

Committee of the Whole Session, Short Term Rentals

April 4, 2023



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Short Term Rentals (STR)

What is a Short Term Rental Accommodation(STR): the use of a residential Dwelling Unit as a place of accommodation or temporary residence, or occupancy by way of concession, permit, lease, License, rental agreement or similar arrangement for fewer than thirty (30) consecutive calendar days with on or off-site management/owner throughout all or part of the year.

Short-Term Rental Accommodation: is not a motel, hotel, bed and breakfast establishment, tourist establishment (cabins or rentals accommodations permitted by specific zoning), or similar commercial accommodation use.

Problem/Negative Perception of STR's?

- **NIMBY's** – I came to the country or lakeside to retire to live a quiet life and do not want to live beside a **commercial** business.
- **Nuisance** – the property use creates issues that increase sensitivity to the use? (Garbage, Noise, Parking, Fire works and intoxication etc.)
- **Impact on the Natural Environment** – Reduces area tranquility, increase strain on septic systems and non-municipal water supply, building code issues, heavy water use (boats), littering and environmental noise.
- **STR** owners believe that regulation will cause a level of personal hardship and create unwarranted legal responsibility.
- **Regulation** may reduce property sales and property rental or values.

Benefits of STR's

Tourism – promotion of the City of Kawartha Lakes and the greater area as an area destination, across a number of social media platforms and indirectly via the booking services websites. (This is free promotion of our area)

Economy – STR's bring tourist people to the area, which supports local businesses, such as tourism support (rentals), entertainment, food, retail (clothing, specialty stores)

Job Creation – During peak season many businesses take on additional staff to serve the tourism industry and other local business service these STR properties (lawn care, cleaning, property management).

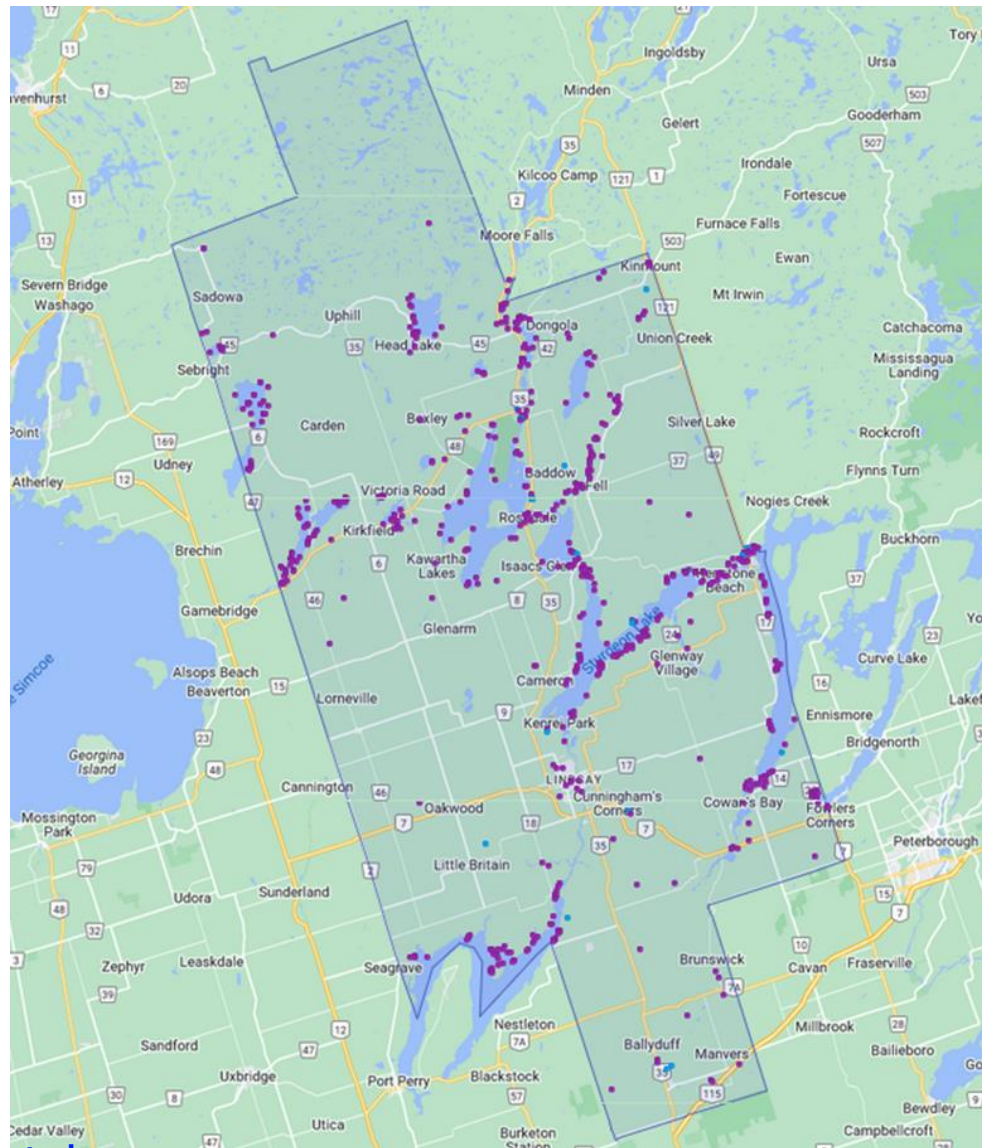
STR booking platforms

STR's have increased in popularity due to electronic access and promotion. Easier for renters to locate and book.



STR Locations

600 to 800 STR
Locations in the City of
Kawartha Lakes



<https://www.airdna.co/vacation-rental-data/app/ca/ontario/kawartha-lakes/overview>

Short Term Rentals – Brief History

- **2017**
 - Homeowners Association/Public request for regulation, Council received staff report outlining alternatives and implications. Public meeting.
- **2018**
 - Staff develop options to regulate, survey and monitor.
- **2018/19**
 - Staff created/options to track locations and established service fees for nuisance related issues, by-laws updated, created public education component.
- **2022**
 - Council requests **Q1 2023** staff report with options to regulate and license short term rentals.
 - Engaged Host Compliance Services, reporting and datamining across rental platforms.
 - On-going research

Next Steps – Time Lines, continued

Dec 2022 – Feb 23 – Survey and Public Information Centers

April 2023

- COW – report, staff presentation (Host Compliance) April 4
- Council – report April 18

May 2023 – if Licensing By-law is adopted, staff growth (start hiring process), soft rollout public, CAMS, website updates, licensing application forms and process finalized.

- Additional bylaw amendments to Council in 2023
 - Fees
 - Noise
 - Clean and Clear
 - Others?

What we have done so far

- **Public Survey** (2018 and December 2022 – Feb. 15, 2023)
- **Public consultation** 2018 to present
- 2023 **Public information centers**(Feb. 28 in Lindsay, Mar. 6 Coboconk)
- Created a Short Term Rental municipal information **webpage**
- **CAMS** Media support to encourage public communication (Jump in & Website)
- Amended **Nuisance by-law** types
- **Complaint tracking** tool - location data, issue tracking (CityWorks)
- Established **service fee** system
- On-going consultation with various agencies including the Health Unit, Police Services, other municipalities, Tourism Industry Association of Ontario TIAO, Private Land Associations
- Draft **Licensing bylaw**



What other Municipalities are doing?

There is no standardized approach to this...

Viewing Ontario's **444** municipalities,

- No standard approach,
- many do not view STR's in a way that contemplates regulation,
- **85** are directly regulating or in stages of study and consultation, moving towards regulation.

Licensing Bylaws: registered owners, appeals, fees, mechanism to address nuisances, designating specific areas, only permitted certain times of the year, suspension and revocation etc.

Prohibition Bylaws: out right ban in all or specific areas,

Zoning By-laws: expanded land use provisions and/or prohibition in specific areas, special zones to limit STR's to specific areas (away from lakes or in proximity to Agricultural or Commercial areas)

Some have **strengthened existing nuisance bylaws**, implemented investigative fees.

Comparators

- ✓ Town of Huntsville
- ✓ Town of Bracebridge
- ✓ City of Belleville
- ✓ Town of Aurora
- ✓ Township of Ramara
- ✓ Township of Tiny
- ✓ County of Haliburton

Consultations

- ✓ Township of Tiny
- ✓ County of Haliburton
- ✓ Various people & Cottage Associations
- ✓ Granicus - Host Compliance
- ✓ Internal – Legal, Planning, Ec. Dev. Fire, Building, Human Services
- ✓ Tourism Industry Association of Ontario (TIAO)

Provincial Regulations

The Province does not directly regulate STR's but does provide some guidance both to Municipalities and Owners

The Province has released a Home Sharing guide:

[home-sharing-guide-for-ontario-municipalities.pdf](#)

Additional Provincial information:

[NavigatingTheSharingEconomy.pdf](#)

Impactful legislation

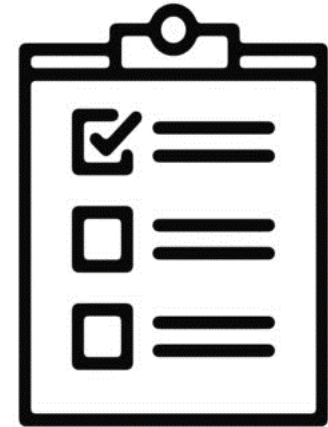
- Municipal Act
- Building Code Act
- Planning Act
- Fire Protection and Prevention Act
- Accessibility For Ontarians With Disabilities Act; Integrated Accessibility Standards
- Residential Tenancies Act



Survey Results

2018 - 607 responses

- 71% believe that an STR should be limited to an entire property
- 25% impact the CKL (community) in a negative way
- 73% STR's play an important role in tourism
- 67% STR's play a positive role in investment and business growth in CKL
- 50% STR's do not require regulation



2023 - Greater than 1000 responses

- 54% STR's support education, regulation, compliance enforcement (Q7, pg9)
- 38% STR's should be allowed in any area in CKL (Q16, pg71)
- 38% bring Tourism spending to neighbouring shops and restaurants (Q18, pg89)
- 24% STR's play a positive role in investment and business growth in CKL (Q18, pg89)
- 61% impact the CKL (community) in a negative way (Q10, pg65)
- 80% have never made a complaint (Q13, pg68)(Q11, Q12 noise/loud music response)

Sample Data Tracking

Short Term Rental Under 30 days			TOTAL	138
ML2022-0753	27-May-2022	RENTAL STATUS	Short Term Rental Under 30 days Long Grass Clean and Clear	
ML2022-1009	20-Jun-2022	RENTAL STATUS	Short Term Rental Under 30 days By-law Query	
ML2022-0417	18-Apr-2022	RENTAL STATUS	Short Term Rental Under 30 days Property Standards	
ML2022-1124	04-Jul-2022	RENTAL STATUS	Short Term Rental Under 30 days Noise	
ML2022-1271	14-Jul-2022	RENTAL STATUS	Short Term Rental Under 30 days Noise	
ML2022-0638	16-May-2022	RENTAL STATUS	Short Term Rental Under 30 days Noise	
ML2022-1728	12-Sep-2022	RENTAL STATUS	Short Term Rental Under 30 days Solid Waste	
ML2022-1426	02-Aug-2022	RENTAL STATUS	Short Term Rental Under 30 days Noise	

Data is specific to **53**
unique locations

Public Education:

- Information Sheets
- Municipal Webpages
<https://www.kawarthalakes.ca/en/things-to-do/short-term-rentals.aspx>
- Used Media to provide information
- Survey results:
<https://jumpinkawarthalakes.ca/short-term-rentals>
- Draft Licensing By-law:
<https://jumpinkawarthalakes.ca/33750/widgets/146014/documents/99458>
- Future tax insert



Options to Council - April

Continue with current practice — education, track locations, provide general nuisance by-law enforcement (noise, parking, debris etc.) and invoice owners service fees for MLE response and investigation. Suggest enforcement staff increase generally — 2024 budget.

Licensing By-Law — implement a licensing by-law, education, license fees, enforcement options, demerit point system, appeal system for owners, license suspension revocation process. Licensing staff increase, 2023 budget implications — licensing fees to cover.

Area specific prohibitions By-Law — STR's be banned, limited to specific areas and specific times of the year. For example, an STR shall not be located in a residential area, or shall be limited to LSR zones

Zoning — Wait for inclusion in Rural Zoning and General Zoning by-laws general amendments to recognize STR use as permitted in certain areas and with specific criteria to the zone i.e. specific area, use of structures, set backs and floor area (bedrooms)

Why Licensing?

Licensing provides the following:

- **Supports Strategic Plan, Official Plan, Destination Development Plan and Provincial Policy**
- **Establish responsibilities** for all owners and users, enhanced consumer protection in terms of fire and building safety and complaint processing.
- Premises and property **consistently maintained, acceptable conditions** as per by-laws.
- Protecting the character, values and quality of existing **communities/neighbourhoods**.
- Promotes **economic development and tourism**,
- Enhances **enforcement** efforts to address short-term rental concerns/problems.
- Holds the **owners directly accountable** and responsible for the operation of their business.
- Licensing program funded by short-term rental **operator fees** and not the taxpayer.
- Ability to close the STR business in combination with **legal process**.

Licensing By-Law

Council Resolution - That Staff continue with current process, and bring back a report in Q1, 2023, with budget considerations and options to regulate and license short term rentals in Kawartha Lakes.

Draft Licensing By-law Highlights

- Definitions – Key terms
- STR – prohibitions without a License
- STR – use during disaster or emergency
- Renters and Owners Acknowledgement
- 2 renters per bedroom max occupancy
- Yearly License – expires April 1
- Insurance requirements
- Inspections – Licensing, WETT, HVAC
- Required contact person 30/60 mins response
- Site requirements – parking, floor plans, fire safety
- Appeal process – suspension, revocation, denial of License
- Compliance orders
- Licensing Fees (hosted-\$300 and un-hosted \$1200)
- Demerit Point System – potential to impact current and future license

