

THE CORPORATION OF THE TOWN OF GEORGINA
REPORT NO. CAO-2019-0043
FOR THE CONSIDERATION OF
COUNCIL

October 9, 2019

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

1. RECOMMENDATION:

- 1. THAT Council receive Report CAO-2019-0043 prepared by Michael Smith Planning Consultants; Development Coordinators Ltd., dated October 9, 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, and pass the proposed Zoning By-law 500 Amendment, as set forth in Attachments 1-5 of Report CAO-2019-0043.**
- 3. THAT Council approve the proposed Licencing By-law, to come into effect upon final approval of the proposed amendments to the Official Plan, Keswick Secondary Plan, Sutton/Jackson's Point Secondary Plan and Zoning By-law 500, but not before January 1, 2020, as set forth in Attachment 6 of Report CAO-2019-0043.**
- 4. THAT the Town's General Licencing By-law 2002-0169 (L1-3), as amended, be further amended by deleting references to Bed and Breakfast Residence, at such time as the Short-term Rental Licencing By-law comes into force and effect.**

2. PURPOSE:

The purpose of this report is to apprise Council and interested parties of the revisions made to the preferred regulatory framework proposed by Michael Smith Planning Consultants; Development Coordinators Ltd. with input from the Technical Advisory Committee and informed by comments made by Council and interested parties.

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
- Report No. CAO-2019-0027 presented to Council on June 25, 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.

On June 25, 2019, Council received Report No. CAO-2019-0027 and directed staff to prepare a report respecting the matters raised concerning STRA, and report back as directed.

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. REVISIONS TO PREFERRED REGULATORY FRAMEWORK:

At the June 25, 2019 meeting, Council directed staff to prepare a report respecting the matters raised concerning STRA, and report back to Council as directed. There were a variety of concerns raised by both Council and the public,

and revisions have been made to the regulatory framework to reflect these concerns. The main points of these comments were:

- the need for on-site supervision and other regulations which specifically target negligent hosts and disruptive renters;
- fairness for existing Bed and Breakfasts;
- the need for regulations which limit proliferation; and
- the need for reasonable licensing fees.

4.1 Revisions Addressing Disruptive STRA with Negligent Hosts

The main issues with STRA have been related to disruptive renters and negligent hosts. Following the June 25, 2019 meeting, extensive revisions have been made to the draft licensing by-law to target these renters and hosts, while avoiding placing undue burden on non-disruptive renters and attentive hosts.

There are two basic forms of STRA which are the focus of this regulatory framework:

- 1) STRA with an on-site host; and
- 2) STRA without an on-site host.

The on-site host may reside within the same dwelling unit, within an accessory apartment within the same dwelling as the renters, or in an accessory apartment in an accessory structure on the same property as a STRA. Accessory apartments may only be used for STRA if lawfully permitted and registered.

Part of the appeal of many STRA is to have a home-away-from-home experience without a host on the property. Section 12 of the draft licensing by-law, *Variance to Licensing By-law* - may allow for STRA, subject to approval by the STRA Committee, to be operated without a STRA host on the premises. However, there is a provision within the proposed licensing by-law which requires, in all cases, that a STRA host must respond in person to any issues on site within one hour of being contacted by the Town. In the case that they do not show up, it would be a violation of the by-law, and both charges and demerit points may be assessed. This will help maintain accountability on the part of the STRA hosts which have received a variance approval.

4.2 Revisions Addressing Fairness for Existing Bed and Breakfasts

As noted in previous reports, traditional Bed and Breakfasts have been incorporated as a form of STRA and will still be subject to the same inspections required in the proposed licensing by-law.

Consideration has been given throughout the process for Bed and Breakfasts which have obtained prior site-specific planning approvals for additional rooms. No revisions have been made to the regulatory framework regarding traditional Bed and Breakfasts. Council has raised the option of giving *existing* licenced Bed and Breakfast operators special financial considerations. As set forth in Section 8 – *Financial and Budgetary Impact* – it is proposed that existing licenced Bed and Breakfast operators will not be charged the initial application fee, but will be charged a renewal fee upon the expiration of their current licence.

4.3 Revisions Addressing Proliferation of STRA

There are two main areas of concern when it comes to the issue of the proliferation or concentration of STRA in any specific area. The first is maintaining the established character of neighbourhoods or communities, and the second is the maintenance of the housing and rental stock.

The proposed licensing by-law requires that there be a minimum separation distance of 100 metres between STRA as measured from the closest points between STRA properties. A map showing an example of the buffer has been included as Attachment 8 to this report. This regulation will help to ensure that there is not a high concentration of STRA in a single area, and by extension, will help maintain the nature of communities within Georgina.

The draft licensing by-law also requires that the number of active STRA licences in the Town of Georgina not exceed 150 at any given time. This will help ensure that the housing and rental stocks are not threatened in the Town of Georgina.

4.4 Revisions Addressing Licensing Fees

A licensing fee analysis has been conducted by Town Staff and a recommended fee structure is set forth in Section 8 of this report.

4.5 Maximum Number of Persons

The existing Bed and Breakfast Residence provisions in Zoning By-law 500, which allowed for a maximum of four guest rooms, plus the host's accommodation, had no limit on the number of persons permitted on-site at any given time. It is difficult to determine how many persons are staying in a dwelling overnight, and so we opted to set a maximum number of persons on the site at any given time.

In previous versions of the proposed STRA regulatory framework, we tied the maximum number of persons on-site at any given time, to the number of guest rooms within the STRA. We had proposed 8 persons for one and two guest room STRA and 12 persons for three or more guest room STRA. This was not to be exclusively indicative of the number of persons staying overnight per guest

room, but instead a basis for the total number of all persons on site (renters, hosts, guests, etc.) at any given time.

This led to confusion regarding what is considered an acceptable number of persons staying overnight in a guest room rather than a maximum number of persons on-site at any given time.

The purpose of the regulation was meant to discourage large, unmanageable, and disruptive parties from occurring on STRA premises. As such, a maximum of 12 persons permitted at any given time, for any STRA premise, is set forth in the proposed licensing by-law. This maximum applies to all persons on the premises, whether they are an owner, a host, a renter, or a guest of any of these persons etc.

The maximum of 12 persons permitted on-site was determined based upon the current Bed and Breakfast Residence permission, in a dwelling, of up to four guest rooms.

5. PROPOSED STRA REGULATORY FRAMEWORK

5.1 Proposed 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 Pepperlaw Road, in Pepperlaw. The term *Bed and Breakfast Establishment* as it relates to this specific property has been replaced with *Short-term Rental Accommodation*.

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

5.2 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 permit STRA in single-family

dwellings. The proposed Zoning By-law Amendment defers to the proposed 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 proposed licensing by-law or for other reasons based on experience in dealing with the by-law over time.

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 Pepperlaw Road, in Pepperlaw; 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.

5.3 Proposed Licensing By-law

The proposed licensing by-law contains the detailed requirements governing the operation of STRA, 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 proposed Licensing by-law. A summary of the key provisions/requirements is listed below:

- Maximum of 12 persons on the property at any time. This includes renters, guests, host, residents, etc.;
- STRA only permitted if host resides on site;
- STRA without host on-site requires a variance to the Licensing by-law;
- Host must respond in person within 1 hour at the request of the Town if there is an issue on the STRA premises;
- Properties where a host does not respond in person within 1 hour at the request of the Town will be considered an absent host STRA and will be subject to higher licensing fees and demerit points for any future lack of response;
- 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 licensing application review process;
- Parking and parking area provisions;
- Establishment of a STRA Variance Committee (i.e. committee of Council);

- 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 draft 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 draft 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. These lands are currently the focus of the Lake Drive Jurisdiction Action Plan and will be addressed by the preferred regulatory framework once a resolution has been reached on the Action Plan.

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.

6. ENFORCEMENT PROGRAM:

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

It is suggested that the proposed 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. Historically, 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.

Over the course of the summer, Municipal Law Enforcement staff expanded their hours of operation to address Short-term Rental Accommodations (STRAs) and the infractions related to STRAs, which included parking, noise, and fireworks. Municipal Law Enforcement Officers were available until midnight on Friday and Saturday evenings and Sunday evenings on long weekends between May 17th and September 2nd. Complaints received after hours were minimal.

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

6.2 Upon the Licensing By-law Coming into Force and Effect

At such time as the proposed licensing by-law comes into force and effect. the enforcement program, pursuant to the draft licensing by-law, will be implemented.

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

The 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.

Parallel to any court proceedings, 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 outside of any court actions.

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.

7. 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".

8. FINANCIAL AND BUDGETARY IMPACT

A full analysis of the STRA licensing fees was carried out following the June 25, 2019, meeting. The STRA licence will last for one year, and will cost \$250 for a new licence, and \$150 for a renewal. All licenced bed and breakfasts will transition into the new licensing bylaw by application of renewal and the associated \$150 fee.

Other standard municipal fees may be required for matters such as Fire Inspections (\$122.00), Sewage Capacity review/inspection (\$106.00), where applicable; and, in the case of multiple occupancies (i.e. guest room rentals) an occupant load and inspection report fee (\$158.00), if required.

Staff will implement a workload monitoring program to assess the actual costs of the STRA administrative program and will report back to Council on whether increased fees are deemed appropriate. In this regard, if increased fees are warranted, Council may want to implement a gradual fee increase to the point where Town staff costs are fully covered.

In the event of an appeal or request for a variance to the proposed Licensing By-law, fees of \$650.00 and \$1,400, respectively, will be applied. .

CONCLUSION:

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 Michael Smith Planning Consultants; Development Coordinators Ltd. 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 proposed licensing by-law (Attachment "6"), and a work flow chart (Attachment "7"), have been prepared for the public, other stakeholders and Council to review.

A recommended Renter's Code of Conduct, Fee schedule, and Demerit Points schedule, form Appendices to the proposed draft licensing by-law.

The Enforcement Program both pre- and post- implementation of the proposed licensing by-law are set forth in this report.

In conclusion, it is recommended that Council receive this report, and direct Staff to take the necessary steps to implement the 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
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, 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, 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 Section 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, or an accessory apartment on the same lot as 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 or an accessory apartment on the same lot as 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, 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, 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, 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, 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 or an accessory apartment on the same lot as 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

PEPPERLAW 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
PEPPERLAW SECONDARY PLAN AREA

The attached explanatory text and location map, constituting Amendment No. ??? to the Pepperlaw 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, 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 PEPPERLAW
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 Pepperlaw 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, 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* with a maximum of 18 persons, 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, or an Accessory Apartment on the same Lot as 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 eighteen persons on the premises shall be permitted. 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

Town Clerk, Rachel Dillabough

EXPLANATORY NOTE

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 LICENSE, 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 License 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:

Accessory Apartment means an Accessory Apartment as defined in the Zoning By-law;

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

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 which conforms to the standards for a bedroom as set forth by the Ontario Building Code;

Host means an individual designated by the Licensee to be contacted by the Town regarding any concerns related to the Short-term Rental Accommodation;

Licence means the certificate or other similar document issued pursuant to 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;

Lot Frontage means Lot Frontage as defined in the Zoning By-law;

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

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;

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 the Zoning By-law, or any part thereof, as 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 the Zoning By-law;

Short-term Rental Accommodation Committee means a committee of the Town of Georgina Council, consisting of a minimum of three members of Council, which has the responsibility of hearing variances and appeals under this by-law;

Single Family Dwelling means a Single Family Dwelling as defined in the Zoning By-law;

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) Only provisions 2 (3), 2 (5) (a), 2 (5) (c), 2 (5) (d), 2 (8), shall be subject to the variance provisions found in Section 12 of this by-law.
- (2) Short-term Rental Accommodation shall only be permitted within a Single Family Dwelling or a lawfully permitted and registered Accessory Apartment on the same lot as a Single Family Dwelling.
- (3) Short-term Rental Accommodation shall only be permitted where a Host inhabits a dwelling unit, or any part thereof, on the same Premises as the Short-term Rental Accommodation; except by variance approved by the Short-term Rental Accommodation Committee pursuant to Section 12.
- (4) (a) A Host, if requested by the Town, must be present on the Premises within one hour of being contacted;

(b) If a Host, at the request of the Town, is not present on the Premises within one hour of being contacted, demerit points shall be assessed as per Appendix "B".
- (5) (a) The maximum number of Persons, including but not limited to inhabitants, Renters, and their guests, permitted on a Premises at any one time, shall be twelve (12);

(b) Notwithstanding 2 (5) (a) above, the maximum number of Persons permitted on any Premises serviced by a septic system shall be determined at the time of application following a review of the septic system's capacity, but such number of Persons shall not exceed the maximum persons set out in 5(a), 5(c), or (5d);

(c) Notwithstanding 2 (5) (a) above, the property zoned "R1-120" in the Zoning By-law, and described as Lot 11 and Block B, Plan 168 on the North Side of Malone Avenue, which was zoned for five Guest Rooms, shall be limited to fifteen (15) Persons on the Premises at any one time;

- (d) Notwithstanding 2 (5) (a) above, the property zoned “R-41” in the Zoning By-law, and described as Part of Lot 21, Concession 6 (G), on the east side of the Pepperlaw Road, which was zoned for six Guest Rooms shall be limited to eighteen (18) Persons on the Premises at any one time.
- (6) The provision of parking on the site plan referenced in Section 3 (1) (h) below shall include the following:
- (a) Confirmation that the driveway or parking area shall not exceed 55% of the Lot Frontage;
 - (b) a minimum of three parking spaces plus one additional parking space per Guest Room; and,
 - (c) Compliance with all other parking provisions as set forth in the Zoning By-law.
- (7) All vehicles shall only be permitted in a parking area consisting of a hard-surfaced driveway (gravel, paved, concrete, interlock or similar hard surface).
- (8) There shall be a minimum separation distance of 100 metres between Short-term Rental Accommodation Premises. Such distance shall be measured from the closest points between the Premises (i.e. shortest distance between the lot lines of the two Premises).
- (9) The number of active Short-term Rental Accommodation Licences shall not exceed 150 at any given time. For the purposes of this section, a Licence shall still be considered active if it is suspended and shall not be considered active if it has been revoked.
- (10) There shall be a maximum of one (1) Short-term Rental Accommodation License issued per Premises.

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, Host, 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 the Province of 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) in the case of a Host not being the Owner, a rental agreement between the Host and Owner for a period equal to or greater than thirty-one (31) days;

- (h) 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
 - (vii) related site amenities including but not limited to dimensioned parking spaces, a required parking layout, designated waste disposal, and other buildings or structures on the Property;
 - (i) 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;
 - (j) an Electrical Safety Authority (ESA) certificate; and
 - (k) 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, and to apply 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 "C" 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 "C" 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 set forth in Section 4 (1) (b) to (f) of this by-law shall be addressed pursuant to their respective remedies. In addition, demerit points will be levied against the Premises in violation of this by-law as per Appendix "C" 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 Short-term Rental Accommodation Committee.
- (2) A Person may appeal to the Short-term Rental Accommodation Committee in relation to the matter of notice in Section 11 (1). Appeals will not be permitted for any matters that have already been heard by the Short-term Rental Accommodation Committee. 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 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 Short-term Rental Accommodation Committee 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 Applicant or Licensee, the Short-term Rental Accommodation Committee shall make a decision. When making its decision the Short-term Rental Accommodation 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 Short-term Rental Accommodation Committee may refuse to issue or renew a Licence, revoke, suspend, or impose any condition to a Licence. The Short-term Rental

Accommodation Committee's decision is final and binding and shall not be subject to review.

- (6) Where the Short-term Rental Accommodation 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 Short-term Rental Accommodation Committee will consider the application for variance and may authorize such variance from the provisions of Section 2 (3), 2 (5) (a), 2 (5) (c), 2 (5) (d), and 2 (8), of this by-law where the variance is desirable for the appropriate use of the Premises and the general intent and purpose of this by-law are maintained;
- (4) The decision of the Short-term Rental Accommodation Committee, with regard to the variance application, shall be final and binding.
- (5) Notice of Decision of the Short-term Rental Accommodation Committee shall be given to the Owner/Applicant and any Persons which either submitted comments in writing or provided verbal comments at the Short-term Rental Accommodation 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 within the scope of applicable by-laws and legislation as set forth in Section 4.1 (b) to (f), 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 final approval of the Amendments to the Official Plan, Secondary Plans for Keswick, Sutton/Jackson’s Point, Pefferlaw, and the amendment to the Zoning By-law but not before January 1, 2020.

Mayor, Margaret Quirk

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 (STRA) premises are permitted in single family dwellings, and lawfully permitted and registered accessory apartments on the same lots as single family dwellings. It is also acknowledged that poor behaviour on the part of STRA renters can disrupt neighbours. Neighbouring residents have the right to enjoy their own properties without nuisance. It also outlines specific requirements for STRA and imposes responsibilities for owners, hosts 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 owners, 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 STRA that is located in a residential area.

4. Guiding Principles

The guiding principles for STRA 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 Persons on the Premises:

The maximum number of Persons permitted at a Short-term Rental Accommodation Premises shall be limited as per Section 2(5) of the Short-term Rental Accommodation Licensing By-law.

The maximum number of Persons, including but not limited to residents, renters and their guests/visitors, permitted on a Premises at any one time, shall be

twelve (12). The maximum number of persons may be further limited at STRA on private services.

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 fifteen (15) 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 eighteen (18) 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 STRA by-law.

7. Access and Parking:

Please familiarize yourself and your guests with the parking layout for the premises (shown on the site plan) to ensure ease of access with minimum disturbance to neighbours. All STRA premises will have vehicle parking requirements as part of the licensing process.

8. Recycling and Garbage:

Please familiarize yourself and your guests with all related site amenities found on the site 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 STRA 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. The maximum number of persons for lots on private services will be determined by the Town following a sewage capacity inspection. This is of 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 STRA shall have installed operating fire alarms and a fire extinguisher. In STRA 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 for these vehicles. Parking requirements for Leisure Vehicles are addressed as part of the overall Parking Management Plan within the STRA By-law.

12. Additional Responsibilities

All owners, hosts, 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.). Further, in the event of a complaint or disturbance, hosts must respond within one hour upon request of the Town.

I, _____, being the Licensee of the property

described as _____
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" TO BY-LAW # ?????

SHORT-TERM RENTAL ACCOMMODATION FEE SCHEDULE

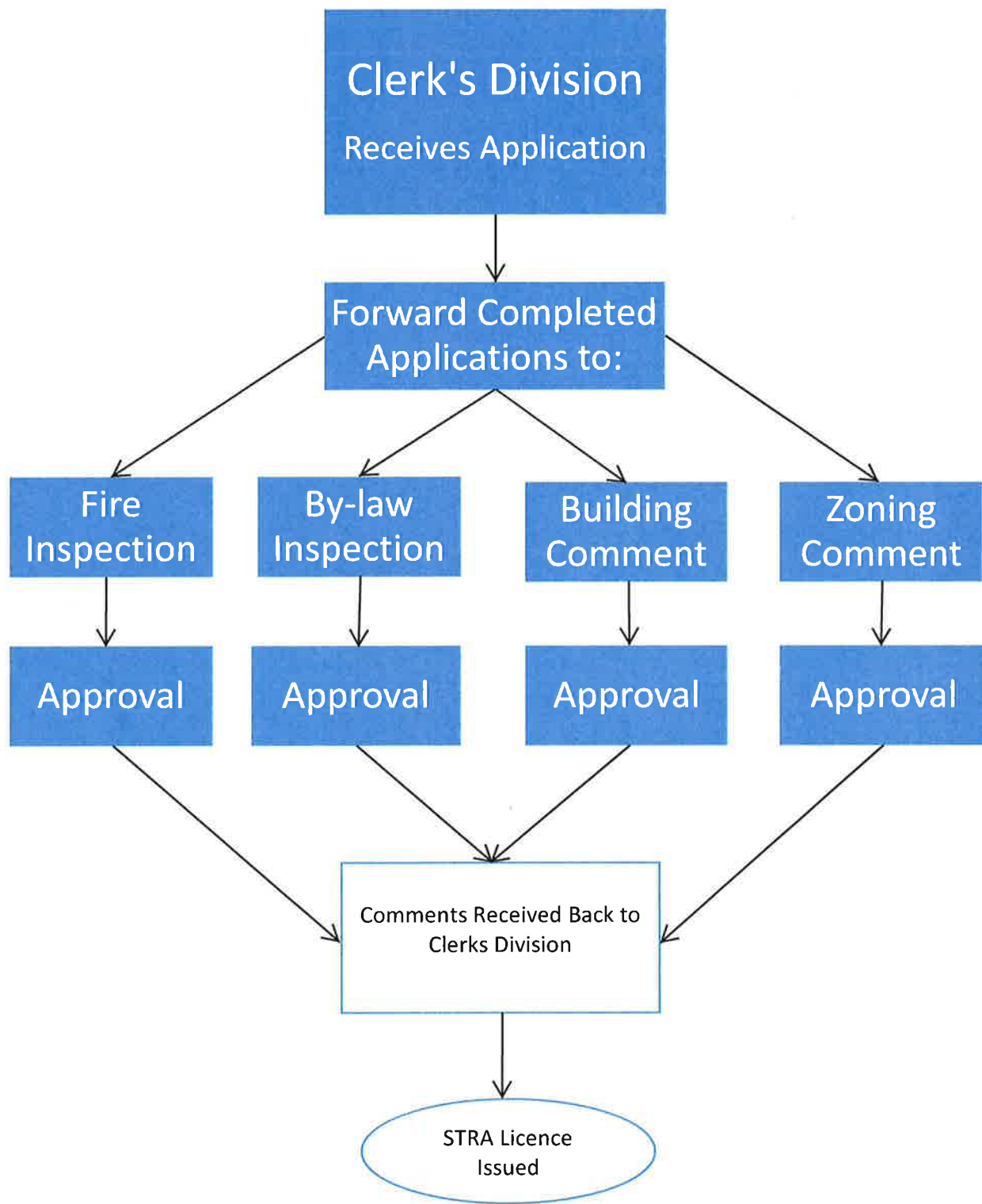
| REQUIRED FEES | FEES |
|---|------------|
| Short-Term Rental Accommodation Licensing Fee | \$250.00 |
| Short-Term Rental Accommodation Renewal Fee | \$150.00 |
| Sewage Capacity Inspection Fee | \$106.00 |
| Occupant Load and Inspection Report | \$158.00 |
| Fire Inspection Fee | \$122.00 |
| Short-Term Rental Accommodation Committee Appeal Fee | \$500.00 |
| Short-term Rental Accommodation Committee Variance Fee | \$1,400.00 |

APPENDIX 'C' - 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;
 - (iv) an Order not complied with resulting in Town remediation; or,
 - (v) an observation by an Officer.
- (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 |
| Host does not respond within 1 hour of request by Town | STRA By-law | Observed by an Officer | 1 |
| | | Order not Complied With | 2 |
| | | Part 1 or Part III | 4 |
| Violation of any Provision of this By-law | STRA By-law | Observed by an Officer | 1 |
| | | Order not Complied With | 2 |
| | | Part 1 or Part III | 4 |
| Violation of Renter's Code of Conduct | STRA By-law | Observed by an Officer | 1 |
| | | Order not Complied With | 2 |
| | | Part 1 or Part III | 4 |



An Example of Airbnb 100 m Buffer Proposed By-Law Regulation

