



Short-term Rentals, Bed & Breakfasts, Secondary Suites and Home-based Businesses Community Meeting Report

February 28, 2020

Purpose of Report

- To provide an overview and synopsis on the outcome of the community meeting re: Short-term Rentals, Bed & Breakfasts, Secondary Suites and Home-based Businesses held on February 3, 2020.

Overview

Written comments have been edited for brevity and clarity, and similar comments have been combined to avoid repetition. All efforts were made to ensure that this report contains a comprehensive and accurate overview of the community's feedback.

Cultus Lake Park is in the process of identifying and developing a process to effectively manage Short-term Rentals, Bed & Breakfasts, Secondary Suites and Home-based Businesses. As a result of research undertaken on this subject matter, it was identified that there are upwards of 90 Short-term Rentals currently operating in the community with no oversight.

Community Engagement

The Cultus Lake Park Board held a community input meeting on February 3, 2020 from 6:30 – 8 p.m. at the Cultus Lake Community School. The purpose of the meeting was to engage the community in dialogue regarding how Short-term Rentals, Bed & Breakfasts, Secondary Suites and Home-based Businesses should be managed in the Park.

The meeting was attended by approximately 100 members of the community and four Park Board Commissioners: Joe Lamb (Chair), Darcy Bauer, Larry Payeur and Casey Smit; Chief Administrative Officer, Bonny Bryant; and several staff members, who provided support.

The meeting format included four "Conversation Stations." They were:

- Overview of Short-term Rentals, Bed & Breakfasts, Secondary Suites and Home-based Businesses
- Permits/Licences/Leases
- Bylaws and Enforcement
- Input, Feedback & Ideas

The Conversation Stations provided the opportunity for one-on-one or small group dialogue between Cultus Lake Park Board Commissioners, the Chief Administrative Officer, staff and community members.

At each Conversation Station, community members were provided with pens and post-it notes and were asked to write down concerns, feedback and ideas. In addition, community members emailed Cultus Lake Park with ideas, feedback and input.



Community Feedback

There were 23 emails and 80 post-it notes with comments submitted with ideas, feedback and input.

There was a great deal of community engagement at the community meeting and the submissions were thoughtful and substantial.

All information collected via email and submitted at the community meeting was reviewed in order to develop this report.

No personal or specific information provided in any of the feedback has been shared in this document. No comment or input is attributed to any one individual and no identifying details have been used. Some feedback representing similar ideas has been compiled for brevity. Every attempt has been made to ensure that all feedback has been accurately represented to the best of the writer's ability.

The intent of this report is to provide a useful synopsis of the feedback given by the community regarding Short-term Rentals, Bed & Breakfasts, Secondary Suites and Home-based Businesses.

There were several overarching themes that emerged from the feedback. They are:

Clear Regulations and Defined Criteria Are Required

- Park staff should evaluate each property to determine maximum occupancy based on size of house/parking.
- Limit the number of guests allowed at any one time.
- Business insurance proof should be provided to the Park Office.
- There should be a limit on the number of homes allowed as Short-term Rentals (recommended 10%) or limit the number of Short-term Rentals on any street, then have a waiting list.
- Rental requirement should be that a person 25 years or older must be present at rental at all times.
- Secondary suites should meet official building codes.
- Develop a Park Code of Conduct of Behaviour – based on respect for environment, community, individuals and safety; create standardized rules for behaviour in the Park (to go along with house rules).
- Information on noise, garbage, smoking and other bylaws should be included in tenant information and in contract.
- All current suites are illegal and should be fined.
- No weekend-only rentals.
- Leaseholder must know who is in each rental.
- Neighbours should be included in the application process/be informed of approved licences/permits.
- Respect for neighbours is key.
- Renters must be clearly informed of community rules, bylaws, etc. including who to call for issues.
- Existing Short-term Rentals, Bed & Breakfasts, Secondary Suites and Home-based Businesses must register.



- Nothing should happen to existing Short-term Rentals, Bed & Breakfasts, Secondary Suites and Home-based Businesses.
- Having more than one of the four elements (Short-term Rental, Bed & Breakfast, Secondary Suite and Home-based Business) in the home should be allowed/should be done on a case-by-case basis.
- Home-based Business – homeowner only, no outside activities.
- Proper insurance must be in place.
- Building inspections are a must.
- A Bed & Breakfast should be separate from a Secondary Suite approval, if the sole purpose of the Secondary Suite is for a Bed & Breakfast. If at a later date the use is changed for a long-term rental, the person can then apply for the Secondary Suite through that application process.
- No signage for Home-based Businesses.
- No customers/clients visiting home for Home-based Businesses.
- Option for entire community to use one rental agency to simplify the process.
- Cultus Lake Park should be provided with contact information for homeowner/renter and this should be provided to security.
- A short-term rental operator meeting should be held early to discuss the previous year's successes and challenges.
- Establish an inspection program to ensure Short-term Rentals are complying with requirements.
- Short-term renters should be able to have visitors but not have people stay overnight.
- Pets should be at the discretion of the Short-term Rental operator.

Fees

- The Park should benefit from having Short-term Rentals.
- There should be additional dialogue with community regarding fees.
- Fees should be paid to the Park every time the home is rented (each renter).
- Consider Big White as an example for Short-term Rentals – apparently, they require registration of all rental properties and act as an agency for rentals. (Provides standard for renters and community and is a hub for issues and complaints. Fees for booking cover costs.)
- Request security deposit for fines.
- Charge fees every time a new renter comes in.
- Charge fee per night (\$5 Cultus Lake Park Board fee).
- Residents who do not have a Short-term Rental, Bed & Breakfast, Secondary Suite or Home-based Business should not have to pay for costs created by these elements.
- Only Short-term Rentals run as full-time businesses (not by families supplementing their income/covering expenses with limited rentals) should be charged fees.
- Make the permit/licence a reasonable cost.

Timing is Important

- The 2020 rental season is coming up – and there is a demand for Short-term Rentals for this coming season at Cultus Lake Park. It is crucial for renters to understand and have time to make applications and receive permits/licences.



Costs/Use of Resources

- If people rent a Cultus Lake Park home, the renters take the place of the owners – there are no increased costs because of Short-term Rentals, Bed & Breakfasts, Secondary Suites or Home-based Businesses.
- More Park resources are used as a result – increase in garbage, strain on sewer and water systems, etc.

Cultus Lake Park Should Not Be Involved

- Cultus Lake Park Board continually tries to make money off residential leaseholders.
- Cultus Lake Park should have the same role as they do for long-term rentals – none.
- Chair Lamb has a conflict of interest and should recuse himself from the process.

Bylaw Enforcement Is Crucial

- There are bylaws already in place to handle all of this.
- Bylaws must be enforced – including 11 p.m. “quiet time.”
- Bylaws should include how to govern “parties.”
- Bylaw enforcement must be increased. (For example, first infraction – fine, second infraction – fine doubles, third infraction – fine triples, fourth infraction – cancel licence.)
- If three nuisance/noise complaints occur during a three-month period, an auto renew of the option to terminate/buy out lease should occur at the next Board meeting.
- False Alarm Bylaw in Maple Ridge is a good example – \$150 for the first call-out fee, \$300 for the second, \$600 for the third, and \$1,200 for all subsequent call-outs.
- In the summer, security must go past 7 p.m.
- “Citizens on Patrol” was previously very successful in monitoring infractions and reassuring leaseholders.
- Leaseholders should be notified of bylaw infractions immediately to allow them to hold back money to cover cost of fine.
- In Whistler, if there is a noise complaint (even a banging door), the owner of the unit is emailed and immediately fined.
- Fine owners the same as renters.
- Allow RCMP to decide if it requires a bylaw infraction.
- Permits/licences should be renewed annually to ensure compliance with rules/bylaws; should be issued for the duration of ownership.
- Short-term Rentals should be permitted for a short time period; all applications get put into a draw and only a defined number can be licensed. They are licensed for one to three years and then another draw takes place.
- Non-compliance with rules/bylaws needs to be addressed swiftly.
- Fines to renter/homeowner for non-compliance.
- There should be a charge to the homeowner every time a Park employee has to attend to the house because of a renter, whether there is a fine or not.
- Zero tolerance for chronic complainers might be an idea.
- Current bylaws should be enough (there are enough bylaws in place).
- There should be a way to put forward a case that does not fit within the new bylaws or criteria. It should be reviewed on its own merit.
- A hierarchy of concerns relative to permit/licence standards could be:
 1. Occupant safety in the rental;
 2. Ease of operation and administration of the regulatory system; and



3. Revenue from the system.

- A multi-year implementation plan that addresses first year and follow-up year requirements and any issues/concerns should be in place.
- Establish occupant safety policy – with fire response plan created by homeowner and submitted to Cultus Lake Park.
- Implement a permit/licence in which the obligation of the Short-term Rental operator and the Park Board to patrol and enforce bylaws is clearly stated.

Most Rentals Are NOT a Full-time Business/Are Not There to Make Money (But to Cover Expenses)

- Many people rent out their cabins so that they can afford them.
- Those who do rent them out to help with costs are responsible and make sure that whoever stays there understands the rules and guidelines of the Park.
- It is important to use data to identify the impact of Short-term Rentals (one to three or four nights) vs. weekly (five nights and more).

Garbage

- Create a “walk-up” garbage service and require all Short-term Rentals to subscribe (Palm Springs example).
- Make garbage pick-up weekly in June, July and August.

Parking Is an Issue

- Current parking limitations and allowances should remain in effect.
- Parking is an issue for overnight guests – needs a solution.
- Open a parking lot overnight for guests.
- Motorhomes, trailers and campers at people’s homes should no longer be allowed for more than 24 hours, unless Park is notified.
- Motorhomes, trailers and campers should not be parked at forest for longer than one week.
- Parking limitations should be held to passes issued to leaseholders.
- Current bylaw for overnight parking needs to be changed.
- Put restrictions on maximum number of people (not just overnight guests) and vehicles at one time at a property.

When Regulated, Short-term Rentals Are an Asset to a Community

- Cultus Lake Park Board should manage Short-term Rentals, Bed & Breakfasts, Secondary Suites and Home-based Businesses.
- Homes occupied during the off-season deter crime.
- There are rarely problems with Secondary Suite long-term rentals; they become a part of the community.

Additional Concerns/Comments

- Secondary Suites do not pay their share of costs for utilities or services.
- Every home should have a water meter for incoming and outgoing sewer and be charged for what they use.
- What happens at the neighbour’s house is important.
- Short-term Rental guests do not care about the community.
- Short-term Rentals – two to three days usually means party time (poor neighbours).



- There needs to be a way to manage “over-complaining” neighbours.
- Parties should not be allowed.
- Trailers for renters should not be allowed.
- Concerns about Short-term Rental fee for those who do a small amount of renting to cover expenses and who take care that guests are aware of the rules – not the same as a Short-term Rental business.
- Concerns regarding stress on infrastructure such as the sewer system.
- No further development of existing parkland for residential housing.
- It is not fair that only Short-term Rentals, Bed & Breakfasts, Secondary Suites and Home-based Businesses are being discussed and not longer-term rentals – there are issues there too.
- There is a big difference between renting a place in your home and being an absentee landlord.
- No new Short-term Rental permits should be granted.
- The lack of accountability of Short-term Rental leaseholders is extremely concerning.
- Three comments cited recent issues with Short-term Rentals near their homes.
- Ensuring a sense of community for residences is important.
- We admire the Board’s decision to take on “thorny” issues during your current mandate.

Questions

Defining Short-term Rentals, Bed & Breakfasts, Secondary Suites and Home-based Businesses

- How are you defining each of the categories?

Economic Impact

- What is the economic impact of licensing these commercial uses?

Current Situation/Data

- How many Short-term Rentals, Bed & Breakfasts, Secondary Suites and Home-based Businesses are there now?
- Where is the data for why we need this now – or has it always been this way?
- What were the numbers of Short-term Rentals in: a) 1980; b) 1990; c) 2000; and d) 2010?
- What value do Short-term Rentals have on the local economy?
- What effect will Cultus Lake Park regulations have on the current value that Short-term Rentals bring to the local community?
- What is the breakdown of noise complaints between Short-term Rentals, Bed & Breakfasts and Secondary Suites compared to full/part-time residents?
- Has Cultus Lake Park received any complaints surrounding Short-term Rentals? How many?

Benefits to Cultus Lake Park

- Is there a financial benefit to Park revenue due to overnight visitors?
- Cultus Lake Park promotes visits to the Park through partnership with Tourism Chilliwack. Are Short-term Rentals helpful to that promotion?



Management of Short-term Rentals, Bed & Breakfasts, Secondary Suites and Home-based Businesses

- How will you monitor “additional parking” and “adequate servicing?”
- What will be the fine for failing to apply for a licence?
- Do you have the technology in place to track these licences?
- How will applications be accepted?
- Do you have the technology in place to track complaints?
- Will you be concerned about leaseholders having proper insurance in place?
- In regard to the Regional Tax that Airbnb collects in the province, have you checked to see if Airbnb is collecting in the Park area and where that tax is being submitted? FVRD?
- Will you limit the number of Short-term Rentals, Bed & Breakfasts, Secondary Suites and Home-based Businesses?
- Do you receive reports of complaints from the RCMP in regard to infractions that these categories are called on and are you able to document them on the leaseholder file?
- If the leaseholder uses a property manager who is licensed, will the leaseholder also need a business licence?

Leases

- The Residential Tenancy Act says that any rental over 30 days is a long-term rental and the Act applies. In Cultus Lake Park, since we are all leaseholders, this would imply a sub-lease. Do the current leases accommodate sub-leases in this regard, or will the new Version 5 of the lease address this?
- If a tenant has an issue with a landlord, will Cultus Lake Park Board need to be included in the dispute?

Occupancy

- How would occupancy be monitored? By neighbours?

Bylaws/Enforcement

- What is the definition of a “party” for an owner or renter?
- Will bylaw enforcement be available 24/7/365 for reporting of infractions related to complaints on Short-term Rentals?
- Noise after 11 p.m. is not supposed to be allowed, but how and when is this enforced?
- Who should a neighbour call for a noise or parking complaint, or if people are on the docks drinking and throwing beer bottles into the lake?
- Has Cultus Lake Park already drafted the bylaws to permit and license the commercial use on residential leaseholders’ property and are now looking for input?
- Are there any other problems that the Park Board is addressing with the new bylaws?
- In the off-season, who will residents call to complain about noise, etc.

Specific to Secondary Suites

- Will stoves be allowed in Secondary Suites?

Specific to Home-based Businesses

- Will Home-based Business owners be allowed to post a sign on the exterior of their building indicating the business service?



- Will clients be permitted to attend to a Home-based Business? If so, what about parking, noise, odour, smoke, heat, etc.?
- Will the Home-based Business allow for the sale of products or materials?
- If the Home-based Business requires a business licence to operate in the Park – what else is needed?

Increased Costs

- Is there data on increased garbage, parking and utilities like sewer and water due to Short-term Rentals?
- Will Cultus Lake Park be included in the Provincial Government's speculation tax with Short-term Rentals, etc.?

Permits/Licences

- How will you determine the licensing fee?
 - How will the licensing fee be fair to those who only do weekly rentals in summer, but have a long-term tenant for the balance of the year?
 - How will you ensure that permit/licence fees are fair?
 - Will a larger home (more sleeping capacity – more people, garbage, vehicles, etc.) pay a higher fee than a small two-bedroom cottage?
 - Will fees be based on the amount of days the rental property is rented out?
 - Will fees be based on the percentage of rental income?
 - Are fees for a Short-term Rental that operates as a Short-term Rental the same as a home that only rents out in a very limited way?
 - Some Short-term Rentals are seasonal vs. annual – will there be a pro-rated cost?
 - What is the increase in lease cost or licensing for Secondary Suites or Bed & Breakfasts?
- If homes have already been rented for the summer, do fees apply for this year?
- If we rent for the short term (May – Sep), then what do we do if we want to rent for the off-season (Oct – Apr)?
- If you previously had a Short-term Rental and are now renting it full time, would there be any trouble in getting another permit for a Short-term Rental?
- If I have a Secondary Suite in my home but have no intention of renting it out, do I have to register it?
- If I am running a Bed & Breakfast out of my Secondary Suite already, do I first need to apply to have my Secondary Suite approved before I apply for a Bed & Breakfast permit?
- We know that there are Secondary Suites in the various neighbourhoods – has any leaseholder applied for Secondary Suite or Bed & Breakfast use?
- Do we assume that carriage lane houses fall into the Short-term Rentals, Bed & Breakfasts, Secondary Suites or Home-based Businesses categories? How many are there currently?
- At one time, Bed & Breakfasts paid for a business licence. Is there a reference in the bylaws regarding Bed & Breakfasts or only in Plan Cultus?

Real Estate

- Will approval for Short-term Rentals be pre-approved as a part of the sale of a lease/home?



Timeline

- What is the planned implementation date for the regulations?

Miscellaneous

- What happens if renters bring a boat? Where do they tie up?

Additional Comments

- There was one comment regarding Sunnyside that was not about Short-term Rentals, Bed & Breakfasts, Secondary Suites and Home-based Businesses.
- There were seven comments regarding the format of the meeting. Five did not like the format and two did. The comments included:
 - It was hard for some meeting attendees to hear the conversations at each Conversation Station.
 - The participant wanted answers, not to provide input.
 - The participant felt that materials should have been given out prior to the meeting.
 - The participant prefers a Q&A format where they can hear other people's questions and concerns.
 - The participant thought the format was great and well-organized.
 - The participant thought the meeting was well-organized.