



GEORGINA Short-term Rental Accommodation (STRA) Q & A's

Q. Can I operate a STRA in Georgina?

A. There are two main requirements your property has to fall within in order to be permitted to operate a STRA –

- Is your property a single-family dwelling?
- Does your property have a minimum of three parking spaces, plus one additional parking space per guest room?

If you answered yes to both questions, then your property is within the definition of a short-term rental accommodation and you can make application for a STRA licence.

Q. Can I own two properties in Georgina and have two STRA licences?

A. Yes you can own two properties, however, you are required to apply for two STRA licences.

Q. Do I have to live in my house if I want to operate a STRA?

A. Yes, you or your representative will have to inhabit the dwelling unit, or any part thereof, on the same premises as the STRA; except if the STRA Committee under a Variance Application approves a designated offsite host.

“Host” means any individual, who is not a renter, designated by the applicant or licensee to be contacted by the Town regarding any concerns related to the Short-term Rental Accommodation.

Q. Can my current tenant rent out my STRA?

A. Yes, but only with written consent from the homeowner.

Q. What if my neighbour has a licensed STRA, can I still apply?

- A. You can apply for a licence, however, the STRA by-law states that there shall be a minimum separation distance of 100 metres between STRA's. If you are within the 100 metres, you can submit a variance application where the Short-term Rental Accommodation Committee will review the request.

Q. Is there a cap on the number of STRA licences?

- A. Yes, the number of active STRA licences shall not exceed 150 at any given time.

Q. What do demerit points mean?

- A. The Demerit Point System was established to keep track of all contraventions and allow enforcement of the by-law. It provides reassurance to neighbours that if there is a problematic STRA in their neighbourhood, the STRA licence could be suspended or revoked based on the amount of demerit points.

Q. How many demerit points would a STRA have for the licence to be suspended or revoked?

- A. A STRA licence may be suspended for a period not longer than six months if the total demerit points is at least seven and a STRA licence may be revoked if the total demerit points is at least 15.

Q. What are the fees for a STRA licence?

A. New Application	\$250
Renewal Application	\$150
Septic Inspection	\$106
Occupant Load Review	\$158
Fire Inspection	\$122
Committee Appeal	\$500
Variance Application	\$1,400

Q. How long is my STRA licence valid for?

- A. Your STRA licence is valid for one year and will expire the year after the licence was issued.
-

Q. What documents are required for a STRA licence?

A. The following documents are required:

- STRA application
 - Proof of ownership
 - Proof the applicant is at least 18 years of age
 - Rental agreement between owner and host (if applicable)
 - Rental agreement between the applicant (tenant) and owner (if applicable)
 - Corporation, Articles of Incorporation, partnership documents (if applicable)
 - Site plan
 - Floor plan
 - Proof of current \$2-million liability insurance
 - Licence fees
-

Q. What if there are 150 licences and I want to get a licence?

A. There will be a waiting list. Each completed application received will be date stamped and when a licence is made available, staff will contact the next available application. Based on the area of existing STRA's, the applicant on the waiting list may have to apply for a variance in order to operate within the 100 metres of an existing STRA. If the applicant next in line does not want to continue with the application, staff will contact the next application on the waiting list.

Q. Will notification be made to surrounding neighbours when a STRA application is submitted?

A.

- If the application is new (without a variance)? Notification is not required.
- If an application has a variance? Notification will be sent to neighbours within 100 metres of the STRA.
- If an application has an appeal? Notification is not required.



Submit the STRA application and fees

Application will be forwarded for
comments/inspections to:

Fire Services

Development Services

Municipal Law
Enforcement

All departments provide comments

Approval

Application denied

Issue licence

Applicant
ends process

OR

Appeal
(14 days to request)

Provisional/
Approval

OR

Refusal



GEORGINA

georgina.ca/STRA



Town of Georgina

Short-term Rental Accommodation Application

- ☐ The property is a Single Family Dwelling (**completely detached dwelling containing one dwelling unit, and which may contain one accessory apartment**).
- ☐ The property has a minimum of three parking spaces, plus one additional parking space per guest room.
- ☐ The property's driveway or parking area does not exceed 55% of the lot frontage.

The above must be accurate to be permitted to operate a Short-term Rental Accommodation in the Town of Georgina. If you have any questions or concerns, please contact the Clerk's Division at 905-476-4301 ext. 2291.

Date Application Submitted:			
<input type="checkbox"/> New Application \$250.00		<input type="checkbox"/> Renewal Application \$150.00	
<input type="checkbox"/> Fire Inspection \$122.00		<input type="checkbox"/> Zoning Review \$158.00	<input type="checkbox"/> Septic Review \$106.00
(Fees are non-refundable or non-transferrable)			
Owner Information			
Full Name:			
Address	Street Address	P.O Box	Apartment/Unit #
	City	Province	Postal Code
Home Phone		Business Phone	
Email			
Business Name (If Applicable)			
Corporation/ Articles of Incorporation	<input type="checkbox"/> Yes Documents Received		

Partnership	<input type="checkbox"/> Yes Documents Received
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Applicant/Agent Information (if submitting on behalf of owner)

Full Name			
Address	Street Address	P.O Box	Apartment/Unit #
	City	Province	Postal Code
Primary Phone		Secondary Phone	
Email			

Host Information (off premises contact)

Full Name			
Address	Street Address	P.O Box	Apartment/Unit #
	City	Province	Postal Code
Primary Phone		Secondary Phone	
Email			

Short Term Rental Accommodation Information

Address of Short-term Rental Accommodation unit	Street Address	P.O Box	Apartment/Unit #
	City	Province	Postal Code
Primary Phone		Secondary Phone	
Email address			

Please note: In the event that a Short-term Rental Accommodation Licence is issued for this property, the Short-term Rental Accommodation information collected under this section will be included on the Town of Georgina website and will be made available to the public.

Short-term Rental Accommodation Operations

Is the STRA Owner occupied?	<input type="checkbox"/> Yes <input type="checkbox"/> No, (variance application required)
Registered Accessory Apartment	<input type="checkbox"/> Yes <input type="checkbox"/> No
Number of Guest Rooms being rented	
Number of Guests per room	
Number of Parking Spaces on Property	
Are there locks on the guest room doors?	<input type="checkbox"/> Yes, (fire separations are required) <input type="checkbox"/> No
Is the property on a septic system?	<input type="checkbox"/> Yes, (approval required) <input type="checkbox"/> No

Consent of Property Owner

I/We _____ being the registered owners(s) of the
 subject land, hereby authorize _____, acting as

<input type="checkbox"/> Agent	<input type="checkbox"/> Applicant
<input type="checkbox"/> Host	<input type="checkbox"/> Renter

to submit the enclosed application to the Clerk's Division and to provide any information or material required by the Clerk's Division relevant to the application.

Dated at the Town/City of _____, in the County/Region of _____

this _____ day of _____ 20____.

 Signature of Applicant

 Signature of Co-Owner

Consent

I/We _____ being the

<input type="checkbox"/> Agent	<input type="checkbox"/> Applicant
<input type="checkbox"/> Host	<input type="checkbox"/> Renter

for the subject land, hereby authorize _____, as my/our

<input type="checkbox"/> Agent	<input type="checkbox"/> Applicant
<input type="checkbox"/> Host	<input type="checkbox"/> Renter

to submit the enclosed application to the Clerk's Division and to provide any information or material required by the Clerk's Division relevant to the application.

Dated at the Town/City of _____, in the County/Region of _____

this _____ day of _____ 20____.

Signature of Applicant

Signature of Co-Owner

Declaration

I, _____ of the Town/City of _____

In the County/Region of _____ solemnly declare that:

- ☐ I understand and acknowledge that submission of the application under Short-term Rental Accommodation By-law Number 2019-0061 (LI-3) does not guarantee that a licence will be issued under the By-law, and that the licenses will not be issued until all requirements of the By-law are fulfilled to the satisfaction of the Licensing Coordinator.
- ☐ As of the date of this application, I have examined the contents of this application, I certify as to the correctness of the information submitted with the application insofar as I have knowledge of these facts, and I concur with the submission of this application to the Municipality.

- ☐ I understand and acknowledge that Personal information under this application is being collected under the authority of the *Municipal Freedom of Information and Protection of Privacy Act*, as amended. In the event that the Short-term Rental Accommodation Licence is issued for this property, I hereby authorize the Town to include Short-term Rental Accommodation information on the Town of Georgina website for public access.
- ☐ I consent to my contact information being provided to the Town's Economic Development and Tourism Division so that they can contact me regarding the information and programs available to promote my Short Term Rental Accommodation.
- ☐ I consent to my contact information being provided to the Georgina Chamber of Commerce so that they can contact me regarding the information and programs available to promote my Short Term Rental Accommodation.
- ☐ All of the above statements and the statements contained in all of the exhibits submitted herewith are true and I make this solemn declaration, conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the *Canada Evidence Act*.

Declared before me at the Town of _____, in the County/Region of _____

This _____ day, of _____, 20_____.

Signature of Applicant

Signature of Commissioner

Licence Requirements - Checklist

1. Complete STRA Application
2. Proof of Ownership
3. Proof the Applicant is at least eighteen (18) years of age
4. Corporation, Articles of Incorporation, Partnership documents and a list of shareholder or members names and addresses (if applicable)
5. Rental agreement between Owner and Host (when applicable)
6. Site Plan including the following:
 - location of all buildings and structures on the property
 - all entrances/exits to and from the building
 - exterior decks that are appurtenant to the property
 - designated waste disposal
 - driveway and parking layout
 - dimensioned parking spaces

Floor Plan drawn to scale including the following:

 - the use of each room
 - identify number of guests per guest room
 - location of smoke detection and early warning devices
 - location of fire extinguishers
 - all entrances/exits to and from the building
 - exterior decks that are appurtenant to the property
7. Proof of two million dollar (\$2,000,000.00) liability insurance for property damage and bodily injury and identifies that a Short-term Rental Accommodation is being operated on the property
8. Payment of the applicable licence fees
 - ☐ New Application \$250.00
 - ☐ Renewal of Application \$150.00
 - ☐ Fire Inspection \$122.00
 - ☐ Zoning Review \$158.00
 - ☐ Septic Review \$106.00 (subject to inspection, if required)

Personal information is being collected under the authority of the *Municipal Act, 2001*, as amended, for the purposes of reviewing this application. Questions regarding the collection of personal information should be directed to the Town of Georgina, 26557 Civic Centre Rd., Keswick, Ontario, L4P 3G1, Tel: 905-476-4301 Clerk's Division



STRA Variance/Appeal Application

Date Application Submitted:

☐ Variance Application \$1,400.00

☐ Appeal Application \$500.00

(Fees are non-refundable or non-transferrable)

Owner Information

Full Name:			
Address	Street Address	P.O Box	Apartment/Unit #
	City	Province	Postal Code
Home Phone		Business Phone	
Email			
Business Name (If Applicable)			

Applicant Information (if submitting on behalf of owner)

Full Name			
Address	Street Address	P.O Box	Apartment/Unit #
	City	Province	Postal Code
Primary Phone		Secondary Phone	
Email			

Consent of Property Owner

I/We _____ being the registered owners(s) of the subject land, hereby authorize _____, acting as an Applicant to submit the enclosed Variance Application to the Clerk's Division and to provide any information or material required by the Clerk's Division relevant to the application.

Dated at the Town/City of _____

this _____ day of _____ 20____.

Signature of Applicant

Signature of Co-Owner

Purpose of the Variance/Appeal Application

- | | |
|---|--|
| <input type="checkbox"/> Require an Off-Site Host | <input type="checkbox"/> Licence Revoked Appeal |
| <input type="checkbox"/> Increase the Number of Permitted Renters | <input type="checkbox"/> Licence Suspension Appeal |
| <input type="checkbox"/> Licence already Issued within 100 Metres | <input type="checkbox"/> Licence Revocation Appeal |
| <input type="checkbox"/> General Provision (5) (c) | <input type="checkbox"/> Licence Denied Appeal |
| <input type="checkbox"/> General Provision (5) (d) | |

Please provide a detailed explanation for the Variance/Appeal request

Declaration

I, _____ of the Town/City of _____

In the County/Region of _____ solemnly declare that:

I understand and acknowledge that submission of the application under Short-term Rental Accommodation By-law Number 2019-0061 (LI-3), does not guarantee that a licence will be issued under the By-law, and that the licenses will not be issued until all requirements of the By-law are fulfilled to the satisfaction of the Licensing Coordinator.

As of the date of this application, I have examined the contents of this application, I certify as to the correctness of the information submitted with the application insofar as I have knowledge of these facts, and I concur with the submission of this application to the Municipality.

All of the above statements and the statements contained in all of the exhibits submitted herewith are true and I make this solemn declaration, conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the *Canada Evidence Act*.

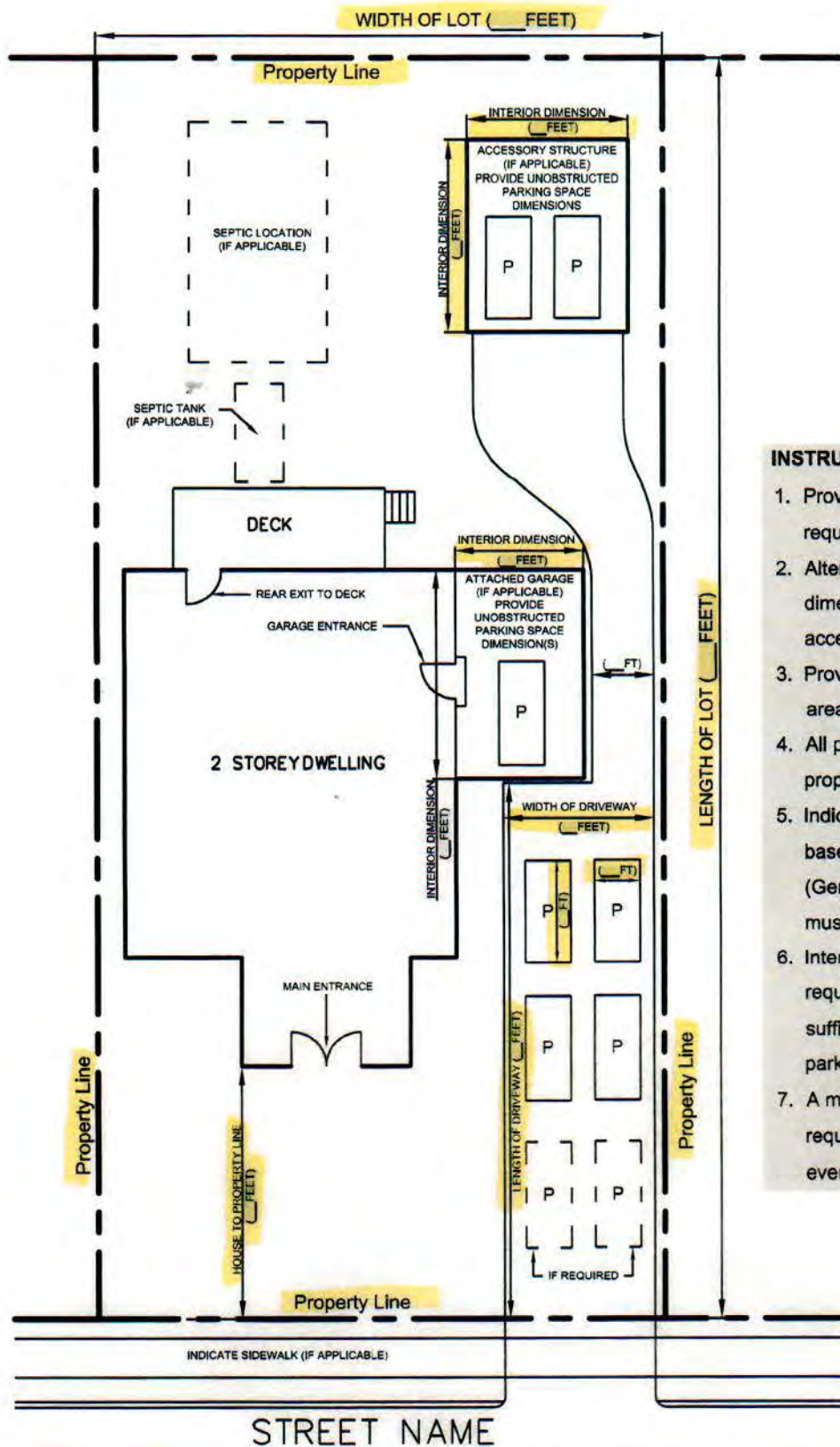
Declared before me at the Town of _____, in the County/Region of _____

This _____ day, of _____, 20_____.

Signature of Applicant

Signature of Commissioner

EXAMPLE SITE PLAN



INDICATE NORTH



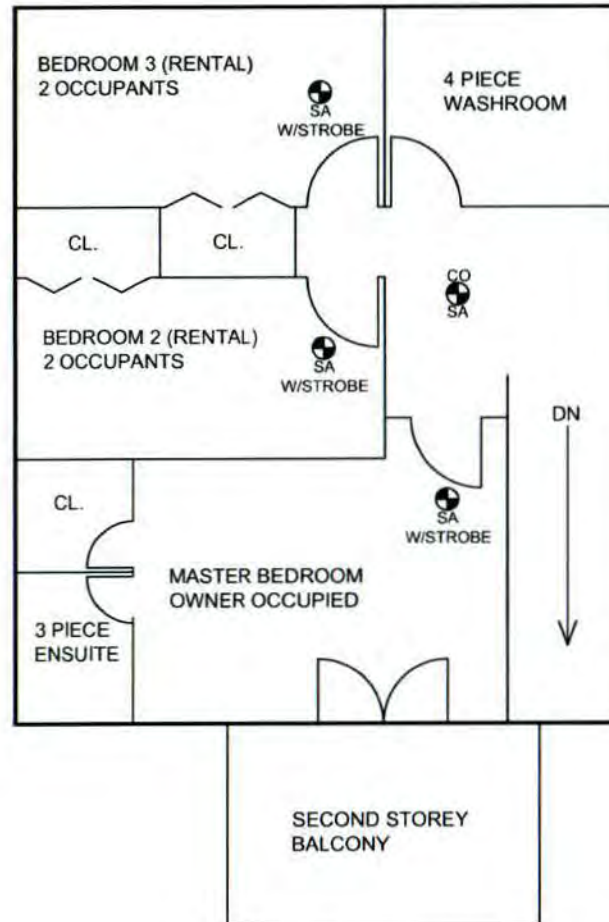
INSTRUCTIONS:

1. Provide a site plan indicating all required information
2. Alternatively, a survey with required dimensions of parking spaces is acceptable.
3. Provide dimensions for all indicated areas.
4. All parking shall be provided on the property.
5. Indicate dimensions of parking spaces based on required zoning provisions. (Generally, minimum parking space must be 9'-10" x 18'-9").
6. Internal dimensions of garage with required parking space(s) must be sufficient to accommodate minimum parking space dimensions.
7. A minimum of 3 parking spaces are required, plus 1 additional space for every guest room.

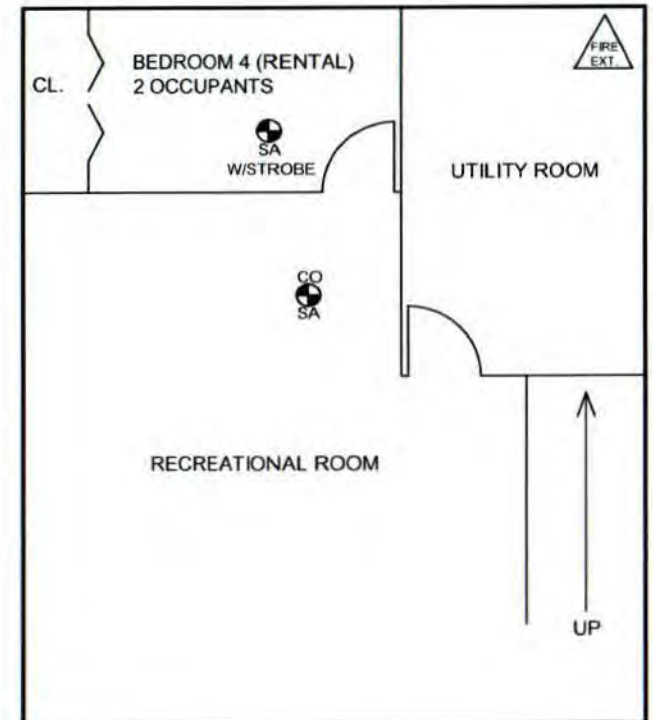
Legend:

P = Parking space

EXAMPLE FLOOR PLAN



SECOND FLOOR



BASEMENT

LEGEND:



Carbon monoxide detector/Smoke alarm



Smoke alarm with strobe light function

W/STROBE



Fire extinguisher

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

BY-LAW NUMBER 2019 – 0061 (LI-3)

**BEING A BY-LAW TO 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 Licencing 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 100 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, Pepperlaw, and the amendment to the Zoning By-law but not before January 1, 2020.

READ and enacted this 9th day of October, 2019.



Margaret Quirk, Mayor



Rachel Dillabough, Town Clerk

APPENDIX 'A' TO BY-LAW # 2019-0061 (LI-3)

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 Pepperlaw 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. The disposal of household waste in public garbage bins is prohibited.

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 smoke 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 post a copy of the Renter's Code of Conduct in a clearly visible location within my Short-term Rental Accommodation for the Renters to review, 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 # 2019-0061 (LI-3)
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' TO BY-LAW # 2019-0061 (LI-3) - 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

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	Observed by Officer	1
		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	Observed by Officer	1
		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
Obstruction of Officer	STRA By-law	Observed by Officer	7
		Part 1 or Part III	15