



ROLLING HILLS ESTATES HOMEOWNERS ASSOCIATION

1570194 ONTARIO INC.

130 PELLER COURT, BOBCAYGEON, ONTARIO, K0M 1A0

Mayor Letham and Members of Council
City of Kawartha Lakes
P.O. Box 9000
26 Francis Street
Lindsay, Ontario, K9V5R8

August 1, 2018

Subject: Short Term Residential Rentals, Report No. LIC2018-004

On behalf of the Rolling Hills Estates Homeowners Association I would like to offer the following observations and comments regarding Report No. LIC2018-004, Short Term Residential Rentals, which is scheduled for consideration at the August 14, 2018, meeting of City Council.

Our Association is appreciative of the time taken by both City Council and staff to address our very real concerns regarding the unbridled and uncontrolled establishment of short term residential rentals in the City. More particularly, our concerns are centered on established permanent residential areas such as the Rolling Hills Subdivision where such land uses are simply not in keeping with the character of the neighborhoods in which they are being located and jeopardize the very quality of life to which the area residents are entitled and have become accustomed.

Needless to say, we are disappointed that City staff, after reviewing the input and concerns of the various stakeholders, is recommending that no action be taken in response to the concerns of the Rolling Hills community and a number of other similar communities within the City. Despite staff's acknowledgement that there are problems with public safety, noise and nuisance associated with a number of short term rentals and , further, despite the fact that staff readily admits to being ill equipped to respond in a timely manner to citizen complaints particularly during the evening and weekend hours, staff is recommending a wait and see approach as the current problems, in staff's opinion, are just not pervasive enough to warrant

action of any kind! DO NOTHING!! MAINTAIN THE STATUS QUO!! Our only hope is that our elected representatives are more in tune with and responsive to the needs of their constituents who must rely on Council's good judgment and experience in situations such as this. There is a segment of our community that needs the City's help now to address a problem which will only get worse if not addressed in a timely fashion.

While staff no doubt put a fair amount of time and effort into preparing the report that you have before you, it comes up short in a number of areas.

First of all, the staff report gives considerable weight to the results of a short term rental public survey prepared and conducted by staff. It is arguable that the survey, as prepared, is drafted in such a way as to achieve a particular outcome. No checks or balances were employed to limit or control the number of times an individual could respond to the survey. As a result, we have no idea as to how many of the 607 survey responses came from residents of the City of Kawartha Lakes as opposed to short term renters and hosts living outside of the City who have no vested interest in the long term well being of the City and its residential communities.

Based on the shortcomings of the survey is it any surprise that the quantitative results indicate that the "public" does not think that short term residential rentals should be regulated and that short term residential rentals have minimal to no negative impacts on neighborhoods? It would have been undoubtedly more enlightening if the survey respondents had been asked if they were prepared to welcome a short term residential rental next to them in their neighborhood. The response, I'm sure, would have been quite different.

The one result of the quantitative survey that I do not take exception with is the finding that short term residential rentals play a positive role in economic and tourism development. And it is for this very reason that it is important to implement land use controls and regulations to dissuade the so called "bad actors" from spoiling the situation at the expense of community minded landlords who have a vested interest in maintaining good public relations with the neighborhoods in which they are situated. It is a matter of fact that Airbnb, HomeAway, Flipkey and hundreds of other rental websites have turned residential rentals into a booming underground commercial economy at the expense of long-term residents, neighborhood character and quality of life of neighbors. Long-term residents are moving out as a result, and the residential character of some traditional neighborhoods is slowly being destroyed.

The introduction of City created land use controls and regulations would safeguard the short term rental segment of the City's economic and tourism industry from the bad actors whose only interest is in making a quick buck by renting out their premises as many times as possible to multiple individuals at the ultimate expense of legitimate industry stakeholders and neighborhood communities.

The second criticism that I have with the report is that it falls short in setting out the alternatives available to the City to effectively deal with the very real and growing problem of short term residential rentals in the City of Kawartha Lakes. Option # 2 of the report refers to a registration program. What is the good of having a registration program if it is not backed up with the teeth of a comprehensive licensing program setting out proper regulations and

controls to protect industry stakeholders and the public alike. And a full fledged licensing program could include provision for the collection of licensing fees to mitigate the City's costs to administer and enforce such a program. For whatever reason this option was omitted from the staff report. Also, the financial/operation impacts of the various options as set out in the report are, in my opinion, overstated and require further review.

One very important omission in the report is the lack of reference to the option of introducing land use zoning controls under the Ontario Planning Act to control and regulate the location of short term residential rentals in the City. It is indeed interesting that the report fails to make any reference to this valuable tool in the City's tool box to effectively regulate short term residential rentals. The City currently makes effective use of the Planning Act to regulate bed and breakfast establishments. It is arguable from both a public safety and land use compatibility perspective that the regulation of short term residential rentals is equally, if not, more important to the public interest than the regulation of B&B's.

A number of progressive Ontario municipalities have already recognized the problems associated with this new underground economy and have taken very real and positive steps to curb the bad behavior of irresponsible hosts and renters. Kawartha Lakes City staff admittedly recognize the issues but argue that the issues are just not pervasive enough for City Council to act. This despite the fact that staff readily admits that they are not equipped to respond in a timely fashion to current citizen by-law complaints particularly during evening and weekend hours let alone dealing with any new by-laws or regulations. Staff's recommendation is for Council to maintain the status quo and do nothing to help those citizens whose lives are being totally and completely upended.

The homeowners in Rolling Hills Estates trust that after an exhaustive and thorough review of the facts, the Council of the City of Kawartha Lakes will refer this issue back to staff with direction that a report be brought forward setting out a plan of action that balances the needs of all stakeholders. At the very least the City needs to undertake a review of its' policing and municipal law enforcement staffing levels to ensure response to citizen by-law complaints is handled in a timely fashion 24/7 independent of the time or day of the week. Failing this, it is just a matter of time until a frustrated citizen takes matters into his or her own hands. That is the last thing any of us want particularly when such an incident can be readily and easily avoided. All that is required is the Council's will and commitment.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Harold Bartlett". The signature is fluid and cursive, written over a white background.

Harold Bartlett
President
Rolling Hills Estates Homeowners Association

c.c. Ron Taylor, Chief Administrative Officer
rtaylor@kawarthalakes.ca

Chris Marshall, Director of Development Services
cmarshall@kawarthalakes.ca

Aaron Sloan, Manager of Municipal Law Enforcement
esloan@kawarthalakes.ca

Alix Scarr, Senior Licensing Officer
ascarr@kawarthalakes.ca

Richard Holy, Planning Coordinator
rholy@kawarthalakes.ca