



Report to Council

To: Mayor & Members of Council
From: Jessie Clark, Director of Corporate Services/Clerk on behalf of the Short Term Rental Working Group
Date: February 1, 2022
Re: Summary of Public Consultation on Short-Term Rentals

Recommendation:

That Council receive the report from the Director of Corporate Services/Clerk, on behalf of the Short Term Rental Working Group, regarding Summary of Public Consultation on Short-Term Rentals; and further

That Council direct the Working Group to utilize the Short-Term Rental survey and public consultation session results and bring forward a recommendation.

Financial Implications:

None.

Background:

An online survey was launched on November 1, 2021 and ran until November 19, 2021. A public consultation session was also held on November 23, 2021. These were promoted through a mail out sent to 6741 residents, published on the website, social media and circulated to email contact lists. Advertisements were placed in a variety of local newspapers and signage was posted at the Transfer Stations.

A total of **1626** surveys were completed and **18** people provided delegations at the public consultation session. **6741** notifications were mailed to property owners which results in a 24% completion rate based on the number of notifications sent.

Part 1 – Demographics

The response rate for this consultation was high and provides confidence that a representative sample of the Trent Lakes population has provided input to the Short-Term Rental public consultation. This is further supported by looking at the age, geographic distribution and breakdown of seasonal and permanent residents.

There was a strong representation of respondents from all three former wards. As Harvey Ward makes up 60% of our population base, it was somewhat underrepresented in the responses with only 38%. Conversely, Galway and Cavendish were slightly overrepresented.

The age distribution of respondents closely mirrors the 2016 census data. From the census, 66% of residents are over 55 years old. Likewise, 63% of survey respondents indicated they are over 55 years old.

Within the Municipality, about 63% of residents are seasonal. Likewise, 64% of survey respondents are seasonal – either weekenders or more frequent occupants.

Approximately 74% of residential dwellings within Trent Lakes are on waterfront properties. Similarly, 81% of survey respondents indicated their property was waterfront.

Part 2 – Short-Term Rental Experience

Majority of respondents indicated they had read the proposed licensing program. This is important to know that respondents were informed of the proposal and requirements.

Majority of respondents indicated they did not rent out their property, however, 319 respondents did which may indicate that the number of short-term rental properties is larger than originally estimated.

81% of respondents said there was a short-term rental in their neighbourhood which, again, suggests a larger number than estimated.

Respondents felt the most positive impact short-term rentals have in their community is that the revenue helps owners offset tax, mortgage and maintenance costs. No other positive aspect of Short-Term Rentals was rated higher than 39%.

Respondents felt the most negative impact short-term rentals have in their community are excessive noise. This was followed by the negative impacts of party houses, fire and fireworks and general health and safety which were all rated higher than 50%.

64% of respondents felt short-term rentals should be regulated. The 36% who did not agree with regulations vocalized that this is an overreach by the Municipality and that existing by-laws are sufficient to address any problems.

Part 3 – Proposed Licensing Program

Respondents were fairly split on exempting long term rentals (more than 28 days consecutively); hotels, motels, bed and breakfasts, trailer parks or other commercial accommodators; and properties rented for less than 21 days (total) during the year. The main reason for not agreeing with these exemption criteria were that all short-term rentals should be regulated regardless of the number of days rented out.

49% of respondents responded that the proposed licensing fee of \$1,000.00 was too high.

However, the remaining requirements/restrictions were more strongly supported by respondents of the survey as follows:

- 71% of respondents agreed with the health and safety requirements.
 - Main reasons for not agreeing with the health and safety requirements included the need to ensure boats (especially) and all-terrain vehicles are driven only by licensed operators and that guest motor vehicles either should not be allowed or should be free of any invasive species.
- 59% of respondents agreed that a Municipal Inspector should perform on-site inspections of short-term rentals properties.

- Main reasons for not agreeing that a Municipal Inspector should perform on-site inspections included it not being the responsibility of the Municipality and not cost-effective or a poor use of already constrained resources.
- 63% of respondents agreed that a two guest per bedroom, with a maximum of eight guests, excluding children was an appropriate restriction/requirement.
 - Main reasons for not agreeing with this requirement were that the maximum number of guests should be dependent on the size of the rental house; the maximum of eight guests should include children; and that there should be no restrictions on the number of guests.
- 62% of respondents agreed with a minimum rental period of two nights.
 - Main reasons for not agreeing with this requirement were not understanding why this would be regulated; should be no regulations for length of stays; and having a minimum 7 day rental period.
- 67% of respondents agreed that only one group of guests per rental property should be permitted.
 - Many of the comments related to this question were from a misunderstanding of the intent of the requirement. The intent of this requirement was that there would only be one rental agreement per property (the Bunkie could not be rented out separately from the house). All guests in the same group do not all need to be from the same family.
- 70% of respondents agreed that guests should not be permitted to stay in accessory structures, with the exceptions of guest cabins/bunkies.
 - Main reasons for not agreeing with this requirement were that this should be up to the owner to manage and that this requirement was unnecessary.
 - Many of the comments related to this question were from a misinterpretation of the intent of this requirement. Guests would have access to accessory structures, however, would not be permitted to sleep in these buildings.
- 66% of respondents agreed with a requirement of one parking space per bedroom.
 - Main reasons for not agreeing with this requirement were that this was too controlling; that the owner should manage this; and that there should be fewer parking spaces permitted.
- 64% of respondents agreed that a demerit system should be established.
 - The main reason for not agreeing with this requirement was that it would be difficult to implement/manage. Many comments raised the difficulty of administering this and ensuring that violations are verified.
- 68% of respondents agreed that an appeals committee should be created.
 - Main reasons for not agreeing with this requirement were concerns with the cost and resources required to implement and manage and the creation of a bureaucratic structure.

43% of respondents provided feedback on additional requirements that should be included in a licensing program, however, none of the additional requirements proposed were expressed by more than 10% of commenters.

Overall, 59% of respondents supported the proposed licensing program for short-term rentals in Trent Lakes.

Part 4 – Final Comments

Those opposed to a licensing program in the survey in the final survey question cited that this was an overreach by the Municipality, that owners should have the right to use their property as they

choose, that there are existing by-laws to address any issues, and that Short-Term Rentals are not a big problem. On the other hand, many people commented that Short-Term Rentals should be outright banned or zoned or limited in number.

The Public Consultation Session heard many residents in opposition to the proposed licensing program citing that many problems could be adequately addressed by existing by-laws and the self-regulation that is available through the rental websites. Support for the proposal was expressed by an individual as a means to address the issues neighbours experience related to Short-Term Rentals.

Summary

The Short-Term Rental Working Group has reviewed the survey results and delegations from the public consultation session in depth. While there is support for the proposed short-term rental licensing program, many have also expressed concerns for the current proposal. The public consultation process has reiterated that this subject and the proposed licensing program are very polarizing.

The Short Term Rental Working Group will continue to search for an appropriate proposal that acknowledges the benefits of Short-Term Rentals while mitigating the negative effect they may present in the community by taking into consideration the feedback received through the public consultation process.

Submitted by:

Approved by:



Jessie Clark, Director of Corporate Service/Clerk



Donna Teggart, CAO/Treasurer



Short-Term Rental

Proposed Licensing Program

2021

Survey Overview

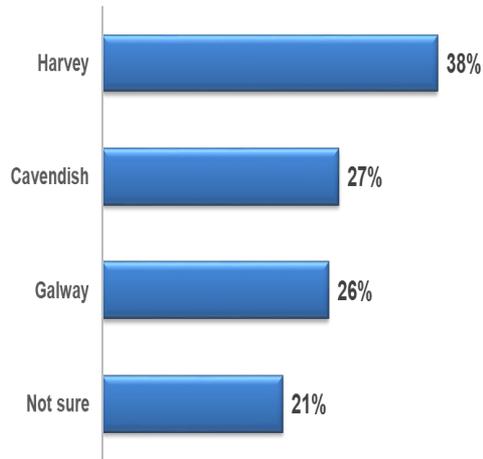
- 6741 notifications were mailed to property owners
- Notices were placed on the website, social media and local news media
- Signs were posted at waste transfer sites
- 1626 responses received
 - 24% completion rate based on number of notifications sent vs number of respondents
 - Highest survey response to date (Next highest was the 2018 Service Level Questionnaire with 605 responses)
- Some response rates may not add to 100% because a number of questions have more than one check box or some respondents answered Not Sure or Don't Know

Part 1

Demographics

Demographics

Q1. If you live or own property in Trent Lakes, what area (former ward) do you live in or own property in?

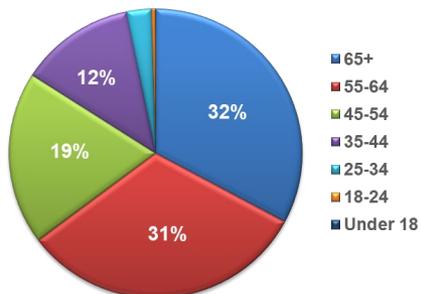


38%
Harvey

27%
Cavendish

26%
Galway

Q2. What age group do you fall under?



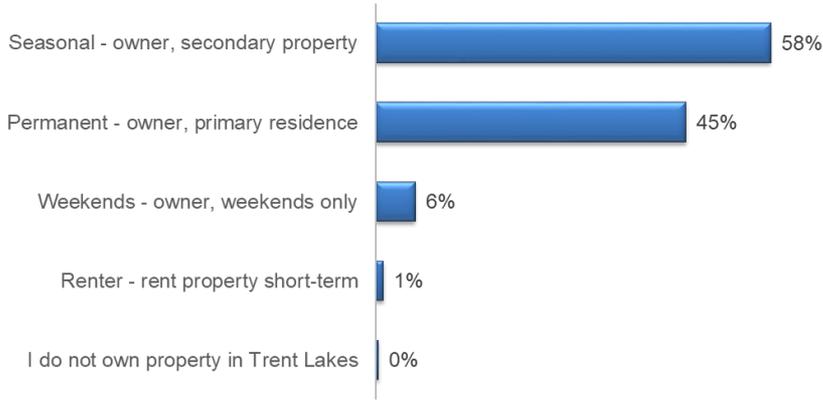
32%
are
65+

31%
are between
55-64

31%
are between
35-54

6%
are below
35

Q3. What classification do you fall under?

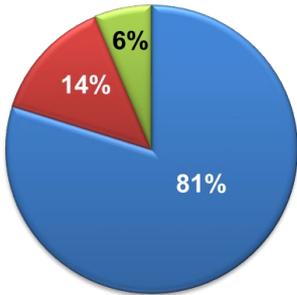


58%
Seasonal – owner,
SECONDARY
property

45%
Permanent –
owner, **PRIMARY**
property

6%
Weekends –
owner,
WEEKENDS
only

Q4. Where is your property located?



81%
Waterfront

14%
Other rural

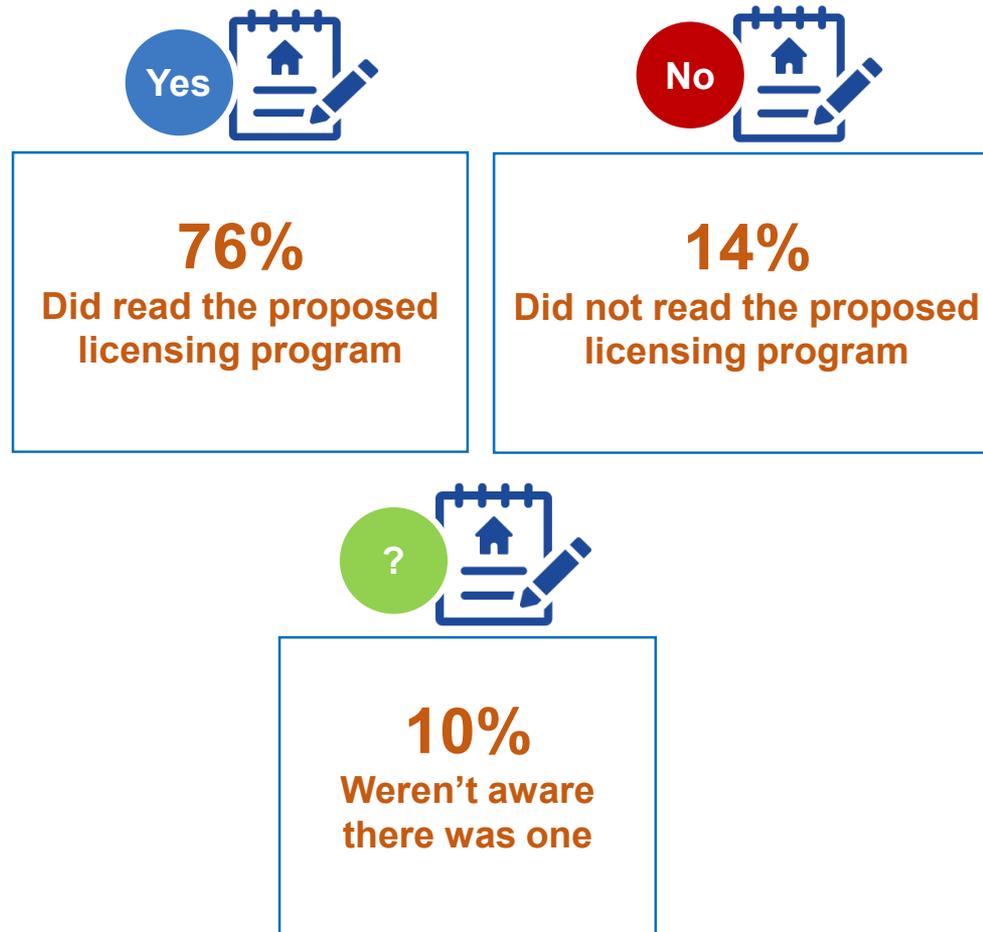
6%
**Hamlet/
Town**

■ Waterfront ■ Other rural ■ Hamlet/Town

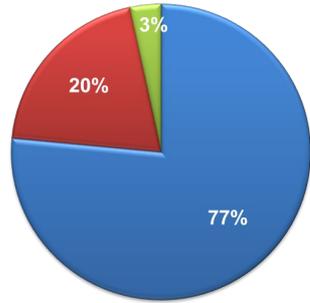
Part 2

Short-Term Rental Experience

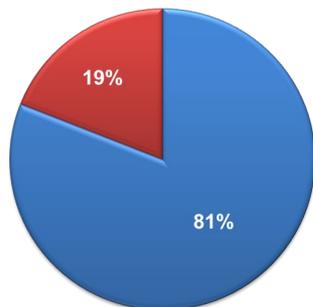
Q5. Have you had an opportunity to read the proposed Trent Lakes Short-Term Rental Licensing Program?



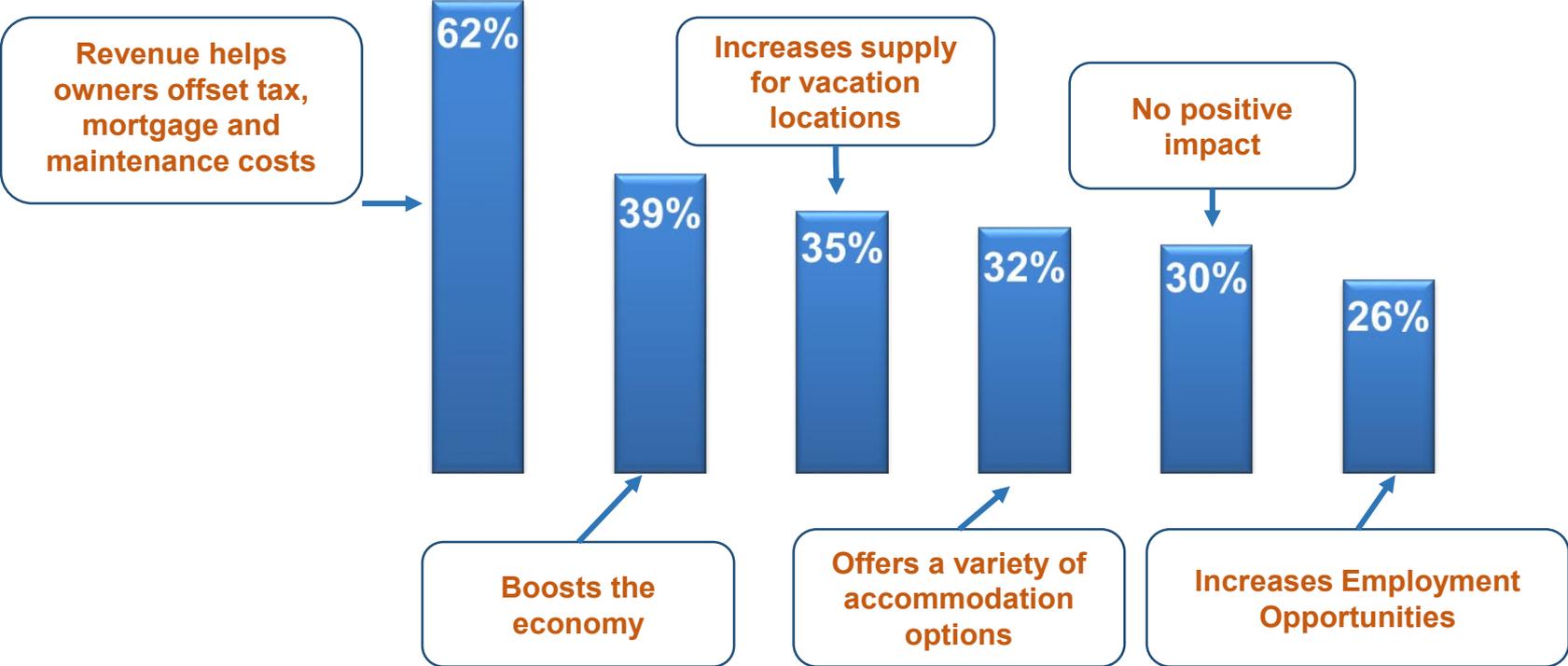
Q6. Do you rent out your property?



Q7. Is there a short-term rental property in your neighborhood?



Q8. In your opinion what **POSITIVE** impact do short-term rentals have in your community? Select all that apply



Q9. In your opinion what **NEGATIVE** impact do short-term rentals have in your community?



Excessive Noise

62%
feel this has a negative impact in their community



Party Houses

56%
feel this has a negative impact in their community



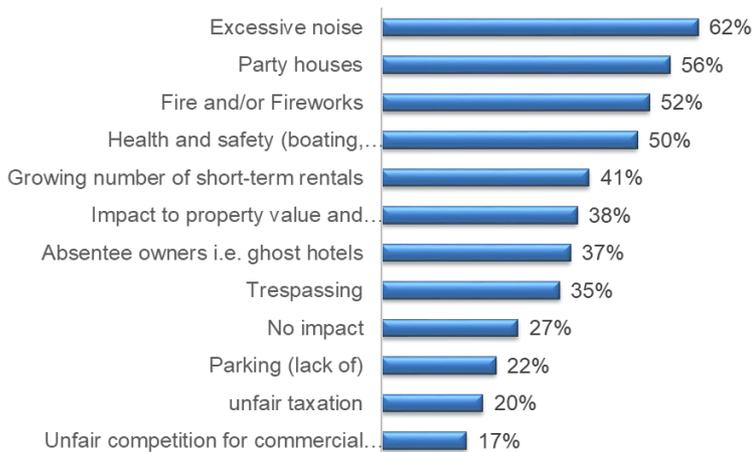
Fire or Fireworks

52%
feel this has a negative impact in their community



Health & Safety

50%
feel this has a negative impact in their community




Growing #STR's

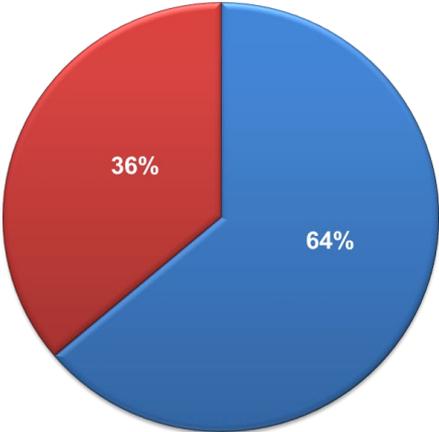
41%
feel the number of short-term rentals is growing



No impact

27%
feel short-term rentals have **NO NEGATIVE** impact in their community

Q10. Should short-term rentals be regulated by the Municipality of Trent Lakes?



Regulated?

64%
Say **YES** to regulating
short-term rentals



Regulated?

36%
Say **NO** to regulating
short-term rentals

Part 3

Proposed Licensing Program

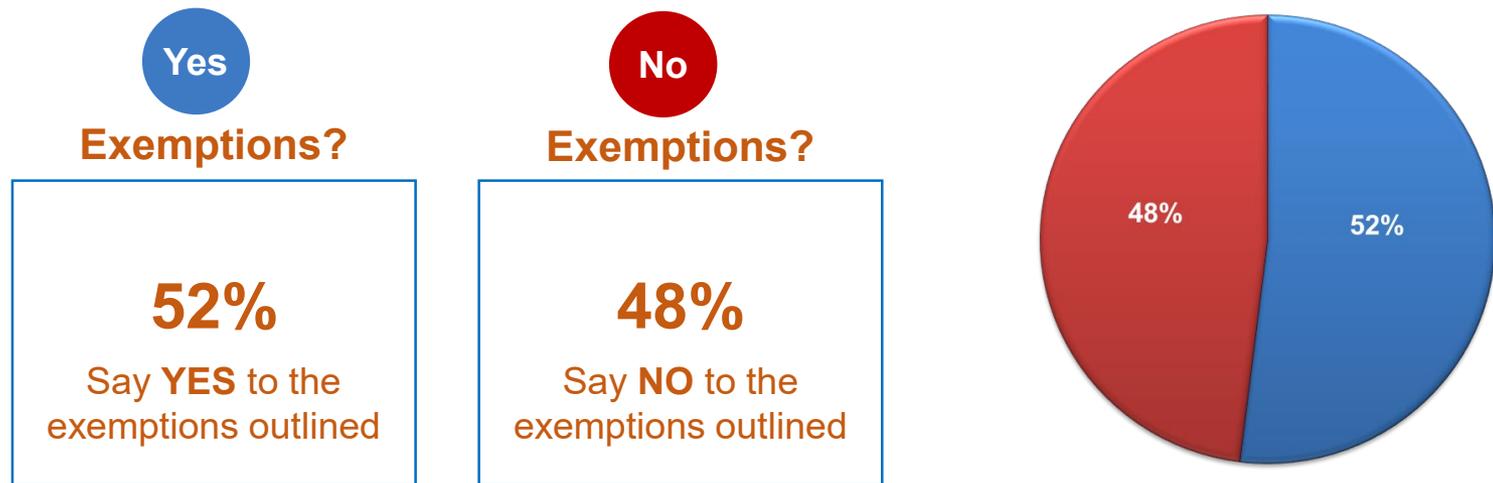
Trent Lakes is proposing a licensing program for short-term rentals. The following questions represent specific terms of the proposed licensing program.

Proposed: A license would be required for any property that is rented out for periods of LESS than 28 consecutive days throughout the year. (e.g. property rented out for a weekend or week).

A license is not required if you meet the following **EXEMPTION** criteria.

- Long term rentals (MORE than 28 days consecutively)
- Hotels, motels, bed and breakfasts, trailer parks or other commercial accommodators
- Properties rented for less than 21 days (total) during the year

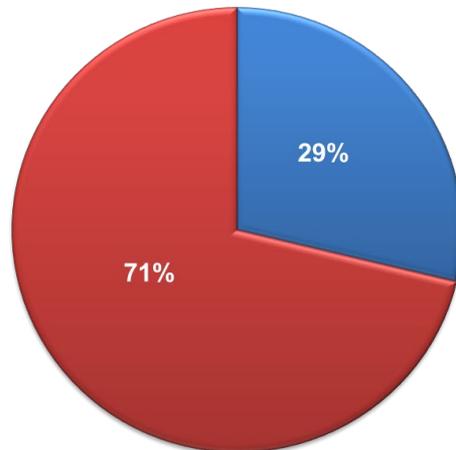
Q11. Do you agree with these exemptions?



Proposed: In order to protect the health and safety of renters, and application for a short-term rental license would only be approved if the following requirements are met.

- Contact information for responsible person available 24/7 and within 1 hour of property to address issues and complaints
- Code of conduct and/or rental package included with application
- Cleaning protocols as required by Peterborough Public Health
- Confirmation of no outstanding taxes
- Confirmation with relevant fire code sections: (i.e. number of exits, smoke alarms, fire extinguishers(s))
- Compliance with applicable Building Code sections (safe railings, stairs etc)
- Septic system in good working order with sufficient capacity
- Burn permit – current year
- Safe drinking water
- Proof of \$2 million liability insurance
- Site floor plans provided (i.e. Parking locations, septic system, well – if on site, other buildings)

Q12. Are there any other requirements you think should be considered?



No

Other Requirements

71%

Say **NO** to other requirements

Proposed: In order to ensure compliance with health & safety regulations an on-site inspection by Municipal staff (building inspector) would be required.

Q13: Do you agree that a Municipal inspector should perform on-site inspections of short-term rental properties?



On-site inspection?

59%

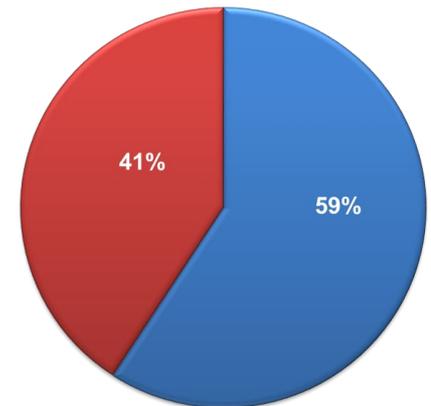
Say **Yes** to
municipal staff inspecting
short-term rentals



On-site inspection?

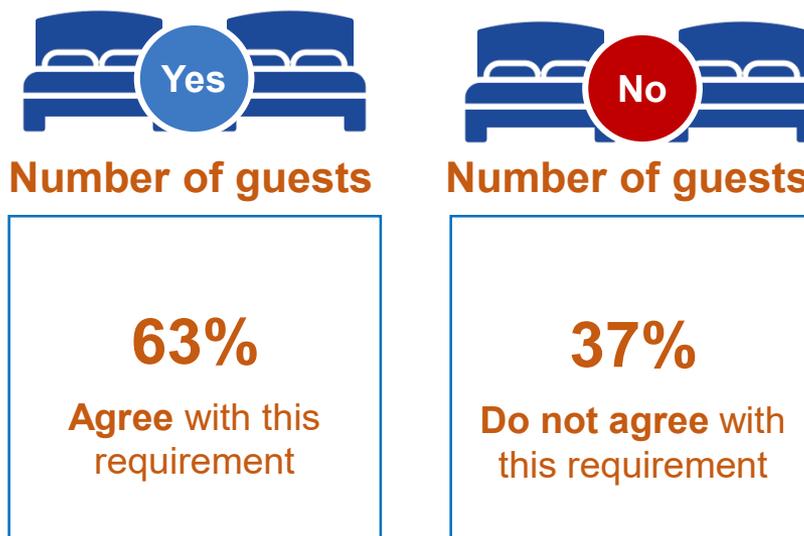
41%

Say **No** to
municipal staff inspecting
short-term rentals



Proposed: A licensed short-term rental would be required to adhere to certain operating restriction/requirements. Please answer 'Yes' or 'No' for questions 14-18.

Q14. Requirements: Two(2) guests per bedroom (meet Ontario Building Code compliance), maximum eight(8) guests, excluding children under 10?



Q15. Requirement: Minimum length of rental period is two(2) nights.



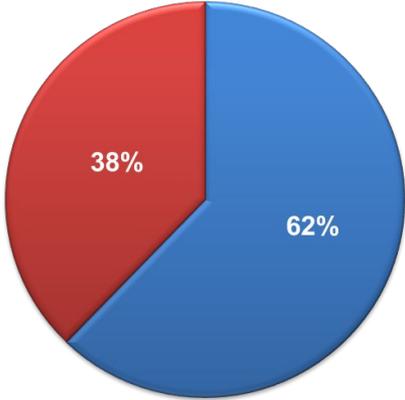
Length of rental

62%
Agree with the proposed two (2) night minimum rental period



Length of rental

38%
Do not agree with the proposed two(2) night minimum rental period



Q16. Requirement: Only one (1) group of guests per rental property(s).

The intent of this requirement was that there would only be one rental agreement per property (the Bunkie could not be rented out separately from the house). All guests in the same group do not all need to be from the same family.



Group Limit

67%

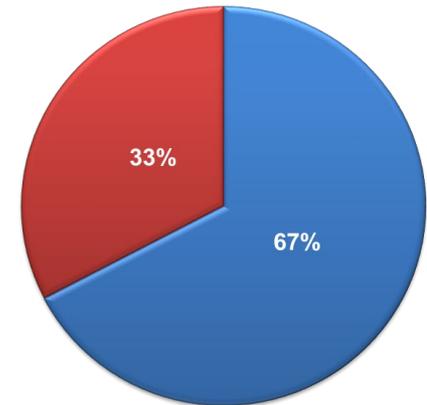
Agree with the proposed one group of guests per rental property limit



Group Limit

33%

Do not agree with the proposed one group of guests per rental property limit



Q17: Requirement: Guests not permitted in accessory structures (i.e. garage, shed, recreational vehicle) except for cabins and/or bunkies.

Guests would have access to accessory structures, however, would not be permitted to sleep in these buildings.



Accommodations

70%

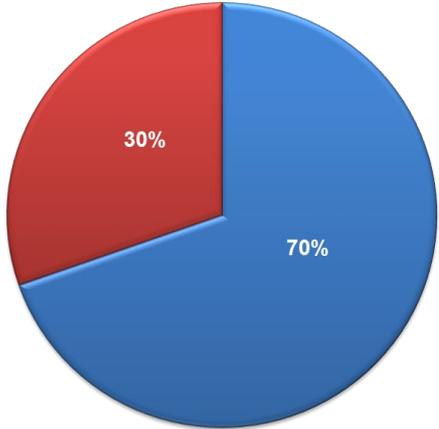
Agree with guests not being permitted to sleep in accessory structures



Accommodations

30%

Do not agree with guests no being permitted to sleep in accessory structures



Q18. Requirement: One parking space per bedroom



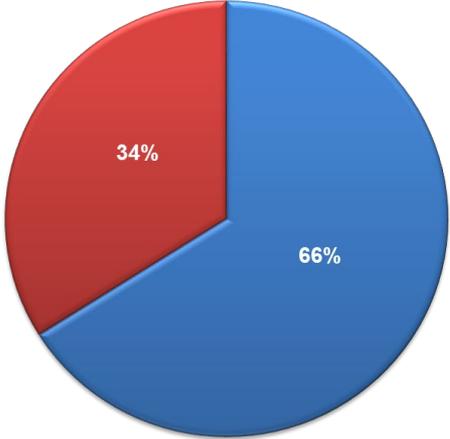
One Parking Space?

66%
Agree with one parking space per bedroom



One Parking Space?

34%
Do not agree with one parking space per bedroom



Q19. Are there any other operating restrictions and/or requirements you think should be considered?



Operating Restrictions?

58%

Did not provide any other
operating restrictions and/or
requirements

Proposed: An application for a short-term rental license would require a licensing fee to be paid, proposed at \$1,000.00.

Q20. Do you agree with this licensing fee?



Licensing Fee?

49%

Do not agree with the proposed licensing fee

Fee is too high



Licensing Fee?

39%

Agree with the proposed licensing fee

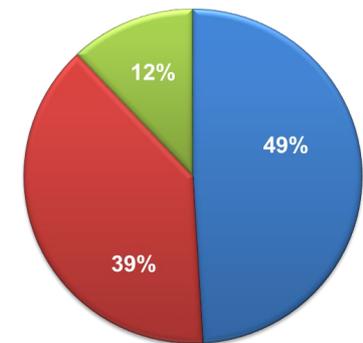


Licensing Fee?

12%

Do not agree with the proposed licensing fee

Fee is too low



Proposed: Licensed short-term rental properties would be subject to a demerit system that would assign demerit points for each infraction resulting in a revoked short-term rental license based on pre-determined number of points.

Q21. Do you agree with establishing a demerit system for licensed short-term rental properties?



Demerit System?

64%

Selected

YES

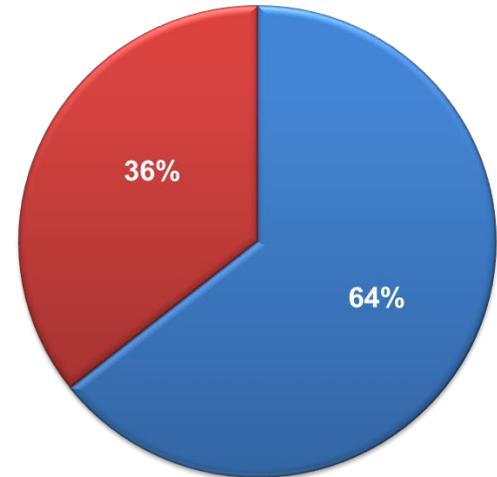


Demerit System?

36%

Selected

NO



Proposed: A short-term rental appeals committee (for owner appeals) will be established, comprised of three public members (preferably with mediation and/or enforcement experience) and two council members.

Q22. Do you agree that an appeals committee should be created?



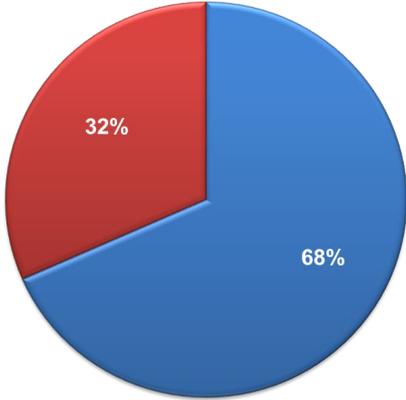
Appeals Committee?

68%
Agree that there should be an appeals committee



Appeals Committee?

32%
Disagree with creating an appeals committee



Q23. Do you support the proposed licensing program for short-term rentals in Trent Lakes?



License Program?



License Program?

