

***** AGENDA *****
Special Council Meeting
Wednesday, January 10, 2024
*****START TIME 6:30 p.m.****

1. Disclosure of pecuniary interest.
2. Presentation: DM Wills – Final Roads Needs Study.
3. Discussion: 10 Year Capital Forecast Update.
4. Staff Report: Preliminary Findings Addressing Short Term Rental processes.
5. Resolution: Provide direction for research on next steps for Short Term Rental concerns.
6. Closed Session:
239.(2)(b) personal matters about an identifiable individual, including municipal or local board employees.
Purpose of the Closed Session: Discussions regarding municipal staff and positions.
7. By-Law: Confirming Proceedings of Council at its meeting held January 10, 2024.
8. Adjournment.

Council meetings will be held in person at 2381 Highway 654, Township of Nipissing Community Centre and virtually utilizing the Zoom platform; and will be livestreamed to the Township of Nipissing YouTube channel.

<https://www.youtube.com/channel/UC2XSMZqRNHbwVppelfKcEXw>

REPORT TO COUNCIL

Date: January 5, 2024
From: Kris Croskery-Hodgins, Municipal Administrator
Re: Short Term Accommodations – Regulation Options

BACKGROUND/OVERVIEW

The Strategic Plan identifies an objective of Property Standards – with a common-sense approach and rural flavour. Investigation of a licensing model for short term rental properties including enforcement for excessive noise and disruption was directed by Council to address this item.

Working with the CAO Group of local municipalities, a review of by-laws currently in effect in neighbouring municipalities was done. A number of municipalities are working through processes to address the same concerns identified by Township residents during the 2022 Municipal Election and Strategic Plan Town Hall meetings.

Larger municipalities have implemented Short Term Rental Licencing programs, with varying degrees of success.

Kawartha Lakes: Estimated between 600 to 800 STR units.

Proposed budget for enforcement:

Expense: \$400,000 includes 4 new staff positions, vehicle and equipment.

Revenue: \$450,000 based on 600 fees* Note: data shows that 1st year compliance may only reach 40%.

City of North Bay: Implemented licencing by-law in 2022, lack of voluntary compliance is an ongoing issue.

City of Sault Ste. Marie: Implemented licencing by-law in 2022, had 158 Active Listings in 2023. Lack of voluntary compliance as an ongoing issue.

City of Guelph: Research in 2022 showed the expense to start a licencing program would be approximately \$75,881 for the estimated 169 short term rental units in existence at that time.

The Federal Government committed \$50 million dollars over three years to support municipal enforcement of restrictions on short-term rentals in the 2023 Federal Fall Economic Statement. Lobbying of the Provincial Government for assistance with the enforcement of restrictions on short-term rentals continues.

The funding structure of the program has not yet been announced; however, with the support of the Federal and Provincial governments, regulations and enforcement assistance are anticipated.

FINANCIAL IMPACT

Implementation of a Short-Term Accommodation Licencing By-Law will require additional Municipal Law Enforcement resources and administration resources. Current staffing complements are not sufficient to assume these duties and an additional position will be required.

Licencing fees will supplement this additional staff position and enforcement as long as there is participation in the program and licencing fees are paid. As reported by those implementing licencing by-laws, this is a challenge.

SUMMARY

Identified issues and concerns:

- Excessive noise – currently the Township relies on the OPP for enforcement of noise concerns under the Criminal Code, Causing disturbance clause.
Calls for Service – OPP reporting shows:

2019	Noise Complaints	1
2020	Noise Complaints	2
2021	Noise Complaints	3
2022	Noise Complaints	1
- Property maintenance – clean yard requirements.
- Short-Term Rental Licencing – registration and regulation.

RECOMMENDATION:

Staff recommend the following:

1. Continue to monitor the Provincial and Federal support structures for enforcement of Short-Term Accommodation Regulations. Once the funding platforms are released, apply for funding to assist with the creation of a licencing by-law and staffing of the additional required positions to fulfill enforcement of any by-laws enacted.
2. Direct Staff to investigate Noise By-Laws in surrounding communities and draft a Noise By-Law for the Township of Nipissing for Council consideration.
3. Direct Staff to investigate a Clean Front Yard By-Law for the Township of Nipissing with reference to those by-laws in place in surrounding communities to provide as much consistency as possible.

This approach will provide some relief to resident concerns while continuing to work towards an enforceable short term accommodation licencing approach that will support residents, short term rental proprietors and visitors to the Township.

With by-laws in place, the Township can begin recording complaints and compile data on areas of concern and provide a best approach for licencing going forward.

Respectfully,

Kris Croskery-Hodgins, Municipal Administrator