

THE CORPORATION OF THE TOWN OF GEORGINA

SPECIAL COUNCIL AGENDA

Tuesday, June 25, 2019
7:00 PM

1. CALL TO ORDER - MOMENT OF MEDITATION

"We would like to begin today's meeting by acknowledging that the Town of Georgina is located over lands originally used and occupied by the First Peoples of the Williams Treaties First Nations and other Indigenous Peoples and thank them for sharing this land. We would also like to acknowledge the Chippewas of Georgina Island First Nation as our close neighbour and friend, one with which we strive to build a cooperative and respectful relationship."

2. ROLL CALL

3. COMMUNITY ANNOUNCEMENTS

4. INTRODUCTION OF ADDENDUM ITEM(S)

5. APPROVAL OF AGENDA

6. DECLARATIONS OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

7. ADOPTION OF MINUTES *None.*

8. SPEAKERS

9. DELEGATIONS/PETITIONS *None.*

10. PRESENTATIONS *None.*

11. PUBLIC MEETINGS

(1) STATUTORY MEETING(S) UNDER THE PLANNING ACT OR MEETINGS PERTAINING TO THE CONTINUATION OF PLANNING MATTERS

Pages 1-177

(A) Regulation of Short-Term Rental Accommodation (STRA) in the Town of Georgina

Report No. CAO-2019-0027

Recommendation(s):

1. That Council receive Report CAO-2019-0027 prepared by Michael Smith Planning Consultants; Development Coordinators Ltd., dated June 25, 2019 respecting the regulation of Short-term Rental Accommodation in the Town of Georgina.
2. That Council adopt the proposed amendments to the Official Plan, Keswick Secondary Plan, Sutton/Jackson's Point Secondary Plan and Pefferlaw Secondary Plan, pass the proposed Zoning By-law Amendment, and approve the Licensing Bylaw as set forth in Attachments 1-6, inclusive.

(2) STATUTORY MEETING(S) UNDER OTHER LEGISLATION *None.*

(3) OTHER PUBLIC MEETINGS *None.*

12. REPORTS *None.*

(1) ADOPTION OF REPORTS NOT REQUIRING SEPARATE DISCUSSION

(2) REPORTS REQUIRING SEPARATE DISCUSSION

13. DISPOSITIONS/PROCLAMATIONS, GENERAL INFORMATION ITEMS AND COMMITTEE OF ADJUSTMENT *None.*

(1) Dispositions/Proclamations *None.*

(A) Information Items

(B) Briefing Notes

(2) General Information Items *None.*

(A) Information Items

(B) Briefing Notes

(3) Committee of Adjustment Planning Matters *None.*

(A) Under Review

(B) Recommendations

(C) Decisions

14. MOTIONS/NOTICES OF MOTION

15. REGIONAL BUSINESS

16. OTHER BUSINESS

17. BY-LAWS

Pages 178-184

- (1) By-law Number 2019-0057 (PL-2), being a bylaw to Amend the Official Plan of the Town of Georgina to define 'Short-term Rental Accommodation' and to permit such use within all land use designations in the Town of Georgina Official Plan which permit single detached dwellings

Pages 185-191

- (2) By-law Number 2019-0058 (PL-2), being a bylaw to Amend the Keswick Secondary Plan to define 'Short-term Rental Accommodation' and to permit such use within all land use designations in the Keswick Secondary Plan Official Plan which permit single detached dwellings

Pages 192-199

- (3) By-law Number 2019-0059 (PL-2), being a bylaw to Amend the Sutton/Jackson's Point Secondary Plan to define 'Short-term Rental Accommodation' and to permit such use within all land use designations in the Sutton/Jackson's Point Secondary Plan which permit single detached dwellings

Pages 200-206

- (4) By-law Number 2019-0060 (PL-2), being a bylaw to Amend the Pefferlaw Secondary Plan to define 'Short-term Rental Accommodation' and to permit such use within all land use designations in the Pefferlaw Secondary Plan which permit single detached dwellings

Pages 207-212

- (5) By-law Number 500-2019-0008 (PL-5), being a bylaw to regulate the use of lands and the character, location and use of buildings and structures within the Town of Georgina; Short-term Rental Accommodation

Pages 213-231

- (6) By-law 2019-0061 (LI-3), being a by-law to licence, regulate and govern short-term rental accommodations

18. CLOSED SESSION *None.*

19. CONFIRMING BY-LAW

Pages 232-235

- (1) By-law No. 2019-0062 (COU-2), a by-law to confirm the proceedings of Special Council on June 25, 2019.

20. MOTION TO ADJOURN

THE CORPORATION OF THE TOWN OF GEORGINA
REPORT NO. CAO-2019-0027
FOR THE CONSIDERATION OF
COUNCIL

June 25, 2019

**SUBJECT: REGULATION OF SHORT-TERM RENTAL ACCOMODATION (STRA)
IN THE TOWN OF GEORGINA FILE NOS. 05.256;03.1142; 02.196**

1. RECOMMENDATIONS:

- 1. THAT Council receive Report CAO-2019-0018 prepared by Michael Smith Planning Consultants; Development Coordinators Ltd., dated June 25, 2019 respecting the regulation of Short-term Rental Accommodation in the Town of Georgina.**
- 2. THAT Council adopt the proposed amendments to the Official Plan, Keswick Secondary Plan, Sutton/Jackson's Point Secondary Plan, and Pefferlaw Secondary Plan, pass the proposed Zoning By-law Amendment, and approve the Licencing By-law, as set forth in Attachments 1-6, inclusive.**

2. PURPOSE:

The purpose of this report is:

- (a) To apprise Council and interested parties of the comments received following the April 24, 2019 meeting as per Resolution No. C-2019-0277.;
- (b) To apprise Council and interested parties of the preferred regulatory framework proposed by Michael Smith Planning Consultants; Development Coordinators Ltd. with input from the staff Technical Advisory Committee.

3. BACKGROUND:

The following reports have led to the preparation of this report:

- Report No. CAO-2018-0003 presented to Council on February 7, 2018
- Report No. CAO-2018-0004 presented to Council on February 28, 2018
- Report No. CAO-2018-0007 presented to Council on June 6, 2018
- Report No. CAO-2018-0016 presented to Council on September 12, 2018
- Report No. CAO-2019-0009 presented to Council on February 27, 2019
- Report No. CAO-2019-0018 presented to Council on April 24, 2019

On September 6, 2017 Council received delegations and speakers on the topic of STRA and the impacts on neighbourhoods and individuals. Staff were subsequently directed to begin researching enforcement options. Staff meetings and research into this complex issue took place over the fall of 2017.

On February 7, 2018 Council received Report No. CAO-2018-0003 and directed staff to continue with the development of a policy framework to regulate STRA (Resolution No. C-2018-0065). Council also requested that a legal opinion be obtained with respect to considering an Interim Control By-law (ICB). On February 14, 2018 staff provided Council with correspondence from Town legal counsel.

On February 28, 2018 Council received Report No. CAO-2018-0004 and granted staff the authority to retain the services of Michael Smith Planning Consultants; Development Coordinators Ltd. (MSPCDC), to assist in research and preparation of a policy framework to regulate STRA (Resolution No. C-2018-0101).

On May 8, 2018 and May 14, 2018, MSPCDC and the staff Technical Advisory Committee (TAC) met to discuss the background research prepared by MSPCDC, and the future direction of the study. Following these meetings, Report No. CAO-2018-0007 was prepared to discuss the potential, and preferred policy and regulatory framework, for STRA in the Town of Georgina (e.g. Discussion Drafts).

On May 14, 2018, Ryan Cronsberry, Manager of Municipal Law Enforcement, provided a 'Briefing Note' to Council on the "*Short-term Rental 2018 Summer Municipal Law Enforcement Initiative*". This document outlined the interim measures being undertaken, including expanding the hours of operation of the municipal law enforcement staff, while the long-term policy and regulatory framework is being undertaken.

On June 6, 2018, Council received Report No. CAO-2018-0007 and directed staff to schedule a public information meeting.

On July 11, 2018, a Public Information Meeting (PIM) was held at the ROC to provide information on, and receive input about, regulating STRA in the Town of Georgina. A short questionnaire was posted online for the period of June 19, 2018 to August 10, 2018.

On September 12, 2018, Council received Report No. CAO-2018-0016 and directed staff, upon receipt of a legal opinion from the Town's solicitor on the status of existing STRA, to prepare a report for Council's consideration recommending a preferred regulatory framework for STRA.

On February 27, 2019, Council received Report No. CAO-2019-0009 and directed staff to hold a Statutory Public Meeting, pursuant to the *Planning Act*, for consideration of amendments to the Town of Georgina Official Plan, Secondary Plans, and Zoning By-law No. 500. Further Council directed that staff reach out to other York lower-tier municipalities and the Region of York to meet and form a technical working group, including political representatives, to approach the Province to effect legislative changes to address STRA properties.

On April 24, 2019, Council received Report No. CAO-2019-0018 and directed staff to prepare a report addressing comments received, either in writing before May 31, 2019, or in person at the Statutory Public Meeting, for its consideration.

In preparing this series of STRA reports, there have been discussions with interested parties including residents, existing bed and breakfast operations (B&B's) and hotels in the Town of Georgina, STRA hosts, as well as a representative of Airbnb.

All the above noted reports are available on the Town's website at:

<https://www.georgina.ca/living-here/municipal-law-enforcement/short-term-rental-accommodations>

4. BACKGROUND RESEARCH AND PUBLIC CONSULTATION

As noted in Section 3, Council directed staff to receive and address comments regarding STRA following the April 24, 2019 meeting. The comments received from all stakeholders have been summarized below and their correspondence has been attached to this report. Comments include correspondence from residents, the bed and breakfasts in Georgina, and the Hotel Association of Canada.

The comments provided generally reflect the issues and suggestions set forth in previous reports. The totality of the comments, combined with the extensive research conducted throughout the process, have informed the recommended regulatory framework in Section 6 of this report.

4.1 Background Research

In preparing this report, MSPCDC consulted with and had regard to a variety of sources including:

- The *Accommodation Needs Assessment – Town of Georgina, December 2009*, prepared by PKF Consulting;
- The Association of Municipalities of Ontario (AMO);

- The Lake Simcoe Region Conservation Authority (LSRCA);
- The regulatory frameworks of several municipalities including the Town of Collingwood, Town of Niagara-on-the-Lake, the Town of the Blue Mountains, the Town of Oakville, and the City of Toronto;
- The Ontario Superior Court decision - *Puslinch v. Monaghan*;
- The OMB decision – *The Lodges at Blue Mountain v Town of the Blue Mountains, 2011*;
- Consultation with a Region of York Prosecutor and Town of Georgina Legal Counsel;
- Documentation released from the Province on the “*Sharing Economy Framework*” and “*The Home Sharing Guide for Ontario Municipalities*” – Ministry of Finance, 2018;
- The Large Urban Mayor’s Caucus of Ontario (LUMCO) –*Navigating the Sharing Economy*;
- The Federation of Ontario Bed and Breakfast Accommodation – *Regulatory Proposals for Private Home Sharing and B&Bs*;
- The Hotel Association of Canada – *An Overview of Airbnb and the Hotel Sector in Canada and Developing a Modern Approach to Short-term Rentals in a Digital Economy*;
- AIRDNA, an online STRA metric monitoring service;
- Various news articles, planning journals, case studies, and webinars; and,
- Stakeholders (public, STRA Hosts, Hotels, and Airbnb).

4.2 Public Consultation

During the study process, the public was active in providing its opinion and input through both formal and informal consultations. STRA have a significant impact on the lives of several of Georgina’s residents. They must be dealt with in a manner which allows residents to maintain the quiet enjoyment of their properties, and which maintains the character of the community. A summary of key comments is listed below.

- STRA are a commercial use and should not be permitted in residential areas, or should only be permitted by site-specific tourist commercial (C5) zone with appropriate taxation;
- STRA should only be permitted where the owner is living on site and managing the STRA (Traditional B&B Model/Principal Residence);
- STRA threaten rental/affordable housing stock;
- STRA lower property values;
- STRA provide a variety of significant disturbances and safety risks;
- STRA should have a minimum number of rental nights, and a maximum number of annual rental nights;

- The number of persons permitted at a STRA should be limited, and further restricted on properties on private services;
- Enforcement of STRA should be proactive, and residents should not have to be involved in the enforcement process as this is overly burdensome and has potential of retribution;
- With the proliferation of STRA there will be significant impacts on the character of the community and the sense of community;
- STRA should have a minimum separation distance from each other (i.e. 100m);
- Town should provide a contact person 24/7 for STRA complaints;
- Dispute over whether STRA provide benefit to local economy;
- STRA regulatory framework is a significant cost to taxpayers, and there are concerns regarding its efficacy, specifically the proposed demerit point system and how long it will take to shut down an offending property;
- STRA are not a historic part of Georgina, nor are they part of the sharing economy.

4.3 Hotel Association Comments

The Hotel Association of Canada, in partnership with its provincial and city/town associations, has been a stakeholder in local efforts across Canada to license and regulate short-term rentals. It has produced a best practice guideline for developing a STRA regulatory framework, which seeks to foster fair and sustainable community growth for all players and to ensure that communities are not negatively impacted. A summary of their key recommendations is listed below.

- All STRA should be registered with the local government, and regulated and charged licensing fees appropriately;
- All STRA rental platforms that want to operate within the municipality must register with the local government, and cannot advertise unlicensed STRA;
- STRA should only be permitted in a Principal Residence where the Principal Resident is present;
- STRA should have a limited number of days they can rent out during the year;
- STRA must have health and safety standards implemented;
- STRA hosts and platforms must report all STRA rentals and activity to the local government;
- STRA platforms should collect taxes from the STRA hosts for convenience, and then provide them to the local government;

- There must be an emphasis placed upon enforcement in conjunction with timely reporting from STRA;
- The Hotel Association of Canada strongly supports a regulatory framework which includes a licensing system that allows for reporting and monitoring, zoning by-laws that mirror hotel development standards, and proper taxation that levels the playing field with the hotel industry.

4.4 Bed and Breakfast Comments

Since the mid-1990's Bed and Breakfast Residences have been permitted as a non-residential use in single detached dwellings in Zoning By-law 500, subject to a licensing by-law. The Town of Georgina currently has two licensed Bed and Breakfasts, both of which provided comments for the consideration of this report. In addition, the Federation of Ontario Bed and Breakfast Accommodation (FOBBA) provided their comments regarding the regulatory framework during the study process. A summary of key comments is listed below.

- Bed and Breakfast Residences which have abided by all licensing fees and inspections, and have not had any complaints, should be defined and regulated separately from STRA;
- Bed and Breakfast Residences occur in the home of the operator, and the operator is able to manage and address any disruptive behaviour or issues that may arise;
- Bed and Breakfasts are distinct from whole-home STRA through their provision of hospitality;
- The current licensing system for Bed and Breakfasts should be left as is, and STRA should be addressed separately.

4.5 External Agency Comments

None of the agencies circulated, as of the writing of this report, has an objection to the proposed amendments. The commenting agencies to date include the Region of York, Enbridge Gas, and Rogers.

5. ANALYSIS:

Table 'A' below summarizes the comments received and provides a brief comment on each. Having reviewed these comments, taken together with previous comments received, it is our opinion that the regulatory framework proposed in Report No. CAO-2019-0018 as presented to Council on April 24, 2019, is still appropriate. We believe the measures proposed will give the municipality the tools it needs to control and enforce against STRA which are in violation of the regulatory framework.

However, we have also revisited the issue of the potential for STRA proliferation on neighbourhoods. This is discussed in Section 7 below.

6. PROPOSED STRA REGULATORY FRAMEWORK:

6.1 Official Plan and Secondary Plan Amendments

The purpose of the proposed Official Plan and Secondary Plan Amendments is to remove reference to *Bed and Breakfast Establishment* from the plans, to define STRA, and to permit STRA in all land use designations which permit a single detached dwelling. A *Bed and Breakfast Establishment* is a form of STRA and to avoid confusion, it has been incorporated as one.

A special provision is proposed to the PSP to acknowledge the prior approval, by site-specific amendment to the PSP, of a six guest-bedroom *Bed and Breakfast Establishment* on Pefferlaw Road, in Pefferlaw. The term "*Bed and Breakfast Establishment*" as it relates to this specific property has been replaced with "*Short-term Rental Accommodation*".

6.2 Proposed Zoning By-law 500 Amendment

The purpose of the Zoning By-law Amendment is to define STRA, remove reference to *Bed and Breakfast Residence*, and to only permit STRA in single-family dwellings. The proposed Zoning By-law Amendment defers to the Licensing By-law in terms of controlling STRA use. This affords a more flexible approach to deal with changes to the provisions that may be needed for enforcement of the Licensing By-law.

Special provisions have been added to acknowledge the prior approval, by site-specific amendment to Zoning By-law 500, of a six guest-bedroom *Bed and Breakfast Residence* on Pefferlaw Road, in Pefferlaw; and, a five guest-bedroom *Bed and Breakfast Residence* on Malone Road in Jackson's Point. The term *Bed and Breakfast Residence* has been replaced with "*Short-term Rental Accommodation*" and the reference to number of guest-bedrooms has been removed, in favour of a special provision in the proposed Licensing By-law discussed below. These owners were contacted, and the proposed changes discussed. Further, they were added to the interested parties list.

In addition, several properties, principally in areas zoned Rural (RU), have been approved by site-specific amendment for a *Bed and Breakfast Residence*. These site-specific amendments are proposed to be further amended by inserting *Short-term Rental Accommodation* in place of *Bed and Breakfast Residence*. These owners were added to the interested parties list.

6.3 Licensing By-law

The proposed Licensing By-law contains the operational regulations which are designed to address public concerns. In this regard, some regulatory provisions which would previously have been addressed in Zoning By-law 500, have been incorporated in the Licensing By-law. A summary of the key regulations is listed below.

- Maximum of 8 persons on the property for STRA having 1-2 guestrooms, and a maximum of 12 persons on the property for STRA having 3 or more guest rooms;
- Properties on private services will have their maximum number of permitted persons determined by a review of the septic systems capacity as part of the licencing application review process;
- Parking and parking area provisions;
- Variance section similar to that found in the *Planning Act* for minor variances which requires a public process for any variances or exceptions to the provisions of the licensing by-law;
- Renter's Code of Conduct, which must be signed by the hosts and provided to the renters, outlining expected behaviours of the renters related to noise, maximum persons, parking, leisure vehicle parking, fire and occupant safety, garbage, and private services;
- Demerit point system which will levy demerit points for any violation of an applicable Act, by-law, regulation in the licensing by-law, or the attached Renter's Code of Conduct.

The question was asked by a member of the public, whether the STRA regulatory framework will apply to lands which are located on the lakeside of Lake Drive. As per the direction of the TAC, if there is a violation of the provisions of the licensing by-law on lakeside lands in close proximity to a STRA, and a municipal law enforcement officer can reasonably connect those committing the violation to the STRA, demerit points can still be assessed.

It is also proposed that in addition to the Renter's Code of Conduct, the STRA host will be requested to provide their renters with a tourism information package which will be prepared by the Town.

7.0 POTENTIAL FOR STRA PROLIFERATION IN GEORGINA AND IMPACT ON NEIGHBOURHOODS

There are two common themes set forth in comments received. The first theme is the nature of some disruptive STRA and the need for a proper regulatory program and enforcement. This is addressed in Section 6. The second theme is the concern related to the proliferation of STRA to the extent that such uses

have the potential to change the character of neighbourhoods and break down the sense of community. This is consistent with one of the STRA study objectives *"that STRA must be dealt with in a manner which maintains the character of the community"*.

As STRA platforms like Airbnb become more popular, the concern is that investors will seek to acquire more STRA properties primarily throughout Georgina's lakeside communities. Given the return on their investment, this may increase the price of housing, making housing in these areas less affordable to residents. This concern extends to the potential impact on rental stock in general, particularly affordable housing.

Various means of limiting the proliferation of STRA have been incorporated in municipal zoning by-laws and licencing by-laws throughout Canada and the US. These include:

1. Establishing a maximum number of STRA licences to be issued.
2. Requiring a separation distance between STRA. (Blue Mountain)
3. Requiring STRA sites to be zoned for the specific purpose. (Markham)

Other measures have been proposed to assist in regulating the operations (i.e. principal residence or requiring the principal resident to be present during the operation of STRA). This method seeks to limit proliferation and disruptive behaviour by eliminating any investor based STRA and by having a responsible person on-site to address any issues that arise.

We have not recommended "proliferation clauses" in the proposed regulatory program, due in part to the relatively few STRA currently operating in Georgina, and limited increase following the initial onset. However, we believe on-going monitoring of the number of STRA would be appropriate. If the need arose in future to put limitations on the number of STRA in Georgina, a provision could be added to the licencing by-law.

A comparison between Airbnb listings in August 2018 and June 2019 indicate 132 listings in September and 127 listings in June. Note: Some STRA have multiple listings, for example, one STRA had ten listings.

Of the measures noted above, the provision for a maximum number of STRA licences would be the most effective in directly limiting proliferation of STRA. This approach would have the added benefit of encouraging prompt applications for licences. However, if there was more demand than licences a lottery system may be required.

The separation distance factor could be used in conjunction with a maximum number of licences. Each time a licence is issued, the licenced property would be recorded on a map and a radius around the site, or a measurement extending along the either side of the road from the site, would be employed. Subsequent STRA would have to be outside the required distance, unless a variance to the licencing by-law is obtained.

We don't support the suggestion that each STRA should be rezoned. STRA's come in different forms ranging from investment properties to principal residence properties, including bed and breakfasts. Some are rented on continuously while others are rented on occasion. We believe that the licencing by-law can address these variations in STRA more appropriately.

Finally, for reasons given previously, we do not support the Principal Residence requirement (i.e. Georgina's history of whole cottage rentals, difficulty of monitoring/enforcing, penalizing of whole-home STRAs which have not caused problems, and the overly regulatory nature, when equally effective and less restrictive regulations are available).

8. ENFORCEMENT PROGRAM:

8.1 Until Such Time as the Licensing By-law comes into Force and Effect

It is proposed that the Licensing By-law come into effect on January 1, 2020. In the meantime, Municipal Law Enforcement Officers will continue to take appropriate action pursuant to existing by-laws (i.e. noise, parking or refuse by-laws). Council, at its February 27, 2019 regular Council meeting, passed the following resolution:

That Council authorize the Treasurer to fund a 2019 summer enforcement program similar to the 2018 program related to short-term rental accommodations, from the tax rate stabilization reserve, not to exceed \$20,000.

The enhanced enforcement program was in place during the summer of 2018. There hasn't been a serious problem with STRA operations during the fall, winter and spring seasons, during which the regular enforcement program would be in place. Last year under this program (i.e. after-hours enforcement), based on 6 complaints filed, there was one charge laid. This year, no complaints have been filed under the enhance enforcement program. One complaint has been received and addressed during standard enforcement hours with no charge being laid.

During this period a communication plan will be developed and put on the Town's website, providing information to the public, including STRA operators.

8.2 Upon the Licensing By-law coming Into Force and Effect

At such time as the Licensing By-law comes into force and effect the enforcement program, pursuant to the Licensing By-law, will be implemented.

The *Renter's Code of Conduct (RCC)* as proposed forms part of the Licensing By-law. It will provide that renters must abide with the *RCC*, other provisions of the STRA Licensing By-law and all existing Town of Georgina Regulatory By-laws.

Municipal Law Enforcement Officers will be able to prosecute any person on the premises of the STRA at the time of an infraction and/or the Licensee of the STRA. Officers may proceed by way of Part I (issuing tickets) under the *Provincial Offences Act*. Any violation of the *RCC* is an offence. Set fines for Part I prosecutions can be applied for up to \$1,000 and the Municipal Law Enforcement Division intends to seek substantial fines as a means for general deterrence.

The Municipal Law Enforcement Division also has the option to proceed by way of Part III when an offence has been committed. Under Part III, there is no set fine and the Officer can recommend a fine to the prosecutor. Under a by-law, the maximum fine for an individual is \$25,000 for a first offence and \$50,000 for subsequent offences. The maximum fine is \$50,000 for a corporation on its first offence and \$100,000 for subsequent offences.

Whether or not the Municipal Law Enforcement Officer proceeds against any person on the premises of the STRA or the owner, demerit points for violations may be assigned to the premises. The accumulation of demerit points can lead to the STRA licence being suspended or revoked.

If the STRA operator attempts to continue operation without a licence, municipal enforcement will act promptly to bring a legal action against the illegal STRA operator and to seek a court-ordered closure of the operation.

9. ADMINISTRATIVE PROGRAM:

The administrative program will be operated through the Clerk's Department. A flow chart has been prepared summarizing the general procedures to be followed – see Attachment "7".

10. FINANCIAL AND BUDGETARY IMPACT

Administration and enforcement of regulations will increase the demand on staff time. The relevant departments are in the process of assessing their respective staffing needs and anticipated time to administrate and enforce the STRA regulatory framework. This will be addressed in a separate, supplementary report to Council.

The Town may want to pursue the application of a Municipal Accommodation Tax and a tax on the rental platforms like Airbnb. This should be coordinated through the Town's Finance Division.

11. CONCLUSIONS

In the spring of 2018, Council initiated a planning process to regulate STRA within the Town of Georgina, with a view towards supporting tourism in Georgina and striking a balance between the needs/preferences of individual property owners and the public at large.

This report, including previous reports cited in Section 3, represents the culmination of the background research undertaken by MSPCDC and Town Technical Advisory Committee comprised of senior Staff, as well as consultation with Town legal counsel and stakeholders.

Drafts of an Official Plan Amendment/Secondary Plan Amendments (Attachments "1", "2", "3", and "4") a Zoning By-law Amendment (Attachment "5") a Licensing By-law (Attachment "6"), a work flow chart (Attachment "7"), a summary of public input (Attachment "8"), and copies of public comments (Attachment "9") have been prepared for public, other stakeholders and Council to review. A recommended Renters Code of Conduct and a Demerit Points schedule, form Appendices to the proposed Licensing By-law.

The Enforcement Program both pre- and post- implementation of the Licensing By-law are set forth in this report. As noted in this report, a full analysis of the proposed STRA licensing fee structure will be set forth in a separate, supplement report for Council's consideration.

Finally, this report contains a discussion on the issue of the potential for the proliferation of STRA in Georgina. No additional changes to the regulatory framework are proposed given that there is no indication of proliferation at this time (i.e. August 2018 to June 2019). However, should the need arise to implement provisions in this regard, the Licencing By-law can be amended.

In conclusion, it is recommended that Council receive this report, and direct Staff to take the necessary steps to implement their preferred regulatory framework.

Prepared by:



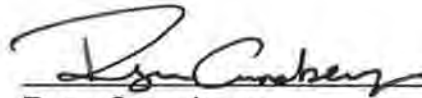
Michael R.E. Smith, MCIP, RPP
Michael Smith Planning Consultants;
Development Coordinators Ltd.

Reviewed and Recommended by:



Harold W. Lenters, M.Sc.Pl., MCIP, RPP
Director of Development Services

Reviewed and Recommended by:



Ryan Cronsberry
Acting Deputy Chief Administrative
Officer

Approved by:



Dave Reddon
Chief Administrative Officer

Certificate of Approval

AMENDMENT NO.???

TO THE

OFFICIAL PLAN OF THE

TOWN OF GEORGINA PLANNING AREA

This official plan document which was adopted by the Council of the Corporation of the Town of Georgina is approved pursuant to Sections 17 and 21 of the Planning Act and came into force on _____, 2019.

Date: _____

**Karen Whitney, M.C.I.P., R.P.P.
Director of Community Planning
The Regional Municipality of York**

AMENDMENT NO.???
TO THE OFFICIAL PLAN OF THE
TOWN OF GEORGINA
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PART A - THE CERTIFICATION
AMENDMENT NO. ???
TO THE
OFFICIAL PLAN OF THE
TOWN OF GEORGINA PLANNING AREA

The attached explanatory text and location map, constituting Amendment No. ??? to the Official Plan of the Town of Georgina, was adopted by the Council of the Corporation of the Town of Georgina by By-law No. 2019 - < > (PL-2) pursuant to Sections 17 and 21 of the Planning Act, R.S.O. 1990, on the ___ day of _____, 2019.

Margaret Quirk, Mayor

Rachel Dillabough, Acting-Town Clerk

THE CORPORATION OF THE TOWN OF GEORGINA

IN THE

REGIONAL MUNICIPALITY OF YORK

BY-LAW NUMBER 2019- <> (PL-2)

BEING A BY-LAW TO ADOPT AMENDMENT NO. ??? TO THE OFFICIAL PLAN OF THE TOWN OF GEORGINA.

The Council of the Corporation of the Town of Georgina, pursuant to Sections 17 and 21 of the Planning Act, R.S.O. 1990, c.P.13, as amended, hereby **ENACTS AS FOLLOWS:**

1. That Amendment No. ??? to the Official Plan of the Town of Georgina, constituting the attached explanatory text, is hereby adopted.
2. That the Corporation of the Town of Georgina make application to the Region of York for approval of said Amendment.
3. That the Clerk of the Corporation of the Town of Georgina is hereby authorized and directed to make such application on behalf of the Corporation and to execute under the Corporate Seal such documents as may be required for the above purposes.

Read a first, second and third time and finally passed this ___ day of _____, 2019.

Margaret Quirk, Mayor

Rachel Dillabough, Acting-Town Clerk

PART B - THE PREAMBLE

1. TITLE

This Amendment shall be known as:

Amendment No. ???
to the Official Plan of the
Town of Georgina

Being an Amendment to the Official Plan of the Town of Georgina.

2. COMPONENTS OF AMENDMENT

Only that part of this document entitled "Part C - The Amendment", comprising the attached explanatory, constitutes Amendment No. ??? to the Town of Georgina Official Plan.

3. PURPOSE

The purpose of Amendment No. ??? is to define "Short-term Rental Accommodation" and to permit such use within all land use designations in the Town of Georgina Official Plan which permit single detached dwellings.

4. LOCATION

Amendment No. ??? applies to lands within those land use designations in the Town of Georgina Official Plan which permit single detached dwellings.

5. BASIS

Short-term Rental Accommodation has been a part of the Town of Georgina tourism infrastructure since the first vacation homes were built in the former Township of Georgina, Township of North Gwillimbury and Village of Sutton. Prior to the internet, vacation rentals were conducted through newspaper advertisements and real estate companies and by word of mouth.

Today, Short-term Rental Accommodation is generally understood to refer to individuals renting their residence, or part of their residence, for short periods of time through Internet-based platforms such as *Airbnb*. These platforms have grown significantly in popularity over the past five years. Short-term Rental Accommodation internet platforms are present in over 190 countries, and many municipalities are acting to regulate this activity. Often, municipalities seek a

balance between preserving the character of local communities and encouraging growth in home sharing to promote economic development.

It is the intent of this amendment that Short-term Rental Accommodation within a residential dwelling shall only be permitted pursuant to the implementing amendment to Zoning By-law 500 and a Short-term Rental Accommodation Licensing by-law.

In addition to Zoning and Licensing Short-term Rental Accommodation may be subject, but not limited to, other Municipal By-laws including on-street parking, noise, property standards, and fire and safety regulations.

The Keswick, Sutton/Jackson's Point, and Pefferlaw Secondary Plans will be amended to be consistent with the Official Plan policy for Short-term Rental Accommodation.

PART C - THE AMENDMENT

1. INTRODUCTION

The whole of that part of the Amendment entitled "Part C - The Amendment", which consists of the following explanatory text constitutes Amendment No. ??? to the Town of Georgina Official Plan.

2. ACTUAL AMENDMENT

a) That Section 5.3.1.1 **PERMITTED USES** of the Official Plan is hereby amended by adding:

l) *A short-term rental accommodation may be permitted in an existing single detached dwelling or as permitted by 5.3.1.12;*

b) That Sections 6.1.1, 6.2.1, 7.3.1, 7.4.1, and 7.5.1 **PERMITTED USES** of the Official Plan are hereby amended by adding at the end thereof "*Short-term Rental Accommodation*" may be permitted within a *single detached dwelling*.

c) That Section 7.2.2 is hereby by amended by adding at the end thereof the following:

“(p) *Short-term Rental Accommodation may be permitted within a single detached dwelling*”

- d) That Section 12.5.10 is hereby deleted and replaced with the following:

“12.5.10 Agri-Tourism Uses:

means those farm-related tourism uses, including limited accommodation such as a *short-term rental accommodation*, that promote the enjoyment, education or activities related to the farm operation.”

- e) That Section 12.112A is hereby added to Section DEFINITIONS:

“12.112A Short-term Rental Accommodation:

means a *Short-term Rental Accommodation* as defined by the Town of Georgina Short-term Rental Accommodation Licensing By-law, as amended, revised or replaced.”

3. IMPLEMENTATION

The Official Plan Amendment will be implemented by an amendment to Zoning By-law 500, pursuant to the *Planning Act* of Ontario; and, a Licensing By-law pursuant to the *Municipal Act* of Ontario.

4. INTERPRETATION

The policies set forth in the Town of Georgina Official Plan, as amended from time to time regarding the interpretation of that plan, shall apply in regard to this Amendment.

Certificate of Approval

AMENDMENT NO.???

TO THE

**KESWICK
SECONDARY PLAN AREA**

This Secondary plan document which was adopted by the Council of the Corporation of the Town of Georgina is approved pursuant to Sections 17 and 21 of the Planning Act and came into force on _____, 2019.

Date: _____

**Karen Whitney, M.C.I.P., R.P.P.
Director of Community Planning
The Regional Municipality of York**

AMENDMENT NO.???
TO THE KESWICK
SECONDARY PLAN
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PART A - THE CERTIFICATION

AMENDMENT NO. ???

TO THE

KESWICK

SECONDARY PLAN AREA

The attached explanatory text and location map, constituting Amendment No. ??? to the Keswick Secondary Plan, was adopted by the Council of the Corporation of the Town of Georgina by By-law No. 2019 - < > (PL-2) pursuant to Sections 17 and 21 of the Planning Act, R.S.O. 1990, on the ___ day of _____, 2019.

Margaret Quirk, Mayor

Rachel Dillabough, Acting-Town Clerk

THE CORPORATION OF THE TOWN OF GEORGINA
IN THE
REGIONAL MUNICIPALITY OF YORK
BY-LAW NUMBER 2019- <> (PL-2)

**BEING A BY-LAW TO ADOPT AMENDMENT NO. ??? TO THE KESWICK
SECONDARY PLAN**

The Council of the Corporation of the Town of Georgina, pursuant to Sections 17 and 21 of the Planning Act, R.S.O. 1990, c.P.13, as amended, hereby **ENACTS AS FOLLOWS:**

1. That Amendment No. ??? to the Keswick Secondary Plan constituting the attached explanatory text, is hereby adopted.
2. That the Corporation of the Town of Georgina make application to the Region of York for approval of said Amendment.
3. That the Clerk of the Corporation of the Town of Georgina is hereby authorized and directed to make such application on behalf of the Corporation and to execute under the Corporate Seal such documents as may be required for the above purposes.

Read a first, second and third time and finally passed this ___ day of _____, 2019.

Margaret Quirk, Mayor

Rachel Dillabough, Acting-Town Clerk

PART B - THE PREAMBLE

1. TITLE

This Amendment shall be known as:

Amendment No. ???
to the Keswick
Secondary Plan

Being an Amendment to the Keswick Secondary Plan.

2. COMPONENTS OF AMENDMENT

Only that part of this document entitled "Part C - The Amendment", comprising the attached explanatory text, constitutes Amendment No. ??? to the Keswick Secondary Plan.

3. PURPOSE

The purpose of Amendment No. ??? is to define "Short-term Rental Accommodation" and to permit such use within all land use designations in the Keswick Secondary Plan which permit single detached dwellings.

4. LOCATION

Amendment No. ??? applies to lands within those land use designations in the Keswick Secondary Plan which permit single detached dwellings.

5. BASIS

Short-term Rental Accommodation has been a part of the Town of Georgina tourism infrastructure since the first vacation homes were built in the former Township of Georgina, Township of North Gwillimbury and Village of Sutton. Prior to the internet, vacation rentals were conducted through newspaper advertisements and real estate companies and by word of mouth.

Today, Short-term Rental Accommodation is generally understood to refer to individuals renting their residence, or part of their residence, for short periods of time through Internet-based platforms such as Airbnb. These platforms have grown significantly in popularity over the past five years. Short-term Rental Accommodation internet platforms are present in over 190 countries, and many

municipalities are acting to regulate this activity. Often, municipalities seek a balance between preserving the character of local communities and encouraging growth in home sharing to promote economic development.

It is the intent of this amendment that Short-term Rental Accommodation within a residential dwelling shall be considered a commercial use (i.e. not a conventional residential use) and shall only be permitted pursuant to the implementing amendment to Zoning By-law 500. Short-term Rental Accommodation shall be licenced.

In addition to Zoning and Licensing Short-term Rental Accommodation may be subject, but not limited to, other Municipal By-laws including on-street parking, noise, property standards, and fire and safety regulations.

PART C - THE AMENDMENT

1. INTRODUCTION

The whole of that part of the Amendment entitled "Part C - The Amendment", which consists of the following explanatory text constitutes Amendment No. ??? to the Keswick Secondary Plan.

2. ACTUAL AMENDMENT

a) That Section 13.1.3.4 a) (iii) is hereby deleted and replaced with the following:

(iii) a single detached dwelling containing a Short-term Rental Accommodation use.

b) That Section 13.1.2 **GENERAL LAND USE POLICIES** is hereby amended by adding:

"13.1.2.17 SHORT-TERM RENTAL ACCOMODATION

(a) Policies

(i) Short-term Rental Accommodation as defined herein, may be permitted in any land use designation which permits a single detached dwelling."

c) That Section 13.1.8.4 **Definitions** is hereby amended by inserting:

“Short-term Rental Accommodation - means a Short-term Rental Accommodation as defined by the Town of Georgina Short-term Rental Accommodation Licensing By-law, as amended, revised or replaced.”

3. IMPLEMENTATION

The Secondary Plan Amendment will be implemented by an amendment to Zoning By-law 500, pursuant to the *Planning Act* of Ontario; and, a Licensing By-law pursuant to the *Municipal Act* of Ontario.

4. INTERPRETATION

The provisions set forth in the Keswick Secondary Plan, as amended from time to time regarding the interpretation of that plan, shall apply in regard to this Amendment.

Certificate of Approval

AMENDMENT NO.???

TO THE

**SUTTON/JACKSON'S POINT
SECONDARY PLAN AREA**

This Secondary plan document which was adopted by the Council of the Corporation of the Town of Georgina is approved pursuant to Sections 17 and 21 of the Planning Act and came into force on _____, 2019.

Date: _____

**Karen Whitney, M.C.I.P., R.P.P.
Director of Community Planning
The Regional Municipality of York**

AMENDMENT NO.???
TO THE SUTTON/JACKSON'S POINT
SECONDARY PLAN
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PART A - THE CERTIFICATION

AMENDMENT NO. ???

TO THE

SUTTON/JACKSON'S POINT

SECONDARY PLAN AREA

The attached explanatory text and location map, constituting Amendment No. ??? to the Sutton/Jackson's Point Secondary Plan, was adopted by the Council of the Corporation of the Town of Georgina by By-law No. 2019 - < > (PL-2) pursuant to Sections 17 and 21 of the Planning Act, R.S.O. 1990, on the ___ day of _____, 2019.

Margaret Quirk, Mayor

Rachel Dillabough, Acting-Town Clerk

THE CORPORATION OF THE TOWN OF GEORGINA

IN THE

REGIONAL MUNICIPALITY OF YORK

BY-LAW NUMBER 2019- <> (PL-2)

**BEING A BY-LAW TO ADOPT AMENDMENT NO. ??? TO THE SUTTON/JACKSON'S
POINT SECONDARY PLAN**

The Council of the Corporation of the Town of Georgina, pursuant to Sections 17 and 21 of the Planning Act, R.S.O. 1990, c.P.13, as amended, hereby **ENACTS AS FOLLOWS:**

1. That Amendment No. ??? to the Sutton/Jackson's Point Secondary Plan constituting the attached explanatory text, is hereby adopted.
2. That the Corporation of the Town of Georgina make application to the Region of York for approval of said Amendment.
3. That the Clerk of the Corporation of the Town of Georgina is hereby authorized and directed to make such application on behalf of the Corporation and to execute under the Corporate Seal such documents as may be required for the above purposes.

Read a first, second and third time and finally passed this ___ day of _____, 2019.

Margaret Quirk, Mayor

Rachel Dillabough, Acting-Town Clerk

PART B - THE PREAMBLE

1. TITLE

This Amendment shall be known as:

Amendment No. ???
to the Sutton/Jackson's
Point Secondary Plan

Being an Amendment to the Sutton/Jackson's Point Secondary Plan.

2. COMPONENTS OF AMENDMENT

Only that part of this document entitled "Part C - The Amendment", comprising the attached explanatory text, constitutes Amendment No. ??? to the Sutton/Jackson's Point Secondary Plan.

3. PURPOSE

The purpose of Amendment No.??? is to define "Short-term Rental Accommodation" and to permit such use within all land use designations in the Sutton/Jackson's Point Secondary Plan which permit single detached dwellings.

4. LOCATION

Amendment No. ??? applies to lands within those land use designations in the Sutton/Jackson's Point Secondary Plan which permit single detached dwellings.

5. BASIS

Short-term Rental Accommodation has been a part of the Town of Georgina tourism infrastructure since the first vacation homes were built in the former Township of Georgina, Township of North Gwillimbury and Village of Sutton. Prior to the internet, vacation rentals were conducted through newspaper advertisements and real estate companies and by word of mouth.

Today, Short-term Rental Accommodation is generally understood to refer to individuals renting their residence, or part of their residence, for short periods of time through Internet-based platforms such as Airbnb. These platforms have grown significantly in popularity over the past five years. Short-term Rental Accommodation internet platforms are present in over 190 countries, and many

municipalities are acting to regulate this activity. Often, municipalities seek a balance between preserving the character of local communities and encouraging growth in home sharing to promote economic development.

It is the intent of this amendment that Short-term Rental Accommodation within a residential dwelling shall be considered a commercial use (i.e. not a conventional residential use) and shall only be permitted pursuant to the implementing amendment to Zoning By-law 500. Short-term Rental Accommodation shall be licenced.

In addition to Zoning and Licensing Short-term Rental Accommodation may be subject, but not limited to, other Municipal By-laws including on-street parking, noise, property standards, and fire and safety regulations.

PART C - THE AMENDMENT

1. INTRODUCTION

The whole of that part of the Amendment entitled "Part C - The Amendment", which consists of the following explanatory text constitutes Amendment No. ??? to the Sutton/Jackson's Point Secondary Plan.

2. ACTUAL AMENDMENT

1. That Sections 13.2.5.1, 13.2.5.2, 13.2.6.1, 13.2.6.3, 13.2.6.4, and 13.2.7.1 are hereby amended by deleting "bed and breakfast".
2. That Sections 13.2.5.1, 13.2.5.2, 13.2.6.1, 13.2.6.2, 13.2.6.3, 13.2.6.4, 13.2.6.5, 13.2.6.6, 13.2.7.1, and 13.2.7.2 **PERMITTED USES** of the Secondary Plan are hereby amended by adding at the end thereof "*Short-term Rental Accommodation* may be permitted within a single detached dwelling."
3. That Section 13.2.4 is hereby amended by adding the following:

13.2.4.10 Short-term Rental Accommodation

- a) *Short-term Rental Accommodation* may be permitted in any designation which permits a single detached dwelling.
4. That Section 13.2.2.2 **PERMITTED USES** is hereby amended by adding the following:
 - (xi) *short-term rental accommodation* may be permitted within an existing

single detached dwelling or as permitted by 13.2.2.2 (e);

5. That Section 13.2.5.1.1 b) is hereby deleted and replaced with the following:

“b) Notwithstanding Section 13.2.5.1 - Permitted Uses, on land described as Part of Lot 31, Plan 267 and shown as Item 14 on Schedule 'E' - Special Provisions, the only permitted uses shall be a women's shelter having a maximum of 30 beds, a single detached dwelling which may include an accessory apartment, a home occupation and/or a short-term rental accommodation, and accessory buildings, structures and uses to any permitted uses.

For the purposes of this Section, a women's shelter means:

“A building and premises operated for the purposes of providing secure temporary living accommodation to abused women, with or without children. Staff are available in the residence to provide supervision, counselling and other assistance, as required, on a 24 - hour basis.”

6. That Section 13.2.5.1.1 c) is hereby deleted and replaced with the following:

“ c)Notwithstanding Section 13.2.5.1 - Permitted Uses, on land described as Part of Lot 1, Plan 247 and shown as Item 15 on Schedule 'E' - Special Provisions, the only permitted uses shall be a single detached dwelling which may include an accessory apartment, a home occupation and/or short-term rental accommodation, a building containing 4 dwelling units, women's shelter office space with a maximum of 3 dwelling units and accessory buildings, structures and uses to any permitted uses.

7. That Section 13.2.6.6 iii) **PERMITTED USES** is hereby deleted and replaced with the following:

iii) single detached dwellings containing a short-term rental accommodation;

8. That Section 13.2.9 **IMPLEMENTATION** of the Secondary Plan is hereby amended by adding:

“13.2.9.11 SHORT-TERM RENTAL ACCOMODATION POLICIES

(a) Definition

(i) means a *Short-term Rental Accommodation* as defined by the

Town of Georgina Short-term Rental Accommodation Licensing By-law, as amended, revised or replaced.

(b) **Policies**

- (i) *Short-term Rental Accommodation* as defined herein, may be permitted in any land use designation which permits a single detached dwelling.”

3. IMPLEMENTATION

The Secondary Plan Amendment will be implemented by an amendment to Zoning By-law 500, pursuant to the *Planning Act* of Ontario; and, a Licensing By-law pursuant to the *Municipal Act* of Ontario.

4. INTERPRETATION

The policies set forth in the Sutton/Jackson’s Point Secondary Plan, as amended from time to time regarding the interpretation of that plan, shall apply in regard to this Amendment.

Certificate of Approval

AMENDMENT NO.???

TO THE

PEFFERLAW SECONDARY PLAN AREA

This Secondary plan document which was adopted by the Council of the Corporation of the Town of Georgina is approved pursuant to Sections 17 and 21 of the Planning Act and came into force on _____, 2019.

Date: _____

**Karen Whitney, M.C.I.P., R.P.P.
Director of Community Planning
The Regional Municipality of York**

AMENDMENT NO.???
PEFFERLAW SECONDARY PLAN
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PART A - THE CERTIFICATION
AMENDMENT NO. ???
TO THE
PEFFERLAW SECONDARY PLAN AREA

The attached explanatory text and location map, constituting Amendment No. ??? to the Pefferlaw Secondary Plan, was adopted by the Council of the Corporation of the Town of Georgina by By-law No. 2019 - <> (PL-2) pursuant to Sections 17 and 21 of the Planning Act, R.S.O. 1990, on the ___ day of _____, 2019.

Margaret Quirk, Mayor

Rachel Dillabough, Acting-Town Clerk

THE CORPORATION OF THE TOWN OF GEORGINA

IN THE

REGIONAL MUNICIPALITY OF YORK

BY-LAW NUMBER 2019- <> (PL-2)

**BEING A BY-LAW TO ADOPT AMENDMENT NO. ??? TO THE PEFFERLAW
SECONDARY PLAN.**

The Council of the Corporation of the Town of Georgina, pursuant to Sections 17 and 21 of the Planning Act, R.S.O. 1990, c.P.13, as amended, hereby **ENACTS AS FOLLOWS:**

1. That Amendment No. ??? to the Pefferlaw Secondary Plan, constituting the attached explanatory text, is hereby adopted.
2. That the Corporation of the Town of Georgina make application to the Region of York for approval of said Amendment.
3. That the Clerk of the Corporation of the Town of Georgina is hereby authorized and directed to make such application on behalf of the Corporation and to execute under the Corporate Seal such documents as may be required for the above purposes.

Read a first, second and third time and finally passed this ___ day of _____, 2019.

Margaret Quirk, Mayor

Rachel Dillabough, Acting-Town Clerk

PART B - THE PREAMBLE

1. TITLE

This Amendment shall be known as:

Amendment No. ???
to the Pefferlaw Secondary Plan

Being an Amendment to the Pefferlaw Secondary Plan.

2. COMPONENTS OF AMENDMENT

Only that part of this document entitled "Part C - The Amendment", comprising the attached explanatory text, constitutes Amendment No. ??? to the Pefferlaw Secondary Plan.

3. PURPOSE

The purpose of Amendment No. ??? is to define "Short-term Rental Accommodation" and to permit such use within all land use designations in the Pefferlaw Secondary Plan which permit single detached dwellings.

4. LOCATION

Amendment No. ??? applies to lands within those land use designations in the Pefferlaw Secondary Plan which permit residential uses.

5. BASIS

Short-term Rental Accommodation has been a part of the Town of Georgina tourism infrastructure since the first vacation homes were built in the former Township of Georgina, Township of North Gwillimbury and Village of Sutton. Prior to the internet, vacation rentals were conducted through newspaper advertisements and real estate companies and by word of mouth.

Today, Short-term Rental Accommodation is generally understood to refer to individuals renting their residence, or part of their residence, for short periods of time through Internet-based platforms such as Airbnb. These platforms have grown significantly in popularity over the past five years. Short-term Rental Accommodation internet platforms are present in over 190 countries, and many municipalities are acting to regulate this activity. Often, municipalities seek a

balance between preserving the character of local communities and encouraging growth in home sharing to promote economic development.

It is the intent of this amendment that Short-term Rental Accommodation shall only be permitted within land use designations permitting a single detached dwelling. Short-term Rental Accommodation shall be licenced.

In addition to Zoning and Licensing Short-term Rental Accommodation may be subject, but not limited to, other Municipal By-laws including on-street parking, noise, property standards, and fire and safety regulations.

PART C - THE AMENDMENT

1. INTRODUCTION

The whole of that part of the Amendment entitled "Part C - The Amendment", which consists of the following explanatory text constitutes Amendment No. ??? to the Pefferlaw Secondary Plan.

2. ACTUAL AMENDMENT

- a) That Section 13.3.3 **GENERAL DEVELOPMENT AND SERVICING POLICIES** of the Secondary Plan is hereby amended by adding:

13.3.3.6 SHORT-TERM RENTAL ACCOMODATION POLICIES

(a) **Definition**

- (i) "means a *Short-term Rental Accommodation* as defined by the Town of Georgina Short-term Rental Accommodation Licensing By-law, as amended, revised or replaced."

(b) **Policies**

- (i) *Short-term Rental Accommodation* as defined herein, may be permitted in any land use designation which permits a single detached dwelling.

- b) That Section 13.3.4.8 **SPECIAL DEVELOPMENT AREAS** is hereby amended by deleting 13.3.4.8 (iii) a) and replacing it with the following:

"a) PART OF LOT 21, CONCESSION 6 (G)**O.P.A. 79**

In that area shown in heavy outline in Schedule 'E1 - Land Use Plan' hereto, and designated **RESIDENTIAL SPECIAL DEVELOPMENT AREA NO. 3**, a *short-term rental accommodation* having a maximum of six guest rooms within a single detached dwelling, shall be a permitted use in addition to those uses permitted herein."

3. IMPLEMENTATION

The Secondary Plan Amendment will be implemented by an amendment to Zoning By-law 500, pursuant to the *Planning Act* of Ontario; and, a Licensing By-law pursuant to the *Municipal Act* of Ontario.

4. INTERPRETATION

The policies set forth in the Pefferlaw Secondary Plan, as amended from time to time regarding the interpretation of that plan, shall apply in regard to this Amendment.

**THE CORPORATION OF THE TOWN OF GEORGINA
IN THE
REGIONAL MUNICIPALITY OF YORK**

BY-LAW NUMBER 500-2019-< >

**A BY-LAW TO AMEND BY-LAW NUMBER 500, BEING A BY-LAW TO
REGULATE THE USE OF LANDS AND THE CHARACTER, LOCATION AND
USE OF BUILDINGS AND STRUCTURES WITHIN THE TOWN OF GEORGINA.**

Pursuant to Section 34 of the Planning Act, R.S.O., 1990, the Council of the Town of Georgina **ENACTS AS FOLLOWS:**

1. That Section 2 **DEFINITIONS** of Zoning By-law No.500, as amended, is hereby further amended by deleting Section 2.22 **BED AND BREAKFAST RESIDENCE.**
2. That Section 2 **DEFINITIONS** of Zoning By-law No. 500, as amended, is hereby further amended by adding the following:
 - 2.185 A) **SHORT-TERM RENTAL ACCOMMODATION:**
means Short-term Rental Accommodation as defined by the Town of Georgina Short-term Rental Accommodation Licencing By-law, as amended, revised or replaced.
3. That Section 2.70 **DWELLING, SINGLE FAMILY** of Zoning By-law No. 500, as amended, is hereby further amended by deleting it in its entirety and replacing it with the following:
 - 2.70 **DWELLING, SINGLE FAMILY**
means one completely detached dwelling containing one dwelling unit and may contain an accessory apartment and/or a short-term rental accommodation, provided the accessory apartment and/or short-term rental accommodation complies with Section 5.50 or 5.34 A) of this By-law respectively, and is not subject to any provisions in this by-law relating to duplex dwellings.

3. That Section 5.2 **BED AND BREAKFAST RESIDENCE** is hereby deleted.
4. That Section 5.28 (b) **NUMBER OF PARKING SPACES (MINIMUM) – RESIDENTIAL USES** is hereby amended by deleting:

bed and breakfast residence	one per each bed and breakfast guest room in addition to the spaces required for the single family dwelling
-----------------------------	---

5. That Section 5 **GENERAL PROVISIONS ALL ZONES** of Zoning By-law No. 500, as amended, is hereby further amended by adding the following:

“5.34 A) **SHORT-TERM RENTAL ACCOMODATION:**

(a) Notwithstanding any other provision of this By-law, Short-term Rental Accommodation shall only be established and operated in accordance with the provisions of the Short-term Rental Accommodation Licensing By-law, as amended, revised and replaced.

(b) Short-term Rental Accommodation shall only be permitted within a single family dwelling.

6. That Sections 7.2, 8.2, 10.2, 11.2, 19.2, and 28.2 **PERMITTED NON-RESIDENTIAL USES** of Zoning By-law 500 are hereby amended by deleting “- bed and breakfast residence” and inserting in lieu thereof “short-term rental accommodation”.
7. That Section 7.5 **SPECIAL PROVISIONS**, subsection 7.5.59, is hereby amended by deleting “bed and breakfast residence” and replacing it with “short-term rental accommodation”
8. That Section 7.5 **SPECIAL PROVISIONS**, subsection 7.5.60, is hereby amended by deleting “bed and breakfast residence” and replacing it with “short-term rental accommodation”
9. That Section 7.5 **SPECIAL PROVISIONS**, subsection 7.5.88, is hereby amended by deleting it in its entirety.
10. That Section 10.5 **SPECIAL PROVISIONS**, subsection 10.5.34, is hereby amended by (a) deleting “(NG)” in the property reference and inserting “(G)”; (b) deleting “bed and breakfast” in the first paragraph

and replacing it with “short-term rental accommodation”; and, (c) deleting the second paragraph and replacing it with the following:

“Notwithstanding Section 5.34 A), within that area shown in heavy outline and designated “R-41” in Schedule “A” hereto, a short-term rental accommodation having a maximum of six guest rooms shall be permitted. However, the maximum number of guest rooms shall be limited to four, during any time when the number of non-resident home occupation employees exceeds two. The maintenance of a noise attenuation fence as shown in Schedule ‘B-22’ shall be required.”

11. That Section 10.5 **SPECIAL PROVISIONS**, subsection 10.5.63 b), is hereby amended by deleting “bed and breakfast residence” and replacing it with “short-term rental accommodation”.

12. That Section 18.5 **SPECIAL PROVISIONS**, subsection 18.5.10, is hereby amended by deleting the first paragraph and replacing it with the following:

“Notwithstanding Sections 2.185 A) and 18.2 in that area designated ‘C5-10’, only the sale and servicing of windsurfing equipment restricted to a maximum gross leasable floor area of 95 sq. metres, and operation of a short-term rental accommodation within a non-residential building shall be permitted.”

13. That Section 19.4 g) **BED AND BREAKFAST RESIDENCE** is hereby deleted and replaced with the following:

“g) **SHORT-TERM RENTAL ACCOMMODATION**

Notwithstanding Sections 5 and 19.4 (a), (b) and (c), a short-term rental accommodation and accessory buildings, structures and uses thereto, shall be subject to the same lot frontage, lot area, and yard provisions as a single family dwelling in a Rural (RU) Zone.

14. That Section 28.4 g) **EXCEPTIONS TO NON-RESIDENTIAL PROVISIONS** is hereby amended by deleting “a bed and breakfast residence” and replacing it with “a short-term rental accommodation”

15. That Section 28.5 **SPECIAL PROVISIONS**, subsection 28.5.68, is hereby amended by deleting “bed and breakfast residence” in the second paragraph and replacing it with “short-term rental accommodation”

16. That Section 28.5 **SPECIAL PROVISIONS**, subsection 28.5.156, is hereby amended by deleting “bed and breakfast residence” and

- replacing it with “short-term rental accommodation”
17. That Section 28.5 **SPECIAL PROVISIONS**, subsection 28.5.173, is hereby amended by deleting “bed and breakfast residence” in the second paragraph and replacing it with “short-term rental accommodation”
 18. That Section 28.5 **SPECIAL PROVISIONS**, subsection 28.5.178, is hereby amended by deleting “bed and breakfast residence” and replacing it with “short-term rental accommodation”
 19. That Section 28.5 **SPECIAL PROVISIONS**, subsection 28.5.181, is hereby amended by deleting “bed and breakfast residence” and replacing it with “short-term rental accommodation”
 20. That Section 28.5 **SPECIAL PROVISIONS**, subsection 28.5.183, is hereby amended by deleting “bed and breakfast residence” in the second paragraph and replacing it with “short-term rental accommodation”
 21. That Section 28.5 **SPECIAL PROVISIONS**, subsection 28.5.185, is hereby amended by deleting “bed and breakfast residence” and replacing it with “short-term rental accommodation”
 22. That Section 28.5 **SPECIAL PROVISIONS**, subsection 28.5.186, is hereby amended by deleting “bed and breakfast residence” in the first paragraph and replacing it with “short-term rental accommodation”
 23. That Section 28.5 **SPECIAL PROVISIONS**, subsection 28.5.187, is hereby amended by deleting “bed and breakfast residence” and replacing it with “short-term rental accommodation”
 24. That Section 28.5 **SPECIAL PROVISIONS**, subsection 28.5.189, is hereby amended by deleting “bed and breakfast residence” in the first paragraph and replacing it with “short-term rental accommodation”
 25. That Section 28.5 **SPECIAL PROVISIONS**, subsection 28.5.196, is hereby amended by deleting “bed and breakfast residence” in the second paragraph and replacing it with “short-term rental accommodation”
 26. That Section 28.5 **SPECIAL PROVISIONS**, subsection 28.5.199, is hereby amended by deleting “bed and breakfast residence” and replacing it with “short-term rental accommodation”
 27. That Section 28.5 **SPECIAL PROVISIONS**, subsection 28.5.201, is hereby amended by deleting “bed and breakfast residence” and

replacing it with "short-term rental accommodation"

28. That Section 28.5 **SPECIAL PROVISIONS**, subsection 28.5.202, is hereby amended by deleting "bed and breakfast residence" and replacing it with "short-term rental accommodation"
29. That Section 28.5 **SPECIAL PROVISIONS**, subsection 28.5.225, is hereby amended by deleting "bed and breakfast residence" and replacing it with "short-term rental accommodation"
30. That Section 28.5 **SPECIAL PROVISIONS**, subsection 28.5.226, is hereby amended by deleting "bed and breakfast residence" and replacing it with "short-term rental accommodation"

READ and ENACTED this _____ day of _____, 2019

Mayor, Margaret Quirk

Rachel Dillabough, Acting-Town Clerk

EXPLANATORY NOTE

Short-term Rental Accommodation

File: 03.???

1. The purpose of Zoning By-law No. 500-2019-XXXX (PL-5), which amends Zoning By-law 500, is to:
 - delete the definition of Bed and Breakfast Residence as outlined in Section 2.22 of Zoning By-law 500;
 - delete the general provisions associated with Bed and Breakfast Residence as outlined in Section 5.2 of Zoning By-law 500
 - delete the parking space requirements for a Bed and Breakfast Residence as outlined in Section 5.28 (b) of Zoning By-law 500;
 - delete Bed and Breakfast Residence as a permitted non-residential use in Sections 7.2, 8.2, 10.2 and 11.2 (residential zones), Section 19.2 (Camp Commercial (C6) Zone), and Section 28.2 (Rural (RU) Zone), and replace it with short-term rental accommodation;
 - permit the establishment of Short-term Rental Accommodation as defined, regulated, and licenced by the Town of Georgina Short-term Rental Accommodation By-law.
 - introduce parking requirements for Short-term Rental Accommodation; and,
 - delete Bed and Breakfast Residence provisions as outlined in Section 19.4 g)
 - delete exceptions to non-residential use provisions as outlined in Section 28.4 g)
 - update the provisions for the short-term residential accommodation (formerly *bed and breakfast residence*) permitted by site-specific zoning amendments

2. This by-law is to be read in conjunction with a Short-term Rental Accommodation Licensing By-law, passed pursuant to the *Municipal Act*, which establishes standards to ensure the orderly operation of Short-term Rental Accommodation within the Town of Georgina.

3. This by-law conforms to the Town of Georgina Official Plan, the Keswick Secondary Plan, the Sutton/Jackson's Point Secondary Plan, and the Pefferlaw Secondary Plan, all of which have been amended to incorporate Short-term Rental Accommodation policies.

THE CORPORATION OF THE TOWN OF GEORGINA
IN THE
REGIONAL MUNICIPALITY OF YORK

BY-LAW NUMBER 2019-

BEING A BY-LAW TO LICENCE, REGULATE AND GOVERN
SHORT-TERM RENTAL ACCOMMODATIONS

WHEREAS the Council of the Town of Georgina may, pursuant to the *Municipal Act*, 2001, S.O. 2001, c.25. as amended, (*"The Municipal Act"*), enact by-laws for the licensing, regulating and governing of businesses and occupations in the Town of Georgina;

AND WHEREAS the Council of the Town of Georgina deems it desirable to enact a by-law to Licence Short-term Rental Accommodation;

BE IT THEREFORE ENACTED BY THE COUNCIL OF THE TOWN OF GEORGINA:

1. DEFINITIONS

For the purpose of this by-law:

Agent means a Person duly appointed by an Owner or the Town to act on their behalf;

Appeal Committee means a committee of individuals which has been delegated, by Town of Georgina Council, the responsibility of handling appeals, suspensions and revocations of Licences under this by-law;

Applicant means the Person applying for a Licence or renewal of a Licence under this by-law;

Corporation means a body corporate incorporated pursuant to the *Business Corporations Act*, R.S.O. 1990 c. B. 16, or the *Corporations Act*, R.S.O. 1990, c. C. 38;

Fee means a Fee as established by the Town;

Guest Room means a room offered for short-term rental accommodation intended primarily for overnight occupation, which conforms to the standards for a bedroom, as set forth by the Ontario Building Code;

Licence means the Licence issued under this by-law as proof of licensing under this by-law;

Licensee means a Person who holds a Licence or is required to hold a Licence under this by-law;

Licensing Coordinator means the Town Clerk or designated Town staff person;

Officer means a Police Officer, Fire Prevention Officer, Fire Inspector, Building Inspector, Zoning Examiner, Plans Examiner, Municipal Law or Enforcement Officer;

Owner means the Person holding title to the Property on which the Short-term Rental Accommodation is located, and "Ownership" has a corresponding meaning;

Person means an individual, a Corporation, a partnership, or an association, and includes a Licensee or an Applicant for a Licence under this by-law as the context requires;

Premises means the Property upon which a Short-term Rental Accommodation is operated, inclusive of buildings or structures or any part thereof used for such purpose;

Property means the land upon which a Short-term Rental Accommodation is operated, exclusive of buildings or structures or any part thereof;

Renter means the person responsible for the rental of the Premises by way of concession, permit, lease, licence, rental agreement or similar commercial arrangement;

Renter's Code of Conduct as set forth in Appendix "A" means a document that has been prepared by the Town that prescribes the roles and responsibilities of the renter, including but not limited to: behavioural expectations as they relate to non-disturbance of neighbours; compliance with applicable Town by-laws, and adherence to the provisions of this by-law;

Short-term Rental Accommodation: means the use of a dwelling unit, as defined in Zoning By-law No. 500, or any part thereof, that operates or offers a place of temporary residence, lodging or occupancy by way of concession, permit, lease, licence, rental agreement or similar commercial arrangement for any period equal to or less than thirty (30) consecutive calendar days, throughout all or any part of the calendar year, unless otherwise prohibited by this by-law, or any other by-law of the Town of Georgina.

Short-term Rental Accommodation shall not include a hotel, motel, motor hotel, nursing home, private or public hospital, temporary accommodations for seasonal farm workers, a recreational vehicle park, a tent campground, or similar commercial or institutional use, as defined in Zoning By-law No. 500.

Town means the Corporation of the Town of Georgina in the Regional Municipality of York.

Zoning By-law means the Town's Zoning By-law No. 500, as amended, or any successor comprehensive Zoning By-law, as amended.

2. GENERAL PROVISIONS

- (1) Short-term Rental Accommodation shall only be permitted within a single family dwelling as defined in Zoning By-law No. 500.
- (2) (a) The maximum number of Persons, including but not limited to residents, renters and their guests, permitted on a Premises, at any one time, shall be eight (8) for a single family dwelling containing one (1) or two (2) Guest Rooms delineated on the required floor plan, and twelve (12) where there is a minimum of three (3) Guest Rooms delineated on the required floor plan.
 - (b) Notwithstanding 2(2)(a) above, the property zoned "R1-120" in Zoning By-law No. 500, and described as Lot 11 and Block B, Plan 168 on the North Side of Malone Avenue, which was zoned for five guest bedrooms, shall be limited to fifteen (15) persons on the Premises at any one time.
 - (c) Notwithstanding 2(2)(a) above, the property zoned "R-41" in Zoning By-law No. 500, and described as Part of Lot 21, Concession 6 (G), on the east side of the Pefferlaw Road, which

was zoned for six guest bedrooms shall be limited to eighteen (18 persons) on the Premises at any one time.

- (3) The provision of parking on the site plan referenced in Section 3 (1) g) below shall include the following:
 - (a) a minimum of three parking spaces plus one additional parking space per Guest Room up to a maximum of 7 required parking spaces;
 - (b) parking space sizes of 2.5 metres X 5.7 metres; and
 - (c) compliance with all other parking provisions as set forth in Zoning By-law No. 500.
- (3) All vehicles shall only be permitted in a parking area consisting of a hard- surfaced driveway (gravel, paved, concrete, interlock or similar hard surface).
- (4) The provisions of this section shall not apply when the Short-term rental accommodation is not rented.

3. LICENSING REQUIREMENTS

- (1) Every application for a new Licence, or the renewal of an existing Licence, shall include:
 - (a) a completed application in the form required by the Town, which shall include each Owner, Applicant and/or Agent's name, address, telephone number, and email address;
 - (b) proof of Ownership for the Premises;
 - (c) proof that the Applicant is at least eighteen (18) years of age, if the Applicant is an individual;
 - (d) proof that the Applicant, if a Corporation, is legally entitled to conduct business in Ontario, including but not limited to:
 - (i) an article of incorporation or other incorporating documents, duly certified by the proper government official or department of the Province of Ontario or the Government of Canada; and,

- (ii) a list containing the names of all shareholders of the Corporation;
- (e) in the case of an Applicant being a partnership, the names and addresses of each member of the partnership as well as the name under which the partnership intends to carry on business;
- (f) in the case of an Applicant or Agent acting on behalf of the Owner, an Owner's written authorization;
- (g) a site plan and floor plan, drawn to scale and fully dimensioned of the Premises including:
 - (i) the location of all buildings and structures on the Property;
 - (ii) the use of each room;
 - (iii) location of smoke detection and early warning devices;
 - (iv) location of fire extinguishers;
 - (v) all entrances/exits to and from the building
 - (vi) exterior decks that are appurtenant to the Premises; and related site amenities including dimensioned parking spaces, and other buildings or structures on the Property;
- (h) proof of insurance which includes a liability limit of no less than two million dollars (\$2,000,000.00) per occurrence for Property damage and bodily injury and identifies that a Short-term Rental Accommodation is being operated on the Property. The insurance coverage required herein shall be endorsed to the effect that the Town shall be given at least 10 days' notice in writing of any cancellation or material variation to the policy;
- (i) an Electrical Safety Authority (ESA) certificate; and
- (j) payment of the applicable Fee.

- (2) Every Licensee under this by-law shall notify the Licensing Coordinator immediately of a change in any of the required documents to be filed with the Clerk's Department.

4. INSPECTION

- (1) It is the responsibility of any Person applying for a Licence to contact the Town for an inspection, which shall ensure compliance with the following where applicable:
- (a) provisions of this by-law;
 - (b) *Building Code Act, 1992, S.O. 1992 c.23; ("Building Code Act")*
 - (c) *Fire Protection and Prevention Act, 1997, S.O. 1997, c.4 ("Fire Protection and Prevention Act")*
 - (d) Property Standards By-law;
 - (e) Zoning By-law;
 - (f) any other municipal by-laws or provincial legislation that may affect the status of the application.
- (2) During the inspection process, all relevant departments of the Town may provide comment on any known matters that would assist with determination of licence eligibility.

5. PROHIBITIONS

- (1) No Person shall operate or carry on any trade, business or occupation of Short-term Rental Accommodation unless that Person has first obtained a Licence pursuant to this by-law.
- (2) No Person shall discriminate in the carrying on of the trade, business or occupation of Short-term Rental Accommodation against any member of the public on the basis of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status or disability.
- (3) No Person shall fail to comply with an order issued by an Officer.
- (4) No Person shall advertise an unlicensed Short-term Rental Accommodation.

- (5) No Person shall violate the provisions of the Renter's Code of Conduct attached as Appendix "A" to this by-law.

6. ADMINISTRATION AND ENFORCEMENT

- (1) The Licensing Coordinator shall be responsible for the administration of this by-law;
- (2) Officers shall be responsible for the enforcement of this by-law;
- (3) Upon receipt of an application for a Licence, a Licensing Coordinator shall perform the following functions:
 - (a) receive and review the application in conjunction with any provision of this by-law; and,
 - (b) ensure the relevant Officers have carried out the necessary inspections to satisfy the Town that the Premises is in compliance with the provisions of this by-law.
- (4) Upon determination that a contravention of the provisions of this by-law has occurred, an Officer may issue the required notice and/or order.

7. ISSUANCE OF LICENCE AND GROUNDS FOR REFUSAL

- (1) The Licensing Coordinator shall have the authority to issue, refuse to issue or renew a Licence, to revoke or suspend a Licence, or to impose terms and conditions on a Licence.
- (2) The Licensing Coordinator may refuse to issue or renew a Licence where:
 - (a) the conduct of an Applicant affords reasonable grounds for belief that the Applicant has not carried on, or will not carry on, the business in accordance with the law or with integrity and honesty;
 - (b) there are reasonable grounds for belief that the operation of the business may be averse to the public interest;
 - (c) a Licence has been previously revoked, suspended, or made subject to terms and conditions;

- (d) a Person applying for a Licence has presented a history of contravention with this by-law or other Town by-laws;
 - (e) the application for Licence does not conform with the provisions of Section 2 of this By-law
 - (f) the Renter's Code of Conduct (Appendix "A") has been violated;
 - (g) the proposed use of the Premises is not permitted by the Zoning By-law;
 - (h) the Owner is indebted to the Town in respect of fines, penalties, judgements, or any other amounts owing, including awarding of legal costs, disbursements, outstanding Property taxes and late payment charges, against an Owner's Property;
 - (i) the Property to be used for carrying on the trade, business or occupation does not conform with applicable federal and provincial law and regulations or municipal by-laws, including, but not limited to, the Zoning By-law, Property Standards By-law, the *Building Code Act*, the *Fire Protection and Prevention Act*, and the *Electricity Act*.
- (3) The Licensing Coordinator may suspend a Licence as per Appendix "B" to this By-law.
 - (4) The Licensing Coordinator, if satisfied that the continuation of a Licence poses a danger to the health or safety of any Person, may, for the time and such conditions as are considered appropriate, suspend a Licence for not more than 14 days. If after this period, the Licensing Coordinator is satisfied that the continuation of a Licence will continue to pose a danger to the health or safety of any Person, he/she may further suspend for not more than 14 days or revoke a Licence.
 - (5) The Licensing Coordinator may revoke a Licence if it was issued in error or granted based on incorrect or false information.
 - (6) The Licensing Coordinator may revoke a Licence as per Appendix "B" to the by-law.

- (7) Notwithstanding Section 7 (2) (e) of this by-law, the Licensing Coordinator may issue a Licence where a variance to this by-law has been approved.

8. TERM OF LICENCE

A Licence issued pursuant to the provisions of this by-law shall expire one (1) year from the date it was issued, unless it is revoked in accordance with the provisions of this by-law.

9. ORDER

- (1) Where an Officer has reasonable grounds to believe that a contravention of the by-law has occurred, the Officer may serve an order on the Licensee setting out the reasonable particulars of the contravention and directing:
- (a) compliance within a specified period of time;
 - (b) any work that is required to be done. In the event of a default of such work being done, the Officer may direct work to be done at the Licensee's expense, and the Town may recover the expense in the same manner as municipal taxes; or
 - (c) the activity be discontinued.
- (2) Any Person who contravenes an order under this by-law is guilty of an offence.
- (3) An order under this by-law may require work to be done even though the facts which constitute the contravention of this by-law were present before this by-law came into force.
- (4) Any violations of those Acts or by-laws, or any other relevant legislation, set forth in Section 4 (b) to (g) of this by-law shall be addressed pursuant to the respective remedies. In addition, demerit points will be levied against the Premises in violation of this by-law as per Appendix "B" to this by-law.

10. PENALTY FOR NON-COMPLIANCE

- (1) Every Person who contravenes any of the provisions of this by-law, upon conviction, is guilty of an offence and liable to a fine pursuant to the Provincial Offences Act, as amended.

- (2) Every Person who contravenes any provision of this by-law, upon conviction, is guilty of an offence, and all contraventions of the by-law are designated as continuing offences pursuant to Section 429 of the *Municipal Act*.
- (3) Every Person, other than a company who contravenes any provision of this by-law, and every director of a Corporation who knowingly concurs in such contravention by the Corporation, is guilty of an offence and on conviction liable to a fine not exceeding \$25,000 for a first offence and \$50,000 for any subsequent offence.
- (4) Where a Corporation is convicted of an offence under this by-law, the maximum penalty is \$50,000 for a first offence and \$100,000 for any subsequent offence.
- (5) Where a Person has been convicted for an offence under this by-law by a court of competent jurisdiction, the court may in addition to any other penalty imposed on the Person convicted, issue an order prohibiting the continuation or repetition of the offence or the doing of any act or thing by the Person convicted directed toward the continuation or repetition of the offence.

11. APPEAL

- (1) Where the Licensing Coordinator has denied an Applicant a Licence, a renewal of a Licence or has suspended or revoked a Licence, the Licensing Coordinator shall inform the Applicant or Licensee by way of written notice setting forth the grounds for the decision with reasonable particulars and shall advise of the right to appeal such decision to the Appeal Panel.
- (2) A Person may appeal to the Appeal Committee in relation to the matter of notice in subsection (1). Appeals will not be permitted for any matters that have already been heard by the Appeal Panel. A request for an appeal shall be made in writing to the Licensing Coordinator, setting forth the reasons for the appeal, within 14 business days after service of the written notice and payment of the required appeal fee.
- (3) Where no request for an appeal is received in accordance with subsection (2), the decision of the Licensing Coordinator shall be final and binding.
- (4) Where a request for an appeal is received, a hearing of the Appeal Panel shall be convened, and the Applicant or Licensee shall be provided reasonable written notice thereof.

- (5) After such opportunity to be heard is afforded the Person, the Appeal Committee shall make a decision. When making its decision the Appeal Committee may consider any matter pertaining to this by-law, or other matter that relates to the general welfare, health or safety of the public. When making its decision, the Appeal Committee may refuse to issue or renew a License, revoke, suspend, or impose any condition to a License. The Appeal Committee's decision is final and binding and shall not be subject to review.
- (6) Where the Appeal Committee conducts a hearing, the rules set out in the *Statutory Powers Procedure Act*, R.S.O. 1990, c. S.22 ("Statutory Powers Procedure Act") shall apply.

11. VARIANCE TO LICENSING BY-LAW

- (1) A Licensee seeking a variance to the Licensing By-law must submit a Short-term Rental Accommodation Licensing By-law Variance Application provided by the Town, together with the prescribed Fee, to the Licensing Coordinator.
- (2) At least 10 days prior to the day of a hearing on an application for variance, notice shall be given by personal service or ordinary mail to every owner of land within 60 metres of the Property to which the application applies. Further, notice shall be posted, clearly visible and legible from a public highway or other place to which the public has access.
- (3) The Appeals Committee will consider the application for variance and may authorize such variance from the provisions of Section 2 of this by-law, where the variance is desirable for the use of the Premises and the general intent and purpose of this by-law is maintained.
- (4) The decision of the Appeals Committee, with regard to the variance application, shall be final and binding.
- (5) Notice of Decision of the Appeals Committee shall be given to the Owner/Applicant and any persons which either submitted comments in writing or provided verbal comments at the Appeals Committee hearing.

12. COLLECTION OF UNPAID FINES

Pursuant to Section 441 of the *Municipal Act*, if any part of a fine for a contravention of this by-law remains unpaid after the fine becomes due and payable under Section 66 of the *Provincial Offences Act*, R.S.O. 1990, c P.33, ("Provincial Offences Act") including any extension of time for payment ordered under that Section, the Licensing Coordinator may give the Person against whom the fine was imposed a written notice specifying the amount of the fine payable and the final date on which it is payable, which shall be not less than 21 days after the date of the notice. If the fine remains unpaid after the final date specified in the notice, the fine is deemed to be unpaid taxes pursuant to Section 351 of the *Municipal Act* and may be added to the Owner's tax roll and collected in the same manner as Property taxes.

13. POWERS OF ENTRY

- (1) An Officer may at any time enter on any Property and inspect any place/vehicle for the purpose of determining whether the following are complied with:
 - (a) the provisions of the by-law;
 - (b) an order issued under this by-law; or
 - (c) an order made under Section 431 of the *Municipal Act*;
- (2) Where an inspection is conducted, the Officer conducting the inspection may:
 - (a) require the production for inspection of documents or things relevant to the inspection;
 - (b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
 - (c) require information from any Person concerning a matter related to the inspection including their name, address, phone number and identification; and
 - (d) alone or in conjunction with a Person possessing special or expert knowledge, make examinations or take tests, samples, or photographs necessary for the purposes of the inspection.

- (3) The Town may undertake an inspection pursuant to an Order issued under Section 438 of the *Municipal Act*.
- (4) The Town's power of entry may be exercised by an Officer, or Agent for the Town, or by a member of the York Regional Police.

14. OBSTRUCTION

- (1) No Person shall hinder or obstruct, or attempt to hinder or obstruct, any Person who is exercising a power or performing a duty under the *Municipal Act*, or under a by-law passed under the *Municipal Act*.
- (2) Any Person who has been alleged to have contravened any of the provisions under the *Municipal Act* or under a by-law passed under the *Municipal Act*, shall identify themselves to the Officer upon request, failure to do so shall be deemed to have obstructed or hindered an Officer in the execution of his/her duties.

15. SEVERABILITY

In the event any provisions of this by-law are deemed invalid or void, in whole or in part, by any court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

16. AUTHORIZATION

That the Town Clerk be authorized and directed to take the necessary actions to give effect to this by-law.

17. TITLE

This by-law may be known as the "Short-term Rental Accommodation Licensing By-law".

18. EFFECTIVE DATE

This by-law comes into effect upon approval of the Amendments to the Official Plan, Secondary Plans for Keswick, Sutton/Jackson's Point, Pefferlaw, and the amendment to Zoning By-law 500 but not before January 1, 2020.

Mayor, Margaret Quirk

Acting-Town Clerk, Rachel Dillabough

DRAFT

APPENDIX `A`

SHORT-TERM RENTAL ACCOMMODATION

Renter's Code of Conduct

1. Purpose of the Code

The purpose of the Renter's Code of Conduct is to acknowledge that Short-term Rental Accommodation premises are permitted in single family dwellings and that poor behaviour can disrupt neighbours. Neighbouring residents have the right to enjoy their own properties without nuisance. It also outlines specific requirements for Short-term Rental Accommodations and imposes responsibilities for both Owners and Renters of such properties and that STRA Licensees bear the primary responsibility of conveying this information to renters of their property.

2. Objectives of this Code

The Objective of this Code is to establish acceptable standards of behaviour for hosts and renters to minimize any adverse impacts on their neighbours and the neighbourhood.

3. Residential Area

The Renter acknowledges for themselves and on behalf of others that they will be occupying a Short-term Rental Accommodation that is located in a residential area.

4. Guiding Principles

The guiding principles for Short-Term Rental Accommodation renters are:

- The premise that you are occupying is a home;
- Treat the premise as your own;
- Respect your neighbours; and
- Leave it as you find it.

5. Maximum Number of Renters and Guests:

The maximum number of renters including non-occupying guests and residents, permitted at a Short-term Rental Accommodation premises shall be limited as per Section 2(1)(a) of the Short-term Rental Licensing By-law.

The maximum number of Persons, including but not limited to residents, renters and their guests, and visitors, permitted on a Premises, at any one time, shall be eight (8) for a single family dwelling containing one (1) or two (2) Guest Rooms

delineated on the required floor plan, and twelve (12) where there is a minimum of three (3) Guest Rooms delineated on the required floor plan.

Notwithstanding the above, the property zoned "R1-120" in Zoning By-law 500, and described as Lot 11 and Block B, Plan 168 on the North Side of Malone Avenue, which was zoned for five guest bedrooms, shall be limited to sixteen (16) persons on the Premises at any one time.

Notwithstanding the above, the property zoned "R-41" in Zoning By-law 500, and described as part of Lot 21, Concession 6 (G), on the east side of the Pefferlaw Road, which was zoned for six guest bedrooms shall be limited to sixteen (16) persons on the Premises at any one time.

6. Noise and Residential Amenity:

No person shall make noise to cause a disturbance or conduct themselves in a way that is likely to disturb area residents. Examples of noise that is likely to disturb residents at any time include:

- a) Loud music;
- b) Outdoor or backyard gatherings or activities involving excessive noise or disruptive behaviour;
- c) Late evening/early morning disturbances; and,
- d) Yelling, shouting, singing or conversing loudly.

Renters and their guests are not allowed to disturb neighbours or interfere with their enjoyment of their premises, or the public realm, at any time of the day or night. Failure to comply with the conditions of the Town Noise By-law may result in legal action being taken. Failure to comply may result in demerit points in accordance with Appendix A of the Short-term Rental Accommodation by-law.

7. Access and Parking:

Please familiarize yourself and your guests with the Parking Management Plan for the premises to ensure ease of access with minimum disturbance to neighbours.

All Short-term Rental Accommodation premises will have vehicle parking requirements as part of the licensing process. Please refer to the approved Premises Parking Management Plan.

8. Recycling and Garbage:

Please familiarize yourself and your guests with the Property Management Plan, including the provisions that have been made for waste management and the day of the week in which waste collection is scheduled. It should be noted that the "putting out" of waste on a non-scheduled day is regulated by the Town's Waste Management By-law. Waste collection information and pick up times are available on the Town of Georgina's website.

9. Dwellings on Lots on Private Sewage Disposal Systems:

Note if the Short-term Rental Premises are served with a private septic system. Exceeding two persons per bedroom may result in the malfunctioning of the septic system and pollution of the ground water system. This is of particular concern within 100 metres (328 feet) of Lake Simcoe and permanent streams (as discussed in the *Lake Simcoe Protection Act, 2009.*)

10. Fire and Occupant Safety:

All Short-term Rental accommodations shall have installed operating fire alarms and a fire extinguisher. In Short-term Rental Accommodations which have a fuel-fired appliance or solid fuel-fired appliance installed or an attached storage garage, the Owner shall ensure that the building is equipped with a **carbon monoxide alarm** installed outside of the sleeping areas. Further, the Owner shall regularly test the alarms to ensure that they are operational. If a renter discovers that any of the alarms are not operational the renter shall immediately notify the property owner of the deficiency.

11. Leisure Vehicle Parking:

Note: The Town of Georgina has adopted a Leisure Vehicle by-law (e.g. motor homes, boats, trailer, snowmobiles etc.) which addresses parking requirements. Parking requirements for Leisure Vehicles are addressed as part of the overall Parking Management Plan within the Short-term Rental Accommodation By-law.

12. Owner's Additional Responsibilities

All owners and renters of Short-term Rental Accommodations are responsible for compliance with all other Town of Georgina by-laws (including, but not limited to the following: Noise By-law, Waste By-law, Open Air Burning By-law, Fireworks By-law, etc.).

I, _____ having read the above, and the terms of the Short-term Rental Accommodations By-law and License, undertake to provide those persons renting my short-term rental accommodation with a copy of the Renter's Code of Conduct and to advise them to act appropriately. I also realize that a violation of the licensing agreement may result in the suspension or revocation of the short-term rental accommodation for my property.

Signature of Applicant for License

Date

APPENDIX 'B' - DEMERIT POINT SYSTEM

SHORT-TERM RENTAL ACCOMMODATION

- (1) A Demerit Point System is hereby established in accordance with Table 1, without prejudice to options otherwise available to enforce this By-law or any other bylaws of the Town, Provincial Act or Regulation including, but not limited to, actions pursuant to the Building Code Act, Fire Protection and Prevention Act, and the Provincial Offences Act;
 - (a) The number of Demerit Points referenced in Column 3 of Table 1 below will be assessed against a Short-term Rental Accommodation Premises in respect of the matter noted in Column 1 upon the following event respecting a contravention:
 - (i) the expiry of the period for appealing a fine imposed pursuant to Part I or Part III of the Provincial Offences Act;
 - (ii) the expiry of the period for appealing against a conviction in the Ontario Court of Justice;
 - (iii) an Order not complied with; or,
 - (iv) an Order not complied with resulting in Town remediation;
 - (v) any contravention of the Renter's Code of Conduct.
- (2) A Licence may be suspended for a period not longer than six months if the total Demerit Points in effect respecting a Short-term Rental Accommodation is at least seven.
- (3) A Licence may be revoked if the total of all Demerit Points in effect respecting a Short-term Rental Accommodation is at least fifteen.
- (4) Notice of the suspension or revocation of a Licence shall be provided to the Owner in accordance with Section 7 of this By-law and a Licensee may appeal the suspension or revocation in accordance with Section 11 of this By-law.
- (5) Demerit Points shall remain in place until the two-year anniversary of the date of which the Demerit Points were assessed.
- (6) The Town shall not be liable for economic or other losses claimed by a Licensee for any reason, so long as good faith efforts were made by the Town or its representatives in exercising their judgment, or fulfilling their responsibilities, under this By-law.

Table 1			
Infraction	Reference	Type	Demerit Points
Fire Protection and Prevention Act/Fire Code	FPPA/FC	Order not Complied With	3
		Part 1 or Part III	7
Open Air Burning Violation	Town Open Air Burning By-law	Cost Incurred for Illegal Fire	2
		Part 1 or Part III	4
Operating without a licence	STRA By-law	Order not Complied With	3
		Part 1 or Part III	5
Building Code Act (Order to Comply)	BCA	Order not Complied With	3
		Part 1 or Part III	7
Noise By-law Infraction	Town Noise By-law	Part 1 or Part III	4
Waste Collection By-law Infraction	Town Waste By-law	Order not Complied With	2
		Part 1 or Part III	4
Property Standards	Town Property Standards By-law	Order not Complied With	2
		Part 1 or Part III	4
Discharge of Fireworks	Town Fireworks By-law	Part 1 or Part III	4
Violation of any Provision of this By-law	STRA By-law	Order not Complied With	2
		Part 1 or Part III	4
Violation of Renter's Code of Conduct	STRA By-law	Any contravention	2
		Part 1 or Part III	4

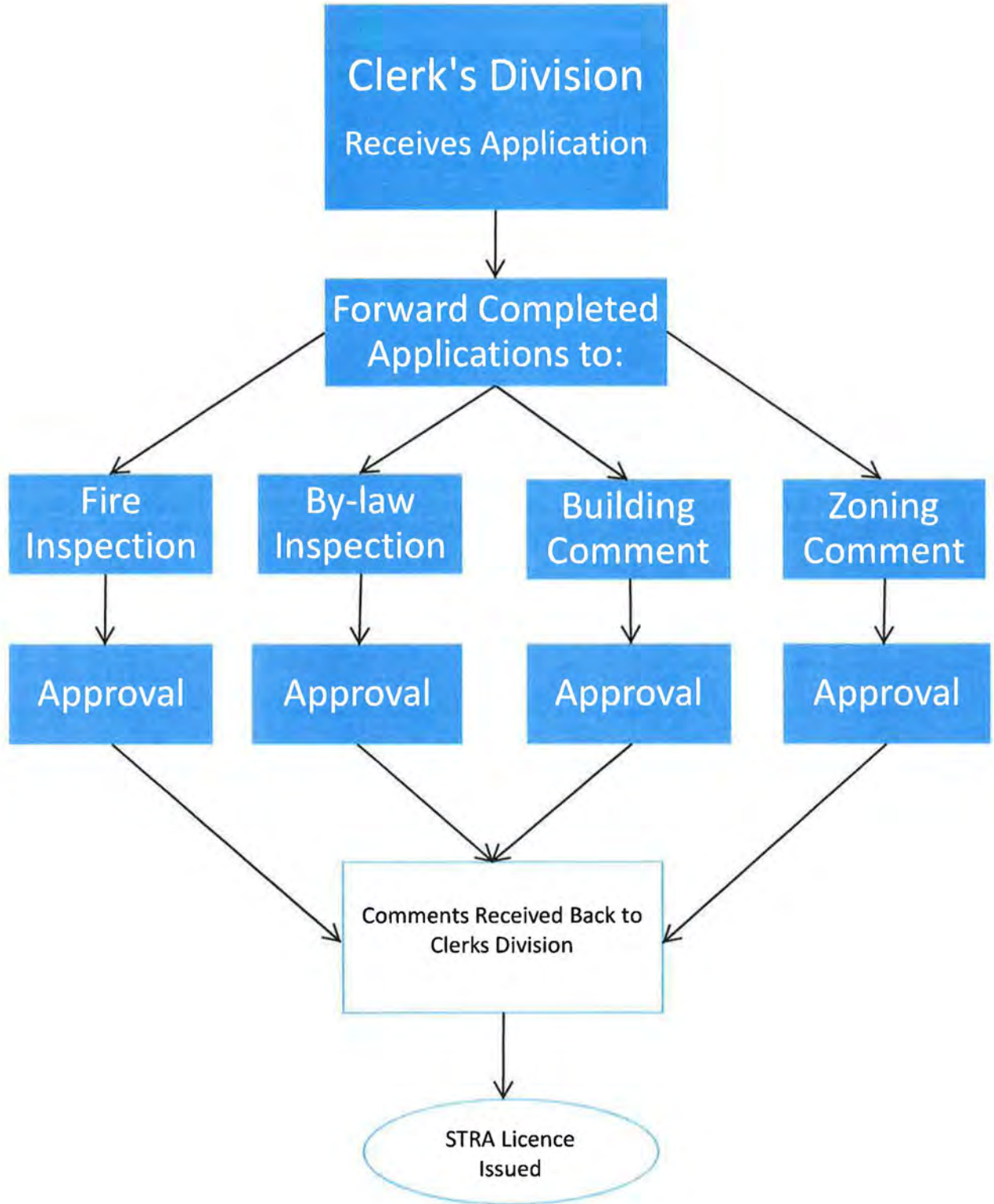


TABLE 'A' - STRA Comments Table

Commenter	Comment	Response/Notes
Jennifer Anderson (Speaking on Behalf of Georgina Chamber of Commerce)	1) Survey of Georgina business owners (59 out of 279 members) found that majority are generally favourable towards STRA, and believe it contributes to their businesses and the local economy 2) Survey shows business owners believe that regulation is necessary	1) This study shows the general opinion of a portion of the members of the Georgina Chamber of Commerce. A proper economic analysis would need to be conducted to determine the impacts of STRA. Such economic analysis has not been conducted as part of this study process 2) Noted
Lois and Doug Andrews	1) Have run a Bed and Breakfast establishment from their home since 1990 2) It will be difficult to regulate non-owner-occupied short-term rental accommodations 3) Supportive of Collingwood example (No whole home STRA, only permit where resident is on site) 4) Licensing fee too high, want reduced rate for B&Bs, or for the current structure to be maintained and keep B&Bs and STRA separate	1) One of 2 legally existing B&Bs in the Town of Georgina 2) Noted. Still challenging to regulate owner occupied STRA. No way to guarantee owner will be present, may consider requiring responsible person to respond within a set time or demerit points will be levied. 3) Whole-home STRA represent the majority of STRA in Georgina. This would eliminate historic cottage rentals, and penalize STRA which are not principal residences, that are not causing problems, and as such, has not been part of the preferred option to date 4) The B&B licensing by-law and fee have needed an update for a number of years and is effectively being addressed as part of this process. The Licensing fee at this point in time is determined by the administration and inspection costs of the license. This may be no different between a whole-home rental and a traditional B&B. The Licensing fee is to be reviewed more thoroughly and will be determined in a supplementary report

TABLE 'A' - STRA Comments Table

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Lois and Doug Andrews	1) Have run a Bed and Breakfast establishment from their home since 1990 2) It will be difficult to regulate non-owner-occupied short-term rental accommodations 3) Supportive of Collingwood example (No whole home STRA, only permit where resident is on site) 4) Licensing fee too high, want reduced rate for B&Bs, or for the current structure to be maintained and keep B&Bs and STRA separate	1) One of 2 legally existing B&Bs in the Town of Georgina 2) Noted. Still challenging to regulate owner occupied STRA. No way to guarantee owner will be present, may consider requiring responsible person to respond within a set time or demerit points will be levied. 3) Whole-home STRA represent the majority of STRA in Georgina. This would eliminate historic cottage rentals, and penalize STRA which are not principal residences, that are not causing problems, and as such, has not been part of the preferred option to date 4) The B&B licensing by-law and fee have needed an update for a number of years and is effectively being addressed as part of this process. The Licensing fee at this point in time is determined by the administration and inspection costs of the license. This may be no different between a whole-home rental and a traditional B&B. The Licensing fee is to be reviewed more thoroughly and will be determined in a supplementary report

Susan Jagminas

- 1) Chamber of Commerce report lacks facts regarding benefit of STRA to local tourism and businesses and is based on leading questions
- 2) No benefit to local tourism and businesses from STRA
- 3) Report understates number of problem properties and is biased in favour of STRA
- 4) Proposed 12 person maximum is too many
- 5) Report lacks background research and is biased
- 6) Many negative impacts to year-round property owners
- 7) Property owners should live on the premises they are renting out (Principal Residence)
- 8) STRA are not part of the sharing economy
- 9) There should be a minimum/maximum number of nights stay (i.e. weekly/monthly)
- 10) Cost to maintain and implement regulation too high
- 11) Updating and enforcing B&B by-law would have been more effective and cost-efficient
- 12) Rights of STRA hosts are being prioritized over residents
- 13) Enforcement should be proactive, neighbours should not have to complain and be involved in the process
- 14) Supportive of density provisions (i.e. setback between STRA or only so many in an area)
- 15) Safety risks as shown in murder case in Whitchurch-Stouffville
- 16) STRA will lead to dark streets and character changes in neighbourhoods
- 17) STRA are a commercial use (hotel) and should only be in tourist commercial areas
- 18) The Town has been lobbied to support STRA

- 1) The survey seeks to understand the general opinion of the members of the Chamber of Commerce in regard to STRA and its impacts. The survey does not contain leading questions and was conducted in proper manner. However, as it is an opinion-based survey, and represents only a portion of the businesses in Georgina, it is not taken as factual evidence of the economic benefit of STRA. A full economic analysis would be necessary for that, and as has been researched in Vancouver, this is difficult to accomplish and quantify. A full economic analysis is not part of this study
- 2) Noted
- 3) We have only reported what we have received and monitored. There have been limited complaints, and multiple cases of the same properties being identified by multiple persons. Fourteen (14) problem STRA is not meant to be a set number of problem properties, simply, it represents the limits of what we are aware of and what has been reported. If there are no complaints on a property, we cannot assume that it is an issue as part of this study
- 4) Noted
- 5) Extensive background research was conducted at the start of this study process, in addition to continuous monitoring and research throughout. Please refer to the background research section of the report for a brief summary of the research conducted to date. The recommendations in this report are based on the background research conducted, consultation with legal counsel, input from the TAC, and the professional opinions of the retained consultant
- 6) Noted
- 7) Provision could be included to require responsible

- 19) The enhanced enforcement initiative was costly and ineffective
- 20) The decision was made on how to address STRA and there is no credence being given to resident's concerns
- 21) Supportive of Toronto example

person to respond within set period of time or demerit points will be levied. This option would also eliminate 70% of STRA within the Town of Georgina, including good hosts.

8) The sharing economy issue is not the main focus of this process and was simply noted to give context to the issue and how the provincial government viewed it at the outset of the study

9) These options can be reviewed further, but from our research, this would eliminate the majority of good hosts, and would not directly address the main issue (i.e. bad behaviour and host negligence. The most common duration of stay, as reported by Airbnb is 3 to 5 days for all categories of renters (i.e. individuals, couples, family, friends, etc.).

10) There will be cost associated with regulating and licensing STRA, but the licensing fee is being structured to recoup most of the administrative costs, and fines will help offset enforcement costs. In communication with other municipalities, there is significant legal and enforcement costs associated where STRA have been forced to go through rezoning, leading to underground illegal operations

11) An update to the current B&B by-law would require a similar licensing by-law and regulatory framework to STRA and would not address the issue of STRA properly

12) Noted

13) Residents will need to complain whether there is a ban on STRA, or if they are licensed and regulated. Resident complaints are necessary to any municipality's enforcement efforts. The costs to operate on a proactive basis and be able to catch non-compliant STRA without requiring residents to report issues would be immense

Jo-Anne Kite

- 1) Biggest issue is responsibility and accountability of the owners of short-term rental accommodations
- 2) Owners should be present on the properties in order to monitor the actions of their guests
- 3) Should be a limit of the number of renters on properties with septic systems
- 4) Corporations and individuals need to be dealt with differently.

14) These provisions have been included as part of the report for Council's consideration

15) Noted

16) Noted

17) Notwithstanding the commercial transaction nature of STRA, STRA are generally located in single detached dwellings in residential areas. Bed and Breakfast uses, which are a form of STRA, have been permitted in single detached dwellings in residential areas since the 1990's. Not all STRA are whole-home or full-time rentals and so would not be appropriate to zone them. The cost of a zoning amendment and the time required to complete the process is an unreasonable burden on such uses particularly when there are other mechanisms to address the problem sites (i.e. licencing by-law). Rezoning residential lots in residential areas from Residential to Tourist Commercial (C5) is not reasonable.

18) All interactions with stakeholders have been included in this report and previous reports

19) Noted

20) Noted

21) Noted. This framework has been reviewed

1) Noted. Negligent owners will quickly lose licence through demerit point system

2) This would eliminate whole-home rentals which represent the majority of STRA in Georgina and include historic cottage rentals. A clause could be included to levy demerit points if there is an issue on the property and the owner is not present

3) Noted. This has been considered and a septic system review will be part of the licencing application review process.

Susan Johnston

- 1) Supports regulations of Blue Mountains, Wasaga Beach and Collingwood
- 2) Implementation will be difficult
- 3) Collingwood; no short-term rental accommodations permitted if rented for less than 30 days. Bed and Breakfast permitted if the homeowner lives in the home and breakfasts are provided
- 4) Wasaga Beach; short term rental accommodations are not permitted residential areas, permitted in areas close to the main tourist areas
- 5) Blue Mountain; permitted in residential areas close to the Blue Mountain tourist areas. Amended its by-law to only permit short term rental accommodations that are at least 120 metres apart, owners must respond in person to an issue within one hour. Owner gains 2 points if owner not present within one hour
- 6) Wants proper garbage regulations in renter's code
- 7) Concerned with being unable to get in touch with persons responsible for STRA
- 8) Concerned over STRA renters/guests parking on private roads
- 9) Concerned with loss of affordable housing stock and rental stock
- 10) Concerned with ability of employees to find rental housing
- 11) Wants a 24/7 contact person
- 12) Concerned over functionality of proposed regulatory framework, especially the demerit point system

4) A corporation is a legal person under the law in Ontario. It would be discriminatory to charge a higher licensing fee to them or impose additional regulations beyond those imposed on individuals

- 1) Noted, all have been reviewed
- 2) Noted
- 3) Whole-home STRA permitted if previously existing. Bed and breakfast permitted under 30 days. It has been reported that Collingwood is facing issues with enforcement.
- 4) Noted
- 5) Noted
- 6) Noted and will be included
- 7) Noted, potential to include contact information on Georgina registry
- 8) Noted
- 9) Noted, not a significant concern to this point, given that generally lakeside rentals are not affordable, and there aren't a significant of STRA. The property of concern given as an example at the public meeting is an illegal fourplex.
- 10) Noted
- 11) Noted
- 12) Noted

Ivy Howes	<ul style="list-style-type: none"> 1) Solution is necessary as STRA are here to stay 2) Renters generally stay on the property to enjoy the lake and are do not spend money in town like tourists 3) STRA have negative impact on year-round residents. 	<ul style="list-style-type: none"> 1) Noted 2) Noted 3) Noted. The proposed regulatory framework seeks to address these negative impacts, primarily focusing on disruptive behaviour and negligence
Peter Waring	<ul style="list-style-type: none"> 1) Rents out a 1-2-bedroom home from May to November 2) Guests range from Toronto residents to international visitors 3) Never had problem, since they are present 4) Sends guests to local restaurants, stores for them to contribute to the economy 5) Not convinced a licensing system will deal with the negative aspects as it will not make the irresponsible people any more considerate 6) Address problem properties (party palaces where there is no host), not good hosts 7) Fee too high. Only make 6-7 thousand per year. 8) Looking to expand business to accommodate ice fishermen 9) Accommodate people in town for sports teams, festivals, weddings, etc. 10) Little incentive for law abiding hosts to sign up for a licence 11) Significant municipal cost for few issue properties 12) Has there been economic analysis of impact of the fees and is there care for the impact? 13) How well does cost recovery work elsewhere? 14) Update and enforce existing by-laws 15) Business licence should be developed for investment properties 16) Not preferred, but could develop two-tier system. Less burdensome regulation and cost where there is an owner present, more regulation and cost for whole 	<ul style="list-style-type: none"> 1) Noted 2) Noted 3) Noted 4) Noted 5) The regulatory framework directly addresses negligent hosts and disruptive renters. They will have their licence revoked and, if necessary, the operation shut down 6) Regulations must be applied to all STRA, cannot be targeted at just those for which complaints have been filed. The framework is designed to allow good STRA hosts to operate with as little interference as possible 7) Fee is to be reviewed 8) Noted 9) Noted 10) This has been a noted concern throughout the process, our research has shown high compliance with reasonable fees and regulations 11) The option to enforce existing by-laws has been considered as most cost effective option, but the direction from Council is for a comprehensive regulatory framework 12) Economic analysis was not part of the study, fee is being reviewed 13) This will not be full cost recovery, and generally is not in municipalities studied 14) This has been considered 15) This is essentially what the current licence is as proposed

	home rental. 17) Current regulatory framework would drive most STRA underground or out of business	16) This could be reviewed, but, the administration and inspections would be the same, and cost would be same to the Town. Would be up to Council as to whether it is appropriate to further subsidize costs 17) This has been a concern through the process. We believe that the current framework with a revised fee would encourage compliance
Steve Jacobson	1) Limit persons and require intervals to allow septic systems to recover 2) Require noise attenuation fencing 3) Prohibit smoking on STRA sites	1) Maximum persons have been considered and will be implemented in final report. Intervals for recovery have not been discussed or raised as a concern by TAC members. However, a septic system review will be conducted as part of each licence application review process. 2) Noted 3) Noted
Dan Driedzic and Anita David	1) Separate STRA and Bed and Breakfast establishments 2) Limit to 2 persons per bedroom up to a maximum of 8 persons 3) Premises should include waterfront property	1) Noted 2) Has been discussed previously 3) Noted
Nancy Rellihan	1) Fees are too high 2) Number of reported operating STRA may be too high	1) Fees will be addressed in a supplementary report 2) Confirmed with AirDNA, provided range as there are at times multiple listings on a single site, some not listed on Airbnb
Larry Trollope	1) STRA regulations should apply to friends and family	1) The by-law as currently stated would apply to friends and family as well if they were renting the property for the allotted time period
Bonnie Webb	1) Supports principal residence option 2) Supports minimum night stay (i.e. 30 nights) 3) Supports interim control by-law	1) Noted 2) Overly regulatory, will eliminate most if not all STRA 3) This was advised against by the Town's solicitor
Sandy Cooper	1) Owns seasonal cottage next to STRA 2) Commercial uses like STRA should not be in residential neighbourhoods 3) Do not contribute to local economy, bring own food	1) Noted 2) From a land use planning perspective, the TAC has determined that STRA are a residential use 3) Noted

Deyril Blanchard	<p>4) Not looking forward to summering next to disruptive renters</p> <p>5) Should be minimum night stay (i.e. 5 days)</p> <p>1) No resident present</p> <p>2) No one wants to live next to one, driving long term residents away</p> <p>3) If there is no resident, this is a commercial operation</p> <p>4) Thinks that Georgina is not capable of creating better regulations than Toronto, Vancouver, or Collingwood</p> <p>5) Other municipalities require someone on site, why can we not follow that lead</p> <p>6) It is not fair to residents or the hotel industry to permit these uses in residential areas</p>	<p>4) Noted</p> <p>5) Eliminates majority of STRA including responsible hosts</p> <p>1) Noted</p> <p>2) Noted.</p> <p>3) This is a point of contention and will need to be tested in court. B&Bs do not require resident to be present</p> <p>4) Noted</p> <p>5) Many municipalities researched that use principal residence as part of their regulatory framework do not require the resident be on the property. Collingwood, which has done so, is reportedly facing issues with enforcing its regulatory framework. What should be noted is that for many municipalities that utilize principal residence, primarily cities, this is designed as a method to limit impact on rental housing stock</p> <p>6) Noted</p>
Dave Szollosy	<p>1) The premises that the reports to date have been built upon are flawed or complete fabrication. STRA are not part of the sharing economy, as they are not true home sharing, and Georgina does not have a history of cottage rentals</p> <p>2) STRA represents a change from residential to commercial use, and any STRA wishing to operate should go through a rezoning to a tourist commercial (C5) Zone</p> <p>3) Regulatory framework will be costly and there are no benefits which justify the legalizing of this sort of operation</p> <p>4) Residents must still complain under proposed framework and are still at risk of retribution</p> <p>5) How long will it take for offending properties to be shut down</p>	<p>1) The sharing economy concept has never been a fundamental premise of the reports to date. It was based on information provided by the Ontario government at the time research was being conducted on the issue to provide context to the concept of STRA. As noted in the comments provided, the refutation is based upon what tourist entities originally made Georgina a vacation community, and states that it was lodges that defined this character, and that cottage rentals came later. The premise regarding cottage rentals was never based on what form of tourist entity made Georgina into a vacation community. This premise simply acknowledges the history of cottage rentals in the community as part of its vacation character, not necessarily its originator</p> <p>2) Notwithstanding the commercial transaction nature</p>

- 6) Currently regulatory framework is unfair to B&Bs, and should be changed to define them separately
- 7) STRA do not contribute economically. 78.2% of chamber of commerce members believe STRA had a negative impact on their business or were inconsequential

of STRA, STRA are generally located in single detached dwellings in residential areas. Bed and Breakfast uses, which are a form of STRA, have been permitted in single detached dwellings in residential areas since the 1990's. Not all STRA are whole-home or full-time rentals and so would not be appropriate to zone them. The cost of a zoning amendment and the time required to complete the process is an unreasonable burden on such uses particularly when there are other mechanisms to address the problem sites (i.e. licencing by-law). Rezoning residential lots in residential areas from Residential to Tourist Commercial (C5) is not reasonable.

3) There will be cost associated with regulating and licensing STRA, but the licensing fee is being structured to recoup the majority of administrative costs, and fines will help with enforcement costs. In communication with other municipalities, there is significant legal and enforcement costs associated where STRA have been forced to go through rezoning, leading to underground illegal operations

4) Residents will need to complain, should the need arise, whether there is a ban on STRA, or if they are licensed and regulated. Resident complaints are necessary to any municipality's enforcement efforts. The costs to operate on a proactive basis and be able to catch all issues without requiring residents to report issues would be immense

5) As per consultation with the Town's solicitor and municipal enforcement staff, the proposed regulatory framework provides better tools for addressing problem properties and would allow them to be shut down in the most expedient manner

6) The current B&B licensing by-law is outdated and has

needed updating for many years. B&Bs would need the same inspections and would by extension require the same licensing fees unless subsidized by Council. Both B&Bs and your typical whole-home STRA offer short-term accommodation, whether in part of a single-family dwelling or the whole of the dwelling. They are of a similar nature, require the same inspections and regulations, and as such, have been included as part of the definition of STRA

7) There has not been a financial study conducted regarding STRA. As such, no conclusions regarding the contribution to the community have been made as part of this study process. This citing of statistics is misleading by lumping together non-responses and negative responses.

In Mr. Szollosy's comments it is stated that 11.8% of respondents viewed STRA having some degree of positive impact on their business, and that 78.2% viewed STRA as having some degree of negative impact on their business, or that STRA were inconsequential to their business and as such did not respond.

The Chamber reported that 55.9% of the 59 who responded believed there was some degree of positive impact on their business, 32.2% believed there was no impact, and 11.9% believed there was some degree of negative impact.

Applying these numbers to the 279 members as Mr. Szollosy has done, would show 11.8% viewing some degree of positive impact, 6.8% viewing no impact, 2.5% viewing some degree of negative impact, and 78.9% not responding.

The majority of those who responded (55.9%) viewed STRA as having some degree of positive impact on their business.

Making assumptions as to the reasons that members of the Chamber of Commerce did not respond and combining those numbers with the small fraction of those who viewed STRA as having some degree of negative impact on their business is misleading.

Andrew Direnfeld

- 1) By licensing STRA, the Town is condoning them and opening themselves up to liability concerns
- 2) Licensing and regulating will require significant resources that the Town does not have, or it will result in significant costs to support disruptive operations that do not benefit the Town
- 3) STRA hosts should have to rezone to tourist commercial (C5) zone and operate as a legal hotel or be banned altogether in their current form

- 1) This concern was raised at the previous Council meeting and addressed by the Town's solicitor
- 2) An analysis of the Town's available resources for addressing this issue has been conducted by the TAC,
- 3) The zoning by-law is a land use planning document, and from a planning perspective, the position of the TAC is that STRA are a residential land use. As such, a rezoning would not be appropriate. In consultation with the Town's solicitor and other municipalities, banning STRA is not a potential viable option

Council

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| <ul style="list-style-type: none"> 1) Important to have owner on premises 2) Should obtain statistics on STRA impact on local economy/tourism 3) People should be able to do what they want on their own property (bundle of rights) 4) Charge internet platforms for operating in the Town 5) Want to see 2 tier system where there is lower fee where owner is present 6) Concerned not enough will register 7) Concerned over liability 8) Concerned over length of appeal 9) Examine applying transient accommodation tax 10) Concerned over the maximum number of persons being too many 11) Examine noise attenuation fence requirement 12) Wanting further economic study of impact on hotels 13) Ensure STRA within 100m of lake simcoe or permanent streams have proper septic controls 14) Fee too high 15) Wants full breakdown and examination of costs/fees | <ul style="list-style-type: none"> 1) Noted 2) This will require more time and study. An estimate of \$30,000 was provided by an economic consulting firm at the outset of the study, but TAC opted not to proceed with the study at that time. 3) Noted 4) Noted 5) Up to Council to subsidize 6) Noted 7) Noted and addressed in licensing by-law 8) Noted (still shorter time frame than without framework) 9) Noted 10) Noted 11) Noted 12) Noted 13) Noted and being addressed through septic system review during licensing application review process. 14) Noted 15) Noted |
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Hotel Association of Canada

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|---|---|
| <ul style="list-style-type: none"> 1) All STRA must be licensed and charged a licensing fee 2) All internet platforms that wish to operate within the municipality must be licensed, charged a fee, and shall be prohibited from advertising unlicensed STRA 3) Limit home-renting to a principal residence only which will prohibit the operation of illegal hotels and/or large-scale commercial enterprises operating under the veil of home sharing. 4) Limit the number of days that a home can be rented through a home-renting platform. This helps to | <ul style="list-style-type: none"> 1) Already proposed 2) Noted. 3) A corporations is a person under the law and can list the STRA as its principal residence 4) This only limits advertising options and we believe is overly regulatory 5) Already proposed 6) This will require more administrative time and effort on the part of the Town 7) Noted 8) Already proposed |
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	<p>moderate the decline in available housing stock and the nuisance factors.</p> <p>5) Regulations that require certain standards for safety, which provides some minimal level of protection for guests.</p> <p>6) A requirement at the platform and host level to report to government on all home-renting activity.</p> <p>7) Special provisions at the platform level to conveniently collect and remit various taxes and/or levies on behalf of hosts.</p> <p>8) Mechanisms to ensure regulations are applied and enforced. Effective enforcement can only be achieved with reliable and timely reporting of activity from the platform.</p>	
<p>CBC News Article (April 30, 2019) (Forwarded by Susan Jagminas)</p>	<p>1) Companies are using fake profiles to appear as human hosts</p> <p>2) Companies renting out homes is not truly home sharing</p> <p>3) Significant number of hosts are multi-listing hosts</p> <p>4) Having a high percentage of multi-listing hosts is problematic for housing stock</p>	<p>1) Noted</p> <p>2) Noted</p> <p>3) Noted</p> <p>4) This would be supportive of a 1 licence per licensee system</p>
<p>CBC News Article (May 3, 2019) (Forwarded by Town Staff and Susan Jagminas)</p>	<p>1) Young man shot to death at a STRA during a prom party</p> <p>2) At least 60 persons on site</p>	<p>1) Emphasizes issue of liability</p> <p>2) This would be identified and dealt with by maximum persons requirement</p>
<p>CBC News Article (May 6, 2019) (Forwarded by Susan Jagminas)</p>	<p>1) Some STRA hosts posing as long-term rents and just sub-let for short-term</p>	<p>1) Highlights range of issues and complexity of the problem</p>
<p>CBC News Article (May 7, 2019) (Forwarded by Susan Jagminas)</p>	<p>1) Vancouver considering their regulations generally successful so far</p> <p>2) Still facing enforcement challenges, taking long time to prosecute</p>	<p>1) Noted</p> <p>2) Should be taken into consideration in cost analysis and potential for having trouble shutting down STRA</p> <p>3) This seems to have had a significant impact for</p>

<p>BC Case Study (Forwarded by Peter Waring)</p>	<p>3) Have reduced number of multi-listing hosts and total listings 4) Helping increase housing stock 1) Examines regulatory frameworks of some BC municipalities</p>	<p>maintaining affordable housing and rental stock. 4) Noted 1) Noted. These municipalities and their regulatory frameworks were examined previously as part of the study process</p>
<p>Toronto Star Article (May 17, 2019) (Forwarded by Susan Jagminas)</p>	<p>1) Prince Edward county looking to regulate 2) Limited rental housing 3) Up to 1500 STRA, (9% of housing) 80% of which are whole home 4) Limited hotel stock in area 5) 0.81% vacancy rate 6) Higher demand for housing than the supply 7) Real estate prices rising (most likely due to high demand low supply) 8) Disruptive renters 9) Septic systems being overworked 10) Large number of empty homes when not rented out, eroding sense of community 11) Potential regulation includes: no more than 15% of homes in given area may be STRA (B&Bs and existing STRA excluded), inspections. 12) Significant investment/tourist area</p>	<p>1) Noted 2) Noted 3) Far more than Georgina, though whole-home percentage is similar 4) Similar to Georgina 5) Noted 6) Noted 7) This is the opposite of what many Georgina residents are reporting, believing that their real estate values are dropping 8) Noted 9) Noted 10) Noted 11) Noted. It seems that since they are allowing existing operations, they should take the approach of Blue Mountain and zone the areas with a high concentration of these or provide setback to new STRA 12) More of a tourism-based economy than Georgina</p>



Frank Anthony Sebo Nancy Ann Relihan if you have any specific questions or concerns that you would like addressed at the meeting on Wed., by all means send me an email at fsebo@georgina.ca and I will be sure to forward to appropriate staff.

Like · Reply · Message · 1d



Nancy Ann Relihan Frank Anthony Sebo. I have briefed over this a few times now. As I mentioned I'm in Washington DC working.

On first glance I'm not really seeing anything that's jumping out at me that I do not deem to be fair. Except. The fees. I'm one of the longest running AirBnB's.

I've done some quick checks and my occupancy of 365 days is about 100 days. One or two rooms.

These rooms typically go for about \$95 a night.

Airbnb keep detailed notes so does my accountant. We can use me as a test example and go through this but on average I make somewhere around \$10,000 will call it a year.

I don't want to even go there as to what the expenses are to keep this going.

But the rate of \$2000.00. For the initial and then \$750.00 per year. Seems really really high Is there anything we can do about this ??

Also.

Sadly because I deal with this all the time Airbnb also takes in Barrie and Georgian Bay Area. I get this all the time people trying to book weddings that are actually in Barrie-Airbnb doesn't seem to get the idea that there's a lake in the middle. FYI.

The town seems to think there's over 100 operating. ?

I'm going to do another double check on that figure, and report back.

Margaret Quirk.

Like · Reply · Message · 32m

From: Michael Smith <michael@msplanning.ca>
Sent: April-29-19 9:44 AM
To: 'Anita David'
Cc: 'Harold Lenters'; 'Dave Neeson'; 'Margaret Quirk'; alex@msplanning.ca
Subject: RE: Short Term Rental

Anita:

We are proposing 12 persons maximum for STRA, which includes bed and breakfast operations. Bed and Breakfast operations are permitted to have 4 bedrooms maximum except where a zoning amendment permitted more than 4 bedrooms.

There are two examples of bed and breakfast operations where the owner obtained specific planning approvals for 5 and 6 bedroom bed and breakfasts and these sites would have a maximum of 16 persons – all others would have a maximum of 12 persons.

The 12 persons maximum for STRA is based on the assumption that a four bedroom bed and breakfast would have approximately 12 persons, which includes the family, guests, renters i.e. anyone on site.

The Technical Advisory Committee and I will be meeting to review comments from the statutory public meeting, including any written comments and your suggestion of 8 persons maximum will be considered.

Michael

From: Anita David [REDACTED]
Sent: Sunday, April 28, 2019 8:39 PM
To: Michael Smith <michael@msplanning.ca>
Cc: Harold Lenters <hlenters@georgina.ca>; Dave Neeson <dneeson@georgina.ca>; Margaret Quirk <mquirk@georgina.ca>
Subject: Short Term Rental

Further to the April 24th Council meeting, we want to provide our comment on the presentation.

We feel that the bed and breakfast operations should remain separate from the STRA single family dwellings as their inclusion seems to justify increasing the maximum number of guests to 16. We feel that the maximum of 12 guests originally proposed is still too high and we would rather see that reduced to a 8.

Thank you for your consideration.

Dan Driedzic/Anita David

FYI

From: Larry Trollope [REDACTED]
Sent: Monday, April 29, 2019 6:55 PM
To: Michael Smith <michael@msplanning.ca>
Subject: STRA meeting April 25th

Michael Smith

Cathey and I attended the meeting at the Civic Center, I sent the following concern Cathey and I have to Dave Harding and now forward to you for your information and action. Note that the Mayor made the comment re relatives and friends.

Dave Harding

Re STRA meeting last night

The issue to continue to rent single dwelling homes to relatives and friends with out any controls is exactly what's going on at 172 Irving Dr. Home directly east of my home this location is one of the BAD APPLES . With multiple families cars parked on the septic system. Tents along with the parting and noise loud music during the day and well in to the early mornings.

I am against the recommendation to permit this type of STRA with out the same controls as others.

The issue with STRA is the lack of enforcement from the Town and poor or no response from the Bylaws.

Remember the Town only responds to complaints to any bylaw infraction and take there sweet time in doing so.

The town needs to be more proactive in enforcing all bylaws or why have them?

Larry Trollope



Virus-free www.avast.com

From: Bonnie Webb [REDACTED]
Sent: Monday, April 29, 2019 9:23 PM
To: michael@msplanning.ca
Subject: Fwd: short term rentals, Georgina

From: Bonnie Webb [REDACTED]
Date: Mon, 29 Apr 2019 at 21:21
Subject: Re: short term rentals, Georgina
To: Dave Neeson <dneeson@georgina.ca>, <mquirk@georgina.ca>, <rgross@georgina.ca>
Cc: <rcronsberry@georgina.ca>, <str.georgina@gmail.com>

We urge you to support rentals of principal residences only or for a minimum number of nights (such as 30) An interim control bylaw also seems necessary.

Thank you,
The Webb family, 431 Lake Dr. E., Willow Beach

From: SUSAN JOHNSTON [REDACTED]
Sent: Tuesday, April 30, 2019 5:59 AM
To: Michael Smith <michael@msplanning.ca>
Subject: Re: Contact Regarding Complaints

Thanks for the information , Susan.

On Monday, April 29, 2019, 11:09:33 a.m. EDT, Michael Smith <michael@msplanning.ca> wrote:

Susan:

See comments in **red**.

Michael

From: SUSAN JOHNSTON [REDACTED]
Sent: Monday, April 29, 2019 5:56 AM
To: Michael Smith <michael@msplanning.ca>
Subject: Re: Contact Regarding Complaints

Good morning Michael .It was an interesting experience attending last weeks council meeting and finally putting some faces to some people I have spoken to in Georgina. Can you please tell me exactly what the current bylaws are re short term rentals ? ie, number of people allowed etc. **Zoning By-law 500 permits B&B operations having a maximum of 4 bedrooms. This provision has been in place since the 1990's. B&B's are a form of STRA. A single family dwelling is defined as "one completely detached dwelling containing one dwelling unit and may contain one accessory apartment..." A dwelling unit is defined as "a self-contained suite of two or more rooms, including a bathroom and kitchen with an independent entrance either directly from outside the building or through a common hall designed for exclusive residential use by a single housekeeping unit. The definition shall not include a recreational vehicle, hotel or motel." Residential use is defined as "the use of a building for human**

habitation and in conjunction therewith the use of land and structures.” Family means “one or more persons living as a single housekeeping unit in a dwelling unit.”

A Single Housekeeping Unit is not defined.

You will note there is no reference to duration of stay in the definitions. Therefore, based on the foregoing, the use of dwelling for overnight or short term stay would be permitted in a single family dwelling.

I was at the cottage this past Wednesday and then on Sunday afternoon. During that time someone has put bags of garbage in my garbage bin . (see photo) . I am about 95 % sure it is from the airBNB house across the street . Is it my responsibility to confront whomever is putting their garbage in the bin? I am a single 63 year old and do not feel safe doing so . Do I call Michael Hutchinson? **Yes. 905-476-4305 extension 2265.**

I feel that I must now install security cameras throughout my property to see who in fact is entering my property or using my garbage bin . I am sure this will be quite expensive . You sent me the name of the new owners across the street however there is NO contact information **The contact address for the owner of 863 Lake Drive East is as Soheil Tavasoti, 863 Lake Dr. E., Jackson’s Pt., L0E 1L0 as per my email. I don’t have access to phone or emails for that person so would suggest you mail him a letter and ask for his contact information. Even if he provided the Town with the phone numbers, I don’t believe staff can give out that information.**

... As per their AirBNB add they live an hour away . I also have some questions about the road to the east of me ... Guest lane ...ie. Is it possible to put up a sign as they have done on other streets in Jacksons Point that it is a private road ? Is it possible to put up No Parking signs on Guest Lane ? **The Town would first have to confirm that it is a private road. I suggest you contact the Town and ask for the Roads department to give you advice on this matter.**

I also would like to speak to you about 868 Lake DrSadly it will be listed for sale shortly . It is built literally on my lot line on the west and the towns lot line on the east . I would like to find out what my options are re privacy and fencing etc. Also I would like to know what someone could build on this property . **I suggest you direct your inquiries to the zoning by-law examiners either Jeremy Liscoumb or Laurie Gardiner.**

Thanks, Susan.

On Monday, April 22, 2019, 3:19:32 p.m. EDT, Michael Smith <michael@msplanning.ca> wrote:

Susan:

Attached is a briefing note to Council from last May. Council has agreed to enhanced enforcement again this summer. Michael Hutchinson is the new Manager of Municipal Law Enforcement. He advises that complaints can be made by calling the phone numbers listed in the attached document.

Michael

Michael Smith, MCIP, RPP

Michael Smith Planning Consultants;

Development Coordinators Ltd,

19027 Leslie St., Suite #200 - P.O. Box 1010

Sharon, Ontario, L0G 1V0

(905) 478-2588 Ext. 25

(905) 478-2488 (Fax)

May 30, 2019

Dear Mayor Quirk and Georgina councillors,

It seems that not a week goes by without seeing an article in the newspaper about how short term rentals have negatively affected cities and neighborhoods everywhere. Whether it be Miami, Toronto, Prince Edward County, and yes, even York Region, where there was a recent shooting at a party that was taking place at an Air B&B rental! (please see attached photos)

Before making your final decisions on short term rentals I ask you all please to consider the following.

- 1- Please consider your local residents who live and work in the area and need a home to rent or own. And who also deserve to have quiet enjoyment of their homes.

Look at what other cities and towns are doing to deal with this issue; ie. Toronto is in the process of implementing a by-law to allow short term rentals only in principle residences. Look at the problems that Prince Edward County is having with no accommodation for local residents.

This will become a problem in Georgina as well, as absent landlords buy up properties and use them for short term rentals.

- 2- Please consider following the Collingwood solution by banning short term rentals shorter than 30 days, but allowing traditional bed and breakfasts where home owners are present and can ensure their renters respect their property and the local neighborhood.

At the April 24, 2019 council meeting, some councillors suggested that this was not a good option as Collingwood has "underground" short term rentals going on. Our country is based on the rule of law. We have laws to protect our society and laws are broken every day; but this doesn't mean we shouldn't have laws. It just means that the laws should be enforced. Surely to say that we shouldn't have a by-law because people will do what they want anyway is a poor excuse not to proceed along this path.

- 3- Please consider that Air B&B etc. are only platforms and not responsible for what rental owners put on their websites. (see Miami newspaper article). Miami does not permit short term rentals in most residential areas and where renters are found to be renting illegally they are immediately asked to leave the property. Renters lose the money they have paid for the rest of their rental and have no recourse against the Air B&B platform. Home owners are heavily fined for renting out their properties illegally. \$20 000.00 1st offence, \$40 000.00 second, \$60 000.00 third. These fines are added to the home owners taxes.

Should you decide to proceed with the short term rental licencing by-law please consider setting up a transparent registry of registered properties set up on the Georgina website. This should include property address, the number of legal rental units and the number of demerit points the property has.

There should be a "one strike you are out" policy and the property should be closed down to short term rentals immediately until an appeal is heard. This will prevent home owners from dragging their feet in an appeal process which may take months and allow them to continue renting their places throughout the prime summer months.

The licencing should be fully funded by the licencing fees- including having staff to answer complaints from local residents at all hours of the day and night and pay for police should they be called. This burden should not be passed on to local tax payers.

I ask you all; what is the upside of allowing short term rentals in our community? The survey results of the local business study presented at the last minute at the April 24, 2019 meeting was ambiguous at best. Of course tourism helps the local economy. I.e. Day trippers or people who stay in hotels. But a house that has long term renters or owners will shop locally just as much if not more than short term renters that come for a few days and bring their own food and supplies.

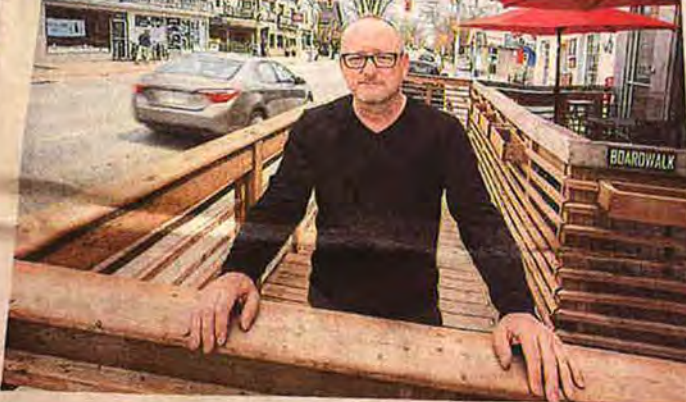
PLEASE consider your local residents and voters in making this important decision.

PS: On a personal note re: the new Air B&B listing across the street in Jackson's Point. Please see attached "house rules" of this listing and photo of my garbage bin. The renters are asked to put their garbage in my garbage bin. When I closed down my cottage in November for the winter my garbage bin was clean. Now there are several small garbage bags and loose garbage and as of last weekend 6 cracked eggshells thrown in. I called the town and was told it is my responsibility to police the situation and is a civil matter. Is this how the town of Georgina proposes to police short term rentals? Put the onus on the home owners to deal with problems? I have had to resort to putting a lock on garbage bin and will have a neighbor unlock it on Monday mornings of garbage day. I wonder where the Air B&B guests will throw their garbage now?

Susan Johnston

Jackson's point

Sparked by a boom in tourism, picturesque Prince Edward County is grappling with a housing shortage as short-term rentals devour available accommodations



"I was forced to bounce into three different apartments in the span of two years because there was nothing available for more than three months at a stretch," says Craig Foster, who struggled to find housing in Prince Edward County until a recent surge in short-term rentals.

LUIS HARRIS FOR THE TORONTO STAR

NO VACANCY IN PARADISE

TESS KALINOWSKI
REAL ESTATE REPORTER

Craig Foster knows first-hand about the short-term rental issues in Prince Edward County. Following his divorce about three years ago, he struggled to find a suitable rental home.

"I was forced to bounce into three different apartments in the span of two years because there was nothing avail-

able for more than three months at a stretch," said the news director at community radio station 99.3 County FM.

"I've got two little girls and I'm having to take these little Airbnb places just to have somewhere to bring my little girls to and having to move every few months," he said.

More recently, his other daughter, 20, has left to live in Deseronto, a town out of

the county, with her partner and new baby because they couldn't find somewhere affordable closer to her family, he said.

Short-term rentals have been blamed for reducing Toronto's tight housing stock and turning some condos into "ghost boxes" that undercut the traditional accommodation business.

But in Toronto's summer playground to the east, the issue of short-term ac-

commodation is more complicated. At its peak, there were 1,500 short-term rental listings in Prince Edward County. That's about 9 per cent of dwellings in the area, say county officials. Eighty per cent, or 1,200 of those, are entire homes. Only 20 per cent are owner occupied or traditional bed and breakfasts.

HOUSING continued on A3

New Rules would limit short-term rentals

People will enjoy the view at Washington Park in Seattle.



to give up the city altogether. On one hand, there aren't many big hotels in the county, so the rental provides a way for the business to stay open. If a big number of the houses on your block are converted to short-term rentals, the point where the neighborhood is no longer a neighborhood is reached. That's all.

There are about 1,000 dwellings in the community. From that number, 10 percent are on your block. The address number is applied to the address rather than the property owner. The county has to be notified of the conversion. The county is still considering the ordinance. The ordinance will be passed by the council. The ordinance will be passed by the council. The ordinance will be passed by the council.

Some buyers have returned to the market. They are looking for a good investment. They are looking for a good investment. They are looking for a good investment. They are looking for a good investment. They are looking for a good investment.

When they are looking for a good investment, they are looking for a good investment. They are looking for a good investment. They are looking for a good investment. They are looking for a good investment.

When they are looking for a good investment, they are looking for a good investment. They are looking for a good investment. They are looking for a good investment. They are looking for a good investment.

... who has been described by friends as an exceptional doctor.

Shamji must serve 14 years in prison before he can first apply for parole, Justice John McMahon said Thursday

... proposed by the Crown and the defence.

The brutal and painful way Fric-Shamji was murdered and Shamji's admitted history of abuse against his wife were aggravating factors in the sen-

trinkets for their mother, they lay flowers on her grave," he said.

However, by pleading guilty and taking responsibility for his actions,

MURDER continued on GT2

ELECTION

Suspect in after-prom shooting arrested

Former soccer prospect turns himself in following killing at Stouffville party

JEREMY GRIMALDI AND JOHN CUDMORE
YORKREGION.COM

The Toronto teen wanted in the shooting death of another teen at a crowded after-prom party in Whitchurch-Stouffville last week has turned himself in, police said Thursday.

Jahdea Paterson, 18, was the subject of a Canada-wide warrant issued Wednesday by York Region police in the killing of 18-year-old Rizwaan Abookbar Wadee during the party at an Airbnb property on Bloomington



Jahdea Paterson was wanted for first-degree murder in a shooting at an after-prom party last week.

Rd. E., near Ninth Line.

Paterson surrendered to Halton Region police and is charged with first-degree murder.

Police said the two youths arrested near the party on the night of the shooting face additional charges in connection to the death.

The pair had been charged with firearms-related offences. The 17-year-old boy now also faces a first-degree mur-

der charge while the 16-year-old boy has also been charged with accessory after the fact to murder.

During a news conference Thursday at York Region police headquarters, Insp. Thai Truong said police received a 911 call from a neighbour who suspected that there were two men breaking in to homes.

Police had said they were knocking on doors, looking for someone to call them a taxi.

"They were trying to get a taxi out of the area," Truong said. They were arrested after they were found in the bushes of a nearby home on Bethesda Rd. Truong said they were allegedly

SHOOTING continued on GT5

Ask
mor
Kar



Airbnb user Paperbox Property Management lists about 20 units in Toronto, including this one, for short-term rental. Some of the units were converted from long-term rental.

Housing advocates decry 'ghost hotels'

Commercial operators using Airbnb limit the supply of rental housing in Toronto, experts say

SHANE DINGMAN
REAL ESTATE REPORTER
TORONTO

THE LISTING

Advocates for housing are increasingly demanding action against Airbnb hosts who use the platform to rent out their homes and apartments, arguing that the service is exacerbating the housing crisis in Toronto. The city's long-term rental market, along with its mother, the long-term rental market, has been devastated by the housing crisis, according to the Fairbnb coalition.

But no one would say Airbnb is the cause of the housing crisis, but everyone would agree that Airbnb certainly exacerbates it.

THORNBEN WEDLICK, ACTIVIST AND MEMBER OF THE FAIRBNB COALITION

Mr. Wang appears to have converted several units in the largest collection of units under one listing. According to Mr. Wang, the units were listed at about \$1,000 a month, but everyone would agree that Airbnb certainly exacerbates it.

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THURSDAY, MAY 10, 2018 SECTION 7
1602
AFTER THE BELL
Program ensures children who rely on school nutrition don't go hungry over summer break. **15**



TRAVEL & LIFE



On a recent weekday, one of 1330 13th St.'s single units was occupied by government employees.

AT WAR

There's a battle between Airbnb and Miami Beach residents, and travellers are caught in the crossfire.

TARIQ MEEZWA
For more news visit

On a recent Friday evening, David Igboke and his friends were relaxing in their Miami Beach Airbnb, listening to music and getting ready to go out to dinner.

Their plans were interrupted by a knock at the door. "City of Miami Beach," said Jackie Calcedo, a code compliance officer who works for the city.

Igboke opened the door and began answering questions. Was he from Miami Beach?

No.

Was he on vacation?

Yes.

Did he find the apartment on Airbnb?

Yes.

Calcedo had some bad news. "You're here because, basically, this is an illegal short-term rental," she said. "It's in a residential area, so it's prohibited for anyone to rent a unit for less than six months and a day." That same night, within a

45-minute period, Calcedo knocked on the doors of five other apartments in the building at 2500 13th St., a two-story, eight-unit white structure. Apt. 103 had two other units that wouldn't reveal their plans. In Apt. 103, two men in their 20s were visiting from New York City for the weekend. Apt. 104 had an Argentine family of four. Apt. 201 had an older Chilean couple on vacation for the week. In Apt. 204, a young man and woman were visiting from the nearby town of Hallandale, Fla.

All of the apartments had been illegally rented out. The property manager of an apartment building next door had called in a complaint.

Typically, when the city's code compliance officers come across illegal short-term rentals, they ask renters to contact their hosts and ask to be relocated. In situations where the hosts won't cooperate, guests will have to leave. On occasion, the city helps them find a new place to stay. But since Igboke



Above: Code compliance officers like Jackie Calcedo knock on doors to tell renters they're breaking the law. Right: Short-term rentals are illegal in the Flamingo Park area of Miami Beach, but lockboxes where tenants can pick up keys are a common sight.

and his friends were cooperative and leaving after just two nights, Calcedo said she would recommend that they be allowed to stay in the apartment.

But when another officer arrived the following day, the friends became annoyed. They contacted the man who had rented them the apartment on Airbnb, who went by the name of Jason, to ask for a refund and contacted Airbnb as well. They

were told that, because they did not notify anyone immediately after Calcedo's visit Friday evening, they could not get their money back. Igboke said that Jason, who was friendly on the first day, seemed angry with his guests when they complained about the officers coming by. The owner of the building was fined \$40,000.

RENTALS continued on T2



Miami Beach cracks down on illegal short-term rentals

RENTALS from 71

Igbokwe's rental sits on the edge of a neighbourhood known as Flamingo Park that has become a flash point in the battle between residents and companies that offer short-term rentals in Miami Beach, including Booking.com, VRBO, HomeAway, FlipKey and, in particular, Airbnb. Some of the properties that have been grandfathered in, and in the city's overpriced district where short-term transient rentals are allowed, the city prohibits rentals of less than six months and a stay in many residential neighbourhoods.

"We have residential areas in our community, and we have allowed them so when people purchase a home they know they are in a residential community," said Mayor Dan Gelber of Miami Beach, saying that Airbnb was knowingly flouting the law.

Airbnb, for its part, is suing the city, saying that its regulations are overly bureaucratic. "Nobody benefits when cities impose laws written with the sole intent of punishing both residents and consumers," Benjamin Frost, a spokesman for the company, wrote in an email.

In the increasingly heated war between the rental companies and communities, renters like Igbokwe and his friends, who unwittingly book rooms that are being offered illegally, are the collateral damage. They can end up out on the street, out hundreds of dollars and in need of a new place to stay, sometimes in the middle of the night.

"We 100 per cent would have rented elsewhere if we'd known we couldn't stay there," Igbokwe said. "The whole thing was out of our hands, which is frustrating."

A 'postcard perfect' neighbourhood
It's easy to understand why

tourists want to stay in Flamingo Park. It's close to the beach, its surrounded by popular restaurants. As one tourist, who didn't want to be named because she was staying in an illegal rental, said while riding her bike down the street, Flamingo Park is "postcard perfect."

An outsider riding through Flamingo Park point out the signs that homes are being rented out. There are the lockboxes on the sides of buildings, attached to bike racks or slightly taller behind hedges. These boxes are where renters pick up the keys to their vacation homes. Sometimes these are the people wandering through the neighbourhood looking a little lost, or the ones who ring the wrong buzzer because they aren't quite sure where to go.

"You get to a point where you feel like you're living in a hotel room," said Kathleen Smith, a resident of Flamingo Park. "You don't know who is coming and going at all hours."

Increasingly, residents have filed noise complaints with the city, which brings out officers like Caicedo, who, night after night, knock on doors and tell renters that they're breaking the law. The code compliance department said that noise complaints are one way it finds out about illegal rentals.

"Young people often want to continue the party after they've left an actual party," Caicedo said. "Usually, we only find out it's a short-term rental after we go to a place for another complaint like noise."

The department said it conducted 1,737 short-term rental investigations in the 2017-18 fiscal year, up from 622 in 2016-17. For the last two years, city inspections have been captured on the body camera code compliance officers wear when they're on duty.



Left: Mark Aebi says his Airbnb host said to tell code compliance officers he was her boyfriend. Center: "These are firms without bookkeeping, and the bookkeeping falls on the neighbors," left: Doreenly. Right: "You get to a point where you feel like you're living in a hotel room." Kathleen Smith.

Fines starting at \$20,000

Short-term rentals are available on numerous sites, but with more than 5 million listings in more than 8,000 cities and 191 countries, Airbnb is the largest player in the market. The company has approximately 4,500 active listings in Miami Beach.

Airbnb has said it works with cities around the world to create reasonable regulation. It is suing the city of Miami Beach for a rule that went into effect in December that requires platforms only to allow posts from hosts with resort-tax registration and business license numbers. The rule also requires home-sharing platforms to remove listings in neighbourhoods that, like Flamingo Park, don't allow short-term rentals.

Airbnb chose to follow the second rule, which it refers to as "preclosing." The company is arguing that the city initially said it expected companies to follow either the first requirement or the second, not both.

"It came as a shock," Airbnb says in its lawsuit, that the city "expected home-sharing platforms to comply both with the registration-number display requirements and the geofencing provision." The company added that it does not

review the listings that appear on its site and that it "also advises its hosts and guests to be aware of and comply with local laws."

The company declined to comment on the situation in Flamingo Park, James, the man who rented to Igbokwe, declined to be interviewed.

Emails and messages on booking platforms to its other hosts either went unanswered, or they declined to comment. The other apartments in the building Igbokwe stayed in were not listed for rent online. The guests in those apartments said they had booked at a legal property through Booking.com, but were diverted to the 13th Street building by their host. The host did not respond to a request for an interview.

"That property has never been open on Booking.com for customers," said Kimberly Soward, a spokeswoman for the company, who added, "Booking.com always abides by the applicable laws of the market we operate in."

Natalie Nichols, a longtime Miami Beach resident, is one of the rare former Airbnb hosts willing to be interviewed. She is suing the city over the steep fines Miami Beach imposes on homeowners. Nichols said she began renting out space in her

own home as well as in another building that she has owned since 2006. That it wasn't until the financial crisis in 2008 that she depended on rentals for income.

That year, she said, "I was laid off of a pharmaceutical sales job I had for 14 years. Long-term tenants of mine quit paying rent and broke leases." "Realizing out her properties short-term allowed her to make money and avoid foreclosure, she said, as well as to pay taxes, mortgage and insurance.

But complaints about short-term rentals grew and the city increasingly cracked down. Owners caught renting illegally are fined \$25,000 the first time they are caught, with the fine going up in \$20,000 increments for every subsequent time they are caught. On a second violation, there can be an added \$25,000 enhanced fine if the home is 5,000 square feet or larger.

A \$20,000 fine was enough for Nichols, who said she sold one home and is living in the other without the income to sustain it.

"I am depleting my retirement savings, and the city has taken a business from me that should have produced income and carried me through retirement," she said.

THURSDAY, MAY 16, 2019 TORONTO STAR | 71





From: Susan Jagminas [REDACTED]
Sent: Tuesday, April 30, 2019 9:11 PM
To: rgrossi@georgina.ca; Ryan Cronsberry <rcronsberry@georgina.ca>; dreddon@georgina.ca; michael@msplanning.ca; dfellini@georgina.ca; fsebo@georgina.ca; mwaddington@georgina.ca; dharding@georgina.ca; dneeson@georgina.ca; mquirk@georgina.ca
Subject: Story about AirBnB on CBC today

Good evening.

I share this story from today's media that I think will be of interest in relation to the issue of Airbnb (short term rentals).

An excerpt of which is:

"Most of what's happening on Airbnb isn't home-sharing," said McGill University urban planning professor David Wachsmuth, who has studied the company for several years. "Instead, it's something much more like commercial short-term rental operations."

Full story here:

<https://www.cbc.ca/news/business/biggest-airbnb-hosts-canada-corporations-1.5116103?>

And see this screen capture which is what is happening in areas like Toronto right now:

House Rules

DO NOT talk to the building concierge and cleaners, as this is not a hotel and the residents and staff don't like being disturbed. They will deny your access if you talk to them.

No one wants to live near these things. From my perspective, it is clear from Wednesday's meeting that those that are sharing a portion of their home are not a problem in Georgina. It's also clear that residents are not necessarily asking for a complete ban short term rentals. It's the full house rentals where there is no host present that are the problem. I continue to advocate for restriction to principal residences only.

Best regards,

Susan Jagminas

Who's behind the smiling faces of some Airbnb hosts? Multimillion-dollar corporations

Personable biographies or even fake photos obscure the operations of big businesses

[Zach Dubinsky](#), [Valérie Ouellet](#) · CBC News · Posted: Apr 30, 2019 4:00 AM ET | Last Updated: April 30

'Alejandro' from Montreal was Canada's top Airbnb host, by number of listings for entire-home rentals, as of earlier this month. But he was just the frontman for a multimillion-dollar national company. (Airbnb)

Sporting a crisp button-up shirt in his profile photo, smiling Airbnb host "Alejandro" states he's been around the world and thus understands other travellers "much better."

The profile pic for "Mike" shows him bearded, grinning, and relaxing to whatever's playing on his iPhone – remarkably chill for someone who runs 61 listings on Airbnb and has hosted more than 7,900 stays.

"Aj" organizes bachelor party trips when he's not managing his 90-plus Airbnb listings.

They are all among Canada's most prolific Airbnb hosts, according to a CBC News tally of 32,000 entire apartment, condo and house listings that appeared on the popular accommodation-booking website in 16 major cities in the country.

But while Airbnb promotes itself as a darling of the sharing economy, touting stays in real people's homes and relationships with personable hosts, its biggest players in Canada are actually — and sometimes secretly — multimillion-dollar for-profit corporations, a CBC News data analysis found.

Top 5 Airbnb hosts in Canada



1. Alejandro

Company: **Corporate Stays**
 Listings: **238**
 Reviews: **475**
 Cities: **Calgary, Edmonton, Montreal, Ottawa area, Toronto, Vancouver**
 Openly commercial: **No**



2. Sonder

Company: **Sonder Corp.**
 Listings: **232**
 Reviews: **3,335**
 Cities: **Montreal**
 Openly commercial: **Yes**



3. Emil & Sue

Company: **Olivia's Housing Inc.**
 Listings: **93**
 Reviews: **354**
 Cities: **Toronto**
 Openly commercial: **No**



4. Aj

Company:
 Listings: **90**
 Reviews: **204**
 Cities: **Montreal**
 Openly commercial: **No**

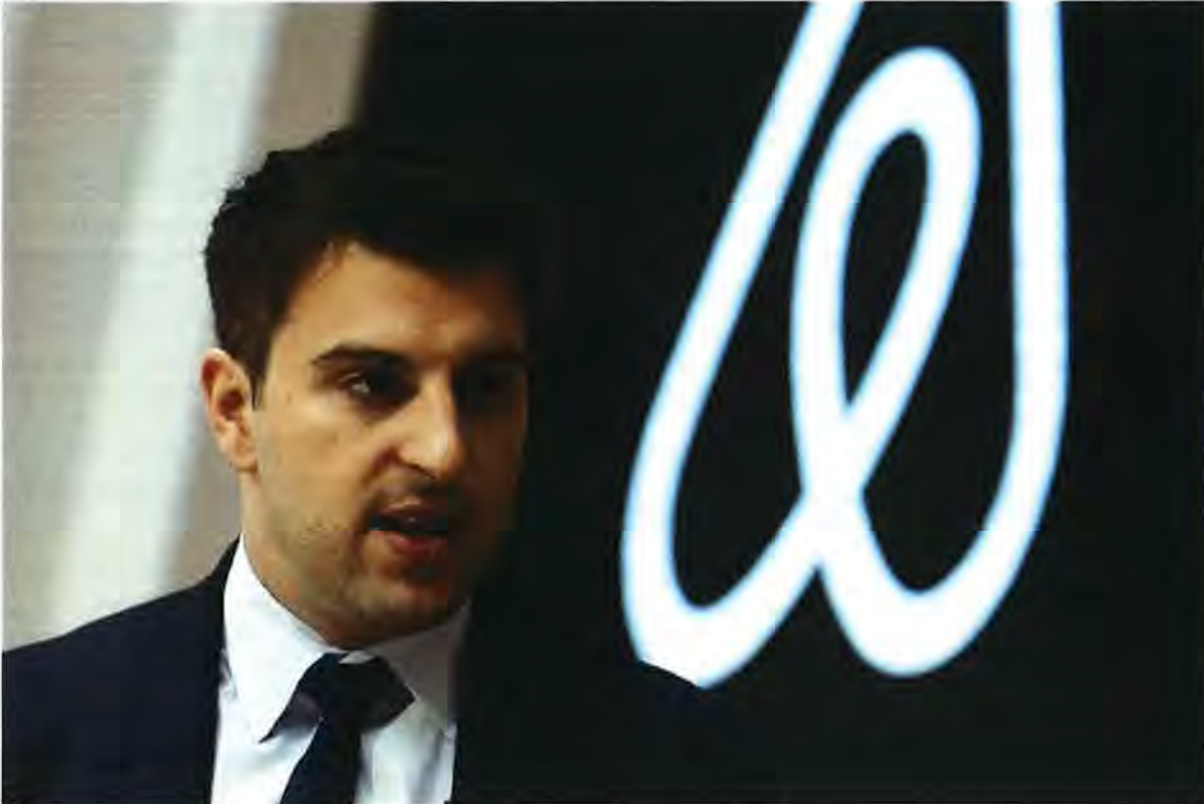


5. Genevieve

Company: **Short & Suite BNB Inc.**
 Listings: **76**
 Reviews: **2,050**
 Listings: **Ottawa area**
 Openly commercial: **No**

"Most of what's happening on Airbnb isn't home-sharing," said McGill University urban planning professor David Wachsmuth, who has studied the company for several years. "Instead, it's something much more like commercial short-term rental operations."

It's a far cry from co-founder and CEO [Brian Chesky's vision](#) of "ordinary people" becoming micro-entrepreneurs and earning a little extra income to help them make their own rent.



Brian Chesky, CEO and Co-founder of Airbnb, speaks in New York on March 13, 2017. (Mike Segar/Reuters)

Airbnb did not suggest that anyone CBC News spoke to was violating its terms of service, though some jurisdictions restrict multiple listings under local regulations.

'Makes it more enticing'

Take "Alejandro." According to the Airbnb data gathered by CBC News over a 24-hour period earlier this month, he had 238 listings in Montreal, the Ottawa area, Toronto, Calgary, Edmonton and Vancouver — more than any other host. Surely a Herculean task for one man to manage, even one who declares "hospitality my life!"

It turns out Alejandro had help. An internet image-matching search using his profile photo shows he was actually a paid employee, described as an "Airbnb specialist," for Montreal-based Corporate Stays, a multimillion-dollar company that mostly rents longer-term executive suites to businesses relocating staff.

Corporate Stays was founded a decade ago and is run by Vladimir de Suarez d'Aulan, a Frenchman who studied business in Montreal and whose [social media posts](#) document his globe-trotting. When there are vacancies among its 600 or so furnished suites in Canada, the company rents some of them out for extended stays through Airbnb.

"I was just basically reserving for guests [and] managing all of them," Alejandro said when CBC News reached him in Montreal.

The company's head of sales, Frédéric Aouad, said they made Alejandro the face of their Airbnb account because "it helps the performance of our listings."

"It's much more personable to be talking to a human being," Aouad explained. "It makes it more enticing." But he said it's not a ploy, and Alejandro would make it clear to prospective renters before they booked that he represented a corporate housing company.

Alejandro lost his title as Canada's Airbnb king last week. His face disappeared from all his listings, replaced by a Corporate Stays logo. There are now only 87. Aouad said the company has been cutting back on its tourist offerings to focus on longer-term business bookings, and added that his company's image was suffering from the noise complaints and neighbours' gripes associated with many Airbnbs.

Alejandro's job has been eliminated.

Fake profile photos

The new leader in the rankings is a company called Sonder, also founded in Montreal, but which has since followed the lure of \$135 million US in venture capital to San Francisco.


Like Corporate Stays, Sonder has sleekly furnished whole apartments for rent, though its Canadian offerings — 232 listings in Montreal, as of earlier this month — are just a fraction of its worldwide inventory. But unlike Corporate Stays, the Sonder logo and company name have been front and centre on its Airbnb profiles. Through a PR firm, Sonder declined to comment on its strategy.

And while Sonder is clear it's a company running a business on Airbnb, other top Canadian players on the platform are not.



Mike

Montreal, Canada

 Verified

I am an easy going person with a great passion for nature and travelling.. I love to be with and around people, I think I can learn something new from every person I meet.. I am curious to explore other cultures and ways of life.. currently I live in Montreal but have visited many places when I got the chance.

7925
Reviews



Avg. rating

The profile for 'Mike,' one of the most prolific Airbnb hosts in Canada, now uses a stock photo for the picture and an alias for the name. 'Mike' told CBC News he had 'previous issues with racist comments about my looks.'(Airbnb)

There's "Mike," who has more reviews than anyone — 7,955 as of Monday night — spread over 64 listings. That means "Mike" has hosted people at least 7,955 times, putting to the test his self-description as "an easy going person" who loves "to be with and around people."

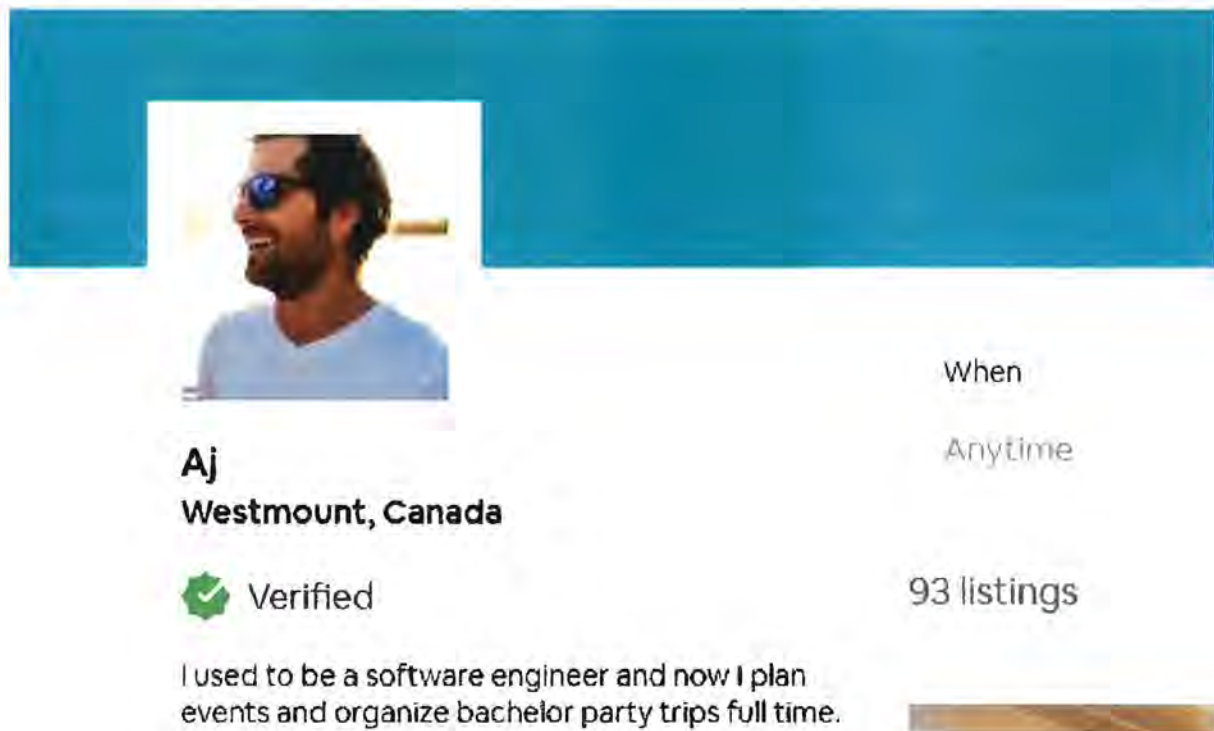
His photo isn't real; an internet image-matching search shows it's a stock picture that has been used dozens of times on unrelated sites all over the web. On older reviews for his properties, guests refer to him as "Hakim."

It turns out that "Mike," too, is a front for a Montreal company that operates listings commercially. Through Airbnb messages, he said he uses the stock photo — of a bearded, smiling, youthful white male — "because I had previous issues with racist comments about my looks."

He chose the alias "Mike" because it's the nickname of an employee. He wouldn't reveal the name of his company, but said it pays all taxes and is in the process of becoming compliant with provincial and municipal regulations. "Hakim" was an employee who used to manage the company's Airbnb account, he said.


Properties listed multiple times

"Aj" is a self-described former software engineer managing 90 Montreal listings as of earlier this month. "I plan events and organize bachelor party trips full time," his profile reads. He, too, uses a stock photo for his account, one that can be found on more than a hundred separate social media profiles and websites.



When
Anytime

Aj
Westmount, Canada

 Verified

93 listings

I used to be a software engineer and now I plan events and organize bachelor party trips full time.

Aj is his real name, but the photo is a stock image. 'This is from a liability perspective,' he said. (Airbnb)

But Aj is real. Full name: Alexander (A.J.) Zakowski. His business mostly rents furnished apartments during the school year to university students, especially students on exchange for three or four months who don't want the burden of a full-year lease or buying furniture. When they take off for the summer, his company puts the suites on Airbnb as nightly rentals.

He still aims to give it a human touch, he said — which is why the Airbnb account is in his name, not his company's. "If I was travelling, I'd rather be dealing with a person than a company," he told CBC News.

He uses the phoney photo, he said, for his and his family's safety. "This is from a liability perspective. When guests do have issues, we don't want them, like, taking it out personally on me."

44% of hosts are 'multi-listers'

The data gathered by CBC News provides just a one-day snapshot of the Airbnb market for entire homes, apartments or condos, which account for about two-thirds of the platform's listings in major Canadian cities. Numbers can vary widely with the tourist season or the school year, and the data is far from definitive. Airbnb has repeatedly called such independently obtained figures "very unreliable."

For instance, Zakowski said many commercial Airbnb operators — himself included — might list each of their properties multiple times: each room could have a listing as part of a shared space, and then the apartment as a whole is listed, to appeal to a range of potential guests. So his total number of listings is possibly twice the number of properties he manages.

But the numbers captured earlier this month are consistent in a key respect: In city after city, a considerable portion of the listings are from people who have more than one entire home, condo or apartment up for grabs. Our national analysis found 44 per cent of hosts had at least two listings, and 22 per cent had at least five.



McGill University urban planning professor David Wachsmuth says he's in favour of true home-sharing, but not commercial operators on Airbnb who take up what would otherwise be rental housing. (Radio-Canada)

"A sizeable chunk of those are effectively hotels that are operating out of what used to be, or what otherwise could be, people's homes," McGill's Wachsmuth stated. He's in favour of true home-sharing, he said, but not commercial operations on the sly that drive up housing prices and rents.

"I don't think there's any reasonable public policy justification for these to exist at all, let alone to be proliferating."

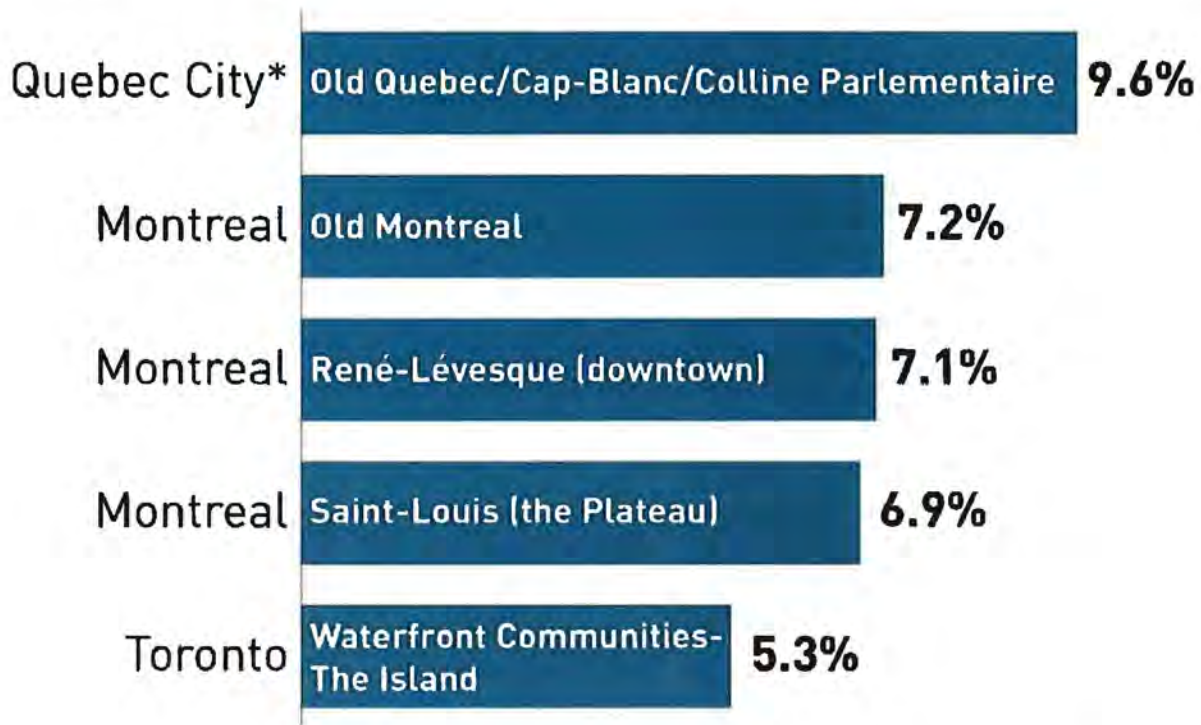
Airbnb declined an interview but said in a statement that "in any city with an Airbnb presence, homes listed on our platform account for a tiny percentage of the total local housing supply." The company said it supports cities' efforts to protect the supply of affordable housing.

It also said commercial hospitality businesses' use of its service fits within its mission of "ensuring our platform offers greater choice for our guests and helps all types of hosts succeed."

"Responsible home sharing strengthens neighbourhoods and generates meaningful economic impact for communities and our hosts."

Top 5 Airbnb neighbourhoods in Canada

by percentage of dwellings listed on Airbnb



*Quebec City numbers do not include unoccupied dwellings

CBC NEWS

CBC analysis of entire-place Airbnb listings in 16 cities as of April 10

Methodology: How did CBC analyze Airbnb listings?

CBC News monitored and collected the price, number of reviews, star rating and geolocation of all listings advertising an entire home or suite that appeared on Airbnb's website on April 10, 2019, for 16 Canadian cities. A minority of listings might be duplicates of the same property created by the same host as a marketing strategy.

Airbnb has consistently said that data gathered in this manner is unreliable and can have significant gaps because of the limited information available on its public web pages.

From: Susan Jagminas [REDACTED]
Sent: Monday, May 06, 2019 9:03 AM
To: michael@msplanning.ca
Subject:

Good morning,

Another story about how AirBnB is being abused... I will no doubt have many more comments before the end of May and I really hope to see some substantive change to what is put before Council. What is before them will not protect residents and will not protect this community.

<https://www.cbc.ca/news/canada/ottawa/condo-owner-violated-airbnb-ghost-hotel-1.5122219>

Sue

'These guys are predators': Condo owner says home turned into Airbnb 'ghost hotel'

Social Sharing

Jason Yung says 'chaos' began when new tenant signed lease in January



[Jennifer Chevalier](#) · CBC News · Posted: May 06, 2019 4:00 AM ET | Last Updated: May 6



Residents says their building on St. Patrick Street in Ottawa has been host to a so-called 'ghost hotel' since the beginning of the year. (Jennifer Chevalier/CBC)

An Ottawa man who says his tenant is renting his condo out on Airbnb against his will — and the condo board's rules — is complaining he feels violated by predators.

Jason Yung moved to New York City a few years ago to pursue a master's degree and found a new tenant in January to rent his ByWard Market condo.

Almost immediately, he had complaints from neighbours in the small 22-unit St. Patrick Street building about the number of people coming and going from his apartment.



Michael Baran says there's 'a sense of anxiety' in the small condo building about the 'parade of guests.' (Jennifer Chevalier/CBC)

"There's a parade of guests staying at the place," said fellow condo owner Michael Baran. "We don't know who's coming in. We can't control it."

Yung found his home listed on Airbnb by a host named "Daniel." When he complained to his tenant, the property was delisted, but soon reappeared under the host name "John."

The image used for "John" is a picture of South Korean actor Jang Geun Suk.

'Taken for a fool'

A "ghost hotel" is a term for an Airbnb listing that isn't owner occupied, but essentially a short-term rental managed by a company and sometimes advertised under a fake profile.

John has seven properties listed in Ottawa and Montreal, including Yung's "cozy one-bedroom apartment," available for rent in May for as low as \$71 a night.



Urgent Accommodations for Those Displaced by Level Flooding - Gembec, Ottawa and New Brunswick

I need a place to stay

Cozy one bedroom apartment

3 days

Entire apartment

2 guests 1 bedroom 1 bath

Start of your trip, always on the left hand of the page. Booked. Skip to the end of the page to see the page footer. All rights reserved. Apartment is located on the top floor of a beautiful building.

\$71 per night

4.5 stars

Dates: 8/20/21 - 8/21/21

Guests: 2 guests

Book

You can't check out yet

Report this listing

Jason Yung says his condo was listed on Airbnb without his consent by his tenant. (Airbnb website)

Neighbours say Airbnb guests are staying there right now.

"It makes me feel violated, really," Yung said. "Like, really taken for a fool."

Yung said he contacted his tenant, who denied subletting the property in contravention of the lease agreement and the condo board rules.

CBC contacted the tenant and while he declined an interview, he said he lived in the apartment and Yung's information is false.

Hosts must comply with local rules

Neighbour Jackie Swain lives across from the unit and said she has seen a number of guests over the last few months.

"Some people only come for a night, so you could have several different people coming in, night after night," she said.

Last week, one stranger Swain described as "sort of seedy looking" banged on her door and asked to use her Wi-Fi.

Yung contacted Airbnb to ask that the listing be removed, but was told Airbnb were "unable to mediate or assist."



Jackie Swain has lived in her St. Patrick Street condo since it was built in 1990. She says several different people a week are now staying at the unit down the hall from hers. (Toni Choueiri/CBC)

In a statement to CBC, Airbnb said hosts "must certify that they will comply with local rules before they list their space."

Airbnb said there is a [forum on the website](#) where neighbours can share concerns about a listing in their community.

For Yung, that's not enough.

"They definitely want to charge all the fees from it, but they don't want any of the responsibility."

'Multilisters' behind many Ottawa Airbnbs

With only seven listings, however, "John" isn't even one of the most prolific hosts in Ottawa.

According to a CBC News analysis of Airbnb listings for entire homes or apartments on April 10, that distinction belongs to someone going by the name "Genevieve."

When CBC analyzed the listings, "Genevieve" was listing 75 properties.

In all, there are 210 listers in Ottawa offering more than one property for rent. Otherwise known as "multilisters," they manage a total of 789 properties, representing 48 per cent of the city's listings.

That's well ahead of Toronto, where 42 per cent of listings are managed by multilisters, and Vancouver, with 32 per cent.

Gatineau, Que., has 79 hosts with multiple listings and they manage 52 per cent of the city's listings.

"Most of what's happening on Airbnb isn't home sharing," said David Wachsmuth, a McGill University urban planning professor who has studied the company for several years.

"Instead, it's something much more like commercial short-term rental operations.

"[These hosts] with multiple listings, they're the ones who are actually in this as a business who are renting their properties out year round," Wachsmuth said.

Impact on housing market

The CBC analysis shows up to 0.41 per cent of all Ottawa homes are listed on Airbnb.

Wachsmuth said if just one per cent or less of a city's housing is converted into short-term rentals, that can have a "really serious" impact on housing stocks.

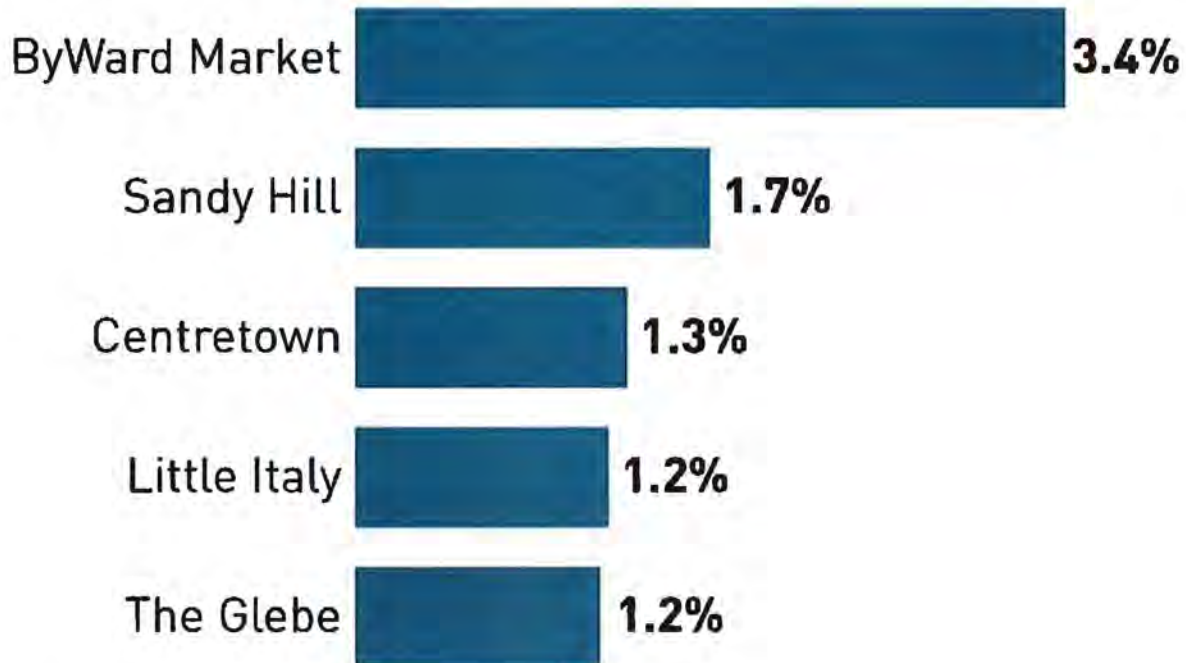
"That one per cent number looks small when you compare it to the amount of housing in general, but if you compare it to the amount of housing that's available for new tenants or new homeowners, it actually is a much, much higher percentage," said Wachsmuth.

Ottawa's central neighbourhoods have the most listings. The ByWard Market tops the table, with 3.4 per cent of all private dwellings available to rent on Airbnb.

Airbnb has consistently said data gathered in this manner is unreliable and can have significant gaps because of the limited information available on its public web pages.

Top 5 Airbnb neighbourhoods in Ottawa

by percentage of dwellings listed on Airbnb



CBC NEWS

CBC analysis of entire-place Airbnb listings in 16 cities as of April 10

(CBC)

'Change the locks'

As for Yung, he's trying to evict his tenant, but his hearing at the Landlord and Tenant Board was recently postponed until June.

He said he fears for his elderly neighbours who may have to put up with the "chaos" of living next to a ghost hotel for months.

"I feel like there should be some kind of situations that the landlord is able to change the locks on these deceptive tenants," he said.

"These guys are predators."



Yung in the kitchen of his New York apartment. He says his Ottawa tenant has been renting his home on Airbnb without his permission. (Skype image)

With files from Zach Dubinsky and data analysis by Valerie Ouellet, Naël Shiab and Inayat Singh.

METHODOLOGY: How did CBC analyze neighbourhoods and Airbnb listings?

CBC monitored and collected the price, number of reviews, star rating and geolocation of all listings advertising an entire home or suite that appeared on Airbnb's website on April 10, 2019, for 17 Canadian towns and cities. A minority of listings might be duplicates of the same property created by the same host as a marketing strategy.

For six major cities, including Ottawa, a neighbourhood breakdown was also conducted. Each of the six cities provided CBC with their custom "Neighbourhood Profile" and current neighbourhood boundaries.

CBC then used the total number of private dwellings, which include both occupied and unoccupied homes, to estimate the percentage of homes listed on Airbnb in each neighbourhood. In Ottawa, these numbers came from the 2016 census.

From: Susan Jagminas [REDACTED]
Sent: Monday, May 20, 2019 1:55 PM
To: Ryan Cronsberry <rcronsberry@georgina.ca>
Cc: Michael Smith <michael@msplanning.ca>; mquirk@georgina.ca; hlenfers@georgina.ca; dfellini@georgina.ca; dneeson@georgina.ca; dharding@georgina.ca; rgrossi@georgina.ca; mwaddington@georgina.ca; fsebo@georgina.ca; jespinoosa@georgina.ca
Subject: Comments on Short Term Rentals - For Consideration

Hi Ryan

Thank you for taking the time to speak with me this past week about my concerns related to the report currently before council regarding short term rentals and the opportunity to make additional comments which I hope can be addressed by the staff group addressing the issue and also for the upcoming report to Council in June.

I apologize for the length of this email, but **its length is directly proportionate to the lack of analysis/explanation** behind the current scheme before Council.

It's my belief that the current scheme relies on a complex enforcement scheme that will not solve the problems, but mire them in red tape and costly processes that do not take into account lessons learned in other jurisdictions. I want to make it clear that my belief that enforcement cannot deal with the problems associated with short term rentals is not a reflection on you or your staff.

Remember, in this scheme, enforcement also includes police and fire and the latter two services should be focused on life and death emergency situations. **It is the healthcare equivalent of sending someone with a cold to the emergency room.** We are wasting money and resources when all we need to do is put in place a more fulsome regulatory framework that requires a principle resident on site.

My concerns include:

The complaint process is not explained in any detail. How long will it take for a problematic rental to actually be shut down, from the day of the first complaint? Why are fines not part of the system? What about requiring an owner on site within an hour of any complaint, as in other jurisdictions? And if they don't show, they are further penalized?

Some jurisdictions (Collingwood for instance) require at least **30 day minimum rentals**. They've learned. Why are we not considering longer minimum rental periods? Why are we not taking lessons learned elsewhere and applying it here?

Three people to a bedroom seems odd. What kind of accommodation allows 3 people per room? **It's standard to rent a room to 1 or 2 people. What was the basis for choosing 3 over 2? Do the bedrooms then require accommodations to actually sleep 3 people? That would mean at least 2 beds in each room, and one at least a double, since no one I know of sleeps 3 to a bed.**

Please explain how ghost hotels are better for this community than the residents that would be living in the house instead? How is someone who comes here for a few days any better for this community than the residents that live here, volunteer here, play here, attend events here, shop here, and care deeply for the health of this lake. Like other residents who spoke up at the most recent short term rental meeting, I am rather offended at the notion that my living here is of less value to this community. We seem to be rolling out the red carpet for short term rentals, but for what? What do we gain?

Please provide the research to support the notion that the homes being rented out as short term rentals are not going to impact the long term rental market. I'm living beside a former short term rental that is now rented on a long-term, year-long contract. If the consultant wishes to make the claim that these homes are not typically rented out to long term renters, there should be evidence to support it because my experience conflicts.

On a related note, if we are speaking of the benefits of bringing in tourism (which, by the way has not been demonstrated), then we must also ask also ask what is being lost **by removing the ability for residents to live in this houses instead.** There needs to be a cost/benefit analysis that takes into consideration what is lost when we remove the resident(s) and the benefits from having them live within this community.

The Chamber of Commerce survey that was added to the agenda, at the very last minute, offers no statistically valid support for the benefits of short term rentals. It asked biased and loaded questions and relied entirely on opinion. **I would be interested in knowing who commissioned the survey and what survey design experience they have?** It appears to me it was done with a certain outcome already preconceived.

Where is our tourism strategy and where do short term rentals fit into it?

How is our sense of community being protected? **What efforts are being made to ensure that we don't end up with rows upon rows of ghost hotels?** There needs to be minimum distances between them to ensure our sense of community is not lost. Read the article below.

Last, but certainly not least... let's remember this underlying sentiment... **No one wants to live beside an AirBnB.** Not only are they not welcome by residents, there is no proof of any economic benefit to this community. **So I have to ask why we are working so hard to roll out the red carpet for them?**

Read the below article about Prince Edward County, who welcomed them a few years ago but is now suffering the consequences. Headline "Prince Edward County grapples with housing shortage amid Airbnb boom": <https://www.thestar.com/news/canada/2019/05/17/prince-edward-county-grapples-with-housing-shortage-amid-boom-in-short-term-rentals.html>.

I will continue to advocate for **principle residence restriction.** This simple instrument will deal with the vast majority of issues with regard to noise, trespass, theft, etc. It will also ensure our sense of community is protected, the long term rental market is not impacted, that we will have a stable and

long term employment pool, and no expensive and complex regulations scheme that is costing this Town far too much money.

Finally, I would ask that we dispense with this new short term rental licensing scheme entirely and make amendments to the current bed and breakfast regulations, which allows for the current law abiding and community minded bed and breakfasts to continue to operate.

Thank you.

Susan Jagminas

137 Lake Drive North



From: Susan Jagminas [REDACTED]
Sent: Saturday, May 18, 2019 7:33 PM
To: Ryan Cronsberry <rcronsberry@georgina.ca>; Michael Smith <michael@msplanning.ca>
Subject: Fwd: Toronto Star Article front page on STR in Picton

Of interest a story about the issues with AirBnB in Wellington:
<https://www.thestar.com/news/canada/2019/05/17/prince-edward-county-grapples-with-housing-shortage-amid-boom-in-short-term-rentals.html>

It's a good story that should be read in its entirety, but of particular interest is this excerpt:

“Now, it’s not people looking for a vacation home any more. Now the people we’re working with want to come and live here and they don’t want to buy in Wellington because Wellington is full of Airbnbs and they don’t want to live next door to one,” she said.

That's right... no one wants to live next door to one of these places. They destroy any sense of community. Their contribution to the economy is still not proven. The Board of Trade survey was done improperly and with leading questions... I can assure you my contribution to this community is greater than any AirBnB that might replace me. Plus, I live here and really do care about the Lake. Vacationers have no vested interest in this Town, especially those renting for a few nights only.

We need stricter regulations requiring minimum separations so entire areas don't become dark streets. No one wants to live beside them, and certainly no one wants to be surrounded by them. We lose all sense of community, finding people to fill local jobs becomes an issue too.

I certainly hope the current regulations scheme is going to be given a major overhaul, in terms of how many people can rent, about it being restricted to principal residences only, and about not allowing them within certain distances of one another.

We owe short term renters nothing. They are mostly non residents. But we do owe the actual residents living here complete and full consideration to the impact this is having on their lives.

Regards,
Susan

Prince Edward County grapples with housing shortage amid Airbnb boom



By [Tess Kalinowski](#) Real Estate Reporter

Fri., May 17, 2019 timer 11 min. read

Craig Foster knows first-hand about the short-term rental issues in Prince Edward County. Following his divorce about three years ago, he struggled to find a suitable rental home.

"I was forced to bounce into three different apartments in the span of two years because there was nothing available for more than three months at a stretch," said the news director at community radio station 99.3 County FM.

"I've got two little girls and I'm having to take these little Airbnb places just to have somewhere to bring my little girls to and having to move every few months," he said.

More recently, his other daughter, 20, has left to live in Deseronto, a town east of the County, with her partner and new baby because they couldn't find somewhere affordable closer to her family, he said.

Short-term rentals have been blamed for reducing Toronto's tight housing stock, and turning some condos into "ghost hotels" that undercut the traditional accommodation business.

But in Toronto's summer playground to the east, the issue of short-term accommodation is more complicated. At its peak, there were 1,500 short-term rental listings in Prince Edward County. That's about 9 per cent of dwellings in the area, say county officials. Eighty per cent, or 1,200 of those, are entire homes. Only 20 per cent are owner occupied or traditional bed and breakfasts.

On one hand, there aren't many big hotels in the County, so the rentals provide beds for the tourists who increasingly flock to its beaches, wineries and farm-to-table eateries.

On the other, they can irritate locals and have reduced the already tight housing supply to the point where employers cite the scarcity as the biggest barrier to attracting workers to grow their businesses.

A county staff report last year indicates a Toronto-like 0.81 per cent vacancy rate "and greater demand for housing than the current residential development market can support."

Year-round residents say short-term accommodations have helped drive up real-estate prices in bucolic, flower-box towns such as Wellington, Bloomfield and Picton, and brought unwelcome late-night noise, towering campfires, overflowing parking and garbage.

Add to that the issues with septic systems in homes that are being overoccupied by holiday makers and neighbourhoods that go dark once the visitors leave because the homeowners don't live in town.

Airbnb, considered to be the largest short-term rental site, says it had 900 listings in Prince Edward County last year. Hosts in the area typically rented their accommodations for 43 nights a year at an average rate of \$150 a day.

"Imagine a 10 per cent shift in the housing supply in Toronto," says Picton realtor and former county councillor Treat Hull. There are about 11,000 dwellings in the County. If 1,000 are being used as short-term accommodation that "has been a really significant shift," he says from a corner seat with a view of Lake Ontario at the Drake Devonshire Hotel in Wellington.

With its hipster vibe, locally based menus, events and lakeside views, the Drake's arrival about five years ago helped ignite the County's recently booming status as a vacation destination. Its popularity has also helped make Wellington the Ground Zero for short-term rentals, Hull said.

Until about five years ago, his real estate clients tended to be retirees. Now they are frequently mid-career professionals and artists, who aren't ready to give up the city altogether. Meantime, he said, they want to buy income-generating properties.

But long-term residents worry about the impact on their towns with so many absentee homeowners.

"If a big number of the houses on your block are transient, your sense of community is eroded," Hull said.

There are more than 1,500 housing units in some stage of development in Prince Edward County to be built over the next 10 years, Hull said. "It's a massive number," even if only 100 a year actually materialize, given that for many years only 25 new homes would be built, he said.

Hull was still on council last October when the county passed an official plan and zoning bylaw amendment to address concerns about short-term accommodation (STA). A licensing system is being refined and will likely go before council for approval this summer, said Paul Walsh, county planning manager.

Under the amendments, no more than 15 per cent of homes in a given area will be permitted to operate as STAs. Traditional bed-and-breakfast operations and STAs where the long-term owner lives on site aren't included in the 15 per cent but will likely have to comply with the coming licensing provisions. The 15 per cent rule has been grandfathered so any property that can prove it was being used as a rental

prior to October can continue to operate. The bylaw is applied to the address rather than the property owner. But new operators will have to apply for a licence contingent on inspections such as fire and safety.

Walsh said that will help weed out landlords who are renting out campers and bunkies that aren't permitted as STAs.

Walsh said the rules are about balance. The planning and zoning amendments were intended to protect the housing supply while still allowing accommodations for tourists.

Development is coming to the County, Walsh said, citing an exponential increase in the number of applications. But he said it will be at least a couple of years before new housing supply alleviates the shortage of housing.

Meantime, enforcing the new bylaw and licensing provisions will be important, he said.

The county is still considering how to identify which homes are being used as STAs, including software that helps detect listings online.

"Ultimately we'll also be relying on the complaint mechanism of neighbours, which seems to be freely flowing," Walsh said.

The amendments passed on Oct. 9. The next day, Wellington-based realtor Stephanie Sokolowski says she and other agents in the area lost the majority of their buyer clients, many aged 30 to 45 with \$400,000 in equity from their Toronto home to invest in an income property.

"At \$400,000, you could still cover all your bills. But they really needed the mortgage payment," she said.

Sokolowski called all her clients to explain that it was possible that if they bought a place it might turn out to be beyond the allowable number of short-term rentals the county would permit so they risked being shut down. That wasn't something they could afford.

"Everybody from Toronto needed the income to support the investment," Sokolowski said.

Some buyers have returned, wondering if they can buy an existing rental property under the grandfathering provision. But, she says, the market has faded for mid-range homes to be used as rentals.

"Now, it's not people looking for a vacation home any more. Now the people we're working with want to come and live here and they don't want to buy in Wellington because Wellington is full of Airbnbs and they don't want to live next door to one," she said.

Airbnb operator Michelle Kosoy said she supports the new rules and believes they have a role in protecting her neighbourhood. She and her husband, both artists, have been renting out two bedrooms in their Wellington house since they arrived about three years ago from Toronto.

They charge about \$150 for the master bedroom with ensuite and about \$110 a night for another room with a shared bath. They take two or three days a week to themselves but are otherwise booked solid from May to September, she said.

Now they are renovating their barn into a studio and building a small, stand-alone residence for themselves on the property. When that's done, Kosoy says they will rent out their entire main house.

But as a year-round resident herself, Kosoy says, "We don't want to have a dormant community all winter long. It's important that there are people living there and our businesses can thrive."

"We're all for them not being too concentrated," she said.

Complaints tend to centre on wedding parties, groups celebrating with too much drink where the noise gets out of hand, Kosoy said.

Guerin and Jessica Sykes opened their Picton bistro, the Marans Dinebar, on Main St. in March. Named for a French breed of hens, the restaurant offers Asian, African and Middle Eastern flavours.

The couple, who have two boys, moved from Ancaster, Ont., about two and a half years ago after coming to the County on vacation in 2015. Guerin had a corporate food-service job that was exciting but took him away from the family and cooking he loved.

When they began planning their move, the Sykeses set a budget of about \$300,000 for a home, hoping for something in Picton. By the time they were ready to pack, prices had jumped and they raised their budget to about \$400,000. They ended up buying a 40-acre farm about half an hour from the restaurant and have recently severed and sold half the property.

Last year, the Sykeses worked at the nearby Waupoos Winery, a celebrated destination for diners and weddings. They say they have been lucky that their sous chef from Waupoos has followed them to the Marans as there is intense competition for seasonal staff. They have also hired one part-time and one full-time server.

"We pay a little more than server minimum and everybody gets proper tips," Jessica said.

Housing is a challenge for seasonal hospitality workers and some bigger businesses rent or buy homes for their employees, Guerin said.

"The County has become what it is because of the tourists but it has also been a detriment to the locals," Jessica said.

Foster, like many locals, is thrilled at the growth of the wine and tourism industries. After all, he said, they help support his career in radio. But he thinks the seasonality of the work and the shortage of housing stacks the deck against young people in particular.

"Sometimes people will list a place to rent as though it's some great thing and it's still \$1,600 or \$1,700 a month. If you're only making \$17 an hour this is just not attainable," he said.

Foster's own housing issue has been resolved by a relationship with a partner who owns a house in Wellington. Otherwise, he said, "I would still probably be floating in the wind."

From: Susan Jagminas [REDACTED]
Sent: Tuesday, May 07, 2019 2:21 PM
To: Michael Smith <michael@msplanning.ca>
Subject: Another AirBnB story

<https://www.cbc.ca/news/canada/british-columbia/vancouver-short-term-rentals-1.5125011>

1 year into regulations, Vancouver considers 3,066 homes on Airbnb a success story

While total listings are down, there's still plenty of examples of owners possibly not following the rules

[Justin McElroy](#) · CBC News · Posted: May 07, 2019 1:00 AM PT | Last Updated: May 8



This home at 2854 West 38th Avenue had been under investigation by the City of Vancouver for violating rules for short-term rentals. (Martin Diotte/CBC)

Last year, a small Vancouver home at 2854 West 38th Avenue was sold for \$2.8 million.

Ever since, the next-door neighbour has noticed a few changes at the 88-year-old property, with its barren lawn, overstuffed mailbox and key deposit box on the front door.

"There's nobody living in the house, so it's being used as an Airbnb," Neela Sunga said.

"This time of year they're coming in intermittently, but we're quite concerned about summertime when it'll be obviously very busy ... We don't even know who we would complain to if there was an issue."

The property was one of 3,066 listed on Airbnb as an "entire home" in Vancouver on April 10. That accounts for approximately one per cent of all private dwellings in the municipality, according to a CBC News analysis of listings.

After an inquiry from CBC News, the listing was removed — along with another property from the same host, a mansion in the Shaughnessy neighbourhood that sold for \$12.6 million in 2017.

Kathryn Holm, Vancouver's chief licensing inspector, says the city's [short-term rental regulations](#) that were introduced just over a year ago to try to improve the city's vacancy rates are working "very well."

However, the numbers can tell two different stories.



A property at 3778 Hudson Street is also under investigation by the City of Vancouver for violating short-term rental laws, and was removed from Airbnb days after CBC News inquired about its status. (Justin McElroy/CBC)

Multi-hosts and total listings down

Vancouver requires all short-term rental hosts to get a business licence, and they can only post a property if it's their primary residence.

In theory, it means entire homes can only be available if the regular residents are temporarily away.

And since the city began enforcing the rules in September, the number of listings in Vancouver has decreased by about 40 per cent [from its peak](#).

According to a previous analysis from [AirDNA](#), a company that looks at Airbnb listings data, the total number of nights available to book properties has gone down by about half from its peak.

In addition, 32 per cent of listings are managed by a "host" with multiple properties in Vancouver, but it's the lowest proportion of any of the 17 Canadian municipalities measured by CBC.

"It does seem like it's moving in the right direction," said Holm.

Airbnb Canada spokesperson Alex Dagg said it shows the company's partnership with Vancouver, which includes quarterly data sharing, is working.

"I think the city's really smart about housing and trying to make progress with their bylaw," she said.

"There's a learning curve for our host community. I think there's a bit of saying, 'Wow, this is serious.'"

Long time to prosecute

But there is plenty Airbnb critics can point to as evidence the platform is still having an [adverse effect](#) on the city's vacancy rates.

Approximately one of every 40 condos downtown is posted on Airbnb. There are nearly 100 Vancouver mansions (advertising room for at least 10 people) on the site.

Many of them are likely complying with all of the city's rules. But when asked about eight specific properties that seemed at first blush to be skirting the rules, the City of Vancouver said seven of them were under investigation.

"The city has to be more proactive and the city has to get Airbnb on board with policing the platform," said Rohana Rezel, a housing advocate who has tracked listings.

He argues that the city could force Airbnb to take a greater responsibility for the postings on its site, and the city could move faster when it receives complaints about a specific property.

Airbnb's Alex Dagg said it's the city's obligation to enforce the rules, but its agreement with Airbnb provides the necessary tools.

Holm said the city wants to gather plenty of evidence before taking action against people suspected to be violating the law.

"With the most egregious operators, it takes time to escalate the file through the court system," she said.

"But we are actively pursuing enforcement files on those cases that were identified."

As for Sunga? While she'll be happy if the property next door stays off Airbnb for good, she says the city could react faster.

"I appreciate that it's a hard one for the city to follow up on. But it's a big problem in a city where there's zero vacancy ... there should not be a hotel next door to me."

METHODOLOGY: How did CBC analyze neighbourhoods and Airbnb listings?

CBC monitored and collected the price, number of reviews, star rating and geolocation of all listings advertising an entire home or suite that appeared on Airbnb's website on April 10, 2019 for 17 Canadian towns and cities. A minority of listings might be duplicates of the same property created by the same host as a marketing strategy.

For six major cities, including Vancouver, a neighbourhood breakdown was also conducted. Each of the six cities provided CBC with their custom "Neighbourhood Profile" and current neighbourhood boundaries.

CBC then used the total number of private dwellings, which include both occupied and unoccupied homes, to estimate the percentage of homes listed on Airbnb in each neighbourhood. In Vancouver, these numbers came from the 2016 census.

From: Susan Jagminas [REDACTED]
Sent: Saturday, May 04, 2019 10:38 AM
To: mquirk@georgina.ca; dneeson@georgina.ca; Ryan Cronsberry <rcronsberry@georgina.ca>; dfellini@georgina.ca; rgrossi@georgina.ca; michael@msplanning.ca; dharding@georgina.ca; mwaddington@georgina.ca; fsebo@georgina.ca
Subject: AirBnB death in Stouffville

I'm sure most of you would have heard this but in case not... A very sad situation. A young man shot and killed at an AirBnB rental in Stouffville.

<https://www.cbc.ca/news/canada/toronto/whitchurch-stouffville-fatal-shooting-bloomington-ninth-1.5121288>

Male shot to death at prom after-party in home rented on Airbnb

York Regional Police homicide detectives are investigating

CBC News · Posted: May 03, 2019 6:01 AM ET | Last Updated: May 3



York police responded to a rural residence in Whitchurch-Stouffville just after 4 a.m. for reports of a shooting. (Jeremy Cohn/CBC)

A male was shot to death at a prom after-party at a rural residence in York Region on Friday morning.

The shooting occurred just after 4 a.m. at a home in Whitchurch-Stouffville, near Bloomington Road and Ninth Line, according to York Regional Police.

The home was rented out on Airbnb, police said. A now-removed post listed the property for \$700 per night.

Paramedics responded and pronounced the victim dead on the second floor of the home. Const. Andy Pattenden said that police are still trying to identify him and no further details were immediately available.

At least 60 people fled the area in the aftermath of the shooting, police said. Only the person who had rented the home for the night remained at the scene to speak with officers.

Investigators think there may have been hundreds of people at the party in the hours before the shooting, according to Pattenden.

"We know there were people here. We know there are people who probably heard or saw what happened and we need them to come forward right away," he told reporters at the scene.

Homicide detectives have been called in to investigate.



Paramedics pronounced the male victim dead at the scene. (Jeremy Cohn/CBC)

2 males arrested near home

In a news release, police said that around 4:30 a.m., two males were arrested on Bethesda Side Road, several kilometres away from the home, after a caller reported that they had been knocking on doors and asking residents to call them a taxi.

When officers arrived at the scene on Bethesda Side Road, the two males were hiding in bushes. A handgun was found near where they were arrested, police said.

According to Pattenden, homicide investigators are still trying to figure out if there is a link between the shooting and the two males.

"It's still far too early to tell if these two incidents are connected to each other," he said.

Both males are minors and appeared in court on Friday for weapons charges, according to police.



The scene on Besthesda Side Road where two minors were arrested. A handgun was found nearby by police. Both males appeared in court on firearms charges on Friday. (Linda Ward/CBC)

Kevin McGuckin lives across the road from where the pair were found by police. He didn't hear anything during the night, but he did get a call from a neighbour asking if the two males had knocked on his door.

"Stouffville is quite a good community and we're proud to live here, but seeing all this it really makes you think that you got to be aware what's going on all the time," he told CBC Toronto.

"My heart goes out to the family. Hopefully everything gets solved."

In an email statement, a spokesperson for Airbnb said that the person who booked the rental has been removed from the site and the listing has been suspended "as we investigate.

"The safety of our community is our priority, and our thoughts are with the victims of this senseless tragedy. There is no place on Airbnb for such an abhorrent act, which violates everything our Canadian community stands for. We stand ready to work with local law enforcement and support their investigation," the spokesperson said.

Anyone with information about the shooting or the party is asked to contact York police.

'Our schools are safe places'

Meanwhile, the York Region District School Board issued a statement Friday night saying it was shocked and horrified to learn of the homicide, while urging people not to speculate, jump to conclusions or make assumptions.

The board said it's supporting the efforts of York Regional Police in their investigation.

"Our focus is on providing support to our students and families," director of education Louise Sirisko said in the statement.

"Regardless of the details of the police investigation, we know that some students will be looking for support and reassurances that they are safe."

Sirisko said the board has developed tips to support families in their conversations with children and youth about tragic events.

Students are set to return to school on Monday, and Sirisko said staff members will be available to provide support.

"If you have concerns about your child's emotional well-being or reaction to the news of this incident, please contact the school so you can work together to provide support. I want to reassure you that our schools are safe places and that our caring staff members will be welcoming students on Monday."

May 20th, 2019

**Peter and Cathy Waring
293 Hedge Road
Sutton, Ontario**

Written Comments, April 24th, 2019, Council Agenda Item, Proposed Licensing By-law to Regulate Short Term Rental Accommodations in the Town of Georgina.

I gave a verbal deputation on the STRA agenda item on the evening of April 24th 2019. Please consider these written comments in addition to my verbal presentation and part of my input on the proposed licensing by-law.

Background: My wife and I have operated a small B & B business, the "Tuckmee Inn" from our home at 293 Hedge Road for the last two and half years. Being empty nesters, we were looking for a way to augment our high property taxes. In the spring of 2016, we renovated two bedrooms and a bathroom and advertised on AirBnB and TripAdvisor. We have our own website but these rental platforms offer broader market exposure and for a small fee, the ease of financial transactions. The AirBnB platform generates about 75 to 80% of our business with the remainder coming via TripAdvisor, our website and word-of-mouth. Our business is seasonal, running from late April to the end of October, with occasional guest stays in November. We are presently trying to expand our business to accommodate ice fishermen.

Eighty percent of our business comprises weekend guests coming from the GTA. The mid-week rental days are generally clientele coming from the US and Europe. Our season averages about 25 weekends and we gross between \$6,000 and \$7,000 annually. When you take into consideration our operating costs, food costs and business insurance etc. we do not generate a large income stream. However, the extra money helps mitigate our taxes and we thoroughly enjoy sharing our home and the interaction we have with our guests. We do our very best to showcase what Georgina has to offer through our interaction with guests and by displaying local pamphlets and maps. We send our guests to local restaurants, attractions (Sutton farmers market, the ROC), craft stores and other service providers. Some of our clients stay with us because they are attending a wedding or a social event at the Briars, a sporting tournament at the Civic Centre, the local fair or because they have family staying at Sibbald Point Park. We believe our business most certainly contributes revenue to our local economy.

The Issue: Shortly after we started up in 2016, we began to hear, and take notice of the concerns our neighbours were expressing about the "party palaces". Our understanding from our neighbours and those complaining to Council is that these are houses that are rented out in their entirety, most often on weekends throughout the summer months without any owner supervision. Because there is no owner on site, in our opinion, this

gives rise to a range of socially unacceptable behaviours that impact on the neighbouring properties: excessive noise, drunken/disorderly conduct, garbage etc.. We have heard from Council that there may be 14 or so such properties. Presumably you have been compiling complaint data and can characterize the existing problem quite accurately.

Council has indicated that existing social and property standard by-laws are difficult to enforce for a variety of reasons: lack of resources, legal issues, safety concerns etc.. While we believe the issue associated with the "party palaces" needs to be addressed, we are not part of that problem. Our neighbours are aware we operate a small bed and breakfast and they have sent their own friends and family to us. We have had no complaints or concerns expressed to date nor do we anticipate any. Your numbers suggest, the majority of STRA businesses also do not contribute to the "party palace" problem and have been operating without issue. Using short-term rental platforms, primarily AirBnB, the Town estimates there are between 100 and 150 STRAs in Georgina of which 14+ are problematic. The Town has identified a number of social and property standard issues in several of its reports including:

- Excessive noise
- Safety concerns of neighbours
- Garbage
- Disorderly conduct
- Parking in residential areas

The Proposal: The Town proposes a new STRA Licensing By-law that will require property owners to have license to rent a dwelling (or a part of it) on short term basis (<30 days) subject to a number of requirements/conditions set out in the By-law and to pay a start-up licensing fee of \$2000.00 with an annual renewal fee of \$750.00. There is a code of conduct and a demerit point system associated with the By-law that when enforced would allow for a license to be suspended or cancelled. It provides officers with the authority to enter onto a property if grounds exist and to issue orders to correct the By-law infractions. In addition to the license fees, a property owner will be required to meet licensing standards. Costs to administer the by-law including clerical and financial administration, inspections, enforcement etc. are estimated to be approximately 300K per year.

Concerns: By all accounts, the majority of STRA businesses operate within the existing framework of social by-laws and property standards and are not causing any problems for their neighbors or their neighborhoods. The proposed STRA Licensing By-law seems like an unwieldy and costly approach to address the bad behaviour of a small percentage of STRA operators. Surely there must be a simpler solution than what is being proposed?

This is a fairly complex proposal requiring additional staff to carry out the administration, inspection and enforcement components and it will place additional support costs on the existing staff and resources. It appears the Town would like to, or plans to recover costs through license fees (user pay principle). How successful this is would depend on the

licensing uptake. There's not a lot of incentive to sign up for a license for STR property owners who have abided by the current framework of social and property standard by-laws. There's an application process, standards to meet, inspections to accommodate and fees to be paid ...and, the threat of enforcement action to bring them into compliance with a system that is being imposed on them due to a few irresponsible property owners.

The fees, a \$2,000.00 initial license fee with a \$750.00 annual renewal fee will be overly burdensome for a number of STRA businesses, and quite possibly have a negative impact on the license uptake. For example, in the first year of licensing this fee would represent approximately 25 to 30% of our gross revenue and 10 to 12% in the following renewal years. This would not be affordable for us and we would most likely discontinue our B & B STRA business. We suspect this may also be the case for a number of the STRA businesses. If the expectation is to fund the system on cost recovery basis and make it cost neutral there simply aren't enough STRA businesses to make the licensing fee affordable for small rental businesses. Given the numbers of STRA businesses, its really hard to see how the costs can be justified. **Do you have any economic information from which to gage the potential impact of the fee on STRA businesses?** Or perhaps you are not concerned about the impact these fees will create?

I believe, given our own circumstances, the proposed STRA Licensing By-law is going to have some unintended consequences! With the imposition of the additional licensing requirements and the hefty license fees, I think a number of STRA businesses, like us, will drop out of the short-term rental business or they will continue to operate without a license and therefore face enforcement action. It could take a few years to bring the remainder of the estimated 150 STRA properties into compliance. As such, the tax payers will have to pay the implementation costs in the interim and, perhaps, for sometime to come. In my experience, implementation costs are usually underestimated and recovery revenues are overestimated. This I believe is called too bad, so sad for the tax payer! **Does the Town have any information on how well cost recovery has worked in other jurisdictions?**

Is this proposed STRA licensing system required? From the reports I have read, the objective of the licensing system is to develop a licensing system to address social and property standard issues stemming from a relatively few number (14+) of unsupervised STRAs where the entire dwelling is rented. I really don't believe you need to create a STRA licensing system to deal with these problems. Why not update/fix the existing social and property standard by-laws and make them easier to enforce (powers of entry, order powers, progressive penalties); whatever it takes, and enforce them in those situations where it's warranted such as the "party palaces" that are causing the problems. You certainly need to deal with these situations but you have created a whole new level of bureaucracy to address 14 or so irresponsible "party palace" STRA operators. If you update the existing tools you won't have the large ongoing implementation costs of trying to administer a new licensing system for 150 STRAs, the majority of which are not causing any problems. Yes, there will be some additional

enforcement costs using updated social and property standard by-laws to deal with the bad actors but these costs, I suspect would be quite a bit lower and relatively small in comparison to a new licensing system. This represents a more focused approach!

The reports indicate the objective of the Town is to deal with the social/property standards problems arising from irresponsible STRA operators (and not the absence of a licensing system for STRA businesses per se). I would suggest that this is what the public expects and that is what the Town should focus on. Solve the bad behaviour problems by updating and enforcing existing by-laws.

While a variety of STRA businesses have been operating for some time in Georgina e.g. traditional cottage vacation rentals, the accommodation business is changing rapidly here, and elsewhere, with citizens renting their homes or some of their bedrooms to generate income. It has become very easy and convenient using online platforms to manage the transactions. Some individuals and companies are buying second homes as investment properties and renting them out using the same kind of platforms. Some form of business license may well be required at some point. However, it should be designed with the accommodation sector and other stakeholders through a transparent, consultative approach, not through reactive back door process where the priority is to address irresponsible behaviour of a few STRA operators.

If you absolutely believe you need a STRA licensing system to regulate behaviour (which I think would be misguided), you may want to consider a **two-tier licensing/permitting system** to at least make it easier and less costly to administer and more affordable for those STRAs operating within the existing framework of social by-laws and property standards. For example:

1. A shorter form of license/permit with minimal requirements if you comply with several basic conditions e.g. the STRA is NOT an entire dwelling and/or has a principle resident living on site for care and control of the use of the dwelling. You would have to register the STRA and sign-off on the conditions. It would be less costly and easier to administer and, in my opinion, more appropriate for the majority of STRAs that operate without complaint. You could charge a modest fee for clerical administration.
2. A longer form of license/ permit where entire dwellings are being rented and/or there is NO onsite principle resident living on site for the care and control of the use of the dwelling. Establish whatever licensing standards you think are necessary to ensure the integrity of neighbourhoods and conduct follow-up inspections and perhaps require a security deposit. This licensing tier would be more costly to administer and therefore require a higher fee.

This licensing approach might also be seen in a positive light by the majority of STRA businesses that have, and continue to operate without impacting neighboring property owners.

In summary, I think the proposed STRA licensing by-law will likely have unintended/unplanned consequences for STRA businesses with a potential to impact on the tourist economy. You would be imposing a licensing system without the proper upfront consultation with the sector most affected, the STRA businesses; and, with little or no information about the impact it will have on them or its potential impact on the tourism economy. You already have other by-law tools at your disposal. Please use them!

Thank you for the opportunity to comment.

Peter Waring



Case studies STR in
BC.pdf

CASE STUDIES

Managing Short-term Rentals

By Therese Mickelson, ABC

Short-term rentals have become a popular sector in the sharing economy, but they also pose some challenges for local communities. Local government managers from the District of Tofino, City of Nelson and City of Vancouver share their experiences with managing the opportunities and challenges associated with short-term rentals.

The need for more regulation around short-term rentals has become evident over the past few years, and even though all three communities are different in terms of size, the concerns being raised are fairly consistent. Concerns range from loss of affordable, long-term rental accommodations as well as negative impacts such as noise, parking and other disruptions that are expected in a commercial zone but generally resented in residential areas. Those who offer short-term rentals are concerned about loss of revenue, and the hotel industry is flagging concerns about inequity that puts them at a competitive disadvantage.

In response, all three local governments took steps to develop solutions that would work best in their community.

RESEARCH AND COMMUNITY ENGAGEMENT

The process to create a viable approach to managing this industry involved research and community engagement.

The City of Nelson conducted an extensive consultation process involving stakeholder meetings with businesses and short-term rental operators, a public town hall meeting and a couple online surveys – one for the community at large and another targeted to short-term operators who were identified by searching Airbnb.

“It took about a month for us to overcome people’s initial reaction to the topic of regulating short-term rentals because when we said regulation, they heard ‘banning’ and it was a challenge to help them understand that regulation didn’t mean prohibition,” says Alex Thumm, Planner, Development Services, City of Nelson. “On the other side, there were people who wanted it banned and didn’t understand that it’s better to regulate it. We had to communicate that there are legitimate uses and that it’s going to happen anyway, so it’s better to have compliance and consistent standards.”

It helped when the Nelson Short Term Rentals Owner Association was formed and became involved in the consultation in support of regulation.

“They were happy about the regulations because they found some people were just dabbling in the Airbnb but not doing well or meeting the same standards, which the Association felt reflected badly on short-term rentals in Nelson overall,” adds Thumm.

“We had to communicate that there are legitimate uses and that it’s going to happen anyway, so it’s better to have compliance and consistent standards.”



Alex Thumm

Nelson also did a full review of what other cities were doing to help assess what can be done, what is realistic and what was required to support enforcement, which is where they identified Host Compliance as a good tool for tracking short-term rentals as well as research on the industry. It’s notable that since introducing the bylaw, the City has achieved 100 per cent compliance with its short-term rental operators.

In the City of Vancouver, many of the people who came out to speak were operating illegal businesses.

“It took great courage for them to come out, but they felt strongly about this and advocated that we find a way for them to continue to be able to operate their short-term rentals,” says Kathryn Holm, Chief Licence Inspector, City of Vancouver. “They feared Council would ban them as has been done in other cities as the extra revenue they generate helps supplement their income.”

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Case Studies: Managing Short-term Rentals

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“Every time we talked to people, we got new ideas,” adds Holm. “Talking to a wide variety of stakeholders, including the people who were really mad at us, helped us as did our robust policy review.”

In Tofino, a short-term rental bylaw had actually been in place for many years, starting with the first bylaw in 1997 followed by updates in 2005 and 2007. In the past it had been enforced on a complaint basis, but with the growing concerns about housing availability in the community, the decision was made to be more proactive about requiring compliance with the bylaw.

The District consulted in advance of the more proactive measures by hosting open houses, breakfasts with the Mayor and other opportunities to provide input and feedback on strategies for increased enforcement.

“Our best tools were collaboration internally between staff in bylaw, planning, enforcement, and Mayor and Council while keeping the community informed along the way,” says Brent Baker, Fire Chief and Manager of Protective Services.



Kathryn Holm

“There were a lot of concerns raised by residents about us taking away their livelihood and how it would affect their bottom line, as well as how legal non-conforming would be handled, but it helped to bring all the stakeholders together in one room to discuss options.”

DEVELOPING A BALANCED APPROACH

In all three communities, the decision was made to provide options for short-term rentals that would address concerns but allow for this growing sector. Some of the measures are consistent across all three organizations, such as the provincial government’s requirements for short-term rentals to remit Provincial Sales Tax and the local tourism tax for guest stays, but others are customized to suit the needs of the community. The following is a summary of the three regulatory frameworks.

Tofino

As a small tourism community, Tofino has some unique considerations affecting its approach to short-term rentals. One is that many homes in the community are owned by non-residents and the other is the need for seasonal accommodations.

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There are also areas that do not permit short-term rentals under zoning or covenants on the property. As a result, the District's approach to regulating short-term rentals includes the following requirements:

- Whole home short-term rentals are not permitted.
- Multi-family units are not permitted to host short-term rentals.
- A maximum of three rooms and six people can be accommodated with a short-term rental in the home.
- There must be a long-term, on-site tenant, which can be the owners of the property or a long-term renter.
- Homes with an accessory building or secondary suite can host short-term rentals as long as they have a long-term, on-site resident on the property.
- Short-term rentals are only permitted in approved zones.
- Every business application must be inspected, and the rooms identified for short-term rentals clearly marked as part of the licensing.

Nelson

In addition to the similar concerns raised in other communities, the City of Nelson received complaints from the local hotel industry. Hotels were actually the first to start flagging issues with the growth in short-term rentals because these rentals did not have to pay the same fees or taxes. In response, a key component of the City's bylaw was to require short-term rental operators to become members of the regional tourism agency, which also meant they were required to pay the provincial sales tax and tourism tax. This provided a more level playing field with hotels and bed and breakfasts who already paid both taxes. This was done prior to the provincial government requirements.

Another unique aspect of the City's bylaw is its flexible licence periods. While all short-term rental operations must be licensed, they have an option to select a one-year, four-month or one-month licence.

"Most communities have a standard licence period but our residents with short-term rentals told us they don't just want a full year as a lot of them only rent for a period of time," says Thumm. "While it is a commercial use, it isn't a bricks and mortar business where you build a store and operate Monday to Friday every week, and that's okay, so let's not force them into a longer licence."

Some of the other key elements of the bylaw requirements for short-term rentals include the following:

- Principal residency is required. To help preserve the long-term market and address outside investors, every dwelling that is offering short-term rentals must have someone living on site as a principal resident. They don't have to live there all the time, but it must be their principal residence.
- Safety inspections are required. Short-term rentals must meet basic safety regulations as dictated by the building code, such as smoke and carbon-dioxide detectors, as well as safety considerations related to the structure, electrical and access to exit doors.

- There must be parking provided either on the property, or through a leased space from a neighbour.
- There is a maximum of three, short-term rental homes permitted on a block, which includes both sides of the street, and there is a city-wide cap on total short-term rentals.
- If the property owner can prove that most of the time the unit is used for long-term rentals, such as students, they may receive a licence for the interim months.

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“Even in a small community, you need someone who is eyes on and hands on to follow up on everything. If you can’t dedicate that kind of resource support, don’t bother with the program.”



Brent Baker

Vancouver

The City of Vancouver’s approach included developing a set of guiding principles that would help to create a balanced way to move forward. The key guiding principle is to protect the long-term rental supply for people who want to live and work in Vancouver. Additional guiding principles were to ensure health and safety, encourage neighbourhood fit, enable supplemental income, support the tourism industry, promote regulatory equity and encourage compliance.

Some of the core elements of the City’s bylaw for short-term rentals are aligned with these guiding principles as follows:

- Principal residency is required.
- The dwelling must be safe, which means it meets requirements to be a legal dwelling unit with safety measures like smoke detectors and accessible exits.
- Short-term rentals are not permitted in additional dwelling units on the property such as a basement suite or laneway house, unless they serve as someone’s principal residence, as these types of units can be used as long-term rentals.
- The short-term rental use must be approved by the building strata.
- If the person is a rental tenant and wants to host short-term rentals, the landlord must approve this use.
- A licence is required as short-term rentals involve operating a business from the home.

“We’ve created a very low barrier to get into short-term rentals,” says Holm. “The fee is low, you get your licence in 10 minutes – no other business licence has that option – and we make it clear that we’re not out to create problems for homeowners, we’re here to help them.”

ENFORCEMENT

All three cities made it clear that enforcement is an essential part of the program for short-term rentals and that this involves dedicating resources to this area as well as leveraging the tools and resources available.

As a first step, it’s critical to set up the bylaw in a way that ensures the regulations are enforceable. As an example, it’s much easier to track advertising for short-term rentals compared to the actual rental. Tools like Host Compliance are designed to search the various platforms for short-term rentals and provide a comprehensive list of the property addresses listed.

For Tofino, the shift from complaint-based to proactive enforcement meant that they needed to have one person dedicated to business licence inspections and enforcement for short-term rentals.

“Even in a small community, you need someone who is eyes on and hands on to follow up on everything,” says Baker. “If you can’t dedicate that kind of resource support, don’t bother with the program.”

Tofino has also designed its bylaw to use bylaw notices instead of tickets as this makes it easier for them to deal with disputes.

“We know people will challenge us, so we are prepared to deal with the challenge at a lower cost by using the bylaw notice,” adds Baker.

In Vancouver, the scope of managing short-term rentals is obviously on a much larger scale. At the time of their regulations being put in place, there were approximately 6,600 unregulated short-term rentals in the City. A key tool for the City is a landmark agreement with Airbnb, which has added a business licence field to its platform and makes it a mandatory field for all listings. Operators must include their business licence number to post listings. While Airbnb does not check the accuracy of the licence number, they do provide the list to the City. If the licence number is not accurate, the City initiates an investigation and any necessary enforcement. The City is also in discussions with Expedia Group to try to come to a similar agreement.



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"The day enforcement went into place, Airbnb delisted about 2,400 operators because they had from April to September to get a licence and had not done so," says Holm. "It's been great working with Airbnb; they're a good partner. They've done a lot of communication with their operators to ensure the rules are being followed."

Regardless of the work involved to put bylaws in place and carry out enforcement, the benefits of a balanced approach that allows short-term rentals while addressing community concerns is evident in all three communities.

"I think providing an opportunity for individuals to take part in this kind of industry means they have more opportunity to experience a good quality of life where they live," says Baker. "In an area like Tofino where there are not vast employment opportunities, this gives them options and allows them to build a life out here, doing things they love in a place they love."

In Nelson, it's also about creating more choice when it comes to accommodation, which supports their tourism market.

"A lot of guests in short-term rentals would not be well-suited to conventional tourism locations like hotels," says Thumm.

"They may be coming for a family reunion or to visit family and want to be able to stay in areas other than downtown where most of our hotels are located, or they want access to more space and kitchen facilities. So these short-term rentals are meeting a different need for a different market."

It's also clear that the growth in short-term rentals as part of the sharing economy is a trend that will continue to expand in future. The key is to stay informed and look at how to find the best fit for the local community.

"I think it's the tip of the iceberg and we're going to see these economies evolve in ways that are tricky to predict," says Holm. "It's important to act now and not wait too long or we'll get too far behind and be out of sync with industry. We have an obligation to regulate – whether business activities or safe accommodations for tourists – so I think it's important that municipalities are acting to respond to what the community needs with respect to these emerging economies to maintain our relevance."

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Submission to Council for the Town of Georgina
Regarding Short Term Rental Accommodation

1. PREMISE

Much of the content of the recommendations made by the consultant for the Town of the regulation of STRAs depends upon the double justification of the “new sharing economy” and historical precedent.

The concept of the “sharing economy” is a complete red herring and fabrication. There is nothing new about businesses trying to circumvent regulations in order to exploit maximum profit from minimal investment. In fact, these are the principle roles of any government or regulating body; to minimize the excesses to restrain the capriciousness of business interests and to ensure fair competition. The current incarnation labelled the “sharing economy” is only another way to avoid existing regulation designed to protect against abuse. The defence of a “sharing economy” model only demonstrates sympathy to an “Ayn Rand” libertarian economic model of deregulation and self-interest.

The historical precedent argument tries to justify STRAs from the perspective of our community having a past practice of individuals and families renting out their cottages to other summer users during those periods when they were otherwise vacant. This view of Georgina’s past is inaccurate and misleading. The Lakeshore communities became Ontario’s first vacation community not because people shared cottages here (a much later development) but because of the development of the series of lodges erected along the shore serving short term guests. This was made possible as these short term accommodations were accessible by the Metropolitan railway. Most of these lodges are gone today, but some remain as repurposed buildings and properties. Coolmere Lodge is a private residence. Sunnybrook Lodge is used for institutional accommodation. Budapest Lodge is broken down into residential properties. Hollywood Lodge remains in commercial use. The point is, the true rental history of the area is of short-term rental accommodation which were specifically identified as Tourist-Commercial use.

2. CHANGES OF USE

The report makes the argument that it is not the use that determines what kind of zoning that a property requires, but rather the purpose-built function of it. Specifically it has been stated that there is no apparent difference in appearance between a single family home and a designated rental accommodation, and therefore one cannot insist upon different zoning for Tourist-Commercial use. This is clearly not a consistent practice in the Town. Former lodges retain the same structure but have been converted in use, such as the examples above to residential and institutional use, with appropriate change in zoning.

STRAs similarly have had modifications made to accommodate numbers of people for rental purposes. They have been converted for a different use. Therefore, they should be required to seek appropriate zoning for their new function as a Tourist-Commercial property.

3. APPLICATIONS

One of the objections raised against requiring property owners or corporations to obtain a site zoning amendment to C5 Tourist-Commercial in order to permit operation of a commercial rental property is that it places an undue burden on the business interest. A zoning application, under our current structure would involve a public hearing with opportunities for local residents, within a certain proximity radius, to intervene and make comments. In other words, the objection is that it would require the business to submit to the democratic process. The established bylaws of the Town should not be viewed as a burdensome hinderance.

Yes, a landowner or corporation is entitled to use the property in a manner that maximizes enjoyment (or in this case, profit); however, the enjoyment must not unreasonably interfere or disturb the rights of adjoining landholders or create a private nuisance. It is for this reason that our bylaws are structured in such a way as to provide public hearings on applications to change use.

The Town has consistently used this argument in the past to defend *status quo* arrangements. When nearby residents made complaint about the operation of Inland Metals, the Town response was that the business was there first and people building their homes nearby knew that. The pre-existing use and zoning was defended on that basis, and demands for curtailing operations (or closing the facility) were rejected. The situation as regards STRAs is the case in reverse. The residential uses were present prior, and the business should not be permitted to insert itself into a zoned residential community.

4. INADEQUATE ENFORCEMENT

The problem expressed by residents of the Town is two-fold: denial of the expectation of enjoyment of their property caused by disruptive behaviour of transient guests at STRAs; and deterioration of sense of community as a consequence of removing neighbours from the equation in communities (along with loss of contribution to maintenance costs for beach associations, volunteer power supported by residents in a neighbourhood, loss of rental stock).

The second problem cannot be remediated in any way. The experience of other municipalities reports on this effect. The proposed changes to the bylaws and the regulation structure seek to resolve the nuisance factor, but still leave many questions unanswered. Since enforcement is dependant upon issuing complaints, how can we protect residents from retribution for making a complaint? If a rental accommodation facility is constantly creating problems, how can it be shut down? How many violations must occur until before a licence can be withdrawn? Should an owner defy that withdrawal of licence, how can it be enforced?

The complexity and potential financial costs (bylaws officers, police calls, etc.) of the proposed procedures are not justified by any possible benefits derived from legalizing their operation.

5. UNFAIRNESS TO EXISTING BED AND BREAKFASTS

The proposal to remove the existing category of "Bed and Breakfast" from the bylaws and merge these with the new concept of STRAs does not serve the purpose of the community well at all. The existing Bed and Breakfast accommodations are well understood, are maintained and supervised by the property owners who are on site, contribute fully to the economic well being of the community as the owner/operators live in the community and make their purchases here, and are supportive of other businesses in the Town by referring their clients to them.

To punish these long term businesses by lumping them together with a newly created category in order to accommodate the STRAs, which do not make the same measure, is patently unfair.

6. A NOTE ON ECONOMIC CONTRIBUTION

We can appreciate the interest expressed by the members of the Chamber of Commerce in the question of licencing STRAs as any increase in tourism should benefit a portion of the business community. However, the extent of that benefit, as opposed to using the housing for permanent residential or long term rentals is questionable. We have heard many submissions already about visitors to the "Party Palace" model arriving with all their food and alcohol, having their party and leaving the garbage to be collected. The Chamber conducted a survey with regard to impact, but I believe reported the results incorrectly. If one considers ALL the businesses surveyed, and not just those that felt they received a positive contribution, only 11.8% believed that STRAs had an extremely positive or slightly positive impact on their business. That means 78.2% of the members felt STRAs had a negative impact or were inconsequential to their business and they had no comment to make.

7. CONCLUSIONS & RECOMMENDATIONS

- a) The proposal to licence STRAs as outlined in the consultant's report should go ahead, but with the added proviso that they may only operate on premises zoned C5 Tourist-Commercial. This may require a site specific zoning amendment, which is fine because it would permit local residents to have input on planning decisions that affect their community and neighbourhood. Further the different tax assessment, combined with the licensing fee would address the additional costs generated by the needs for enforcement. STRAs would have to be identified in the bylaws as suggested.
- b) In order to make provision for those people who do share cottages with friends or family members, the current point of demarcation of 15 days rental be identified as the separation from a residential use to short term rentals.
- c) In order to protect the responsible Bed and Breakfast hosts who operate in Town, the current definitions and fees should remain unchanged.

Respectfully submitted;

Dave Szollosy,

857 Fairbank Ave., Willow Beach

May 30, 2019

From: Mike Hutchinson [mailto:mhutchinson@georgina.ca]
Sent: Sunday, June 02, 2019 3:57 PM
To: Ryan Cronsberry <rcronsberry@georgina.ca>; [REDACTED]; David Reddon <dreddon@georgina.ca>
Cc: Margaret Quirk <mquirk@georgina.ca>; Robert Grossi <rgrossi@georgina.ca>; Dave Neeson <dneeson@georgina.ca>; 'Michael Smith' <michael@msplanning.ca>
Subject: Re: STRA and Garbage dumping

Good Afternoon,

An Officer coordinated with Parks Staff to have the garbage cleaned up this afternoon.

The investigating Officer will be looking into the matter further and taking action as warranted.

Thank you,

Mike

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: Ryan Cronsberry <rcronsberry@georgina.ca>
Date: 2019-06-02 2:38 PM (GMT-05:00)
To: [REDACTED], David Reddon <dreddon@georgina.ca>
Cc: Margaret Quirk <mquirk@georgina.ca>, Robert Grossi <rgrossi@georgina.ca>, Dave Neeson <dneeson@georgina.ca>, 'Michael Smith' <michael@msplanning.ca>, Mike Hutchinson <mhutchinson@georgina.ca>
Subject: Re: STRA and Garbage dumping

Hello Dave,

Thank you for your email. I have sent this to Mike Hutchinson, Acting Manager of Municipal Law Enforcement to have an officer attend and follow-up on this. I also requested that they contact parks staff to attend to the garbage as soon as possible.

On the phone recording... it appears the recording hasn't been changed like it was set up for last year. We will have it updated and thanks for bringing that to our attention.

Ryan

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: [REDACTED]
 Date: 2019-06-02 2:22 p.m. (GMT-05:00)
 To: Ryan Cronsberry <rcronsberry@georgina.ca>, David Reddon <dreddon@georgina.ca>
 Cc: Margaret Quirk <mquirk@georgina.ca>, Robert Grossi <rgrossi@georgina.ca>, Dave Neeson <dneeson@georgina.ca>, 'Michael Smith' <michael@msplanning.ca>
 Subject: STRA and Garbage dumping

Dear Town Staff,

The STRA season has begun again and with it the dumping of garbage from short term renters in the municipal litter bins. I have attached some photos below. This load is at the corner of Lake Dr. and Fairbank Ave. deposited this morning from the weekend visitors at 567 Lake Dr. East.

The issue of course is that the garbage will be well spread around by raccoons and skunks visiting overnight. It needs to be collected right away and not wait until the regular Parks Department run. In addition, overflowing bins prevent people from depositing litter and defeating the purpose for which they are placed.

It must be remembered that the garbage is dumped illegally in this manner at the direction of the owners of the STRA, who charge renters for leaving garbage anywhere on the premises. They have not set up a disposal system, nor do they employ an agent to put garbage out on collection day (which ironically in this area would be Monday anyway). I reiterate my position that the owner of the property should be fined for each bag of garbage illegally disposed of in the municipal bins, contrary to bylaw, as the corporate owner has directed this violation.

If the Town feels that the bylaws do not give adequate powers of enforcement, and since the Town's current position is that STRAs are residential rental units and not hotel businesses, then the rental should be covered under the Ontario *Residential Tenancies Act*. Under that legislation, Landlords are required to ensure that there is reasonable means for tenants to dispose of their residual garbage and recyclables.

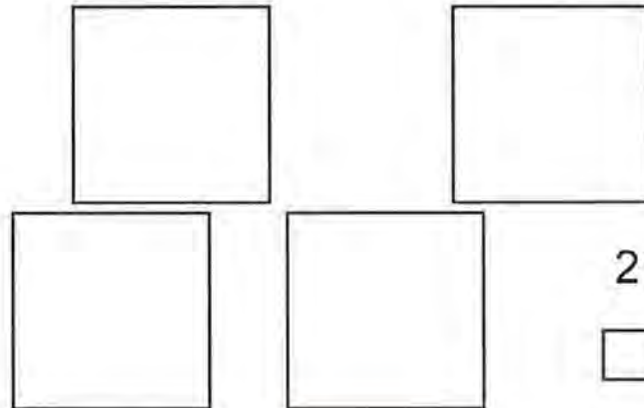
I have long been an advocate of the year-round municipal litter bins situated at road-ends along Lake Dr., as I have seen the positive impact of their having reduced littering along the road and ditches. We do not want to lose this amenity because of the encouragement to illegal dumping.

Further, I must make note of the fact that although the Town web page directs people “If you have a STRA complaint during an evening or weekend, call 905-476-4305, ext. 2281” when one calls this number one receives the message to NOT leave any information other than which refers to parking issues and to call the Town office during business hours for other complaints. I left the information about the illegal dumping anyway.

Dave Szollosy



857 Fairbank Ave. Willow Beach Ont.



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From: Alan Direnfeld [REDACTED]
Sent: Saturday, June 08, 2019 9:32 AM
To: Margaret Quirk <mquirk@georgina.ca>; Robert Grossi <rgrossi@georgina.ca>; Dave Neeson <dneeson@georgina.ca>; Dave Harding <dharding@georgina.ca>; Mike Waddington <mwaddington@georgina.ca>; Frank A. Sebo <fsebo@georgina.ca>; Dan Fellini <dfellini@georgina.ca>; Ryan Cronsberry <rcronsberry@georgina.ca>; David Reddon <dreddon@georgina.ca>; Michael Smith: <michael@msplanning.ca>; Harold Lenters <hlenters@georgina.ca>
Subject: RE: Short-term Rentals in Georgina

Thank You Margaret

The Town needs to be concerned about licensing these properties and assuming the liability that could follow. There is the risk of injuries and loss of life to patrons of these essentially unregulated hotel operations. There is also the risk of damage to and loss of property. The liability can arise from such risks on site or from off-site damages such as the consequence of uncontrolled alcohol and drug consumption that results in offsite car crashes and brawls. There is also exposure to claims by other property owners and occupants (individually and by class action) who are adversely affected by the condoning of short-term rental operations approved by any proposed by-law. You have heard anecdotal evidence from any number of people. The change is dramatic. The Town does not have the resources to do what it would have to do to regulate these scattered operations. The Town would have to ramp up at great cost...and for what..... to satisfy the few who would undermine the safety and serenity of a community in which they themselves do not likely reside while returning little to it? Their option is to open up a legitimate hotel operation in an area zoned for the purpose. From the Town's perspective, I understand that simply disallowing them is a justifiable option.

Regards

Alan
 Alan Direnfeld
 Barrister and Solicitor
 [REDACTED]

From: Margaret Quirk [mailto:mquirk@georgina.ca]
Sent: Saturday, June 8, 2019 9:02 AM
To: Alan Direnfeld; Robert Grossi; Dave Neeson; Dave Harding; Mike Waddington; Frank A. Sebo; Dan Fellini; Ryan Cronsberry; David Reddon; Michael Smith.; Harold Lenters
Subject: RE: Short-term Rentals in Georgina

Thanks for the comments Alan, I have also shared this with Harold Lenters.
 Margaret



GEORGINA

Margaret Quirk
 Mayor | Town of Georgina
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From: Alan Direnfeld [REDACTED]

Sent: June 7, 2019 4:38 PM

To: Margaret Quirk <mquirk@georgina.ca>; Robert Grossi <rgrossi@georgina.ca>; Dave Neeson <dneeson@georgina.ca>; Dave Harding <dharding@georgina.ca>; Mike Waddington <mwaddington@georgina.ca>; Frank A. Sebo <fsebo@georgina.ca>; Dan Fellini <dfellini@georgina.ca>; Ryan Cronsberry <rcronsberry@georgina.ca>; David Reddon <dreddon@georgina.ca>; Michael Smith: <michael@msplanning.ca>

Subject: RE: Short-term Rentals in Georgina

This time with Robert Grossi's correct email address.

From: Alan Direnfeld [REDACTED]

Sent: Friday, June 7, 2019 4:36 PM

To: 'Margaret Quirk:'; 'Rob Grossi:'; 'Dave Neeson:'; 'Dave Harding:'; 'Mike Waddington:'; 'Frank Sebo:'; 'Dan Fellini:'; 'Ryan Cronsberry:'; 'Dave Reddon:'; 'Michael Smith:'

Subject: Short-term Rentals in Georgina

Hi everyone

As the summer approaches, so do the one-nighters who will occupy and destroy those summer weekends for everyone within earshot.

I continue to wonder in amazement how anyone could be permitted to run an unlicensed, uninspected and unsupervised hotel in a residential zone that caters to the party animal in so many, free of concern for the health, welfare and safety of both the one-nighters and their neighbours.

While under the current plan it is necessary to expend Town resources on policing and interventions (mostly after nightfall), I remain of the belief that an ounce of prevention is worth a pound of cure.

I know that you have all heard the pros and cons from a number of sources so I will not further reiterate them.

I just wanted you to know that my vote is not to permit them at all.

Regards

Alan

Alan Direnfeld

(329 Lake Drive East, Willow Beach)

Barrister and Solicitor

219 Finch Avenue West

Toronto, Ontario

M2R 1M2

[REDACTED]

rec'd May 31, 2019 R

Monica Resch
Gypsy by the Lake B&B
33 Albert Street
Jackson's Point, Ontario
L0E1L0

Town of Georgina
26557 Civic Centre Rd.
Keswick, Ontario
L4P 3G1

RE:Short Term Rental Accommodations (STRA)

To the attention of the Town of Georgina Council,

This letter is from Monica Resch owner/operator of Gypsy by the Lake B&B located in Jackson's Point. This letter is to directly appeal the Town's intention to remove the designation "Bed and Breakfast" and to replace it with "STRA" solely for uniformity. I suggest that the status quo is preferable and that the title of Bed and Breakfast is a historical title that is unique and should be in a category all on its own with specific regulations that are unique to what it has historically been.

I have owned and operated Gypsy by the Lake B&B for the past 14 years and have followed all of the regulations put forth by the Town of Georgina. These regulations were and are inclusive of licence renewals, fire inspections, floor plans, exit signs etc. and have come with consistent fees that I have paid and regulations and laws that I have respected in order to uphold my status as a licenced Bed and Breakfast owner/operator.

Jackson's Point is a tourist based community and I support accommodating tourists in my B&B to facilitate and promote prosperity in this town that I call my home. I also have maintained being present at my B&B when my guests are here and make the "breakfast" part of my B&B just as important as the rooms are, meals are always part of booking a stay at my B&B. As outlined in the paragraph below it is consistency and simplicity that is part of the consultant's reasoning behind wanting to "fold in" B&Bs with STRAs but the truth is the two couldn't be more dissimilar. It is the hospitality aspect of the B&B operator that separates the B&B from Air B&B and other STRAs and it is that direct supervision that makes the B&B a more responsible and considerate business citizen that justifies maintaining it as a category all on its own.

{5.5 Bed and Breakfast as a form of STRA

While Bed and Breakfast Residences are a form of STRA and, in most cases would be

operated by the principal resident, there is no requirement that the owner be present in the Bed and Breakfast Residence during its operation, nor is the owner required to provide a breakfast. For consistency and simplicity, the proposed licensing by-law employs a uniform approach for all STRA.}

The current B&Bs in Georgina operate in a way that addresses the concerns raised about STRAs by community members. In our B&B', rooms are rented in our principle residence and the owner/operator is always available on the premises.

We know of the owners of The Log Cabin B&B, Lois and Doug Andrews, who have operated their B&B for 23 years without incident as have we at Gypsy by the Lake B&B for 14 years. I believe that considering our lengthy history of maintaining our good service to the community and respect to our neighbours that we should be allowed to continue as we were and are now.

Please consider our request for our B&B licence to remain the same and with a reasonable fee as it was.

Sincerely,



Monica Resch
Gypsy by the Lake B&B
33 Albert St
Jackson's Point, Ontario
L0E1L0

May 29,2019

Town of Georgina
26557 Civic Centre Road
Keswick, ON
L4P 3G1

RE: Short Term Rental Accommodations
The Log Cabin Bed & Breakfast


Town Clerk,

We have attended several meetings on the STRA debate. My husband, Doug Andrews and I have run the Log Cabin Bed & Breakfast for 23 years and Doug ran Cobblestones B & B for 8 years before that. Over the years there have been many bed and breakfasts in Georgina but as you know, there are only two currently registered. This means that we have paid the licensing fee and had the required Building, By-Law, Fire and Health Department inspections annually during this time and to our knowledge have not had one complaint from any of our guests or our neighbours.

Now we understand there is a chance that we will be folded into a new category designated as short term rentals. We feel that because of our good record and that of the other bed and breakfast, Gypsy by the Lake, that we should be given a status of our own. We live at these properties, it is our home. We do not rent out our accommodation if we are not home and respect the rights of our neighbours by ensuring a quiet community.

Please consider our request for the Bed and Breakfast license to remain the same including a reasonable fee considering all of the above.

Respectfully,



Lois and Doug Andrews
536 Pefferlaw Road
Pefferlaw
L0E 1N0



HOTEL ASSOCIATION OF CANADA
ASSOCIATION DES HÔTELS DU CANADA

May 29rd, 2019

To: The Corporation of the Town of Georgina

Via Email: pasaph@georgina.ca ; ageniole@georgina.ca ; michael@msplanning.ca

Re: Short-Term Rental Accommodations

Dear Town of Georgina Staff:

On behalf of the Hotel Association of Canada (HAC), I am writing today regarding the Township of Georgina's examination of regulating and licensing Short-Term Rental Accommodations.

HAC represents more than 8,200 hotels, motels and resorts across Canada. Our industry generated revenues of \$20.8 billion in 2017 and is responsible for 306,600 jobs in communities across Canada. We have contributed billions of dollars to local, provincial and federal coffers. In 2017 alone, the hotel industry generated revenues estimated at \$9 billion for all three levels of government.

HAC, in partnership with its provincial and city/town associations, has been a key stakeholder in local efforts across the country to license and regulate short-term rentals. Notably, we produced best practice guidelines for developing a modern framework, to ensure short-term rentals are licensed and regulated in order to foster fair and sustainable community growth for all players and to ensure that communities are not negatively impacted (see attachment).

Short-term rentals are an ongoing concern for communities across Canada, especially smaller communities where residents typically know most residents on a personal level. The growth of Airbnb to nearly 160 million guest arrivals in 2018 tells us that platform companies for short-term rental accommodations are here to stay. According to a recent Statistics Canada report, revenue for the private short-term accommodation market in Canada is estimated at \$2.8 billion in 2018. Yet the revolution in the short-term rental industry has given rise to unintended consequences. In fact, several surrounding areas such as Barrie and the Greater Toronto Area have been dealing with the rise of resident concerns stemming from the influx of short-term rental accommodations in their communities.

A recent review of various online short-term rental accommodation platforms has revealed that there are now more than 110 short-term rental operations in the Town of Georgina – and that number is expected to grow. Complaints around the operation of short-term rental accommodations include excessive noise, late-hour activities, fire and safety concerns, affordable housing and much more.

What started as true home sharing – where the owner is present during the guest's stay – has expanded into growing commercial operations in which entire homes/cottages and multiple units are being rented out. Many operators are exploiting a lack of regulation and are essentially running illegal hotels. Community (and cottage) life is being impacted as noise, guest traffic and crime are becoming more frequent concerns. Health and safety standards are often not being adhered to and taxation rules are either antiquated or not being followed.

Long-term rental units and cottages are being repurposed for short-term rentals, exacerbating a shortage of affordable housing while also driving up rental rates. In some communities, the housing shortage has meant that employers are struggling to find local workers.



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ASSOCIATION DES HÔTELS DU CANADA

While commercial short-term rental “hosts” may pretend to be hobby-like operations, many are substantial businesses that are escaping the corporate responsibilities and realities that other legitimate businesses face. They are, in fact, operating in the underground, with several never even exchanging keys with their guests.

In 2017, HAC released a [study](#) in partnership with the Ontario Restaurant Hotel and Motel Association (ORHMA) and the Greater Toronto Hotel Association (GTHA), which spotlighted 11 key markets across Canada and examined the short-term rental market in comparison to Canada’s hotel sector. Specifically, the study focused on Airbnb since it’s the most widely used digital home-sharing platform in Canada.

Results demonstrated that commercial operators are growing exponentially, far outpacing actual home sharing activity. Approximately 7-in-every-10 units on the Airbnb distribution platform are entire-home rentals, with guests having complete and sole access of the entire unit during their stay. Over the last two years, the commercial side of Airbnb’s business – those renting multi-unit entire homes – grew by 108%. Entire home rentals as a whole, including multi-listing hosts, generated 83% of Airbnb’s revenues. Multi-unit hosts account for over 30% of all revenue generated on Airbnb in Canada.

Further, a 2017 study conducted by McGill University entitled *Short-term cities: Airbnb’s Impact on Canadian Housing Markets* found that Airbnb alone has removed as many as 13,700 units of housing from rental markets in Montreal, Toronto and Vancouver. In 2019, Fairbnb reported that in Toronto alone, Airbnb has taken 6,500 long-term rentals off the market.

The research is clear. True home-sharing has become increasingly rare. Today, there is a short-term rental industry that operates with limited regulation, creating a host of problems for local governments, communities and homeowners. Local governments have a huge role to play in developing a modern policy framework that acknowledges the difference between true home-sharing and a commercial operation. Getting this balance right will promote fairness, protect communities, and ensure that visitors continue to experience a safe and enjoyable stay.

As communities across Canada continue to grapple with the implications of the growing short-term rental industry, **HAC strongly recommends that the Town of Georgina put in place a modern regulatory framework to address the stresses and unintended consequences created by short-term accommodation rentals.**

To be clear, we are not opposed to an individual using a home-sharing platform to rent out a room in his or her principal residence to help make ends meet. However, the Town of Georgina must take steps to address those who are operating a commercial business, under the guise of home sharing, whose activity is negatively impacting communities and who are not currently subject to standard business laws and regulations such as health and safety, insurance, and taxation. Further, the Town of Georgina is in a unique position as it enjoys a long shoreline along Lake Simcoe which attracts many tourists – this raises the specific potential issues of sanitation, garbage pile-up and community disruption.

These illegal hotels are not paying commercial property or tourism taxes to your town and are not meeting other rules and regulations that hotels and bed and breakfasts are required to meet. Additionally, these illegal hotels do not pay HST, which helps fund our social services such as healthcare, education, tourism outreach, transit and infrastructure.

Anyone operating in the commercial accommodations space should be subject to the same rules and regulations as other businesses doing exactly the same kind of work. The traditional lodging industry welcomes competition and is prepared to compete on quality, experience and price; but the rules of the



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game must be applied evenly to all players. This is about fairness - these laws and regulations should be upheld by anyone running a commercial operation.

HAC strongly supports a regulatory framework, which includes a licensing system that allows for reporting and monitoring, zoning by-laws that mirror hotel development standards and proper taxation that levels the playing field with the hotel industry.

Specifically, HAC recommends that the Town of Georgina consider the following eight elements:

- 1. Host registration and fees:** Requires that any property offered for home-renting be registered with the local government.
- 2. Platform registration and fees:** Require registration of the rental platform companies. They must also be prohibited from listing any property that is not properly registered.
- 3. Principal residence restriction:** Limits home-renting to a principal residence only, which will prohibit the operation of illegal hotels and/or large-scale commercial enterprises operating under the veil of home sharing.
- 4. Cap on usage:** Limits the number of days that a home can be rented through a home-renting platform. This helps to moderate the decline in available housing stock and the nuisance factors.
- 5. Health and safety standards:** Regulations that require certain standards for safety, which provides some minimal level of protection for guests.
- 6. Reporting:** A requirement at the platform and host level to report to government on all home-renting activity.
- 7. Taxation/Levies:** Special provisions at the platform level to conveniently collect and remit various taxes and/or levies on behalf of hosts.
- 8. Enforcement/penalties:** Mechanisms to ensure regulations are applied and enforced. Effective enforcement can only be achieved with reliable and timely reporting of activity from the platform.

Attached you will find HAC's framework for regulating short-term rentals, which provides Canadian municipalities with an analysis of regulatory developments worldwide and best practice approaches to developing a local framework.

Thank you for the opportunity to provide input into the Town of Georgina's examination into regulating and licensing short-term rentals. We look forward to meeting with the committee as needed to discuss the subject further.

Sincerely,

A handwritten signature in black ink, appearing to read 'Alana Baker'.

Alana Baker

Director of Government Relations, Hotel Association of Canada



**DEVELOPING A MODERN APPROACH
TO SHORT-TERM RENTALS IN A
DIGITAL ECONOMY**

A Framework for Canadian Regulators

JULY **2018**

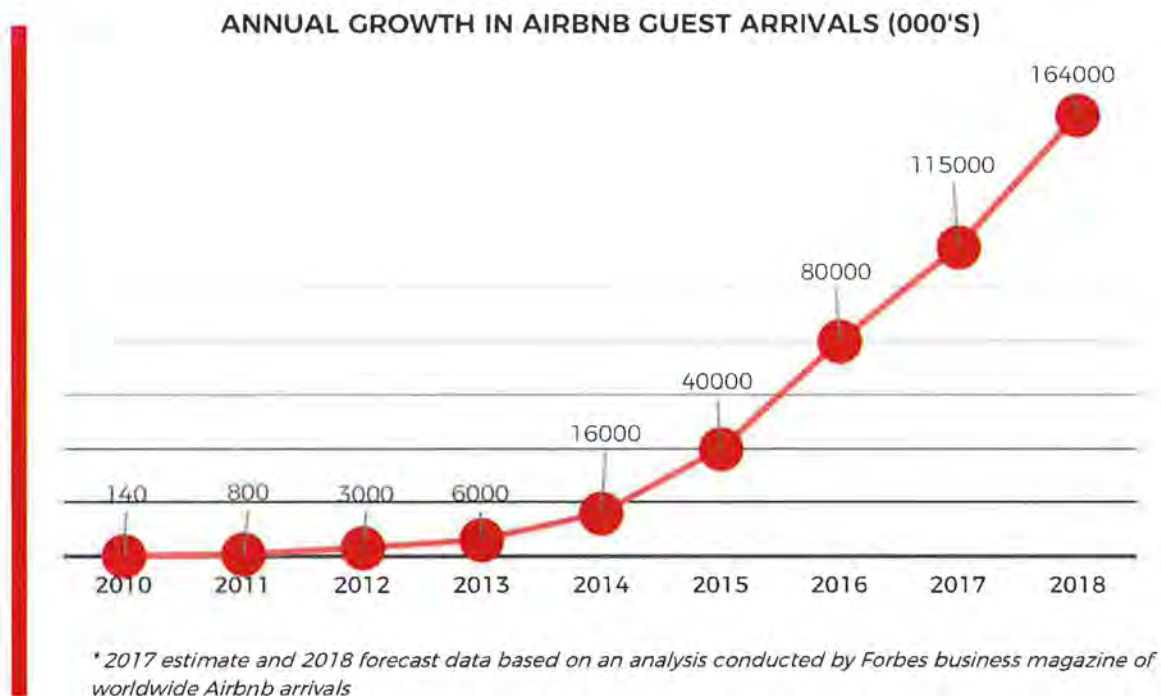
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INTRODUCTION

This paper is intended for regulatory officials and elected representatives who are developing or updating policies for the short-term rental industry and for those with an interest in tourism, affordable housing, and safe communities.

The growth of Airbnb to more than 160 million guest arrivals tells us that the platform companies for short-term rental accommodations are here to stay¹².



As with any transformational change, there are significant risks and unintended consequences that need to be managed due to the meteoric growth in short-term rental accommodations.

The experience in Canada and around the world to date is that there is no one-size-fits-all approach. For this reason, the modern policy toolkit needs to respond to national, provincial and local conditions in a way that promotes fairness, curtails exploitive practices and protects communities.

A SIMPLE CONCEPT WITH COMPLEX PROBLEMS

In 2007, two 27-year-old graduates of the Rhode Island School of Design set up a website to rent three airbeds on their living-room floor for participants attending a San Francisco design conference.³ They took their idea to another level and launched a website to connect hosts with guests attending conferences and festivals across the United States. The company's founders spoke about the noble concepts of "sharing" and the "collaborative consumption of resources." But this is not what the short-term rental industry has become. Today, the industry is dominated by commercial operators and industry giants that have capitalized on the popularity of home rentals.

Airbnb operates in 191 countries and generated over 80 million guest stays in 2016. The company is valued at over \$30 billion. Another platform behemoth, HomeAway Inc. (owned by Expedia), operates in 190 countries with over 2 million listed properties. It functions as a conglomerate of over 25 companies, including such well-known names as VRBO, Booking.com, which is owned by Priceline, has millions of homes listed on its site for short-term rental.

Initially, Airbnb was based on the concept of renting out a room with the owner always present and where common spaces were shared. Over time, the demand gravitated to renting out an entire home for a day or weeks at a time. In Canada, entire-home-rentals in 2017 constituted about 70 per cent of Airbnb's rental activity.

It did not take long for savvy operators to go well beyond renting out their own homes for occasional use. The trend has been to take residential units off the long-term rental market and convert them into hotel-like operations.

TODAY, APPROXIMATELY 7-IN-EVERY-10 UNITS ON THE AIRBNB DISTRIBUTION PLATFORM ARE ENTIRE-HOME RENTALS WITH GUESTS HAVING COMPLETE AND SOLE ACCESS TO THE ENTIRE UNIT DURING THEIR STAY.

Today, multi-unit hosts — defined as any host renting out two or more units in a single month— represent approximately 25 per cent of the short-term rental market. More aggressive entrepreneurs figured out a way to operate shadow hotels without having to invest in real estate or having to follow established health and safety regulations. These commercial operators also avoid many of the normal costs of doing business, including paying taxes and other levies.

True home-sharing has become increasingly rare. Today, there is a short-term rental industry that operates with limited regulation, creating a host of problems for governments, communities and homeowners.



Loss of housing stock

One of the most concerning outcomes of the high volume of homes and investment properties being placed on the short-term accommodation market is the decline in the stock of affordable housing.

While there is little impact on a community's housing stock when someone casually rents a room in their home—or even their entire home when they are out of town—the outcome is different when investors and entrepreneurs remove units from a leasing portfolio, or buy homes or condominiums for the purposes of “home-sharing.” The bottom line is that fewer properties are available for long-term accommodation.

A 2017 McGill University School of Urban Planning study revealed that Airbnb listings in Montreal, Toronto and Vancouver had caused a two or three percent displacement of the housing stock in some neighbourhoods.⁴ The most successful “hosts” were running commercial operations with dozens or even hundreds of homes. The conclusion at the time of the study was that Airbnb had removed about 14,000 units of housing from rental markets in Canada's three largest cities. Areas close to public transit stations and where affordable housing had been concentrated were particularly vulnerable.

A 2018 McGill University study reported that New York City lost up to 13,500 housing units from the long-term rental market to Airbnb.⁵ Some 4,700 “ghost hotels” were also discovered, which had removed 1,400

housing units from the long-term rental market.



A Rise in Rental Rates

The loss of housing stock from the rental market has not only impacted accessibility but has also driven up rental rates. The 2018 McGill study also revealed that the housing displacement related to short-term accommodations caused rents in New York to rise by \$380 per year. In some of the more popular Manhattan neighborhoods, rent increases attributable to the conversion of housing stock amounted to more than \$700 per year. Airbnb's influence was reported to have cost New Yorkers \$616 million in additional rent in 2016.⁶

REVENUES DERIVED FROM MULTI-UNIT HOSTS IN CANADA HAVE MORE THAN DOUBLED FROM \$71 MILLION IN 2015/16 TO \$167 MILLION IN 2016/17 - A 134 PER CENT INCREASE IN REVENUE OVER THE PRECEDING 12-MONTH PERIOD.



Commercial Operations - Not Home Sharing

The data shows that short-term rentals have morphed from home-sharing into largely commercial operations. During 2016, one out of every 3 Airbnb hosts rented out their properties for more than 90 days per year. This pool of rental units generated 71 per cent of Airbnb's total Canadian revenue. Multi-unit Airbnb hosts make up approximately 7 per cent of their listings in

Canada and generate over 30 per cent of all revenue.⁷

Health and Safety

The short-term rental platforms take no direct responsibility for the health and safety of their clients. Most municipalities do not require home inspections and there is no assurance with respect to fire, safety or health standards. In contrast, regulated properties such as hotels must adhere to fire, health, and safety standards and submit to regular inspections.

The Nuisance Factor

When residential homes are converted into transient commercial operations, the character of neighborhoods is changed in ways that were never contemplated. Commercial activity in residential areas can create nuisances and hazards like excessive noise, insufficient parking, vandalism and even criminal activity.

With governments being slow to respond to the new economy, residents use whatever tools are open to them to address the hazards and nuisance factors associated with short-term rentals. Many condominium boards have reacted to homeowners' concerns by banning short-term rentals outright. But this is difficult to achieve if the original condominium "declarations" permit short-term rentals. While the platform rental companies have challenged such

restrictions, the right of condominium boards to take such actions — absent declarations — was affirmed in one court of law.⁸ Only municipalities can override "declarations" with bylaws.

Property Damage and Crime

Short-term renters do not always respect the home-owners property. Stories regularly surface in the media that illustrate the risks involved when opening your home to total strangers. Homes have been turned into locations for massive raves and parties causing thousands in damages.⁹ Other hosts have suffered from the theft of personal belongings.¹⁰ One Toronto host reported that thieves stole equipment and even his clothes.

Reports have appeared about homes on short-term rental platforms being used:

- As a location to shoot porn videos¹¹;
- To operate a brothel¹²;
- As an outlet to sell illegal drugs¹³;
- As a hideout for criminals on the run¹⁴; and,
- For human trafficking¹⁵.

It is not just the short-term renters that cause problems. Reports have been made about hosts using hidden cameras to spy on guests, either for protection purposes or voyeurism.

Deceptive Conversions

Some entrepreneurs pretend to rent apartments for personal use only to place them on the short-term rental market. Unsuspecting landlords hear about conversions after they receive complaints from neighbours or they see their units posted on rental platforms for nightly rental. Landlords are understandably upset about a change in use that inflicts significantly higher wear-and-tear than what would be expected from normal family activity. This can happen even when it is not an entire home that is being rented out. A tenant might rent out rooms in a unit they occupy without the permission from the landlord.¹⁶

The Tax Gap

The hotel and accommodation industry pays business and property taxes at the commercial rate. According to the 2017 Altus Group Canadian Property Tax Rate Benchmark Report, commercial operators pay on average 2.85 times the level of property tax that is imposed on a residential ratepayer.¹⁷ This gives a powerful incentive for short-term rental operators to stay in the underground economy.

The hotel industry complies with sales and income tax laws and their employees are covered under the Canada Pension Plan, Employment Insurance and workers compensation. Any mandatory tourism or destination fees are also contributed to

support regional marketing campaigns. These fees are used to attract visitors to many of whom end up using short-term rental platforms.

The only true exemption from tax for home-renting relates to the GST/HST and only for hosts with revenues of less than \$30,000. No one is exempt from paying income tax on short-term rentals. The challenge is that there are few controls in place that ensure that tax laws and local levies are being complied with.

Airbnb states that it sends reminder notices to its hosts about tax issues. However it will only share this data with government authorities when it is compelled to do so. This makes it difficult to detect non-compliance. Some American jurisdictions (Massachusetts¹⁸ and Vermont¹⁹) require rental platform companies to issue official tax information slips to any host with revenues above \$600.²⁰ Airbnb has also been required to share its data with Danish tax authorities.²¹

At the platform level, sales and income tax are usually avoided because companies are legally registered in tax havens and function, without "permanent establishments" in the countries where they operate. While this may have been appropriate for manufacturing entities, it makes little sense in the digital economy.

A MODERN REGULATORY FRAMEWORK

Governments at all levels are grappling with the implications of the growing short-term rental industry. There is an acute need for federal, provincial, and municipal governments to put in place a modern regulatory framework to address the stresses and unintended consequences created by short-term accommodation rentals.

Regulators to date have focused on meeting five key objectives:

Regulatory Objectives for Short-term Rental Accommodations

- 1** Minimize the displacement of affordable and accessible housing
- 2** Minimize community nuisance while protecting public safety and with adherence to municipal bylaws
- 3** Ensure a level competitive playing field
- 4** Collect appropriate taxes and tourism levies
- 5** Enable voluntary compliance while minimizing the administrative burden for hosts, home-renting platforms and governments

8 REGULATORY TOOLS TO MODERNIZE SHORT-TERM RENTAL ACCOMMODATIONS

Following a scan of the regulatory approaches taken in communities and cities around the world, the following 8 elements have consistently been applied:

1. HOST REGISTRATION AND FEES

Requires that any property offered for home-renting be registered with the local government. For the benefit of hosts and municipalities, platform companies should facilitate the registration process. Along with the collection of an annual fee to recover costs, registration enables the monitoring and reporting of rental activity.

2. PLATFORM REGISTRATION AND FEES

Require registration of the rental platform companies along with a significant annual fee and an ongoing fee for each booking. Rental platform companies must be prohibited from listing any property that is not properly registered.

3. PRINCIPAL RESIDENCE RESTRICTION

Limits home-renting to a principal residence only. This prohibits the operation of ghost hotels and/or large scale commercial enterprises operating under the veil of home sharing. A significant issue remains in that short-term rentals are permitted in areas without proper zoning but with some limitations.

4. CAP ON USAGE

Limits the number of days that a home can be rented through a home-renting platform. This helps to moderate the decline in available housing stock and the nuisance factors associated with the conversion of ordinary residences into commercial operations. Caps typically run from 30 to 180 days per year. Some condominium boards put the cap at zero days and some regulations require explicit approval from homeowner's associations before short-term rentals can be offered.

5. HEALTH AND SAFETY STANDARDS

Regulations that require certain standards for safety (e.g. smoke detectors, fire extinguishers, pest control). This provides some minimal level of protection for guests.

6. REPORTING

A requirement at the platform and host level to report to government on all home-renting activity. This includes mandating that platform companies issue annual information slips to hosts on rental income with a copy to government authorities.

7. TAXATION/LEVIES

Special provisions at the platform level to conveniently collect and remit various taxes and/or levies on behalf of hosts. This creates a more level playing field with commercial operators and provides revenue to government to cover the costs of managing home sharing activity.

8. ENFORCEMENT/PENALTIES

Mechanisms to ensure regulations are applied and enforced (e.g. confirm principal residence with a driver's license). Effective enforcement can only be achieved with reliable and timely reporting of activity from the platform. Penalties help to ensure the system is operating as intended through voluntary compliance.

Airbnb has signed agreements with governments around the world that have insisted on the proper payment of taxes and on data sharing.²² Airbnb reports that they have collected and remitted taxes and levies in more than 200 jurisdictions (national, regional, local) and that they have released data and information in 19 jurisdictions. These agreements and compliance measures are usually implemented only after governments indicated an intention to establish regulations.

REGULATION IN PRACTICE CANADA

FEDERAL GOVERNMENT

The principal area of jurisdiction for the federal government is in tax policy. The major issues are:

- Rental platforms that are operating in Canada without a “permanent establishment” are not paying corporate income tax on their profits. Such a limitation has not prevented other countries and jurisdictions (Australia, Japan, South Korea and the European Union) from imposing taxation on some digital service providers.
- Hosts with revenues less than \$30,000 are not obligated to collect and remit GST/HST. This exemption does not apply universally in the digital economy. For example, GST/HST is applied on the first dollar for revenue ride-sharing (i.e. Uber and Lyft).²³

The Canada Revenue Agency does not require short-term rental platform companies to issue an information slip (i.e. the equivalent of a T4 slip from employers or T5 slips from financial institutions) as is the case in other jurisdictions. This would be a key instrument in achieving voluntary tax compliance.

To date, the federal government has enacted no specific measures to address issues in their area of jurisdiction as it pertains to tax fairness in the short-term accommodation industry.

PROVINCIAL GOVERNMENTS

To date, only Quebec and British Columbia have established laws and regulations governing short-term rentals. Like the federal government, the provinces have jurisdiction over tax policy. They also take a lead role in civil, property and commercial law.

In early 2017 the Government of Quebec reached an agreement with Airbnb that required the platform company to collect and remit a 3.5 per cent lodging tax beginning October 1, 2017.²⁴ The 3.5 per cent tourism levy is designed to promote the marketing activities of the hospitality industry. A prior regulation that required hosts to independently register and remit a lodging tax had achieved a compliance rate of less than five per cent.²⁵ The Quebec government indicated it expects other home-renting companies to become part of the new system. It is worth noting that the March 2018 Quebec budget proposed that the Quebec Sales Tax (QST) will apply to all digital services beginning January 1, 2019 regardless of whether the supplier has a permanent establishment in the province or not.²⁶

In early 2018, Airbnb agreed to collect and remit provincial and municipal taxes in British Columbia.²⁷ The province expects to realize \$16 million annually from its eight per cent tax while municipalities would receive an estimated \$5 million from a three per cent destination tax. BC officials

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indicated that it was "enabling" the sharing economy to operate in a way that was fair and equitable. Legislation has been passed and implementation is expected in the Fall of 2018 with agreements expected to be in place with all home-rental platform companies.

In the remaining eight provinces, GST/HST is not collected by hosts except on a voluntary basis or when a host with revenues above \$30,000 complies with an obligation to register. In addition, the platform companies do not charge or remit GST/HST on the fees they charge to hosts.

No province has yet to regulate short-term rentals in the areas of health and safety, landlord and tenant relations, and commercial contracting.

MUNICIPAL GOVERNMENT



Vancouver, British Columbia

The City of Vancouver²⁸ and Airbnb reached an agreement that required all short-term rentals be licensed by April 19, 2018.²⁹ Following a transition period, Airbnb has agreed to deactivate any unlicensed listings. In addition, rental platform companies must pay an annual licence fee.

Vancouver has restricted short-term rentals to principal residences (where the owner resides for more than 180 days of the year). The fine for listing without a license can be up to \$1,000 per day. The City indicated it is

pursuing similar arrangements with other listing platforms.



District of Tofino, British Columbia

Despite having a population of only about 2,000, Tofino implemented a regulatory framework that restricts short-term rentals to licensed principal residences in specified mixed-use zones³⁰. The District has taken a proactive approach to enforcement through inspections and investigations, including host compliance software that scours current and past advertisements on a variety of online platforms. Over 65 tickets were issued in 2017 for short-term rental non-compliance.



Niagara on the Lake, Ontario

Through By-Law 4634-13³¹, all short-term rentals in Niagara on the Lake are subject to licencing and enforcement and each property must meet certain standards for public safety. Among many items, the pre-inspection checklist includes:

- Floor surfaces are reasonably smooth and do not unnecessarily contribute to a potential accident ex. nails sticking up, floor boards loose, ripples in carpets, etc.
- Operable window present for ventilation/light and equipped with a suitable insect screen.

- Access door provides privacy and operates freely without the use of a key to exit.
- All smoke alarms, either battery operated or interconnected, on every floor level and in every bedroom, if applicable, shall be in working order.
- Carbon monoxide detectors shall be in working order.
- All escape routes are clear of obstructions and easily accessible.
- The furnace has been inspected and the filter replaced in the past year.
- The fire place chimney has been inspected and cleaned in the past year.
- All portable fire extinguishers with a minimum 2A-10BC rating shall be made available, visibly mounted on each floor area, shall be inspected and tagged annually.
- All exit signs shall be illuminated while the building is occupied with guests.
- Sprinkler systems and fire alarm systems shall be inspected annually.
- A copy of the Town approved floor plan with all exits marked on it posted in a conspicuous area. (The plan is not to be posted in a binder or folder).
- Daily register/guest form is current.
- Pool gates are self-closing and have locks. The pool area is fenced in.
- All steps, handrails, guards, and landings are in reasonable good repair and will not likely create a hazard. Interior stairs with two or more risers have a handrail. Exterior

stairs with three or more risers have a handrail.

- Separate washroom for guests with a water closet, basin and tub or shower is provided and are reasonably clean and in good condition with an operable window



Toronto, Ontario

On December 7, 2017, Toronto City Council approved short-term rental regulations. Subject to an appeal at the Ontario Municipal Board, the regulations were set to come into force on June 1, 2018. The regulations would permit short-term rentals across the city, but the practice would be limited to a host renting a principal residence. An entire home could be rented to a maximum of 180 nights per year. Homeowners would be banned from listing secondary suites such as basement apartments. Those who offer their homes for short-term rentals would have to register with the City and pay a \$50 annual fee³².

Platform companies -- such as Airbnb -- would have to become licensed and pay the city a fee of \$5,000, plus \$1 per property per night booked through the platform. These companies would be required to delist unlicensed properties. The Ontario Municipal Board is expected to review the matter in August 2018.³³

REGULATION IN PRACTICE

SELECTED INTERNATIONAL CITIES



San Francisco

Officials in San Francisco's Office of Short-Term Rentals addressed what they determined to be a housing crisis through "common sense regulations." After San Francisco established a registration system to keep track of home-renting, the number of listings on Airbnb dropped almost in half virtually overnight (from 10,000 to 5,500).³⁴ Under the regulations, Airbnb was required to delist all homeowners who did not register with the city. The registration requirement was part of a broader package of regulations that limited home-renting to permanent residences, with a 90-day rental cap for whole homes³⁵.

The regulations apply to all home-renting platforms. Prior to the regulations coming into force, Airbnb and HomeAway had jointly sued San Francisco to vacate the law. A U.S. district judge ruled that the city was within its rights to regulate the industry.



New York City/State

The New York State Multiple Dwelling Law makes it illegal to offer short-term accommodation in any building that has three or more units unless the owner is present during the guest's stay.³⁶ New York

State imposes a penalty of \$1,000 for the advertising of illegal listings that is in violation of the multiple dwelling law.

Airbnb notes that it collects and remits county bed taxes on behalf of hosts in 20 counties across New York State. Airbnb also indicates that it has voluntarily implemented a "One Host, One Home" program for entire-home listings in New York City. As a result, hosts cannot act as commercial operators with multiple units.

New York City's Office of Special Enforcement tracks down violations of the law based on general inspections and in response to complaints.³⁷ The enforcement team numbered 48 by the end of 2017.³⁸ An organization named Share Better (comprising hotel and affordable housing advocates) have hired private investigators to expose illegal short-term accommodation offerings and report their findings to the city for follow up.



New Orleans

Starting April 1, 2017 New Orleans³⁹ required that hosts register with the City. Airbnb facilitated a process where a separate registration with an annual fee is required for each property. Rental platforms must delist properties that are not in the city's database.

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The city issues three types of licenses: temporary, accessory and commercial. Temporary and commercial allow owners to rent entire houses or apartments. These categories represent about three-quarters of the properties registered in the system. The number of days a property can be rented is limited to 90. There are districts in the city where short-term rentals are not permitted (e.g. French Quarter). Permits will also be denied if property taxes are in arrears.

Airbnb collects and remits the applicable hotel taxes on behalf of hosts. Hosts that rent on other platforms must independently collect and remit the requisite taxes.

**Amsterdam**

For an entire home rental, every transaction must be reported to the City

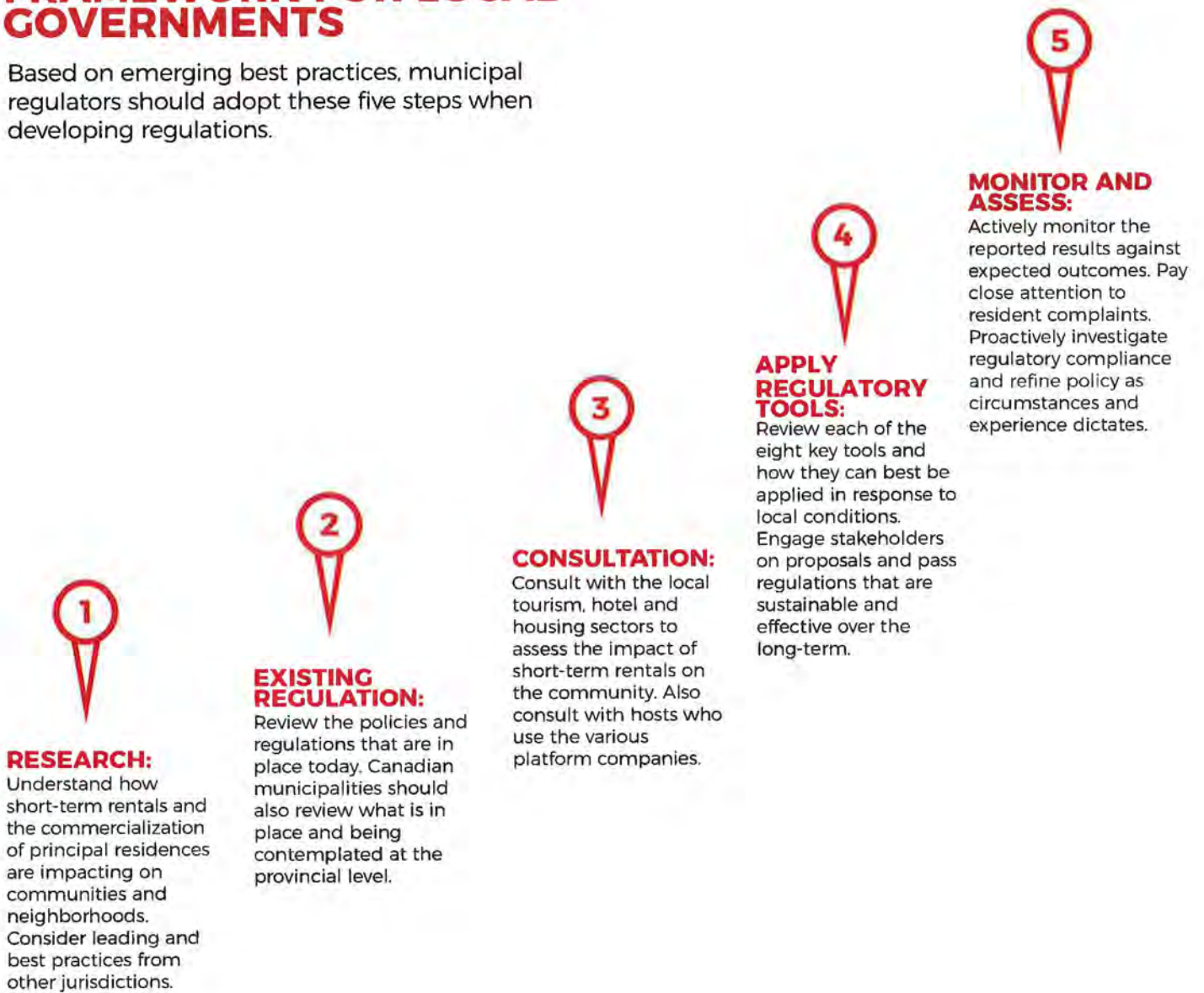
and a tourist tax must be paid. The number of days that a property can be rented cannot exceed 30.⁴⁰ If a property is covered by a homeowner's association then permission from that group is explicitly required. No more than four people can occupy a short-term rental residence and specific nuisance provisions are attached to all arrangements. Every unit must meet appropriate fire safety standards.

Similar regulations apply when renting out only a portion of an owner-occupied home. Only 40 per cent of a home can be made available for rent. Owners must keep a register of the guests, including the type of identification that was used to verify the identity of the renter.

One weakness of the regulation in Amsterdam is that the reporting obligation is largely with the host and not the platform company. This makes enforcement more difficult and costly.

ROADMAP TO A MODERN FRAMEWORK FOR LOCAL GOVERNMENTS

Based on emerging best practices, municipal regulators should adopt these five steps when developing regulations.



HOTELASSOCIATION.CA
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Certificate of Approval

AMENDMENT NO.138

TO THE

OFFICIAL PLAN OF THE

TOWN OF GEORGINA PLANNING AREA

This official plan document which was adopted by the Council of the Corporation of the Town of Georgina is approved pursuant to Sections 17 and 21 of the Planning Act and came into force on _____, 2019.

Date: _____

Karen Whitney, M.C.I.P., R.P.P.
Director of Community Planning
The Regional Municipality of York

AMENDMENT NO. 138
TO THE OFFICIAL PLAN OF THE
TOWN OF GEORGINA
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PART A - THE CERTIFICATION
AMENDMENT NO. 138
TO THE
OFFICIAL PLAN OF THE
TOWN OF GEORGINA PLANNING AREA

The attached explanatory text and location map, constituting Amendment No. 138 to the Official Plan of the Town of Georgina, was adopted by the Council of the Corporation of the Town of Georgina by By-law No. 2019 - 0057 (PL-2) pursuant to Sections 17 and 21 of the Planning Act, R.S.O. 1990, on the 25th day of June, 2019.

Margaret Quirk, Mayor

Rachel Dillabough, Acting-Town Clerk

THE CORPORATION OF THE TOWN OF GEORGINA
IN THE
REGIONAL MUNICIPALITY OF YORK
BY-LAW NUMBER 2019-0057 (PL-2)

BEING A BY-LAW TO ADOPT AMENDMENT NO. 138 TO THE OFFICIAL PLAN OF THE TOWN OF GEORGINA.

The Council of the Corporation of the Town of Georgina, pursuant to Sections 17 and 21 of the Planning Act, R.S.O. 1990, c.P.13, as amended, hereby **ENACTS AS FOLLOWS:**

1. That Amendment No. 138 to the Official Plan of the Town of Georgina, constituting the attached explanatory text, is hereby adopted.
2. That the Corporation of the Town of Georgina make application to the Region of York for approval of said Amendment.
3. That the Clerk of the Corporation of the Town of Georgina is hereby authorized and directed to make such application on behalf of the Corporation and to execute under the Corporate Seal such documents as may be required for the above purposes.

Read a first, second and third time and finally passed this 25th day of June, 2019.

Margaret Quirk, Mayor

Rachel Dillabough, Acting-Town Clerk

PART B - THE PREAMBLE

1. TITLE

This Amendment shall be known as:

Amendment No. 138
to the Official Plan of the
Town of Georgina

Being an Amendment to the Official Plan of the Town of Georgina.

2. COMPONENTS OF AMENDMENT

Only that part of this document entitled "Part C - The Amendment", comprising the attached explanatory, constitutes Amendment No. 138 to the Town of Georgina Official Plan.

3. PURPOSE

The purpose of Amendment No. 138 is to define "Short-term Rental Accommodation" and to permit such use within all land use designations in the Town of Georgina Official Plan which permit single detached dwellings.

4. LOCATION

Amendment No. 138 applies to lands within those land use designations in the Town of Georgina Official Plan which permit single detached dwellings.

5. BASIS

Short-term Rental Accommodation has been a part of the Town of Georgina tourism infrastructure since the first vacation homes were built in the former Township of Georgina, Township of North Gwillimbury and Village of Sutton. Prior to the internet, vacation rentals were conducted through newspaper advertisements and real estate companies and by word of mouth.

Today, Short-term Rental Accommodation is generally understood to refer to individuals renting their residence, or part of their residence, for short periods of time through Internet-based platforms such as *Airbnb*. These platforms have grown significantly in popularity over the past five years. Short-term Rental Accommodation internet platforms are present in over 190 countries, and many municipalities are acting to regulate this activity. Often, municipalities seek a

balance between preserving the character of local communities and encouraging growth in home sharing to promote economic development.

It is the intent of this amendment that Short-term Rental Accommodation within a residential dwelling shall only be permitted pursuant to the implementing amendment to Zoning By-law 500 and a Short-term Rental Accommodation Licensing by-law.

In addition to Zoning and Licensing Short-term Rental Accommodation may be subject, but not limited to, other Municipal By-laws including on-street parking, noise, property standards, and fire and safety regulations.

The Keswick, Sutton/Jackson's Point, and Pefferlaw Secondary Plans will be amended to be consistent with the Official Plan policy for Short-term Rental Accommodation.

PART C - THE AMENDMENT

1. INTRODUCTION

The whole of that part of the Amendment entitled "Part C - The Amendment", which consists of the following explanatory text constitutes Amendment No. 138 to the Town of Georgina Official Plan.

2. ACTUAL AMENDMENT

a) That Section 5.3.1.1 **PERMITTED USES** of the Official Plan is hereby amended by adding:

l) A short-term rental accommodation may be permitted in an existing single detached dwelling or as permitted by 5.3.1.12;

b) That Sections 6.1.1, 6.2.1, 7.3.1, 7.4.1, and 7.5.1 **PERMITTED USES** of the Official Plan are hereby amended by adding at the end thereof "*Short-term Rental Accommodation*" may be permitted within a *single detached dwelling*.

c) That Section 7.2.2 is hereby by amended by adding at the end thereof the following:

"(p) Short-term Rental Accommodation may be permitted within a single detached dwelling"

- d) That Section 12.5.10 is hereby deleted and replaced with the following:

“12.5.10 Agri-Tourism Uses:

means those farm-related tourism uses, including limited accommodation such as a *short-term rental accommodation*, that promote the enjoyment, education or activities related to the farm operation.”

- e) That Section 12.112A is hereby added to Section DEFINITIONS:

“12.112A Short-term Rental Accommodation:

means a *Short-term Rental Accommodation* as defined by the Town of Georgina Short-term Rental Accommodation Licensing By-law, as amended, revised or replaced.”

3. IMPLEMENTATION

The Official Plan Amendment will be implemented by an amendment to Zoning By-law 500, pursuant to the *Planning Act* of Ontario; and, a Licensing By-law pursuant to the *Municipal Act* of Ontario.

4. INTERPRETATION

The policies set forth in the Town of Georgina Official Plan, as amended from time to time regarding the interpretation of that plan, shall apply in regard to this Amendment.

Certificate of Approval

AMENDMENT NO. 138

TO THE

**KESWICK
SECONDARY PLAN AREA**

This Secondary plan document which was adopted by the Council of the Corporation of the Town of Georgina is approved pursuant to Sections 17 and 21 of the Planning Act and came into force on _____, 2019.

Date: _____

**Karen Whitney, M.C.I.P., R.P.P.
Director of Community Planning
The Regional Municipality of York**

**AMENDMENT NO. 138
TO THE KESWICK
SECONDARY PLAN
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PART A - THE CERTIFICATION
AMENDMENT NO. 138
TO THE
KESWICK
SECONDARY PLAN AREA

The attached explanatory text and location map, constituting Amendment No. 138 to the Keswick Secondary Plan, was adopted by the Council of the Corporation of the Town of Georgina by By-law No. 2019 - 0058 (PL-2) pursuant to Sections 17 and 21 of the Planning Act, R.S.O. 1990, on the ___ day of _____, 2019.

Margaret Quirk, Mayor

Rachel Dillabough, Acting-Town Clerk

**THE CORPORATION OF THE TOWN OF GEORGINA
IN THE
REGIONAL MUNICIPALITY OF YORK
BY-LAW NUMBER 2019-0058 (PL-2)**

**BEING A BY-LAW TO ADOPT AMENDMENT NO. 138 TO THE KESWICK
SECONDARY PLAN**

The Council of the Corporation of the Town of Georgina, pursuant to Sections 17 and 21 of the Planning Act, R.S.O. 1990, c.P.13, as amended, hereby **ENACTS AS FOLLOWS:**

1. That Amendment No. 138 to the Keswick Secondary Plan constituting the attached explanatory text, is hereby adopted.
2. That the Corporation of the Town of Georgina make application to the Region of York for approval of said Amendment.
3. That the Clerk of the Corporation of the Town of Georgina is hereby authorized and directed to make such application on behalf of the Corporation and to execute under the Corporate Seal such documents as may be required for the above purposes.

Read and enacted this 25th day of June, 2019.

Margaret Quirk, Mayor

Rachel Dillabough, Acting-Town Clerk

PART B - THE PREAMBLE

1. TITLE

This Amendment shall be known as:

Amendment No. 138
to the Keswick
Secondary Plan

Being an Amendment to the Keswick Secondary Plan.

2. COMPONENTS OF AMENDMENT

Only that part of this document entitled "Part C - The Amendment", comprising the attached explanatory text, constitutes Amendment No. ??? to the Keswick Secondary Plan.

3. PURPOSE

The purpose of Amendment No. 138 is to define "Short-term Rental Accommodation" and to permit such use within all land use designations in the Keswick Secondary Plan which permit single detached dwellings.

4. LOCATION

Amendment No. 138 applies to lands within those land use designations in the Keswick Secondary Plan which permit single detached dwellings.

5. BASIS

Short-term Rental Accommodation has been a part of the Town of Georgina tourism infrastructure since the first vacation homes were built in the former Township of Georgina, Township of North Gwillimbury and Village of Sutton. Prior to the internet, vacation rentals were conducted through newspaper advertisements and real estate companies and by word of mouth.

Today, Short-term Rental Accommodation is generally understood to refer to individuals renting their residence, or part of their residence, for short periods of time through Internet-based platforms such as Airbnb. These platforms have grown significantly in popularity over the past five years. Short-term Rental Accommodation internet platforms are present in over 190 countries, and many

municipalities are acting to regulate this activity. Often, municipalities seek a balance between preserving the character of local communities and encouraging growth in home sharing to promote economic development.

It is the intent of this amendment that Short-term Rental Accommodation within a residential dwelling shall be considered a commercial use (i.e. not a conventional residential use) and shall only be permitted pursuant to the implementing amendment to Zoning By-law 500. Short-term Rental Accommodation shall be licenced.

In addition to Zoning and Licensing Short-term Rental Accommodation may be subject, but not limited to, other Municipal By-laws including on-street parking, noise, property standards, and fire and safety regulations.

PART C - THE AMENDMENT

1. INTRODUCTION

The whole of that part of the Amendment entitled "Part C - The Amendment", which consists of the following explanatory text constitutes Amendment No. 138 to the Keswick Secondary Plan.

2. ACTUAL AMENDMENT

a) That Section 13.1.3.4 a) (iii) is hereby deleted and replaced with the following:

(iii) a single detached dwelling containing a Short-term Rental Accommodation use.

b) That Section 13.1.2 **GENERAL LAND USE POLICIES** is hereby amended by adding:

"13.1.2.17 SHORT-TERM RENTAL ACCOMODATION

(a) Policies

(i) Short-term Rental Accommodation as defined herein, may be permitted in any land use designation which permits a single detached dwelling."

c) That Section 13.1.8.4 **Definitions** is hereby amended by inserting:

"Short-term Rental Accommodation - means a Short-term Rental Accommodation as defined by the Town of Georgina Short-term Rental Accommodation Licensing By-law, as amended, revised or replaced."

3. IMPLEMENTATION

The Secondary Plan Amendment will be implemented by an amendment to Zoning By-law 500, pursuant to the *Planning Act* of Ontario; and, a Licensing By-law pursuant to the *Municipal Act* of Ontario.

4. INTERPRETATION

The provisions set forth in the Keswick Secondary Plan, as amended from time to time regarding the interpretation of that plan, shall apply in regard to this Amendment.

Certificate of Approval

AMENDMENT NO. 138

TO THE

**SUTTON/JACKSON'S POINT
SECONDARY PLAN AREA**

This Secondary plan document which was adopted by the Council of the Corporation of the Town of Georgina is approved pursuant to Sections 17 and 21 of the Planning Act and came into force on _____, 2019.

Date: _____

**Karen Whitney, M.C.I.P., R.P.P.
Director of Community Planning
The Regional Municipality of York**

AMENDMENT NO. 138
TO THE SUTTON/JACKSON'S POINT
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PART A - THE CERTIFICATION
AMENDMENT NO. 138
TO THE
SUTTON/JACKSON'S POINT
SECONDARY PLAN AREA

The attached explanatory text and location map, constituting Amendment No. 138 to the Sutton/Jackson's Point Secondary Plan, was adopted by the Council of the Corporation of the Town of Georgina by By-law No. 2019 - 0059 (PL-2) pursuant to Sections 17 and 21 of the Planning Act, R.S.O. 1990, on the 25th day of June, 2019.

Margaret Quirk, Mayor

Rachel Dillabough, Acting-Town Clerk

THE CORPORATION OF THE TOWN OF GEORGINA
IN THE
REGIONAL MUNICIPALITY OF YORK
BY-LAW NUMBER 2019-0059 (PL-2)

**BEING A BY-LAW TO ADOPT AMENDMENT NO. 138 TO THE SUTTON/JACKSON'S
POINT SECONDARY PLAN**

The Council of the Corporation of the Town of Georgina, pursuant to Sections 17 and 21 of the Planning Act, R.S.O. 1990, c.P.13, as amended, hereby **ENACTS AS FOLLOWS:**

1. That Amendment No. 138 to the Sutton/Jackson's Point Secondary Plan constituting the attached explanatory text, is hereby adopted.
2. That the Corporation of the Town of Georgina make application to the Region of York for approval of said Amendment.
3. That the Clerk of the Corporation of the Town of Georgina is hereby authorized and directed to make such application on behalf of the Corporation and to execute under the Corporate Seal such documents as may be required for the above purposes.

Read and enacted this 25th day of June, 2019.

Margaret Quirk, Mayor

Rachel Dillabough, Acting-Town Clerk

PART B - THE PREAMBLE

1. TITLE

This Amendment shall be known as:

Amendment No. 138
to the Sutton/Jackson's
Point Secondary Plan

Being an Amendment to the Sutton/Jackson's Point Secondary Plan.

2. COMPONENTS OF AMENDMENT

Only that part of this document entitled "Part C - The Amendment", comprising the attached explanatory text, constitutes Amendment No. 138 to the Sutton/Jackson's Point Secondary Plan.

3. PURPOSE

The purpose of Amendment No. 138 is to define "Short-term Rental Accommodation" and to permit such use within all land use designations in the Sutton/Jackson's Point Secondary Plan which permit single detached dwellings.

4. LOCATION

Amendment No. 138 applies to lands within those land use designations in the Sutton/Jackson's Point Secondary Plan which permit single detached dwellings.

5. BASIS

Short-term Rental Accommodation has been a part of the Town of Georgina tourism infrastructure since the first vacation homes were built in the former Township of Georgina, Township of North Gwillimbury and Village of Sutton. Prior to the internet, vacation rentals were conducted through newspaper advertisements and real estate companies and by word of mouth.

Today, Short-term Rental Accommodation is generally understood to refer to individuals renting their residence, or part of their residence, for short periods of time through Internet-based platforms such as Airbnb. These platforms have grown significantly in popularity over the past five years. Short-term Rental Accommodation internet platforms are present in over 190 countries, and many

municipalities are acting to regulate this activity. Often, municipalities seek a balance between preserving the character of local communities and encouraging growth in home sharing to promote economic development.

It is the intent of this amendment that Short-term Rental Accommodation within a residential dwelling shall be considered a commercial use (i.e. not a conventional residential use) and shall only be permitted pursuant to the implementing amendment to Zoning By-law 500. Short-term Rental Accommodation shall be licenced.

In addition to Zoning and Licensing Short-term Rental Accommodation may be subject, but not limited to, other Municipal By-laws including on-street parking, noise, property standards, and fire and safety regulations.

PART C - THE AMENDMENT

1. INTRODUCTION

The whole of that part of the Amendment entitled "Part C - The Amendment", which consists of the following explanatory text constitutes Amendment No. 138 to the Sutton/Jackson's Point Secondary Plan.

2. ACTUAL AMENDMENT

1. That Sections 13.2.5.1, 13.2.5.2, 13.2.6.1, 13.2.6.3, 13.2.6.4, and 13.2.7.1 are hereby amended by deleting "bed and breakfast".
2. That Sections 13.2.5.1, 13.2.5.2, 13.2.6.1, 13.2.6.2, 13.2.6.3, 13.2.6.4, 13.2.6.5, 13.2.6.6, 13.2.7.1, and 13.2.7.2 **PERMITTED USES** of the Secondary Plan are hereby amended by adding at the end thereof "*Short-term Rental Accommodation* may be permitted within a single detached dwelling."
3. That Section 13.2.4 is hereby amended by adding the following:

13.2.4.10 Short-term Rental Accommodation

- a) *Short-term Rental Accommodation* may be permitted in any designation which permits a single detached dwelling.
4. That Section 13.2.2.2 **PERMITTED USES** is hereby amended by adding the following:
 - (xi) *short-term rental accommodation* may be permitted within an existing

single detached dwelling or as permitted by 13.2.2.2 (e);

5. That Section 13.2.5.1.1 b) is hereby deleted and replaced with the following:

“b) Notwithstanding Section 13.2.5.1 - Permitted Uses, on land described as Part of Lot 31, Plan 267 and shown as Item 14 on Schedule ‘E’ - Special Provisions, the only permitted uses shall be a women’s shelter having a maximum of 30 beds, a single detached dwelling which may include an accessory apartment, a home occupation and/or a short-term rental accommodation, and accessory buildings, structures and uses to any permitted uses.

For the purposes of this Section, a women’s shelter means:

“A building and premises operated for the purposes of providing secure temporary living accommodation to abused women, with or without children. Staff are available in the residence to provide supervision, counselling and other assistance, as required, on a 24 - hour basis.”

6. That Section 13.2.5.1.1 c) is hereby deleted and replaced with the following:

“ c)Notwithstanding Section 13.2.5.1 - Permitted Uses, on land described as Part of Lot 1, Plan 247 and shown as Item 15 on Schedule ‘E’ - Special Provisions, the only permitted uses shall be a single detached dwelling which may include an accessory apartment, a home occupation and/or short-term rental accommodation, a building containing 4 dwelling units, women’s shelter office space with a maximum of 3 dwelling units and accessory buildings, structures and uses to any permitted uses.

7. That Section 13.2.6.6 iii) **PERMITTED USES** is hereby deleted and replaced with the following:

iii) single detached dwellings containing a short-term rental accommodation;

8. That Section 13.2.9 **IMPLEMENTATION** of the Secondary Plan is hereby amended by adding:

“13.2.9.11 SHORT-TERM RENTAL ACCOMODATION POLICIES

(a) Definition

(i) means a *Short-term Rental Accommodation* as defined by the

Town of Georgina Short-term Rental Accommodation Licensing By-law, as amended, revised or replaced.

(b) **Policies**

- (i) *Short-term Rental Accommodation* as defined herein, may be permitted in any land use designation which permits a single detached dwelling."

3. IMPLEMENTATION

The Secondary Plan Amendment will be implemented by an amendment to Zoning By-law 500, pursuant to the *Planning Act* of Ontario; and, a Licensing By-law pursuant to the *Municipal Act* of Ontario.

4. INTERPRETATION

The policies set forth in the Sutton/Jackson's Point Secondary Plan, as amended from time to time regarding the interpretation of that plan, shall apply in regard to this Amendment.

Certificate of Approval

AMENDMENT NO. 138

TO THE

PEFFERLAW SECONDARY PLAN AREA

This Secondary plan document which was adopted by the Council of the Corporation of the Town of Georgina is approved pursuant to Sections 17 and 21 of the Planning Act and came into force on _____, 2019.

Date: _____

**Karen Whitney, M.C.I.P., R.P.P.
Director of Community Planning
The Regional Municipality of York**

AMENDMENT NO. 138
PEFFERLAW SECONDARY PLAN
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PART A - THE CERTIFICATION
AMENDMENT NO. 138
TO THE
PEFFERLAW SECONDARY PLAN AREA

The attached explanatory text and location map, constituting Amendment No. 138 to the Pefferlaw Secondary Plan, was adopted by the Council of the Corporation of the Town of Georgina by By-law No. 2019 - 0060 (PL-2) pursuant to Sections 17 and 21 of the Planning Act, R.S.O. 1990, on the 25th day of June, 2019.

Margaret Quirk, Mayor

Rachel Dillabough, Acting-Town Clerk

THE CORPORATION OF THE TOWN OF GEORGINA
IN THE
REGIONAL MUNICIPALITY OF YORK
BY-LAW NUMBER 2019- 0060 (PL-2)

**BEING A BY-LAW TO ADOPT AMENDMENT NO. 138 TO THE PEFFERLAW
SECONDARY PLAN.**

The Council of the Corporation of the Town of Georgina, pursuant to Sections 17 and 21 of the Planning Act, R.S.O. 1990, c.P.13, as amended, hereby **ENACTS AS FOLLOWS:**

1. That Amendment No. 138 to the Pefferlaw Secondary Plan, constituting the attached explanatory text, is hereby adopted.
2. That the Corporation of the Town of Georgina make application to the Region of York for approval of said Amendment.
3. That the Clerk of the Corporation of the Town of Georgina is hereby authorized and directed to make such application on behalf of the Corporation and to execute under the Corporate Seal such documents as may be required for the above purposes.

Read and enacted this 25th day of June, 2019.

Margaret Quirk, Mayor

Rachel Dillabough, Acting-Town Clerk

PART B - THE PREAMBLE

1. TITLE

This Amendment shall be known as:

Amendment No. 138
to the Pefferlaw Secondary Plan

Being an Amendment to the Pefferlaw Secondary Plan.

2. COMPONENTS OF AMENDMENT

Only that part of this document entitled "Part C - The Amendment", comprising the attached explanatory text, constitutes Amendment No. 138 to the Pefferlaw Secondary Plan.

3. PURPOSE

The purpose of Amendment No. 138 is to define "Short-term Rental Accommodation" and to permit such use within all land use designations in the Pefferlaw Secondary Plan which permit single detached dwellings.

4. LOCATION

Amendment No. 138 applies to lands within those land use designations in the Pefferlaw Secondary Plan which permit residential uses.

5. BASIS

Short-term Rental Accommodation has been a part of the Town of Georgina tourism infrastructure since the first vacation homes were built in the former Township of Georgina, Township of North Gwillimbury and Village of Sutton. Prior to the internet, vacation rentals were conducted through newspaper advertisements and real estate companies and by word of mouth.

Today, Short-term Rental Accommodation is generally understood to refer to individuals renting their residence, or part of their residence, for short periods of time through Internet-based platforms such as Airbnb. These platforms have grown significantly in popularity over the past five years. Short-term Rental Accommodation internet platforms are present in over 190 countries, and many municipalities are acting to regulate this activity. Often, municipalities seek a

balance between preserving the character of local communities and encouraging growth in home sharing to promote economic development.

It is the intent of this amendment that Short-term Rental Accommodation shall only be permitted within land use designations permitting a single detached dwelling. Short-term Rental Accommodation shall be licenced.

In addition to Zoning and Licensing Short-term Rental Accommodation may be subject, but not limited to, other Municipal By-laws including on-street parking, noise, property standards, and fire and safety regulations.

PART C - THE AMENDMENT

1. INTRODUCTION

The whole of that part of the Amendment entitled "Part C - The Amendment", which consists of the following explanatory text constitutes Amendment No. 138 to the Pefferlaw Secondary Plan.

2. ACTUAL AMENDMENT

- a) That Section 13.3.3 **GENERAL DEVELOPMENT AND SERVICING POLICIES** of the Secondary Plan is hereby amended by adding:

13.3.3.6 SHORT-TERM RENTAL ACCOMODATION POLICIES

(a) **Definition**

- (i) “means a *Short-term Rental Accommodation* as defined by the Town of Georgina Short-term Rental Accommodation Licensing By-law, as amended, revised or replaced.”

(b) **Policies**

- (i) *Short-term Rental Accommodation* as defined herein, may be permitted in any land use designation which permits a single detached dwelling.

- b) That Section 13.3.4.8 **SPECIAL DEVELOPMENT AREAS** is hereby amended by deleting 13.3.4.8 (iii) a) and replacing it with the following:

“a) PART OF LOT 21, CONCESSION 6 (G)**O.P.A. 79**

In that area shown in heavy outline in Schedule ‘E1 - Land Use Plan’ hereto, and designated **RESIDENTIAL SPECIAL DEVELOPMENT AREA NO. 3**, a *short-term rental accommodation* having a maximum of six guest rooms within a single detached dwelling, shall be a permitted use in addition to those uses permitted herein.”

3. IMPLEMENTATION

The Secondary Plan Amendment will be implemented by an amendment to Zoning By-law 500, pursuant to the *Planning Act* of Ontario; and, a Licensing By-law pursuant to the *Municipal Act* of Ontario.

4. INTERPRETATION

The policies set forth in the Pefferlaw Secondary Plan, as amended from time to time regarding the interpretation of that plan, shall apply in regard to this Amendment.

**THE CORPORATION OF THE TOWN OF GEORGINA
IN THE
REGIONAL MUNICIPALITY OF YORK**

BY-LAW NUMBER 500-2019-0008

**A BY-LAW TO AMEND BY-LAW NUMBER 500, BEING A BY-LAW TO
REGULATE THE USE OF LANDS AND THE CHARACTER, LOCATION AND
USE OF BUILDINGS AND STRUCTURES WITHIN THE TOWN OF GEORGINA.**

Pursuant to Section 34 of the Planning Act, R.S.O., 1990, the Council of the Town of Georgina **ENACTS AS FOLLOWS:**

1. That Section 2 **DEFINITIONS** of Zoning By-law No.500, as amended, is hereby further amended by deleting Section 2.22 **BED AND BREAKFAST RESIDENCE.**

2. That Section 2 **DEFINITIONS** of Zoning By-law No. 500, as amended, is hereby further amended by adding the following:
 - 2.185 A) **SHORT-TERM RENTAL ACCOMMODATION:**
means Short-term Rental Accommodation as defined by the Town of Georgina Short-term Rental Accommodation Licencing By-law, as amended, revised or replaced.

3. That Section 2.70 **DWELLING, SINGLE FAMILY** of Zoning By-law No. 500, as amended, is hereby further amended by deleting it in its entirety and replacing it with the following:
 - 2.70 **DWELLING, SINGLE FAMILY**
means one completely detached dwelling containing one dwelling unit and may contain an accessory apartment and/or a short-term rental accommodation, provided the accessory apartment and/or short-term rental accommodation complies with Section 5.50 or 5.34 A) of this By-law respectively, and is not subject to any provisions in this by-law relating to duplex dwellings.

3. That Section 5.2 **BED AND BREAKFAST RESIDENCE** is hereby deleted.
4. That Section 5.28 (b) **NUMBER OF PARKING SPACES (MINIMUM) – RESIDENTIAL USES** is hereby amended by deleting:

bed and breakfast residence	one per each bed and breakfast guest room in addition to the spaces required for the single family dwelling
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5. That Section 5 **GENERAL PROVISIONS ALL ZONES** of Zoning By-law No. 500, as amended, is hereby further amended by adding the following:

“5.34 A) **SHORT-TERM RENTAL ACCOMODATION:**

- (a) Notwithstanding any other provision of this By-law, Short-term Rental Accommodation shall only be established and operated in accordance with the provisions of the Short-term Rental Accommodation Licensing By-law, as amended, revised and replaced.
 - (b) Short-term Rental Accommodation shall only be permitted within a single family dwelling.
6. That Sections 7.2, 8.2, 10.2, 11.2, 19.2, and 28.2 **PERMITTED NON-RESIDENTIAL USES** of Zoning By-law 500 are hereby amended by deleting “- bed and breakfast residence” and inserting in lieu thereof “short-term rental accommodation”.
 7. That Section 7.5 **SPECIAL PROVISIONS**, subsection 7.5.59, is hereby amended by deleting “bed and breakfast residence” and replacing it with “short-term rental accommodation”
 8. That Section 7.5 **SPECIAL PROVISIONS**, subsection 7.5.60, is hereby amended by deleting “bed and breakfast residence” and replacing it with “short-term rental accommodation”
 9. That Section 7.5 **SPECIAL PROVISIONS**, subsection 7.5.88, is hereby amended by deleting it in its entirety.
 10. That Section 10.5 **SPECIAL PROVISIONS**, subsection 10.5.34, is hereby amended by (a) deleting “(NG)” in the property reference and inserting “(G)”; (b) deleting “bed and breakfast” in the first paragraph

and replacing it with "short-term rental accommodation"; and, (c) deleting the second paragraph and replacing it with the following:

"Notwithstanding Section 5.34 A), within that area shown in heavy outline and designated "R-41" in Schedule "A" hereto, a short-term rental accommodation having a maximum of six guest rooms shall be permitted. However, the maximum number of guest rooms shall be limited to four, during any time when the number of non-resident home occupation employees exceeds two. The maintenance of a noise attenuation fence as shown in Schedule "B-22" shall be required."

11. That Section 10.5 **SPECIAL PROVISIONS**, subsection 10.5.63 b), is hereby amended by deleting "bed and breakfast residence" and replacing it with "short-term rental accommodation".

12. That Section 18.5 **SPECIAL PROVISIONS**, subsection 18.5.10, is hereby amended by deleting the first paragraph and replacing it with the following:

"Notwithstanding Sections 2.185 A) and 18.2 in that area designated 'C5-10', only the sale and servicing of windsurfing equipment restricted to a maximum gross leasable floor area of 95 sq. metres, and operation of a short-term rental accommodation within a non-residential building shall be permitted."

13. That Section 19.4 g) **BED AND BREAKFAST RESIDENCE** is hereby deleted and replaced with the following:

"g) **SHORT-TERM RENTAL ACCOMMODATION**

Notwithstanding Sections 5 and 19.4 (a), (b) and (c), a short-term rental accommodation and accessory buildings, structures and uses thereto, shall be subject to the same lot frontage, lot area, and yard provisions as a single family dwelling in a Rural (RU) Zone.

14. That Section 28.4 g) **EXCEPTIONS TO NON-RESIDENTIAL PROVISIONS** is hereby amended by deleting "a bed and breakfast residence" and replacing it with "a short-term rental accommodation"
15. That Section 28.5 **SPECIAL PROVISIONS**, subsection 28.5.68, is hereby amended by deleting "bed and breakfast residence" in the second paragraph and replacing it with "short-term rental accommodation"
16. That Section 28.5 **SPECIAL PROVISIONS**, subsection 28.5.156, is hereby amended by deleting "bed and breakfast residence" and

replacing it with “short-term rental accommodation”

17. That Section 28.5 **SPECIAL PROVISIONS**, subsection 28.5.173, is hereby amended by deleting “bed and breakfast residence” in the second paragraph and replacing it with “short-term rental accommodation”
18. That Section 28.5 **SPECIAL PROVISIONS**, subsection 28.5.178, is hereby amended by deleting “bed and breakfast residence” and replacing it with “short-term rental accommodation”
19. That Section 28.5 **SPECIAL PROVISIONS**, subsection 28.5.181, is hereby amended by deleting “bed and breakfast residence” and replacing it with “short-term rental accommodation”
20. That Section 28.5 **SPECIAL PROVISIONS**, subsection 28.5.183, is hereby amended by deleting “bed and breakfast residence” in the second paragraph and replacing it with “short-term rental accommodation”
21. That Section 28.5 **SPECIAL PROVISIONS**, subsection 28.5.185, is hereby amended by deleting “bed and breakfast residence” and replacing it with “short-term rental accommodation”
22. That Section 28.5 **SPECIAL PROVISIONS**, subsection 28.5.186, is hereby amended by deleting “bed and breakfast residence” in the first paragraph and replacing it with “short-term rental accommodation”
23. That Section 28.5 **SPECIAL PROVISIONS**, subsection 28.5.187, is hereby amended by deleting “bed and breakfast residence” and replacing it with “short-term rental accommodation”
24. That Section 28.5 **SPECIAL PROVISIONS**, subsection 28.5.189, is hereby amended by deleting “bed and breakfast residence” in the first paragraph and replacing it with “short-term rental accommodation”
25. That Section 28.5 **SPECIAL PROVISIONS**, subsection 28.5.196, is hereby amended by deleting “bed and breakfast residence” in the second paragraph and replacing it with “short-term rental accommodation”
26. That Section 28.5 **SPECIAL PROVISIONS**, subsection 28.5.199, is hereby amended by deleting “bed and breakfast residence” and replacing it with “short-term rental accommodation”
27. That Section 28.5 **SPECIAL PROVISIONS**, subsection 28.5.201, is hereby amended by deleting “bed and breakfast residence” and

replacing it with "short-term rental accommodation"

28. That Section 28.5 **SPECIAL PROVISIONS**, subsection 28.5.202, is hereby amended by deleting "bed and breakfast residence" and replacing it with "short-term rental accommodation"
29. That Section 28.5 **SPECIAL PROVISIONS**, subsection 28.5.225, is hereby amended by deleting "bed and breakfast residence" and replacing it with "short-term rental accommodation"
30. That Section 28.5 **SPECIAL PROVISIONS**, subsection 28.5.226, is hereby amended by deleting "bed and breakfast residence" and replacing it with "short-term rental accommodation"

READ and ENACTED this 25th day of June, 2019.

Mayor, Margaret Quirk

Rachel Dillabough, Acting-Town Clerk

EXPLANATORY NOTE

Short-term Rental Accommodation

File: 03.1142

1. The purpose of Zoning By-law No. 500-2019-0008 (PL-5), which amends Zoning By-law 500, is to:
 - delete the definition of Bed and Breakfast Residence as outlined in Section 2.22 of Zoning By-law 500;
 - delete the general provisions associated with Bed and Breakfast Residence as outlined in Section 5.2 of Zoning By-law 500
 - delete the parking space requirements for a Bed and Breakfast Residence as outlined in Section 5.28 (b) of Zoning By-law 500;
 - delete Bed and Breakfast Residence as a permitted non-residential use in Sections 7.2, 8.2, 10.2 and 11.2 (residential zones), Section 19.2 (Camp Commercial (C6) Zone), and Section 28.2 (Rural (RU) Zone), and replace it with short-term rental accommodation;
 - permit the establishment of Short-term Rental Accommodation as defined, regulated, and licenced by the Town of Georgina Short-term Rental Accommodation By-law.
 - introduce parking requirements for Short-term Rental Accommodation; and,
 - delete Bed and Breakfast Residence provisions as outlined in Section 19.4 g)
 - delete exceptions to non-residential use provisions as outlined in Section 28.4 g)
 - update the provisions for the short-term residential accommodation (formerly *bed and breakfast residence*) permitted by site-specific zoning amendments

2. This by-law is to be read in conjunction with a Short-term Rental Accommodation Licensing By-law, passed pursuant to the *Municipal Act*, which establishes standards to ensure the orderly operation of Short-term Rental Accommodation within the Town of Georgina.

3. This by-law conforms to the Town of Georgina Official Plan, the Keswick Secondary Plan, the Sutton/Jackson's Point Secondary Plan, and the Pefferlaw Secondary Plan, all of which have been amended to incorporate Short-term Rental Accommodation policies.

THE CORPORATION OF THE TOWN OF GEORGINA
IN THE
REGIONAL MUNICIPALITY OF YORK

BY-LAW NUMBER 2019 - 0061 (LI-3)

BEING A BY-LAW TO LICENCE, REGULATE AND GOVERN
SHORT-TERM RENTAL ACCOMMODATIONS

WHEREAS the Council of the Town of Georgina may, pursuant to the *Municipal Act, 2001, S.O. 2001, c.25. as amended, ("The Municipal Act")*, enact by-laws for the licensing, regulating and governing of businesses and occupations in the Town of Georgina;

AND WHEREAS the Council of the Town of Georgina deems it desirable to enact a by-law to Licence Short-term Rental Accommodation;

BE IT THEREFORE ENACTED BY THE COUNCIL OF THE TOWN OF GEORGINA:

1. DEFINITIONS

For the purpose of this by-law:

Agent means a Person duly appointed by an Owner or the Town to act on their behalf;

Appeal Committee means a committee of individuals which has been delegated, by Town of Georgina Council, the responsibility of handling appeals, suspensions and revocations of Licences under this by-law;

Applicant means the Person applying for a Licence or renewal of a Licence under this by-law;

Corporation means a body corporate incorporated pursuant to the *Business Corporations Act, R.S.O. 1990 c. B. 16, or the Corporations Act, R.S.O. 1990, c. C. 38;*

Fee means a Fee as established by the Town;

Guest Room means a room offered for short-term rental accommodation intended primarily for overnight occupation, which conforms to the standards for a bedroom, as set forth by the Ontario Building Code;

Licence means the Licence issued under this by-law as proof of licensing under this by-law;

Licensee means a Person who holds a Licence or is required to hold a Licence under this by-law;

Licensing Coordinator means the Town Clerk or designated Town staff person;

Officer means a Police Officer, Fire Prevention Officer, Fire Inspector, Building Inspector, Zoning Examiner, Plans Examiner, Municipal Law or Enforcement Officer;

Owner means the Person holding title to the Property on which the Short-term Rental Accommodation is located, and "Ownership" has a corresponding meaning;

Person means an individual, a Corporation, a partnership, or an association, and includes a Licensee or an Applicant for a Licence under this by-law as the context requires;

Premises means the Property upon which a Short-term Rental Accommodation is operated, inclusive of buildings or structures or any part thereof used for such purpose;

Property means the land upon which a Short-term Rental Accommodation is operated, exclusive of buildings or structures or any part thereof;

Renter means the person responsible for the rental of the Premises by way of concession, permit, lease, licence, rental agreement or similar commercial arrangement;

Renter's Code of Conduct as set forth in Appendix "A" means a document that has been prepared by the Town that prescribes the roles and responsibilities of the renter, including but not limited to: behavioural expectations as they relate to non-disturbance of neighbours; compliance with applicable Town by-laws, and adherence to the provisions of this by-law;

Short-term Rental Accommodation: means the use of a dwelling unit, as defined in Zoning By-law No. 500, or any part thereof, that operates or offers a place of temporary residence, lodging or occupancy by way of concession, permit, lease, licence, rental agreement or similar commercial arrangement for any period equal to or less than thirty (30) consecutive calendar days, throughout all or any part of the calendar year, unless otherwise prohibited by this by-law, or any other by-law of the Town of Georgina.

Short-term Rental Accommodation shall not include a hotel, motel, motor hotel, nursing home, private or public hospital, temporary accommodations for seasonal farm workers, a recreational vehicle park, a tent campground, or similar commercial or institutional use, as defined in Zoning By-law No. 500.

Town means the Corporation of the Town of Georgina in the Regional Municipality of York.

Zoning By-law means the Town's Zoning By-law No. 500, as amended, or any successor comprehensive Zoning By-law, as amended.

2. GENERAL PROVISIONS

- (1) Short-term Rental Accommodation shall only be permitted within a single family dwelling as defined in Zoning By-law No. 500.
- (2) (a) The maximum number of Persons, including but not limited to residents, renters and their guests, permitted on a Premises, at any one time, shall be eight (8) for a single family dwelling containing one (1) or two (2) Guest Rooms delineated on the required floor plan, and twelve (12) where there is a minimum of three (3) Guest Rooms delineated on the required floor plan.
 - (b) Notwithstanding 2(2)(a) above, the property zoned "R1-120" in Zoning By-law No. 500, and described as Lot 11 and Block B, Plan 168 on the North Side of Malone Avenue, which was zoned for five guest bedrooms, shall be limited to fifteen (15) persons on the Premises at any one time.
 - (c) Notwithstanding 2(2)(a) above, the property zoned "R-41" in Zoning By-law No. 500, and described as Part of Lot 21, Concession 6 (G), on the east side of the Pepperlaw Road, which

was zoned for six guest bedrooms shall be limited to eighteen (18 persons) on the Premises at any one time.

- (3) The provision of parking on the site plan referenced in Section 3 (1) g) below shall include the following:
 - (a) a minimum of three parking spaces plus one additional parking space per Guest Room up to a maximum of 7 required parking spaces;
 - (b) parking space sizes of 2.5 metres X 5.7 metres; and
 - (c) compliance with all other parking provisions as set forth in Zoning By-law No. 500.
- (3) All vehicles shall only be permitted in a parking area consisting of a hard- surfaced driveway (gravel, paved, concrete, interlock or similar hard surface).
- (4) The provisions of this section shall not apply when the Short-term rental accommodation is not rented.

3. LICENSING REQUIREMENTS

- (1) Every application for a new Licence, or the renewal of an existing Licence, shall include:
 - (a) a completed application in the form required by the Town, which shall include each Owner, Applicant and/or Agent's name, address, telephone number, and email address;
 - (b) proof of Ownership for the Premises;
 - (c) proof that the Applicant is at least eighteen (18) years of age, if the Applicant is an individual;
 - (d) proof that the Applicant, if a Corporation, is legally entitled to conduct business in Ontario, including but not limited to:
 - (i) an article of incorporation or other incorporating documents, duly certified by the proper government official or department of the Province of Ontario or the Government of Canada; and,

- (ii) a list containing the names of all shareholders of the Corporation;
- (e) in the case of an Applicant being a partnership, the names and addresses of each member of the partnership as well as the name under which the partnership intends to carry on business;
- (f) in the case of an Applicant or Agent acting on behalf of the Owner, an Owner's written authorization;
- (g) a site plan and floor plan, drawn to scale and fully dimensioned of the Premises including:
 - (i) the location of all buildings and structures on the Property;
 - (ii) the use of each room;
 - (iii) location of smoke detection and early warning devices;
 - (iv) location of fire extinguishers;
 - (v) all entrances/exits to and from the building
 - (vi) exterior decks that are appurtenant to the Premises; and related site amenities including dimensioned parking spaces, and other buildings or structures on the Property;
- (h) proof of insurance which includes a liability limit of no less than two million dollars (\$2,000,000.00) per occurrence for Property damage and bodily injury and identifies that a Short-term Rental Accommodation is being operated on the Property. The insurance coverage required herein shall be endorsed to the effect that the Town shall be given at least 10 days' notice in writing of any cancellation or material variation to the policy;
- (i) an Electrical Safety Authority (ESA) certificate; and
- (j) payment of the applicable Fee.

- (2) Every Licensee under this by-law shall notify the Licensing Coordinator immediately of a change in any of the required documents to be filed with the Clerk's Department.

4. INSPECTION

- (1) It is the responsibility of any Person applying for a Licence to contact the Town for an inspection, which shall ensure compliance with the following where applicable:
 - (a) provisions of this by-law;
 - (b) *Building Code Act, 1992, S.O. 1992 c.23; ("Building Code Act")*
 - (c) *Fire Protection and Prevention Act, 1997, S.O. 1997, c.4 ("Fire Protection and Prevention Act")*
 - (d) Property Standards By-law;
 - (e) Zoning By-law;
 - (f) any other municipal by-laws or provincial legislation that may affect the status of the application.
- (2) During the inspection process, all relevant departments of the Town may provide comment on any known matters that would assist with determination of licence eligibility.

5. PROHIBITIONS

- (1) No Person shall operate or carry on any trade, business or occupation of Short-term Rental Accommodation unless that Person has first obtained a Licence pursuant to this by-law.
- (2) No Person shall discriminate in the carrying on of the trade, business or occupation of Short-term Rental Accommodation against any member of the public on the basis of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status or disability.
- (3) No Person shall fail to comply with an order issued by an Officer.

- (4) No Person shall advertise an unlicensed Short-term Rental Accommodation.
- (5) No Person shall violate the provisions of the Renter's Code of Conduct attached as Appendix "A" to this by-law.

6. ADMINISTRATION AND ENFORCEMENT

- (1) The Licensing Coordinator shall be responsible for the administration of this by-law;
- (2) Officers shall be responsible for the enforcement of this by-law;
- (3) Upon receipt of an application for a Licence, a Licensing Coordinator shall perform the following functions:
 - (a) receive and review the application in conjunction with any provision of this by-law; and,
 - (b) ensure the relevant Officers have carried out the necessary inspections to satisfy the Town that the Premises is in compliance with the provisions of this by-law.
- (4) Upon determination that a contravention of the provisions of this by-law has occurred, an Officer may issue the required notice and/or order.

7. ISSUANCE OF LICENCE AND GROUNDS FOR REFUSAL

- (1) The Licensing Coordinator shall have the authority to issue, refuse to issue or renew a Licence, to revoke or suspend a Licence, or to impose terms and conditions on a Licence.
- (2) The Licensing Coordinator may refuse to issue or renew a Licence where:
 - (a) the conduct of an Applicant affords reasonable grounds for belief that the Applicant has not carried on, or will not carry on, the business in accordance with the law or with integrity and honesty;
 - (b) there are reasonable grounds for belief that the operation of the business may be averse to the public interest;

- (c) a Licence has been previously revoked, suspended, or made subject to terms and conditions;
 - (d) a Person applying for a Licence has presented a history of contravention with this by-law or other Town by-laws;
 - (e) the application for Licence does not conform with the provisions of Section 2 of this By-law
 - (f) the Renter's Code of Conduct (Appendix "A") has been violated;
 - (g) the proposed use of the Premises is not permitted by the Zoning By-law;
 - (h) the Owner is indebted to the Town in respect of fines, penalties, judgements, or any other amounts owing, including awarding of legal costs, disbursements, outstanding Property taxes and late payment charges, against an Owner's Property;
 - (i) the Property to be used for carrying on the trade, business or occupation does not conform with applicable federal and provincial law and regulations or municipal by-laws, including, but not limited to, the Zoning By-law, Property Standards By-law, the *Building Code Act*, the *Fire Protection and Prevention Act*, and the *Electricity Act*.
- (3) The Licensing Coordinator may suspend a Licence as per Appendix "B" to this By-law.
- (4) The Licensing Coordinator, if satisfied that the continuation of a Licence poses a danger to the health or safety of any Person, may, for the time and such conditions as are considered appropriate, suspend a Licence for not more than 14 days. If after this period, the Licensing Coordinator is satisfied that the continuation of a Licence will continue to pose a danger to the health or safety of any Person, he/she may further suspend for not more than 14 days or revoke a Licence.
- (5) The Licensing Coordinator may revoke a Licence if it was issued in error or granted based on incorrect or false information.

- (6) The Licensing Coordinator may revoke a Licence as per Appendix "B" to the by-law.
- (7) Notwithstanding Section 7 (2) (e) of this by-law, the Licensing Coordinator may issue a Licence where a variance to this by-law has been approved.

8. TERM OF LICENCE

A Licence issued pursuant to the provisions of this by-law shall expire one (1) year from the date it was issued, unless it is revoked in accordance with the provisions of this by-law.

9. ORDER

- (1) Where an Officer has reasonable grounds to believe that a contravention of the by-law has occurred, the Officer may serve an order on the Licensee setting out the reasonable particulars of the contravention and directing:
 - (a) compliance within a specified period of time;
 - (b) any work that is required to be done. In the event of a default of such work being done, the Officer may direct work to be done at the Licensee's expense, and the Town may recover the expense in the same manner as municipal taxes; or
 - (c) the activity be discontinued.
- (2) Any Person who contravenes an order under this by-law is guilty of an offence.
- (3) An order under this by-law may require work to be done even though the facts which constitute the contravention of this by-law were present before this by-law came into force.
- (4) Any violations of those Acts or by-laws, or any other relevant legislation, set forth in Section 4 (b) to (g) of this by-law shall be addressed pursuant to the respective remedies. In addition, demerit points will be levied against the Premises in violation of this by-law as per Appendix "B" to this by-law.

10. PENALTY FOR NON-COMPLIANCE

- (1) Every Person who contravenes any of the provisions of this by-law, upon conviction, is guilty of an offence and liable to a fine pursuant to the Provincial Offences Act, as amended.
- (2) Every Person who contravenes any provision of this by-law, upon conviction, is guilty of an offence, and all contraventions of the by-law are designated as continuing offences pursuant to Section 429 of the *Municipal Act*.
- (3) Every Person, other than a company who contravenes any provision of this by-law, and every director of a Corporation who knowingly concurs in such contravention by the Corporation, is guilty of an offence and on conviction liable to a fine not exceeding \$25,000 for a first offence and \$50,000 for any subsequent offence.
- (4) Where a Corporation is convicted of an offence under this by-law, the maximum penalty is \$50,000 for a first offence and \$100,000 for any subsequent offence.
- (5) Where a Person has been convicted for an offence under this by-law by a court of competent jurisdiction, the court may in addition to any other penalty imposed on the Person convicted, issue an order prohibiting the continuation or repetition of the offence or the doing of any act or thing by the Person convicted directed toward the continuation or repetition of the offence.

11. APPEAL

- (1) Where the Licensing Coordinator has denied an Applicant a Licence, a renewal of a Licence or has suspended or revoked a Licence, the Licensing Coordinator shall inform the Applicant or Licensee by way of written notice setting forth the grounds for the decision with reasonable particulars and shall advise of the right to appeal such decision to the Appeal Panel.
- (2) A Person may appeal to the Appeal Committee in relation to the matter of notice in subsection (1). Appeals will not be permitted for any matters that have already been heard by the Appeal Panel. A request for an appeal shall be made in writing to the Licensing Coordinator, setting forth the reasons for the appeal, within 14 business days after service of the written notice and payment of the required appeal fee.

- (3) Where no request for an appeal is received in accordance with subsection (2), the decision of the Licensing Coordinator shall be final and binding.
- (4) Where a request for an appeal is received, a hearing of the Appeal Panel shall be convened, and the Applicant or Licensee shall be provided reasonable written notice thereof.
- (5) After such opportunity to be heard is afforded the Person, the Appeal Committee shall make a decision. When making its decision the Appeal Committee may consider any matter pertaining to this by-law, or other matter that relates to the general welfare, health or safety of the public. When making its decision, the Appeal Committee may refuse to issue or renew a License, revoke, suspend, or impose any condition to a License. The Appeal Committee's decision is final and binding and shall not be subject to review.
- (6) Where the Appeal Committee conducts a hearing, the rules set out in the *Statutory Powers Procedure Act*, R.S.O. 1990, c. S.22 ("Statutory Powers Procedure Act") shall apply.

12. VARIANCE TO LICENSING BY-LAW

- (1) A Licensee seeking a variance to the Licensing By-law must submit a Short-term Rental Accommodation Licensing By-law Variance Application provided by the Town, together with the prescribed Fee, to the Licensing Coordinator.
- (2) At least 10 days prior to the day of a hearing on an application for variance, notice shall be given by personal service or ordinary mail to every owner of land within 60 metres of the Property to which the application applies. Further, notice shall be posted, clearly visible and legible from a public highway or other place to which the public has access.
- (3) The Appeals Committee will consider the application for variance and may authorize such variance from the provisions of Section 2 of this by-law, where the variance is desirable for the use of the Premises and the general intent and purpose of this by-law is maintained.
- (4) The decision of the Appeals Committee, with regard to the variance application, shall be final and binding.

- (5) Notice of Decision of the Appeals Committee shall be given to the Owner/Applicant and any persons which either submitted comments in writing or provided verbal comments at the Appeals Committee hearing.

13. COLLECTION OF UNPAID FINES

Pursuant to Section 441 of the *Municipal Act*, if any part of a fine for a contravention of this by-law remains unpaid after the fine becomes due and payable under Section 66 of the *Provincial Offences Act*, R.S.O. 1990, c P.33, ("Provincial Offences Act") including any extension of time for payment ordered under that Section, the Licensing Coordinator may give the Person against whom the fine was imposed a written notice specifying the amount of the fine payable and the final date on which it is payable, which shall be not less than 21 days after the date of the notice. If the fine remains unpaid after the final date specified in the notice, the fine is deemed to be unpaid taxes pursuant to Section 351 of the *Municipal Act* and may be added to the Owner's tax roll and collected in the same manner as Property taxes.

14. POWERS OF ENTRY

- (1) An Officer may at any time enter on any Property and inspect any place/vehicle for the purpose of determining whether the following are complied with:
 - (a) the provisions of the by-law;
 - (b) an order issued under this by-law; or
 - (c) an order made under Section 431 of the *Municipal Act*;
- (2) Where an inspection is conducted, the Officer conducting the inspection may:
 - (a) require the production for inspection of documents or things relevant to the inspection;
 - (b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
 - (c) require information from any Person concerning a matter related to the inspection including their name, address, phone number and identification; and

- (d) alone or in conjunction with a Person possessing special or expert knowledge, make examinations or take tests, samples, or photographs necessary for the purposes of the inspection.
- (3) The Town may undertake an inspection pursuant to an Order issued under Section 438 of the *Municipal Act*.
- (4) The Town's power of entry may be exercised by an Officer, or Agent for the Town, or by a member of the York Regional Police.

15. OBSTRUCTION

- (1) No Person shall hinder or obstruct, or attempt to hinder or obstruct, any Person who is exercising a power or performing a duty under the *Municipal Act*, or under a by-law passed under the *Municipal Act*.
- (2) Any Person who has been alleged to have contravened any of the provisions under the *Municipal Act* or under a by-law passed under the *Municipal Act*, shall identify themselves to the Officer upon request, failure to do so shall be deemed to have obstructed or hindered an Officer in the execution of his/her duties.

16. SEVERABILITY

In the event any provisions of this by-law are deemed invalid or void, in whole or in part, by any court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

17. AUTHORIZATION

That the Town Clerk be authorized and directed to take the necessary actions to give effect to this by-law.

18. TITLE

This by-law may be known as the "Short-term Rental Accommodation Licensing By-law".

19. EFFECTIVE DATE

This by-law comes into effect upon approval of the Amendments to the Official Plan, Secondary Plans for Keswick, Sutton/Jackson's Point,

Pefferlaw, and the amendment to Zoning By-law 500 but not before January 1, 2020.

Mayor, Margaret Quirk

Acting-Town Clerk, Rachel Dillabough

APPENDIX 'A'

SHORT-TERM RENTAL ACCOMMODATION

Renter's Code of Conduct

1. Purpose of the Code

The purpose of the Renter's Code of Conduct is to acknowledge that Short-term Rental Accommodation premises are permitted in single family dwellings and that poor behaviour can disrupt neighbours. Neighbouring residents have the right to enjoy their own properties without nuisance. It also outlines specific requirements for Short-term Rental Accommodations and imposes responsibilities for both Owners and Renters of such properties and that STRA Licensees bear the primary responsibility of conveying this information to renters of their property.

2. Objectives of this Code

The Objective of this Code is to establish acceptable standards of behaviour for hosts and renters to minimize any adverse impacts on their neighbours and the neighbourhood.

3. Residential Area

The Renter acknowledges for themselves and on behalf of others that they will be occupying a Short-term Rental Accommodation that is located in a residential area.

4. Guiding Principles

The guiding principles for Short-Term Rental Accommodation renters are:

- The premise that you are occupying is a home;
- Treat the premise as your own;
- Respect your neighbours; and
- Leave it as you find it.

5. Maximum Number of Renters and Guests:

The maximum number of renters including non-occupying guests and residents, permitted at a Short-term Rental Accommodation premises shall be limited as per Section 2(1)(a) of the Short-term Rental Licensing By-law.

The maximum number of Persons, including but not limited to residents, renters and their guests, and visitors, permitted on a Premises, at any one time, shall be eight (8) for a single family dwelling containing one (1) or two (2) Guest Rooms

delineated on the required floor plan, and twelve (12) where there is a minimum of three (3) Guest Rooms delineated on the required floor plan.

Notwithstanding the above, the property zoned "R1-120" in Zoning By-law 500, and described as Lot 11 and Block B, Plan 168 on the North Side of Malone Avenue, which was zoned for five guest bedrooms, shall be limited to sixteen (16) persons on the Premises at any one time.

Notwithstanding the above, the property zoned "R-41" in Zoning By-law 500, and described as part of Lot 21, Concession 6 (G), on the east side of the Pefferlaw Road, which was zoned for six guest bedrooms shall be limited to sixteen (16) persons on the Premises at any one time.

6. Noise and Residential Amenity:

No person shall make noise to cause a disturbance or conduct themselves in a way that is likely to disturb area residents. Examples of noise that is likely to disturb residents at any time include:

- a) Loud music;
- b) Outdoor or backyard gatherings or activities involving excessive noise or disruptive behaviour;
- c) Late evening/early morning disturbances; and,
- d) Yelling, shouting, singing or conversing loudly.

Renters and their guests are not allowed to disturb neighbours or interfere with their enjoyment of their premises, or the public realm, at any time of the day or night. Failure to comply with the conditions of the Town Noise By-law may result in legal action being taken. Failure to comply may result in demerit points in accordance with Appendix A of the Short-term Rental Accommodation by-law.

7. Access and Parking:

Please familiarize yourself and your guests with the Parking Management Plan for the premises to ensure ease of access with minimum disturbance to neighbours.

All Short-term Rental Accommodation premises will have vehicle parking requirements as part of the licensing process. Please refer to the approved Premises Parking Management Plan.

8. Recycling and Garbage:

Please familiarize yourself and your guests with the Property Management Plan, including the provisions that have been made for waste management and the day of the week in which waste collection is scheduled. It should be noted that the "putting out" of waste on a non-scheduled day is regulated by the Town's Waste Management By-law. Waste collection information and pick up times are available on the Town of Georgina's website.

9. Dwellings on Lots on Private Sewage Disposal Systems:

Note if the Short-term Rental Premises are served with a private septic system. Exceeding two persons per bedroom may result in the malfunctioning of the septic system and pollution of the ground water system. This is of particular concern within 100 metres (328 feet) of Lake Simcoe and permanent streams (as discussed in the *Lake Simcoe Protection Act, 2009.*)

10. Fire and Occupant Safety:

All Short-term Rental accommodations shall have installed operating fire alarms and a fire extinguisher. In Short-term Rental Accommodations which have a fuel-fired appliance or solid fuel-fired appliance installed or an attached storage garage, the Owner shall ensure that the building is equipped with a **carbon monoxide alarm** installed outside of the sleeping areas. Further, the Owner shall regularly test the alarms to ensure that they are operational. If a renter discovers that any of the alarms are not operational the renter shall immediately notify the property owner of the deficiency.

11. Leisure Vehicle Parking:

Note: The Town of Georgina has adopted a Leisure Vehicle by-law (e.g. motor homes, boats, trailer, snowmobiles etc.) which addresses parking requirements. Parking requirements for Leisure Vehicles are addressed as part of the overall Parking Management Plan within the Short-term Rental Accommodation By-law.

12. Owner's Additional Responsibilities

All owners and renters of Short-term Rental Accommodations are responsible for compliance with all other Town of Georgina by-laws (including, but not limited to the following: Noise By-law, Waste By-law, Open Air Burning By-law, Fireworks By-law, etc.).

I, _____ having read the above, and the terms of the Short-term Rental Accommodations By-law and License, undertake to provide those persons renting my short-term rental accommodation with a copy of the Renter's Code of Conduct and to advise them to act appropriately. I also realize that a violation of the licensing agreement may result in the suspension or revocation of the short-term rental accommodation for my property.

Signature of Applicant for License

Date

APPENDIX 'B' - DEMERIT POINT SYSTEM**SHORT-TERM RENTAL ACCOMMODATION**

- (1) A Demerit Point System is hereby established in accordance with Table 1, without prejudice to options otherwise available to enforce this By-law or any other bylaws of the Town, Provincial Act or Regulation including, but not limited to, actions pursuant to the Building Code Act, Fire Protection and Prevention Act, and the Provincial Offences Act;
 - (a) The number of Demerit Points referenced in Column 3 of Table 1 below will be assessed against a Short-term Rental Accommodation Premises in respect of the matter noted in Column 1 upon the following event respecting a contravention:
 - (i) the expiry of the period for appealing a fine imposed pursuant to Part I or Part III of the Provincial Offences Act;
 - (ii) the expiry of the period for appealing against a conviction in the Ontario Court of Justice;
 - (iii) an Order not complied with; or,
 - (iv) an Order not complied with resulting in Town remediation;
 - (v) any contravention of the Renter's Code of Conduct.
- (2) A Licence may be suspended for a period not longer than six months if the total Demerit Points in effect respecting a Short-term Rental Accommodation is at least seven.
- (3) A Licence may be revoked if the total of all Demerit Points in effect respecting a Short-term Rental Accommodation is at least fifteen.
- (4) Notice of the suspension or revocation of a Licence shall be provided to the Owner in accordance with Section 7 of this By-law and a Licensee may appeal the suspension or revocation in accordance with Section 11 of this By-law.
- (5) Demerit Points shall remain in place until the two-year anniversary of the date of which the Demerit Points were assessed.
- (6) The Town shall not be liable for economic or other losses claimed by a Licensee for any reason, so long as good faith efforts were made by the Town or its representatives in exercising their judgment, or fulfilling their responsibilities, under this By-law.

Table 1

Infraction	Reference	Type	Demerit Points
Fire Protection and Prevention Act/Fire Code	FPPA/FC	Order not Complied With	3
		----- Part 1 or Part III	7
Open Air Burning Violation	Town Open Air Burning By-law	Cost Incurred for Illegal Fire	2
		----- Part 1 or Part III	4
Operating without a licence	STRA By-law	Order not Complied With	3
		----- Part 1 or Part III	5
Building Code Act (Order to Comply)	BCA	Order not Complied With	3
		----- Part 1 or Part III	7
Noise By-law Infraction	Town Noise By-law	-----	-----
		Part 1 or Part III	4
Waste Collection By-law Infraction	Town Waste By-law	Order not Complied With	2
		----- Part 1 or Part III	4
Property Standards	Town Property Standards By-law	Order not Complied With	2
		----- Part 1 or Part III	4
Discharge of Fireworks	Town Fireworks By-law	-----	-----
		Part 1 or Part III	4
Violation of any Provision of this By-law	STRA By-law	Order not Complied With	2
		----- Part 1 or Part III	4
Violation of Renter's Code of Conduct	STRA By-law	Any contravention	2
		----- Part 1 or Part III	4

CORPORATION OF THE TOWN OF GEORGINA
IN THE
REGIONAL MUNICIPALITY OF YORK

BY-LAW NO. 2019-0062 (COU-2)

BEING A BY-LAW TO CONFIRM THE PROCEEDINGS
OF THE SPECIAL COUNCIL MEETING HELD ON THE
25th DAY OF JUNE, 2019

WHEREAS under subsection 5(3) of the *Municipal Act, S.O. 2001, c. 25*, as amended, the powers of a council of a municipal corporation shall be exercised by by-law;

AND WHEREAS it is deemed expedient that the proceedings of the Council of the Corporation of the Town of Georgina at its meeting held on the 25th day of June, 2019, be confirmed and adopted by by-law.

NOW THEREFORE, the Council of the Town of Georgina, in the Regional Municipality of York, hereby enacts as follows:

1. The proceedings and actions of Council as contained in the Reports and Additional Business referred to in Schedule 'A' at the end of this by-law are adopted and confirmed as if each proceeding and action were expressly adopted and confirmed by by-law. As if all such proceedings were expressly embodied in this by-law.
2. Subject to Section 3, the Mayor, any other appropriate member of Council and the proper Town officials be authorized and directed to undertake all actions necessary to give effect to the proceedings and directions of Council referred to in section 1.
3. Where a proceeding or action requires an additional approval to that of Council before a particular action can be done in order to give full effect to it, the Mayor, any other appropriate member of Council and the proper Town officials before taking the particular action under the authorization of section 2, shall seek and obtain the necessary additional approval and are authorized to do so.
4. A document required to be signed on behalf of the Town shall be signed by the Mayor or Deputy Mayor, Town Clerk or Deputy Clerk.

5. A Member of Council, whose name is set out in Column 1 of Schedule 'B', Conflict of Interest, at the end of this by-law, has declared an interest with respect to any item in Column 2 set out opposite the member's name, and the Member has declared an interest in this confirmatory by-law as it relates to the confirmation of the proceedings and actions on the item.
6. This by-law shall be signed by the Mayor and Clerk, affixed with the seal of the Corporation and engrossed in the By-law book.

READ and enacted this 25th day of June, 2019.

Margaret Quirk, Mayor

Rachel Dillabough, Acting Town Clerk

Schedule 'A' to By-law No. 2019-0062 (COU-2)

MINUTES

Special Council Meeting of June 25th, 2019

Schedule 'B' to By-law No. 2019-0062 (COU-2)

CONFLICTS OF INTEREST

Column 1

Column 2

n/a

n/a