

The Corporation of the City of Kawartha Lakes
Minutes
Short Term Rental Licensing Program Task Force

STR2023-001

Wednesday, April 26, 2023

11:00 A.M.

Council Chambers

City Hall

26 Francis Street, Lindsay, Ontario K9V 5R8

Members:

Deputy Mayor Tracy Richardson

Councillor Dan Joyce

Councillor Charlie McDonald

Councillor Mike Perry

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1. Call to Order

CAO R. Taylor called the meeting to order at 11:05 a.m. Deputy Mayor T. Richardson, Councillor D. Joyce, Councillor C. McDonald, Councillor M. Perry, Manager of Municipal Law Enforcement and Licensing A. Sloan, City Clerk C. Ritchie, Deputy Clerk S. O'Connell, and Administrative Assistant L. Williams were in attendance.

CAO Taylor welcomed attendees to the first Short Term Rental Licensing Program Task Force Meeting. CAO Taylor noted that the Task Force was implemented by Council due to the complexities surrounding the licensing of Short Term Rentals.

1.1 Appointment of Chair

Manager Sloan called for nominations for the position of Chair.

Councillor C. McDonald was nominated for the position of Chair. Manager Sloan asked Councillor C. McDonald if he wished to let his name stand for Chair of the Short Term Rental Licensing Program Task Force. He consented to the nomination.

Manager Sloan called for nominations for the position of Chair a second time.

Manager Sloan called for nominations for the position of Chair a third and final time.

Manager declared nomination for the position of Chair to be closed and declared Councillor C. McDonald as Chair of the Short Term Rental Licensing Program Task Force.

1.2 Appointment of Vice-Chair

Manager Sloan called for nominations for the position of Vice-Chair for the Short Term Rental Licensing Program Task Force.

Deputy Mayor T. Richardson was nominated for the position of Vice Chair.

Manager Sloan asked Deputy Mayor T. Richardson if she wished to let her name stand for Vice-Chair of the Short Term Rental Licensing Program Task Force. She consented to the nomination.

Manager Sloan called for nominations for the position of Vice-Chair a second time.

Manager Sloan called for nominations for the position of Vice-Chair a third and final time.

Manager Sloan declared nominations for the position of Vice-Chair of the Short Term Rental Licensing Program Task Force to be closed and declared Deputy Mayor T. Richardson as Vice-Chair of the Short Term Rental Licensing Program Task Force.

1.3 Call to Order

Councillor McDonald assumed the Chair at 11:12 a.m.

2. Administrative Business

2.1 Adoption of Agenda

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Moved By Councillor Perry

Seconded By Councillor Joyce

That the Agenda for the Short Term Rental Licensing Program Task Force Meeting of April 26, 2023, be adopted as circulated.

Carried

2.2 Declaration of Pecuniary Interest

There were no declarations of pecuniary interest disclosed.

2.3 Adoption of Minutes from Previous Meeting

(No Previous Minutes)

2.4 Review of Mandate and Scope of Work

Ron Taylor, CAO

Aaron Sloan, Manager of Municipal Law Enforcement and Licensing

CAO Taylor reviewed the mandate of the Task Force which will included a review of the draft Short Term Rental Licensing By-Law and the processes that would be involved with administration of a licensing program.

A. Sloan noted that the Task Force will reviewing the Short Term Rental By-Law and the accompanying Report.

2.5 Review of Timelines and Meeting Schedule

Task Force reviewed the time frames for the report back. The report back will be included at the June 6th Committee of the Whole Meeting (which has a submission deadline of May 24th) and the recommendations from the June 6th Committee of the Whole Meeting will be considered at the June 20th Regular Council Meeting.

3. New Business

3.1 Review of Option 2 (Licensing By-law) - Report to City Council (ML2023-001)

Chair McDonald noted that priorities for the Task Force include a review of the issues that relate to enforcement of and safety for short term rentals.

Chair McDonald posed questions surrounding:

- how the proposed By-Law would be enforced;
- could the City utilize paid-duty police officers for enforcement issues and, if so, would the paid-duty officers require a City vehicle;
- would the OPP allow Kawartha Lakes Police Services to respond to calls within the OPP catchment;
- which City Departments would be responsible for the inspections that are required within the proposed By-Law; and
- Can the the hours of service for Municipal Law Enforcement Officers be expanded to include evening and weekend shifts.

Manager Sloan advised that extended hours of service for Municipal Law Enforcement Officers would need to be reviewed as they are subject to the collective bargaining process. Manager Sloan outlined that under current processes, complaints can be submitted in a number of ways during existing hours of service. Manager Sloan also noted that Staff are exploring the implementation of a 24-hour contact line for matters relating to short term rentals. The 24-hour contact line would be managed through a third party vendor. The proposed Short Term Rental By-law proposes a demerit point system that would be used to manage issues relating to short term rentals. The demerit point system would be a multi-step process which would include the receipt of a complaint, a review of the scenario, a review of the historical information relating to the subject property, a risk assessment, a response on site and the final step would be proceeding to legal enforcement, if necessary.

Manager Sloan recognized that residents have expressed a need for an immediate time of event response to complaints and the police are a resource for situations that require that immediate response. Municipal Law Enforcement Officers would follow up on the immediate response by police to address licensing issues.

Councillor Joyce reiterated the need for enforcement after 9:00pm on weekends.

Councillor Perry echoed concerns about a time of event response and questioned why the existing By-Laws couldn't be enforced instead of implementing a new licensing program.

Manager Sloan suggested that a new licensing program would establish a business license that Staff could rely upon for enforcement issues.

CAO Taylor that once Council has determined the level of service that will be mandated by a short term rental licensing program, that program will determine the staff complement that would be required for the administration of that program. CAO Taylor also noted that staff can consult with the Kawartha Lakes Police Service and the OPP on the options that are available for an enhanced level of service for issues relating to short term rentals.

Deputy Mayor Richardson asked if the OPP can enforce by-Laws. Deputy Mayor Richardson also inquired about annual renewal fees for the short term rental licenses and suggested that the annual renewal fee less than the initial registration fee.

Councillor Joyce suggested that if enforcement is required after 9:00pm that the enforcement officers enlist police support if safety is a concern.

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Moved By Councillor Perry

Seconded By Deputy Mayor Richardson

That Staff consult the Kawartha Lakes Police Services and the OPP with respect to the options that are available for an enhanced level of service for the enforcement of issues relating to short term rentals and to report back to the Task Force with the options that are available.

Carried

Chair McDonald noted that if staff positions are created for the short term rental licensing program their duties should be solely dedicated to the administration of

the program. Chair McDonald also asked when a 24 hour contact line could be established.

Manager Sloan outlined that if any staff positions that are created for the short term rental licensing program would also be able to assist with other enforcement issues. Manager Sloan also outlined discussions are ongoing with the vendor for a 24 hour contact line but council direction would be required for the contact line can be implemented.

CAO Taylor noted that the City does not currently have a short term rental licensing program in place. The administrative work associated with a licensing program would be finalized once a program is approved by Council and enforcement would follow.

Manager Sloan reviewed how a database of short term rentals would be established and how monitoring would be conducted. The short term rental licensing program would place the onus on the property owner if issues arise. With a program in place the City would have the ability to contact the property owner to advise them of a complaint that needs to be addressed. Manager Sloan also noted that the short term rental licensing program would allow the City to pursue properties that are not licensed. Once a program is in place there will be monitoring and as licenses expire, notices will be sent to the property owners advising of the licensing requirement.

3.2 Review of Draft Licensing By-law

The Task Force reviewed the intent of the proposed short term rental by-law and the review included a detailed summary of:

- the recitals within the by-law;
- the definitions of the by-law;
 - with discussion surrounding the definition of short term rental accommodation;
 - with discussion surrounding the timing of a short term rental, being 30 days or less; and
 - it was noted that other municipalities have used 28 days or less within their definition of a short term rental.

Deputy Mayor Richardson asked if staff had considered a requirement that short term rentals can only be active for 6 months out of the year.

Councillor Perry asked if the timing of a short term rental could be tailored to address rentals that are weekend and week long time frames.

The Task Force discussed the option of a multi-level or graduated system of licensing.

STR2023-003

Moved By Deputy Mayor Richardson

Seconded By Councillor Joyce

That Staff review the staffing requirement that would be associated with a graduated licensing system for the regulation of short term rental properties and report back at the next Short Term Rental Licensing Program Task Force Meeting.

Carried

Deputy Mayor Richardson inquired if a set backs (i.e. a minimum distance between short term rentals) could be incorporated into the by-law.

Members reviewed the issues highlighted in Appendix H to Report ML2023-001, which was considered by Council on April 18, 2023.

Manager Sloan advised that he would report back to the Task Force to address the questions that had been raised.

4. Next Meeting Date

Wednesday May 3, 2023, 8:30am, City Hall Council Chambers

5. Adjournment

STR2023-004

Moved By Councillor Perry

Seconded By Councillor Joyce

That the Meeting adjourn at 1:29 p.m.

Carried