

# MNBP Short-term Accommodations Bylaw Public Meetings Recap

May 2021



# Consultation Recap

## Public Meetings (April 28<sup>th</sup> – 29<sup>th</sup>)

### Overview

- As part of the public consultation process, we ran online sessions to gather input on the draft bylaw
- The sessions were split by interest group in order to gather different perspectives:
  - Session #1: STA Owners / Operators
  - Session #2: Other Community Members
- The sessions ran concurrent with an online survey on the proposed bylaw at [letstalknbp.ca](http://letstalknbp.ca)

**175+**

Participants across the two sessions (approx. evenly split between each)

**~50%**

of participants provided live input either via verbal or written commentary

**700+**

comments reviewed and summarized from the meeting chat log, along with the video / verbal recordings



# Classifications – Feedback Highlights

STA Owners Feedback	Other Community Members Feedback	Common Feedback
<ul style="list-style-type: none"><li>• <b>Overall</b> - majority of comments were against the classification system proposed<ul style="list-style-type: none"><li>• In general, it was viewed as too complicated and punitive</li><li>• There were also concerns there would be disputes on how a specific property was classified</li></ul></li><li>• <b>Objectives</b> - majority of comments questioned the rationale for having a classification system which they felt was not sufficiently explored / explained in the current bylaw documentation</li><li>• <b>Prediction</b> - owners highlighted that determining before the season which class they are in was difficult or impossible as it depended on the groups who booked; this would impact their ability to determine appropriate fees, plan financials, etc.</li><li>• <b>Mixed Criteria</b> - some participants expressed concerns that the criteria mixed size and frequency in a way that made the regulation confusing</li><li>• <b>Two-Class Alternative</b> – some spoke in favour of classes but against the current proposal and instead suggested a two-class system (i.e., one for properties with a single unit and one for multiple units)</li></ul>	<ul style="list-style-type: none"><li>• <b>Overall</b> - majority of comments were in favour of the classifications as proposed</li><li>• <b>Class C</b> - some concerns were raised that STAs in this class did were not in fact STAs at all but should be treated as commercial properties; properties of this size were highlighted by numerous participants as being their primary concern with STAs</li><li>• <b>Local Ownership</b> - multiple participants cited location of the owner as being a key factor for them in determining the treatment and regulation of an STA (with the view being that a local owner was likely to be more responsive and available to address issues)</li></ul>	<ul style="list-style-type: none"><li>• <b>Class A definitions</b> - both owners and some community members had concerns with the approach to Class A<ul style="list-style-type: none"><li>• e.g., it may capture too many of the small, infrequent-use cottages that were not the primary concern for the STA bylaw</li><li>• e.g., maximum 28 days of renting per year may be too restrictive</li></ul></li><li>• <b>Classification Criteria</b> – there were several specific points of feedback common to both owners &amp; community members:<ul style="list-style-type: none"><li>• e.g., why is the Minimum STA limit only applied for Class A?</li><li>• e.g., why does the Number of Adults criteria exclude children?</li></ul></li><li>• <b>Providing Examples</b> - many participants questioned where specific properties would fall, suggesting a need for examples / case studies for the classifications</li></ul>

# ! Management – Feedback Highlights

STA Owners Feedback	Other Community Members Feedback	Common Feedback
<ul style="list-style-type: none"><li>• <b>Overall</b> - in general participants leaned against the proposed process, with some indicating they were "okay in principle" while others expressed significant concern</li><li>• <b>Duplication</b> - many participants questioned the need for this separate complaints process given that many of the issues raised are already covered by existing bylaws</li><li>• <b>Equity</b> - participants also raised concerns regarding the potential inequity of the process if it was not applied as well to commercial operators (e.g., BnBs)</li><li>• <b>Anonymous Complaints</b> - a recurring theme was that anonymous complaints would encourage abuse of the system by others unfairly targeting STAs</li><li>• <b>Owner Education</b> - there were mixed views within the owner group on the role of additional education of owners on "responsible renting"<ul style="list-style-type: none"><li>• Some viewed training / outreach / education as a necessary step</li><li>• Others, typically long-term renters, viewed this as unnecessary as they already had the information and experience they needed</li></ul></li></ul>	<ul style="list-style-type: none"><li>• <b>Overall</b> - most participants were in favour of the proposed complaints process</li><li>• <b>Validation</b> - most participants believed this process could be handled fairly by bylaw officers with proper training; in general, participants did not believe frivolous complaints would be a frequent issue</li><li>• <b>Resident-to-Owner Contact</b> - there were differing views from the group regarding the extent to which complaints should be dealt with by residents and STA owners<ul style="list-style-type: none"><li>• Several participants indicated this was already happening to address low-level issues but inadequate for more significant, repeated concerns</li><li>• Some participants did not view themselves as having the information they needed to even contact the owner / manager</li></ul></li></ul>	<ul style="list-style-type: none"><li>• <b>Resourcing</b> - both owners and community members expressed concerns regarding the municipality's ability to manage the proposed system<ul style="list-style-type: none"><li>• e.g., are there enough resources to deal with the volume of complaints?</li><li>• e.g., will bylaw enforcement officers be able to respond quickly enough while the complaint is still provable / relevant?</li></ul></li></ul>



# Costs – Feedback Highlights

STA Owners Feedback	Other Community Members Feedback	Common Feedback
<ul style="list-style-type: none"><li>• <b>Overall</b> - participants were strongly opposed to the proposed fees<ul style="list-style-type: none"><li>• Several indicated that it was not appropriate / impossible comment without more information on the costs of the program</li><li>• Others indicated the fees unfairly targeted STAs and should be applied to all accommodations in the Municipality (i.e., hotels, motels, BnBs)</li></ul></li><li>• <b>Comparison to Others</b> - multiple participants expressed significant concern that the fees were excessive and unjustifiable relative to other municipalities<ul style="list-style-type: none"><li>• e.g., the proposed fees were viewed as more appropriate for four-season rental community such as Blue Mountain</li></ul></li><li>• <b>Regressive Taxation</b> - some participants indicated that the bylaw's reliance on fixed fees would be counter to the principles of "progressive taxation" (i.e., those most able to pay do so) and would disproportionately hurt small renters</li><li>• <b>Remittance Process</b> - participants also indicated uncertainty regarding how the Municipality would actually calculate and collect the funds</li></ul>	<ul style="list-style-type: none"><li>• <b>Overall</b> - participants were largely in favour of the proposed fee structures, viewing them as likely to be small in comparison to the total revenues generated by STAs</li><li>• <b>Processing Fees</b> - participants indicated more uncertainty regarding the appropriateness of the processing fees<ul style="list-style-type: none"><li>• Some community members expressed concern about their potential impact on the smallest renters</li><li>• Others indicated that they may in-fact be too small for the largest properties (i.e., Class C)</li></ul></li><li>• <b>MAT</b> - support was strongest for the MAT - which was viewed as a fairer and less complex way of funding the program</li><li>• <b>Reporting</b> - some participants raised concerns regarding the potential for underreporting related to the MAT and that the municipality would need a specific strategy to address it (as well as properties that “went underground” as a result of the new bylaw)</li></ul>	<ul style="list-style-type: none"><li>• <b>Affordability</b> - both groups indicated concerns regarding the potential impact on the affordability of rentals</li><li>• <b>Usage of Funds</b> - both owners and community members wanted to see as part of the proposal for the bylaw a clear description of how the funds raised would be used by the Municipality<ul style="list-style-type: none"><li>• e.g., Owners indicated that the fee levels needed to be set and justified by the total expected cost of the program</li><li>• e.g., Community members indicated an interest in seeing what portion of funds could be used for other initiatives (e.g., long-term housing)</li></ul></li></ul>

# ? Additional Topics – Feedback Highlights

STA Owners Feedback	Other Community Members Feedback	Common Feedback
<ul style="list-style-type: none"><li>• <b>Bylaw Rationale</b> - a common point of feedback from owners was that the rationale for a bylaw was not well-explained and evaluated and thus the specific measures were not targeted at the biggest issues / offenders</li><li>• <b>Implementation Timing</b> - in general, participants indicated concern with implementing the full scope of the bylaw right away and expressed a desire to either (a) delay until after the pandemic, or (b) phase it in gradually over time.<ul style="list-style-type: none"><li>• e.g., one proposal suggested a 2-3 year implementation period, beginning with simple registration in 2021</li><li>• e.g., others suggested delaying implementation of some components for existing STAs ("grandfathering")</li></ul></li><li>• <b>Entrepreneurship</b> - some participants indicated the bylaw lacked respect / sent the wrong message to local entrepreneurs</li><li>• <b>Participation</b> - multiple participants expressed frustration with the public consultations conducted to date<ul style="list-style-type: none"><li>• i.e., the extent to which owner's views were actually being listened to</li><li>• i.e., the longer the process dragged on, the more divisive it would become</li></ul></li></ul>	<ul style="list-style-type: none"><li>• <b>Zoning</b> - multiple participants indicated concerns that zoning was not being addressed as part of the proposed bylaw<ul style="list-style-type: none"><li>• Without addressing zoning, the concern was that the bylaw would make STAs a conforming use across the Municipality whereas this may not be desired</li><li>• There were several illustrative examples given as well of issues related to zoning that might arise (e.g., determining who gets a license if the number is restricted in a particular zone)</li></ul></li><li>• <b>Rentees</b> - a subset of participants indicated concerns that the bylaw did not do enough to put costs / controls on the rentees themselves in favour of placing all the requirements on the STA owner</li><li>• <b>Previous Consultation</b> – several participants reinforced the need for Staff / Council to use feedback from previous rounds of consultation and not lose any of the input that launched the original consideration and design of the bylaw</li></ul>	<ul style="list-style-type: none"><li>• <b>Complaints Data</b> - both owners and community members had questions regarding the complaints data captured for STAs and requested additional information from the municipality:<ul style="list-style-type: none"><li>• e.g., Are they from different properties or are they repeat offenders?</li><li>• e.g., Are they unique issues or the same issues recurring regularly?</li></ul></li></ul>

# Next Steps

This feedback will be summarized with other inputs in a report that goes to staff & the bylaw consultant for review

