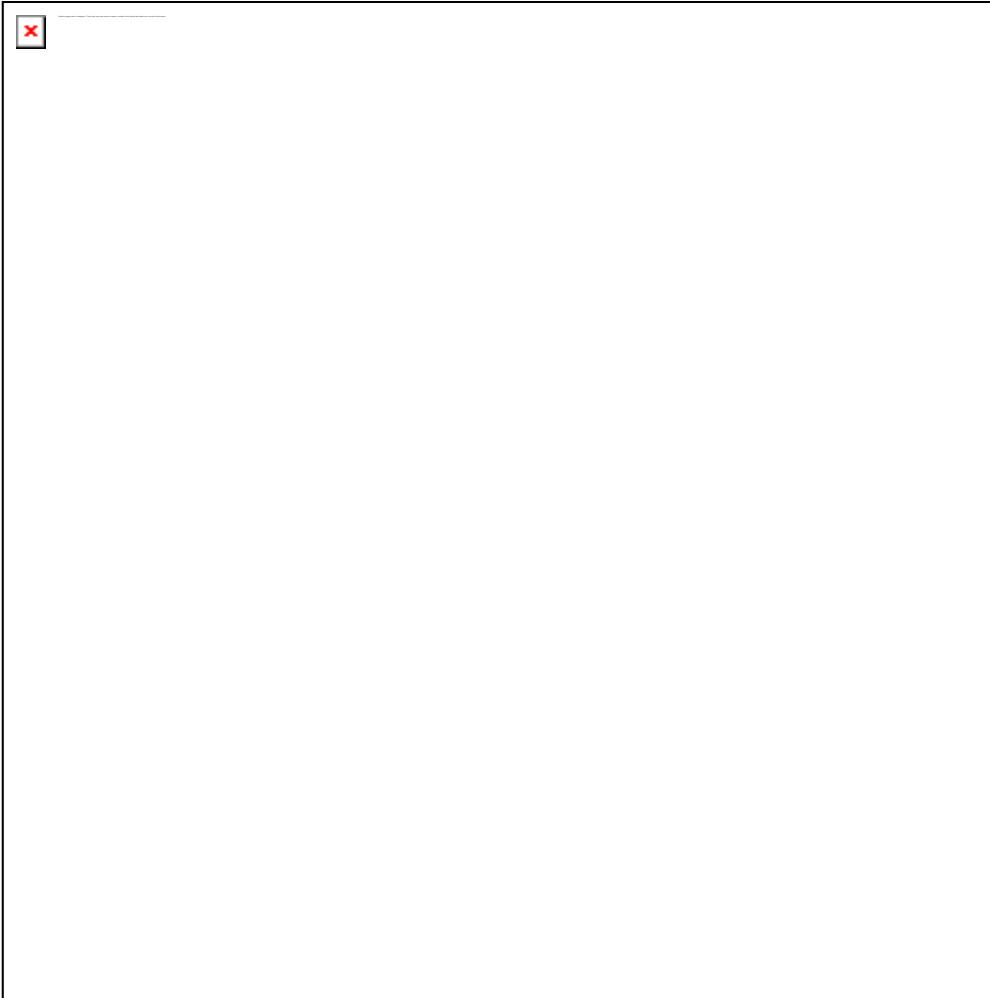
Planner I

Email: tdevlin@stcatharines.ca

Tel: 905.688.5601 x1727 TTY: 905.688.4TTY (4889)

Mail: PO Box 3012, 50 Church Street, St. Catharines, ON L2R 7C2





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From: Linda Crouch [REDACTED]
Sent: Tuesday, October 27, 2020 6:45 PM
To: Devlin, Taya <tdevlin@stcatharines.ca>
Subject: PBS Report re Short Term Rentals please

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Hi Taya

I hope that all is well with you.

It's my understanding that you are the Planner on the Short Term Rentals matter.

Can you please forward the Staff Report(s) to me that has been prepared on this matter for consideration on Nov 16?

Can you also please forward the draft zoning by-law amendment as well?

This is a critical issue that will impact every neighbourhood in the city.

i.e. my neighbourhood's zoning currently doesn't allow STR but it will be allowed under the zoning bylaw amendment, as is specifically stated on the engagestc.ca website.

We residents need more than 1 week (from Nov 9 until the Nov 16 meeting) to consider how it will affect our quality of life in our neighbourhoods.

Thanks very much for your time and consideration,

Linda Crouch

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By-laws to be considered Monday, November 16, 2020

- (a) A By-law to authorize the acceptance of a conveyance of certain lands from 2696211 Ontario Inc. for road widening along North Street and Court Street. (One reading – with respect to 2 North Street. Delegation By-law No. 2004-277, as amended.)
- (b) A By-law to authorize the acceptance of a conveyance of certain lands from Windeatt, Douglas And Windeatt, Susan for road widening along Rockwood Avenue. (One reading – with respect to 31 Rockwood Avenue. Delegation By-law No. 2004-277, as amended.)
- (c) A By-law to authorize a Letter of Agreement with The Ministry of Agriculture, Food and Rural Affairs (Ontario). (One reading – with respect to funding under “Welcome to the St. Catharines Virtual Farmers Market” Application to Stream 1 of the Canadian Agricultural Partnership Agri-food Open for E-business Targeted Intake: Bring Your Business Online Program. Delegation By-law No. 2004-277, as amended.)
- (d) A By-law to amend By-Law No. 89-2000 entitled “A By-law regulating traffic and parking on City Roads.” (One reading – with respect to addition of various stop sign locations. Delegation By-law No. 2004-277, as amended.)
- (e) A By-law to amend By-Law No. 89-2000 entitled “A By-law regulating traffic and parking on City Roads.” (One reading – with respect to addition of parking prohibitions on Jacobson Avenue. Delegation By-law No. 2004-277, as amended.)
- (f) A By-law to adopt a Community Improvement Plan for the City of St. Catharines. (One reading - with respect to the new St. Catharines Community Improvement Plan (2020CIP). Council, November 9, 2020, Item No. 3.2)
- (g) A By-law to amend By-law No. 2013-283 entitled “A By-law to regulate the use of land, the bulk, height, location, erection and use of buildings and structures, the provision of parking spaces and other associated matters in the City of St. Catharines.” (One reading – with respect to Short-Term Rentals. To be considered by Council, November 16, 2020).
- (h) A By-law to delegate certain powers and duties and to repeal By-law No. 2004-277, as amended. (One reading – with respect to adopting a new Delegation of Powers and Duties By-law. To be considered by General Committee, November 16, 2020.)
- (i) A By-law to confirm the proceedings of council at its meetings held on the 10th day of November 2020 and the 16th day of November 2020. (One reading - with respect to confirming the proceedings of the meetings held on November 10 and November 16, 2020.)