

# Short Term Rental Committee Public Meeting A Made in McKellar Approach

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Sunday October 2<sup>nd</sup>, 2022  
McKellar Community Centre

# Agenda

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- **Welcome & Introductions**
- **Short Term Rental Committee**
- **Terms of Reference**
- **Reports & Findings**
- **Summary of findings**
- **Sub Committee short term recommendations**
- **Sub Committee long term recommendations**
- **Next Steps**
- **Questions & Answers**
- **Additional Feedback**

# Our History

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January 12<sup>th</sup>, 2021 McKellar Council unanimously approved an ad hoc committee on rental properties

We were tasked with reviewing current & historical evidence relating to rental properties in McKellar

Review other municipalities, review FOCA's position on rentals

Engage the public

Review municipal bylaws, documents, reports and resolutions pertaining to Short Term Rentals

Define Short Term Rentals

Make recommendations to council on resolving issues & concerns

# History continued....

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First official meeting took place in June 2022 due to unforeseen delays in 2021

Since then the committee has met 6 times prior to today's presentation

After today we have an additional meeting scheduled prior to making our recommendations to council at the end of the month.

# Our Committee

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## Members (15):

Leanne Armano, Tony Best, Don Gallagher, Erik Holmberg, Peter Hopkins, Douglas Hunt, Eric Klimstra, Owen Lennox, Vanessa McBride, Doug Moore, Wanda Muirhead, David Murray, Leslie Rich, Howard Sproxton, Kim Ten Hoeve

## Additional Resource Members (4):

Axy Leighl, Brian Johnson, Chris Bordeleau & Chris Everitt

# Terms of Reference

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To make recommendations to Council on matters pertaining to resolving rental property issues and concerns within 1 year.

# The Vision- Respecting the Values of McKellar

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How can we ensure that everyone, residents, guests, visitors and owners RESPECT our beauty, our environment and each other ? By Respecting the Values of McKellar

We have all chosen to enjoy living, visiting, staying in McKellar for a variety of reasons:

- To embrace its positive and welcoming sense of community
- To protect and preserve the beauty of our environment
- To enjoy nature and the ambiance of living in a rural area

# The Vision Continued.....

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It is expected that all owners, guests, visitors and renters RESPECT and protect our values by RESPECTING:

- the quality of our lakes
- the beauty of our environment
- each other, neighbours, guests and visitors
- our Bylaws
- all boating and boater regulations
- the ambiance of our community
- septic capacity regulations



# Defining Short Term Rentals

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A Short Term Rental (STR) is typically defined as a rental of all or part of a dwelling unit rented out for less than 28 consecutive days in exchange for payment

# Short Term Rentals - Pros

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- Encourages and supports tourism
- Supports local businesses
- Creates local employment opportunities – property maintenance, cleaning etc.
- Adds needed income to offset rising costs
- Helps future cottage buyers to experience cottage life
- Increases and maintains property values
- Promotes property improvements and upgrades
- Contributes to cottage country awareness

# Short Term Rentals - Cons

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- Loss and/or change of a sense of community
- Lack of respect for the neighbours and the lake
- Non-adherence to current bylaws – fire and noise
- Environmental Issues –Septic, garbage, lake impact
- Security and trespassing
- Liability and insurance Issues
- Decreases property values

# Defining Commercial Property

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Commercial property is real estate that is used for business activities. Commercial property usually refers to buildings that house businesses, but can also refer to land used to generate a profit, as well as large residential rental properties.

# Bylaw 95-12

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Our current Bylaw excludes Short Term Rentals as a permitted use on Waterfront Residential property.

There is a need to reconcile the reality of short term rentals with realistic and enforceable actions moving forward to deal with incidents and complaints, while educating everyone on respecting and maintaining our quality of life in McKellar.

Currently under review.

# The findings

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The STR Committee has to date reviewed the following:

1. Current & Historical
2. Many other municipal rental bylaws and data
3. FOCA rentals
4. CBO, BLO & MLCA
5. Public concerns
6. Commercial property owners' concerns

# The findings

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McKellar has an undetermined number of short term rental properties.

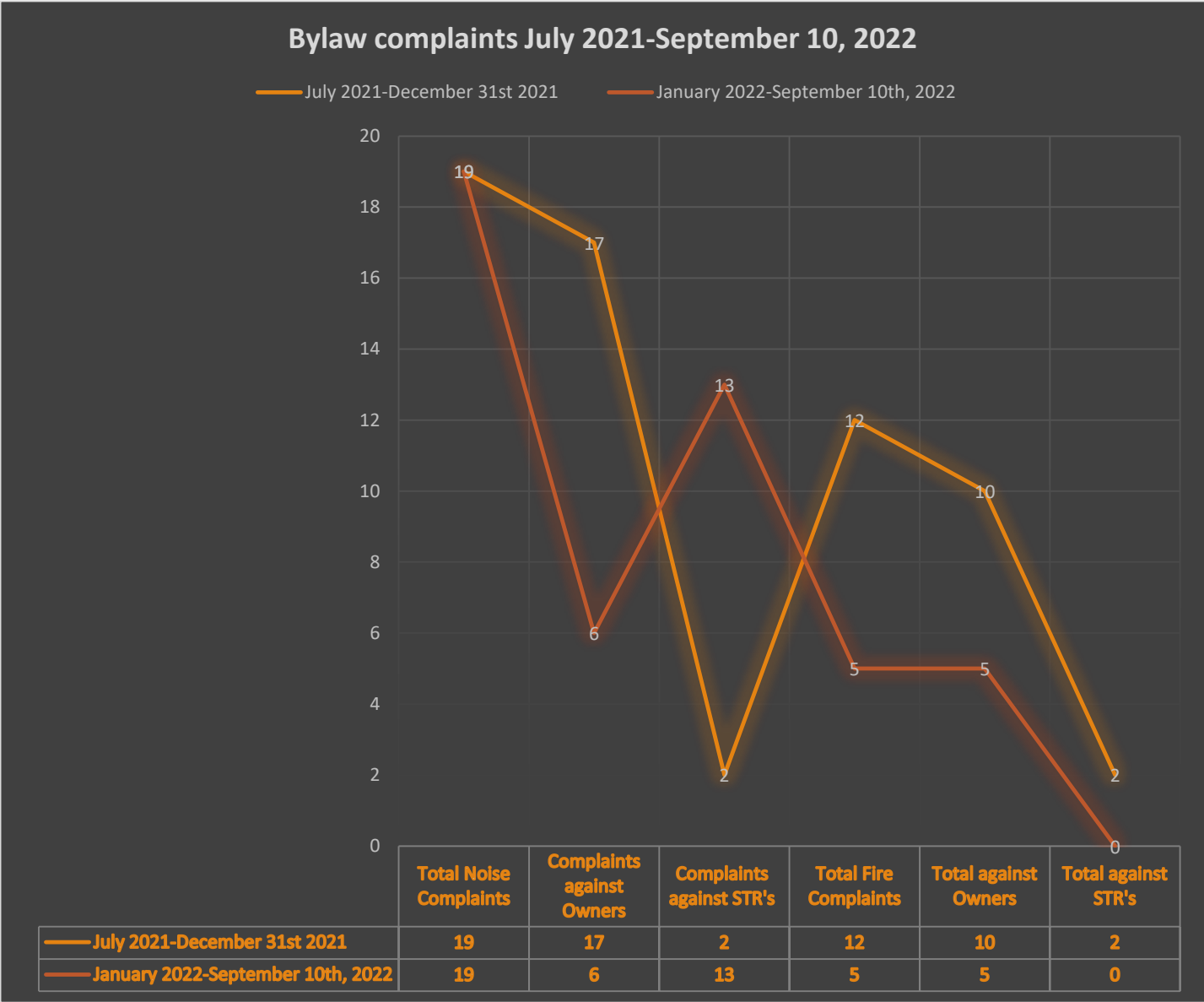
The number of noise complaints against Short-Term Rentals (STRs), from January 2022, equals the number of noise complaints against private owners.

	Total Noise Complaints	Complaints against Owners	Complaints against STR's	Total Fire Complaints	Total against Owners	Total against STR's
July 2021-December 31st 2021	19	17	2	12	10	2
January 2022-September 10th, 2022	19	6	13	5	5	0

From July 2021 to September 10, 2022:

- Total number of complaints (fire & noise) – 55
- Total number of complaints against STRs – 17 (7 repeat offender)
- Total number of complaints against owners – 38 (1 repeat offender)

# Bylaw complaints





# What does the data tell us?

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As a committee we committed to following an evidence based approach; based on the evidence it appears Short Term Rentals are not as much of a concern as once thought.

We found that what McKellar requires is an educational approach for all owners and renters.

We found we need to amend some of our bylaws to make them clear and concise so they are easy to read and follow.

We need to enforce the bylaws we have in place.

# Communities Reviewed

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- McKellar
- Whitestone
- Seguin TWP
- Oro Medonte
- Port Franks; Grand Bend; Ipperwash
- City of Toronto
- Kawartha Lakes
- Carling
- Gravenhurst
- Bracebridge
- Muskoka Lakes
- Kenora
- Manitoulin Island
- Blue Mountain
- Tiny Township

# Continuation....

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Many jurisdictions are moving to define short term rentals to provide clarity in their zoning bylaws. The most common characteristic used in these new definitions is the term of the rental agreement. Some use 30 or 28 days while others use 3 days. Any conversation about STRs in McKellar will require a McKellar definition of STRs.

# Short Term Recommendations

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## Update Municipal Website

- Provide a Educational Information to Renters and Owner and an FAQ to make it easier for all visitors to find out:
  - Important Bylaws – Open Burning with explanation of current Fire Code; Excessive Noise, Fireworks, Parking, Septic Maintenance etc.
- Code of Conduct - Respecting the Values of our McKellar Community
  - Noise, Fire Safety, Garbage & Recycling, Environment
- Provide rental owners with Responsible Homeowners Rental Agreements, including acknowledgement of Respect for the Community, Bylaws, Liability, Loss of Privileges
- Outline the Complaint Process for Bylaw Infractions

Create a pamphlet for owner/renter to be sent out with tax bills and available in local store, library, marina, etc.

# Short Term Recommendations

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## McKellar Responsible Homeowners Rental Agreement

Provide Rental Owners with a McKellar Responsible Homeowners Rental Agreement, for to each Homeowner to have signed in each rental agreement:

- “Respect” outline for the community
- Adhere to all municipal By Laws – noise, fire, fireworks, parking etc.
- Encourage proper and safe boating and fishing practices
- Proper information of our Transfer Station practices and hours of operation
- A list of environmental, septic tank best practices
- Pet regulations
- Wildlife awareness
- Other

# Short Term Recommendations

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Increase Enforcement of existing Noise, Open Burning, Fireworks bylaws

- Enforce increasing fines based on # to property owner, not just renters

Enhance Noise Bylaws

- Escalating penalties against the owner of the property for multiple bylaw infractions
- Clearly define and re-evaluate what is acceptable / unacceptable

# Long Term Legislative & Policy Solutions

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## **Short Term Rental Licensing:**

- Numerous Municipalities are implementing or have implemented Short-Term Rental Licensing
- May apply to residents and property owners who wish to rent their property for a period of 28 days or less.
- It is recommended to new Council, to consider implementation of a Made-in-McKellar Licensing program, based on it's own definition of a Short-Term Rental
- This approach would require a number of actions to occur including:
  - Development and approval of licensing by-law and licensing program; and
  - The identification and provision of the appropriate resources to implement (and enforce) the program.
- As these newer approaches may get challenged across municipalities, it is recommended to track these developments to ensure enforceable regulations.

# Long Term Legislative & Policy Solutions

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Included in many of the Short Term Rental Licensing programs:

- Mandatory Licensing for Residents and property owners who wish to rent their property on Short-Term Basis.
  - Restriction to # of licenses in total, Restricted window to apply
  - Annual Licensing required; Fines if renting without license
  - Attestation as to the rental property' Septic Maintenance history and plan, Fire Safety Plan, Liability insurance
  - Occupancy Limits and Limit to # days/year
- Demerit System, Loss of Licence, based on violating existing Bylaws
  - Excessive Noise Restrictions; Open Air Burning; Parking
  - Ability to reapply at annual window



# Long Term Legislative & Policy Solutions

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Included in many of the Short Term Rental Licensing programs:

Right to Inspect

Manager Available

No Commercial Properties – Primary Residence Only or Personally owned

Funding of Enforcement

- License Fees (To be determined)
- Other fee opportunities

Minimum Number of Days Per Contract or Maximum Contracts per Period

# Summary Moving Forward

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1. Revision of bylaws
2. Complaint & Enforcement process
3. Education for owners and renters
4. Property maintenance and standards
5. Educate Landlords on rental contracts and guidelines
6. Level playing field with commercial properties
7. Be EVIDENCE based and do not make assumptions

# Next Meetings

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Interim Report to Council October 11<sup>th</sup>

Committee meeting October 18<sup>th</sup>, 2022 6:30pm

New Council

Recommendations to Council November 1st, 2022, 6:30pm

Continuation of the STR Committee 2023?

# Questions & Answers?

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Please state your full name prior to asking a question

Respondents please also state your full name