



May 8, 2020

Short-term Property Rental Feedback

Staff have completed the following responses to questions that were presented to the Board at the Special Regular Meeting held on April 30, 2020 which will form part of the Cultus Lake Park Board Special Meeting Minutes.

Community Association Questions:

- Question:** These Bylaws do not refer to any limits on STR in Cultus Lake Park. There is no cap/limit on the number of STR's allowed within the park. We are concerned that without a limit, our community will lose its sense of community and simply become a resort area with little oversight. There are many examples of where no cap was put on STR's and communities have been changed significantly.
- Response:** Cultus Lake Park is already a unique community with the climate being very different from high season to low season. Many residents do not live in the community year-round, there are many houses rented out in the low season. In the high season we see 2-3 million visitors. There are many reasons leaseholders are purchasing homes at the lake, to either live here year-round, for some only a portion of the year, or to rent out so they can afford to purchase a home at the lake. Currently we have an estimate on the number of short-term rentals in the community but do not know the locations of all of them and if they are rented out throughout the year or just through the summer months or perhaps just a couple of weekends per year. The short-term rental bylaws as well as all community bylaws are in place to ensure all residents, renters and guests enjoy their time at Cultus Lake. The immediate goal is to manage the STR's to be able to determine the numbers and types of usage after once they are registered. This will be reviewed at a later date.
- Question:** There is mention of a permit being displayed on premises. This however does nothing to help community members identify if a house is licenced for short-term rental without contacting the park office. Furthermore, potential renters should also be aware that the home is legal and licence number in their ad. We suggest that, like a building permit, it is displayed in a window that residents can see. We Recognize that there may be some security issues so perhaps it only needs to be displayed during periods when the home is rented.
- Response:** Under 3.8 in the Bylaw, it states that all short-term rental permittees will keep a copy of the permit posted in a conspicuous place in the premises. It also states under 6.1 (a) every online advertisement for a permitted short-term rental must disclose a valid permit number. For leaseholder privacy and security, we do not recommend a permit being on display for people walking or driving by to see. Staff also feel that this would cause additional walking/driving traffic on the roads with potential renters coming up to the lake to scout out the rental properties, as well as renters checking out different homes for their next stay in the community.
- Question:** Paragraph 6.1. There is no restriction on the number of guests that can stay in the STR: therefore, STR's with numerous beds can have large numbers staying in the residence. This is a strain on our community resources such as water and sewer and garbage. Should there be a yearly inspection of STR's to determine the maximum guest-occupancy for that lease?

- Response: We currently do not control how many guests' leaseholders have when they are staying at their residents, so view this the same way. The Park does not have the staffing capacity to initiate yearly inspections. The short-term rental permittee must also disclose under 6.1 (b) & (c) Advertising and Online Booking, the maximum number of parking spaces available to guest at the residence and the maximum permitted guest - occupancy applicable to the short-term rental.
- Question: We are aware there are individuals owning several properties in the Park under a variety of names and/or limited company names. Are there any steps that will be taken to prevent this practise through the licencing process?
- Response: No, the Park does not address this through the licencing process but does have restrictions in place that stops an individual leaseholder from owning more than one residence at Cultus Lake. This specific process is addressed through the leasing process.
- Question: Paragraph 5.2 states that STR weekly rentals will only be reviewed every three years. How does a review only conducted every three years address community concerns? Yearly reviews will add more revenue to the park, plus make it easier to deal with chronic short-term rental properties.
- Response: 5.2 only addresses the permit renewal process, stating that weekly short-term rental permits will be subject to a new application and application fee every three (3) years. The weekly permit fee will still apply. Further, should there be issues with the short-term rental property not following the Bylaws, Park staff would address this under 7, revoking cancellation or refusal of permit.
- Question: Will there be any inspections of premises to ensure that safety standards, parking and fire regulations are being complied with?
- Response: As part of the application process, the leaseholder will be required to complete an application form that addresses a number of questions such as parking, an escape route map for STR guests to use in the event of an emergency, insurance, smoke detectors and fire extinguishers, etc. The liability must remain with the leaseholder. Bylaw will be addressing parking to ensure the guests are displaying parking permits like all residents/guests of residents in the residential areas.
- Question: Paragraph 5.3 (b) Are the three violations cumulative with no time restrictions or is just within the current calendar permit period? As well the bylaw states "more than three" would then be considered for refusal or a permit... why not make three strikes you're out approach?
- Response: Revoking, cancellation, refusal or renewal of a short-term rental permit will be at the sole discretion of the CAO in consultation with the Manager of Visitor Services, Accommodations & Bylaw Enforcement. The three violations are cumulative, however, depending on the severity of the offence the CAO could revoke or cancel the permit at any time. Each violation will be reviewed and monitored by trained Bylaw Compliance & Enforcement staff.
- Question: Paragraph 5.3. Will there be any process to engage the community when applications are in the application process or during the renewal process? Much like application for variances are used.
- Response: The community is welcome to submit positive comments, concerns or complaints regarding a short-term rental property at any time. Any bylaw concerns will be followed up by the Bylaw Compliance & Enforcement staff.
- Question: Does a warning count as a substantive complaint or does a fine have to be imposed. Clarification of "substantive complaint" would be helpful?

Response: All reported complaints require an investigation from the Bylaw Compliance & Enforcement Officer. As noted under the definition of terms “substantiated” means that a reported bylaw violation was investigated, and credible evidence was gathered that supported the reported allegation.

Question: Paragraph 4.3 requires that someone be available by phone to deal with complaints 24/7. How will complaints be expected to be resolved? For example, if it is a noise complaint at 2am who will be attending? If it is garbage strewn around, is the expectation that it will be resolved in that two-hour period? The bylaw states they are to respond within two hours to the call but what about dealing with the occurring issue?

Response: The contact person will be required to respond within two hours to deal with any issues at the short-term rental property. If the property continues to have re-occurring issues, the Bylaw Compliance & Enforcement Officer will get involved to address the issues or the CAO could revoke, cancel or refuse the short-term permit at his sole discretion in consultation with the Manager of Visitor Services, Accommodations and Bylaw Enforcement.

Question: Paragraph 4.7 With approvals administered by the CAO, there is the appearance and optic that our current acting CAO Joe Lamb may be in a conflict of interest. This is based on the fact that his wife provides property management services within the park. He could potentially benefit in a pecuniary way.

Response: There is an application process in place and all applicants must meet the required guidelines in order to receive approval. All decisions made by the CAO are at the scrutiny of the public and must therefore have the appropriate back up to substantiate the decision. In addition, In & Out Property Service referred to in the question provides property maintenance/cleaning services at the lake and manage no Short-Term Property Rentals.

Public Questions

Question: I am very glad there will finally be rules around short-term rentals. Smoking, noise, parking all need to be controlled so short-term renters don't disturb residents.

Response: At Special Regular Meeting held on Thursday April 30, 2020 the Board gave Final Reading to the bylaw(s). The bylaws, guidebooks and applications can be viewed on the website. We hope, now that we have established regulations, we will see more compliance.

Question: The community became a resort area when the Water and Adventure Theme Park were implemented. Let's not forget that STR's contribute to the local businesses. I understand that there are a few “mismanaged” rental properties but there are more that are well controlled. I do not agree with displaying the permit, this would be a form of advertising to the general public. We use rental sites. The rental sites have already vetted the renters, so you know what your getting. The owners show pictures on their sites showing how many can comfortably sleep in their accommodations as well as the safety or concerns of the renters are given in the feedback. I have to believe that the owners would be concerned about too much wear and tear on their property by keeping the amount of people reasonable. Albeit some will sneak more in but that would be a one off. If your expecting permits, then bylaw enforcement officers should deal with the noise complaints. Having said that I think serious complaints need to be made to bylaw officers by neighbours in close proximity, not just one. Let's remember that permanent residences party too! I have no problem with Joe Lambs' involvement. A review every 3 years is acceptable. Let's not micromanage!

Response: The Board gave Final Reading to the bylaw at Thursdays Special Regular Board Meeting. Permits will not be displayed in the window or otherwise and we have taken privacy into consideration with this. Information will be required to be posted inside the home (see application for requirements). Occupancy and parking will also be taken into consideration while reviewing and exterior site check by staff to determine approval. Overages to occupancy may be complaint driven and staff will follow up.

Question: This Bylaw does not take into account the absentee landlord versus owner who live in the home with the guest in their home. There are no loud parties etc., when the owner is present. If the Board is permitting these STR are they also providing a certificate that they meet the require fire codes etc.?

Response: These requirements are outlined in the application.

Question: Some people own more than 2 places are they being charged for each place?

Response: Yes, per application/residence.

Question: Do the Applicants that live in their home have to provide a different contact number?

Response: No, however, those that may be away or are unreachable may consider providing an additional contact.

Question: The single BDR suites do not produce more garbage than the average home at the lake, why do they need a plan?

Response: Requirements are outlined in the application process. Currently garbage pick up is every other week and we have found that many residents are leaving garbage with each rental turnaround leaving the garbage to the wildlife and an eyesore in the Park.

Question: Many of the concerns raised about STR also occur at the private homes.

Response: If a STR becomes a problem – make it 3 strikes and they lose their lease not just the permit, as it should be for all residents here at the lake. Staff would at this time, like to take a compliance approach and hope now that with regulation we hope that this would not escalate to that.

Question: The Board needs to create a standard dos and don't for STR – so there is consistency.

Response: This will be provided through the application and awareness of other regulatory bylaws to ensure leaseholder let their renters now.

Question: Some owners of STR use their STR and than when security/RCMP comes they say they are the guest and are not aware of the rules here at the lake.

Response: Rules and regulations will be provided to the leaseholder to the renters and upon complaints Bylaw Enforcement Officer can take this into consideration.

Question: Some people who operate a STR do it as a means to offset some of their taxes and lease and not as a business that generated tens of thousands of dollars. – why are they being treated the same?

Response: It is not the role of the Cultus Lake Park Board to get involved in the day to day operation of the STR's.

Question: The sign states the Park is closed to Visitors Due to Covid 19. Residents Only. How many of the STR are currently accepting visitors contrary to the Park being Closed? How is the Park Board protecting the residents from the STR visitors?

Response: The Provincial Government has deemed accommodations (Short Term Rentals) as an essential service. Currently, the Board has no plans or the ability to enforce the shutdown of the rentals within the Park. Fraser Health has suggested that people using the rentals within the Park must follow the same directives from the province regarding Covid 19 and practice social distancing and proper hand washing.

Question: I have heard that the Bylaw officer has told folks who live up behind the Wrangler and walk through the lake area that they are not residents, so they need to go home. Are the visitors currently renting the STR being asked to go home?

Response: As stated in question one, the Provincial Government has deemed accommodations as an essential service, therefore the Board has no plans or the ability to enforce the shutdown of the rentals within the Park.

Question: Given the uncertainty of the Covid 19, what plans does the Park Board have in place deal with the STR as the summer season is fast approaching? Many of the STR are currently taking reservations for the summer season. The Board may want to add a section stating they can close down all STR due to public health concerns.

Response: There is now an approval process to have a STR in the Park in place and leaseholders will be required to complete the application and receive approval. The same answer as question 1 & 2 also applies to this question as well.

Question: Short Term Rentals:
Schedule A clarification: is the \$1000 fee for all rentals or just for those offering rentals year-round? Is the weekly fee for those renting just for a few weeks or is it in addition to the \$1000 fee? Not clear. This fee should not discriminate against those who only rent for a small portion off the year. Perhaps a sliding scale or some such tool should be used to be fairer. weekly garbage pickup in June and July would help to keep residences in better order and present a more attractive community to visitors.- e 5.1 -a new application fee for summer rentals should not be required for late re-application since landlords may not know in December what their rental situation will be in the next season, and the application fee is non-refundable. This has been the case for me.
- re Advertising 6.2: signage does help the neighbourhood know who is running these rentals. Also, it is an advantage for the landlord for visibility and exposure and provokes interest from visitors to spend time in the community. It would require regulation as to size, design, placement, maintenance, etc. as does other advertising in the Park and could require a fee and approval.
Business licenses:
- re 3.2: define 'Cultus Lake Park Building Site Lease". Not clear what this section refers to.
- Can renters operate a home-based business or just leaseholders? No language on this.
- Is there a need to identify/classify various types of businesses in order to know what is happening in the Park? e.g. consultants, artisans, contractors, cleaners, accountants, tutors, repair persons, etc.

Response: 1. There are two Short-term rental fees to choose from:
\$1,000 is an annual fee and provides a full year license for your short-term rental, January to December each year. Due to the Short-Term Rental Bylaw just receiving approval on April 30, 2020, for 2020, the \$1,000 fee has been prorated for this year and will be \$583.00.
For those leaseholders who only rent out their homes a few weeks per year, there is a weekly short-term rental fee of \$125 per week. This is not an addition to the annual fee; the leaseholder can choose one or the other.

2. Regarding weekly garbage pickup for June and July, this is currently not in the budget, however, staff will monitor any garbage issues over the summer, and if need be, will address this should changes be required.

3. Regarding 5.1, the annual short-term rental permit form and invoices will be mailed from the Cultus Lake Park office to the short-term permittee no later than 30 days prior to the expiration date of December 31 of each year. If payment is not received by the due date a new application and application fee will need to be processed. There is only the one-time application fee if the annual fee is paid prior to the due date each year.

Weekly short-term permits will be subject to a new application and application fee every three years. The leaseholder will have to decide on renewing the annual fee prior to the due date or choose the weekly short-term rental fees.

4. In regard to advertising, under 3.8 in the Bylaw, it states that all short-term rental permittees will keep a copy of the permit posted in a conspicuous place in the premises. It also states under 6.1 (a) every online advertisement for a permitted short-term rental must disclose a valid permit number. For leaseholder privacy and security, we do not recommend a permit being on display for people walking or driving by to see. Staff also feel that this would cause additional walking/driving traffic on the roads with potential renters coming up to the lake to scout out the rental properties, as well as renters checking out different homes for their next stay in the community.

Business Licenses:

1. 3.2, Cultus Lake Park Building Site Lease refers to the Version 5 Lease that is required to operate a home-based business and a short-term rental within the Park. The leaseholder will have to transfer to this lease should they operate a home-based business or short-term rental. The application only addresses leaseholders not renters operating short-term rentals and/or home-based businesses, as the leaseholder has to enter into the version 5 lease as well as complete the application process.

2. Regarding identifying/classifying various types of businesses in the community, all home-based business license applications will be reviewed and approved or denied by the Cultus Lake Park Board.

3. Regarding insurance, this is addressed in the Application process for both short-term rentals and home-based businesses.

Question: First, let me say I support the creation of By-laws to protect all stakeholders. I take my STR very seriously, and it allows me to keep my home at Cultus Lake. I have not had any complaints in 7 years of having an STR at Cultus Lake. The only problem I have had is my trash being knocked over, but we fixed that problem. I must also say that Cultus Lake has always called me and dealt with me most professionally, and I thank them for that.

As you may guess, my main problem with this piece of legislation is that the annual fee is onerous and much too high for me. In short, I make between eight and ten thousand dollars a year. To pay \$1000 each year would mean paying between 10% and 20% fee for the right to rent my Cultus Lake home. The truth is most of the rental money will go to Cultus Lake anyway, that is why I use it as an STR 10 weeks a year.

I do not believe that we will use many more services than a family living at Cultus Lake and over one year we will probably use much less as our homes are usually not used year-round. I understand this may be a place that the Board sees as an easy tax grab, but please remember we are the same people who pay a lease, tax, garbage, and other fees.

I also understand that the lake researched other cities to see what they charge. I would like to say that I do not think that is comparable as when you have an STR in a city, you will rent it out for much of the year in 12 months. At the lake, we have 8 to 10 weeks of STR available. I have been doing this for seven years, and it is never more than ten weeks of STR. This is unique to a summer getaway location.

I would ask the Board to rethink this fee. It would be tough for me to give up 15% or even 20% of my income to Cultus Lake to get a permit. I would think a fee of \$300 to \$500 would be more reasonable and would be within a fair amount of my revenue, and taking into account we only rent 8 to 10

weeks out of the year, it would be more reasonable. By the way, I have pretty much charged the same amount for my home for the last few years. There is so much competition that there is just no way to raise the rental fee.

I support making sure we follow the rules, and I support oversight, I just have a tough time justifying such a cost. I know you have many people who live at Cultus who would rather not have any STR, so they would suggest charging more to persuade us to operate. But I assure you we do not have problems with our neighbors and we even know that when families stay at our home, they play with the children next door sometimes. I would ask that we not cave into the NIMBY residents.

I ask that the Park Board understand the following.

1. Short Term Rental Market at Cultus is only 10 to 12 weeks long
2. The revenue brought in by myself and I would assume most people are about eight to Ten Thousand dollars a year
3. We do not take more resources than other families. In most cases, we probably use less from the community during the year, as our home is empty for eight months a year.
4. We bring funds in for the business lease properties
5. It would be a hardship if we had to pay \$1,000 a year
6. People who have STR properties may not even be around to speak to this By-Law, it has gone through pretty fast

Response: The Board gave Final Reading to the Short-Term Rental Bylaw and the Home-Based and Commercial Business License Bylaws at the Special Regular Board Meeting held on April 30, 2020. The overall funding philosophy used to determine the fee to charge was twofold. The first consideration was that the level of necessary Protective Services has steadily increased as the influx of residents and visitors to the Lake keeps increasing. The increasing number of Short-Term Rentals available is definitely a factor in the need for increased policing, security and bylaw enforcement within the park. As only select residents benefit from having these arrangements, the Board addressed that funding for these services should not be proportionately covered by residents but instead the homes that have these accommodations should contribute a larger share to cover the costs of the Parks Protective Services.

The Parks day to day use and infrastructure costs are also naturally increased due to the Short-Term Rentals being available, especially in Public Areas of the Park. Therefore, funding from Short Term Accommodations is important so that visitors to the Park are contributing to these costs.

The rates passed in the bylaw were compared to other resort communities for reasonability. However, the decision on the rates were primarily determined by looking at the Parks specific needs and associated costs that are affected by licencing short term rentals in the community. Overall, at current rates it is estimated that licencing fees of short-term rentals will contribute between 10% - 15% to the overall costs in these associated areas.

Due to the Short-Term Rental Bylaw just receiving approval on April 30, 2020, this years' annual fee of \$1,000 has been prorated, and will be \$583.00, effective June 1, 2020.

Question: Under 6.1 there should also be a disclosure of "Quiet Time at 11pm" and "No Smoking in Public Areas" along side the parking and permit number requirements. In all hotels and resorts, quiet times are stated clearly for every guest to uphold as this fundamental regulation ensures the entitled rest and peace every guest deserves. When guests come and go amid a residential neighborhood (not zoned for hotel usage), this should be emphasized to an even greater degree, particularly when quiet time is very generous at 11pm. Otherwise, the irregularity of coming and going of guests on holidays

in every other house makes it impossible to live and normal life of going to work, going to school, and raising a family. Not having a quiet time disclosed in the ad is an oversight that could easily be remedied.

Advertisements should also state the possibility of fines being covered by the guest, either through deposit or holding onto a CC number. There is a hesitancy from the park to actually fine any leaseholders for violations, they should have no problem fining guests who violate the park bylaws. The park should collect fines from the leaseholder which should ultimately be paid for by the offending guest.

How was the \$1000 permit fee determined? Was there a cost benefit analysis done, and what will this permit fee cover? How do we know if this fee is either too high or low? It seems like a round number pulled from a hat. It would be nice to see this put towards our high operations cost, such as the sewer. Guests should be covering the cost of operation as well, perhaps a "Park Improvement Surcharge" could also be applied to each STR stay to help pay off our massive debt to the sewer upgrade. If this is not done, then residents without vacation rentals are effectively burdened with the cost of a disproportionate amount of usage on our infrastructure.

How will bylaw and the 2-hour response time to complaints be enforced after 7pm this year? Without bylaw on at night such as last summer, noise complaints after 11pm were effectively ignored as RCMP could not be bothered to attend. It is pointless to have these bylaws if there is no enforcement backed up by fines. How can residents protect themselves from the harassment of noise after hours?

Currently the property behind us is a 2 suite Airbnb, routinely there is smoking in the alley... cigarettes and pot. I believe the alleyways are public property and are subject to the smoke-free community rules. General discretion or a generic comment stating to respect the neighbours should also be outlined in any advertisement. In Rosedale there is signage promoting "Good Neighbour Rules", this really should also be considered in the park with a large transient population. In the beach going areas in Vernon, there is signage upon entering, stating "traffic calmed neighbourhood".

Response: Quiet Time & No Smoking in Public Areas:

Cultus Lake Park does already have a Bylaw that outlines quiet time as well as no smoking in public areas. Your comment is very valid, and we will provide the leaseholders who come in to apply for a short-term rental permit with a reminder to please ensure their short-term renters are aware of these Bylaws.

Fines will be addressed to the Leaseholder. It will be the responsibility of the leaseholder to collect from their renter.

Short-term rental fee of \$1000

The overall funding philosophy used to determine the fee to charge was twofold.

The first consideration was that the level of necessary Protective Services has steadily increased as the influx of residents and visitors to the Lake keeps increasing. The increasing number of Short-Term Rentals available is definitely a factor in the need for increased policing, security and bylaw enforcement within the park. As only select residents benefit from having these arrangements, funding for these services should not be proportionately covered by residents but instead the homes that have these accommodations should contribute a larger share to cover the costs of the Parks Protective Services.

Second, the Parks day to day use and infrastructure costs are also naturally increased due to the Short-Term Rentals being available, especially in Public Areas of the Park. Therefore, funding from Short Term Accommodations is important so that visitors to the Park are contributing to these costs.

Last, the rates passed in the bylaw were compared to other resort communities for reasonability. However, the decision on the rates were primarily determined by looking at the Parks specific needs and associated costs that are affected by licencing short term rentals in the community. Overall, at current rates it is estimated that licencing fees of short-term rentals will contribute between 10% - 15% to the overall costs in these associated areas

Regarding noise after 7PM, we have budgeted for security as well as the community policing team to be on in the evenings, 7 days per week from the long weekend of May until the September long weekend. Hopefully this will assist with noise and other bylaw issues this year.

In regard to your comments on respecting your neighbours, we will review this should we change/add any signage in the residential areas. Please feel free to contact our Bylaw Compliance & Enforcement Officer at 604-858-5298 should you see smoking or other bylaw infractions. We do not divulge any information on where the complaint was received.

Question: I feel that the fees being imposed are exorbitant. A quick look at business licences for Short term rentals in other municipalities in British Columbia is as follows:

Tofino	\$450.00
Vancouver	\$99.00
Fernie	\$100.00
Kelowna	\$750.00
Squamish	\$200.00
Penticton	\$250.00

None of these are even close to what Cultus Lake Park wants to charge. Please explain why the annual fees to administer this new by-law are so out of line with other jurisdictions. I know that Cultus Lake Park needs revenue, but it should not be at the expense of a certain demographic of leaseholders. The purpose of this By-law should not be a cash grab but to collect and maintain information on the short-term rentals in the area and address problems as needed. The cost of policing By-law infractions should be recovered by the fines collected from the offending parties, not the Short-term rental community as a whole. Let us remember that Cultus Lake has been a haven of short-term rentals for vacationers long before Airbnb/VRBO came into play. Residents have been renting their properties for DECADES at Cultus Lake. The local businesses depend on the revenue that STR's bring into the community. When the tourists flock to our little sanctuary they bring the lake to life for a brief period of time. As a responsible short-term rental owner at Cultus Lake for the past 5 years I know that the rental season is spare – at best we have 8 – 10 weeks of potential revenue in the prime summer season. A few off-season weekends at a reduce rate may be a bonus. Take away operating expenses, advertising fees, Airbnb/VRBO costs, Payment Processing fees, potential income is already whittled away. This year, with Covid19, the rental season is a loss. I hope you consider this with the implementation of the By-law. Perhaps considering delaying the By-law to take effect January 2021 to give people time to recover. I would like to see clarification on 3.3.3 of the By-law. What constitutes an emergency whereby rentals would need to be suspended? I feel this is too vague.

Response: The overall funding philosophy used to determine the fee to charge was twofold. The first consideration was that the level of necessary Protective Services has steadily increased as the influx of residents and visitors to the Lake keeps increasing. The increasing number of Short-Term Rentals

available is definitely a factor in the need for increased policing, security and bylaw enforcement within the park. As only select residents benefit from having these arrangements, the Board addressed that funding for these services should not be proportionately covered by residents but instead the homes that have these accommodations should contribute a larger share to cover the costs of the Parks Protective Services. Second, the Parks day to day use and infrastructure costs are also naturally increased due to the Short-Term Rentals being available, especially in Public Areas of the Park. Therefore, funding from Short Term Accommodations is important so that visitors to the Park are contributing to these costs. Last, the rates passed in the bylaw were compared to other resort communities for reasonability. However, the decision on the rates were primarily determined by looking at the Parks specific needs and associated costs that are affected by licencing short term rentals in the community. Overall, at current rates it is estimated that licencing fees of short-term rentals will contribute between 10% -15% to the overall costs in these associated areas. Due to the Short-Term Rental Bylaw just receiving approval on April 30, 2020, this years' annual fee of \$1,000 has been prorated, and will be \$583.00, effective June 1, 2020.

Question: Upon receipt and reviewing the Park Board STR draft bylaw no. 1174, 2020 which is heading for final reading on THURSDAY, APRIL 30, 2020, several issues in the draft bylaw immediately raise some concern which I request be forwarded to the Park Board:

4. PERMIT APPLICATION PROCESS

* "(4.7) Application of Short-Term Rental applications will be reviewed and approved or denied by the CAO".

NOTE: not only is Park Board Chair Joe Lamb, who recently is also acting as CAO, places Lamb in a potential conflict of interest due to his wife operating property management for some leaseholders operating STR's in Cultus Lake the last several years. It goes without saying that Park Board officials and/or employees and/or their immediate family operating or providing property management services where approvals/denials by such Park Board officials or Park representatives as identified in the draft bylaw will place them in a potential conflict of interest. Fairness should be the foundation for approvals; denials; revocations; cancellations; and refusals. Fairness should be seen to be done.

7. REVOKING CANCELLATION OR REFUSAL OF PERMIT

* (7.1) "Revoking, cancellation or refusal of a Short-Term Rental will be at the sole discretion of the CAO in consultation with the Manager of Visitor Services, Accommodations and Bylaw Enforcement"

NOTE: What if the CAO and/or Manager of Visitor Services operates their own STR and views another STR as "competition" and takes action to revoke, cancel or refuses STR permit? This could be a real or perceived conflict of interest. Fair play language needs to be incorporated.

(7.5) Language addressing this concern should follow in accordance with (7.1) above

SIGNATURE PAGE

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NOTE: sign-off by representatives including — Joe Lamb, Chair, Cultus Lake Park Board Again, Joe Lamb is listed for sign-off as Park Board Chair. I understand from recent Cultus Lake communiques that he also acts as CAO at this time. (I am unsure at this time if Lamb has stepped down to Park Board Commissioner and David Renwick is now the Chair). Nevertheless, he is an elected Park Board official. His wife operates property management for STR's in the Park. In his held position(s) why is he permitted to review, approve, deny AND as per (7.1) have the SOLE discretion as CAO in consultation with Manager of Visitor Services to revoke, cancel or refuse STR permits? Again, this appears to be a bold conflict of interest and does not address fairness in this draft bylaw.

Additional concerns:

How many STR's are a leaseholder allow to have? For example, if a leaseholder owns one property in their name and another (or more) lease property(s) in a numbered company(s) what would be the number of STR allowed this person? How would this affect the community vis-a-vis this is considered a family community?

If a leaseholder operates a STR and has already, or in future, erects a carriage house on the property for their own use while operating the STR in the main house, does the Park Board consider the leaseholder in compliance with Park policies and regulations? septic? parking, fire regulations, etc.? Has, or will, an inspection in this regard be conducted?

Response:

1. 4.7) Application of Short-Term Rental applications will be reviewed and approved or denied by the CAO". Mr. Joe Lamb has stepped down from the Board as he is currently filling the position of Acting Chief Administrative Officer for Cultus Lake Park. He is not acting in both positions.

There is an application process in place and all applicants must meet the required guidelines in order to receive approval. All decisions made by the CAO are at the scrutiny of the public and must therefore have the appropriate back up to substantiate the decision. In addition, In & Out Property Service provides property maintenance/cleaning services at the lake and manage no short-term property rentals.

2. (7.1) "Revoking, cancellation or refusal of a Short-Term Rental will be at the sole discretion of the CAO in consultation with the Manager of Visitor Services, Accommodations and Bylaw Enforcement" If the CAO and/or Manager of Visitor Services, Accommodations & Bylaw Enforcement was to ever apply for a short-term rental permit, this would be viewed as a conflict of interest and the Cultus Lake Park Board would have to step in.

3. NOTE: sign-off by representatives including — Joe Lamb, Chair, Cultus Lake Park Board. At the April 30, 2020 Cultus Lake Park Board Special Regular meeting, the Cultus Lake Park Board rescinded third reading to the Cultus Lake Park short-term rental and gave third reading as amended by removing Joe Lamb, Chair, Cultus Lake Park Board, and replacing it with David Renwick, Chair Cultus Lake Park Board and by removing Erica Lee, Chief Financial Officer and replacing it with Joe Lamb, Acting Chief Administrative Officer to the Cultus Lake Park Short-Term Rental Bylaw No. 1174, 2020.

4. How many STR's are a leaseholder allowed to have?

Leaseholders are allowed one STR unless grandfathered as noted below in the motion made November 25, 2009:

Moved by Commissioner Peter / Seconded by Commissioner Skonberg THAT all existing leaseholders who have two or more leases will be grandfathered; AND THAT for leases that are grandfathered, a note will be placed on the lease file stating that when these properties are sold, transferred or the residence demolished for the construction of a new residence, ownership is required to be transferred to a new name; AND THAT in cases where there is a purchase and pending sale, the Board will consider allowing the purchaser to keep their previous lease in their name, for a period of time determined by the Board, for the sale and transfer of their existing lease; AND THAT the current clause number twelve (12) in the Cultus Lake Park Board Building Site Lease Agreement be fully enforced; AND FURTHER THAT if a lease is inherited the lease will be treated as if it was grandfathered and the above terms will apply to a maximum of two (2) lots.

CARRIED

When a property transfers to a Number Company or other we require the list of directors Staff cross check the list of leaseholders to ensure we are being diligent.

5. If a leaseholder operates a STR and has already, or in future, erects a carriage house on the property for their own use while operating the STR in the main house, does the Park Board consider the leaseholder in compliance with Park policies and regulations? septic? parking, fire regulations, etc.? Has, or will, an inspection in this regard be conducted?

Carriage Homes are currently not allowed in the Park boundary.

Question:

1) When a person on first Avenue designates they were parking stall to any other spot other than first Avenue, will there be a sign posted on first Avenue designating it as available or will there be a sign in their designated spot stating that is their area? It should be plain public knowledge. I still have a problem with Sunnyside avenue, Exiting off of Lane or a road is very dangerous because vehicles park beside their home on Sunnyside I think everybody should be parking on the streets of their

home or in their garage is if they are able and nobody allowed to park on Sunnyside. Some of the mailboxes also impede sightlines and should not be where they were placed somebody missed that one.

Response: Parking information is available through the park office.

Question: The short - term rental Bylaw are there two short term rental options?

Weekly? Other length of time? Is that two different permits?
What is the breakdown in time rental on the second one? Days or year?

Response: There are two short term Permit options, weekly or annual. If it is an annual Permit one Permit number will be issued to the short-term rental permittee to use for that year. A different Permit will be issued for each week should the short-term permittee choose the weekly option. The weekly permit option is for 7 days and the annual is for 12 months, commencing January 1st to December 31 each year.

Question: I am not understanding the fact that you have to come up with some kind of garbage plan? Are short term rentals not allowed to use the regular garbage, green waste, recycling system that we as a leaseholder pay for? What exactly are you expecting? I have no idea how to come up with that or what you're intending. We have been doing short term weekly since 1991.

Response: All residential leaseholders are privy to waste collection service. Where a property generates additional waste, as may be the case in short term rentals, it is the leaseholder's responsibility to manage the excess.

Question: We have always ensured that the proper garbage is in place we've never had an issue with that. We leave instructions. Even the fact that the bottles are left out back for the three different parties that collect them. Isn't there a grandfather clause as well?

Response: Short term rentals have not received Board approval in the past, so no grandfather clause is in affect

Question: A second person Has to be on the lease agreement, that is not the agreement applicant, in order to have that person be available within a two-hour timeframe for the short-term renter?

Response: As part of the permit application process, the short term rental applicant must provide contact information for one local contact person that is available on a 24/7 basis during the use of the short term rental and that can respond if the leaseholder can not, within a two hour period. This is to cover in case the leaseholder is away from the community or not available.

Question: Where are these new recycle bins supposed to be stored because there's no room?

Response: Within lease lot lines. As per, Cultus Lake Park Property Maintenance Bylaw No. 1149, 2019 Amendment Bylaw No. 1167, 2020 states:
All leaseholders, tenants or occupiers of a leased lot must ensure that any and all garbage, recycling, greens waste bins and any structures to contain such receptacles must be kept entirely on the leased lot
Garbage, Recycling and Greens Waste bins must only be set out between 12:00 pm the day prior to pick up and 8:00 am only on the designated day of collection and must be returned to the leased lot the day of collection
All leaseholders, tenants or occupiers of a leased lot must ensure that any and all garbage, recycling and greens waste bins are stored in a safe, sanitary and inoffensive manner.

Question: Quickly because I don't want to read a five-year plan, what is the cost of the recycle bin?

Response: 120L \$110, 240L \$120, Blue recycling totes are available in two different sizes, 120L and 2240L. Cost of the totes assembled, delivered and registered to the address are \$110 and \$120.

Question: And what is the cost of the recycle program per house to the Park Board?

Response: The annual garbage fee we collected in 2020 for each residence is \$210.54 for full time residence and \$157.91 for part time residence. This fee covers recycling pick up but also includes regular garbage and organics pick up.

Question: I am shocked to see passage of any events being allowed. Camping at main beach and that event. The running events, And I believe there was a biking event. I Our province is not allowing any of that to happen. I don't know why we are? Especially with a high incidence of seniors living up there. We have not even gone up to our cabin, as technically we live out of your area and could be bringing something in. So, my mindset might be changing on that one...

Response: Events were approved in principal with subjects that they can only go forward upon the relaxation of the Health and Provincial authority and if the Park is open to the public at the specific event time.

Question: For whatever reason the email for Rachel is highlighted in the email you sent out, but I was unable to click on it to make it open up into a new email to send, and I had to screenshot it, and then physically write it down, and then enter it into an email.

Response: This was looked into, and the email link is working.