

Short-Term Rental Accommodation Study

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The Sharing Economy

- The “*sharing economy*” is an umbrella term which describes a wide variety of economic activities that have been made more accessible through technology. The common element is that they enable individuals to “*share*” their personal assets or skills.
- Two well-known digital platforms are *Uber*, in the transportation market, and *Airbnb*, in the STRA market, but there are sharing economy platforms in nearly every economic sector. The Province has defined the sharing economy as follows:

“The ‘sharing economy’ refers to people using online platforms to sell or rent underutilized property, goods, or services and rating each other’s trustworthiness through online reputation systems.”

STRA Definition

- Means a building or structure or any part thereof that operates or offers a place of temporary residence, lodging or occupancy by way of concession, permit, lease, licence, rental agreement or similar commercial arrangement for any period equal to or less than thirty (30) consecutive calendar days, throughout all or any part of the calendar year, unless otherwise prohibited by Zoning By-law 500, or any other by-law of the Town of Georgina.
- Short-term Rental Accommodation uses 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.
(Hybrid of Towns of Oakville and Town of the Blue Mountains, and proposed TOG Zoning By-law definitions)

STRA in Georgina

- STRA has been active in the Town of Georgina 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, real estate companies and by word of mouth.
- Based on preliminary review, there are approximately 109 STRA currently listed online in the Town of Georgina

Port Bolster

Franklin Beach

Georgina

Udora

Beach KESWICK

48

32

3

12

8

Zephyr

Leasko

The Process to Date

- **September 6, 2017:** Council receives delegations regarding STRA, and directs staff to begin researching enforcement options
- **February 7, 2018:** Council receives report CAO-2018-0003 and directs staff to continue with the development of a policy framework to regulate STRA
- **February 28, 2018:** Council receives report CAO-2018-0004 and grants staff the authority to retain the services of Michael Smith Planning Consultants; Development Coordinators Ltd. (MSPCDC)
- **March & April 2018:** MSPCDC conducts background research
- **May 8, 2018:** MSPCDC and Town Staff meet to discuss background research
- **May 14, 2018:** Council receives briefing note *“Short-term Rental 2018 Summer Municipal Law Enforcement Initiative”* prepared by the Municipal Law Enforcement Division
- **Late May 2018:** Report CAO-2018-0007, and “Discussion Draft” Licencing By-law, OPA and ZBA completed
- **June 6, 2018:** Report CAO-2018-0007 with attachments presented to Council
- **July 11, 2018:** Public Information Meeting

The Report

- Summarizes totality of background research, and provides a regulatory framework for discussion purposes only
- Main comparator municipalities: Town of the Blue Mountains, Town of Niagara-on-the-Lake, Town of Oakville, and the City of Toronto
- Addresses main areas of concern, and potential options and considerations for a future regulatory framework

Legal Non-Conforming Use

- Section 34 (9) of the Planning Act of Ontario provides that:
*“Excepted lands and buildings
(9) No by-law passed under this section applies,
(a) to prevent the use of any land, building or structure for any purpose prohibited by the by-law if such land, building or structure was lawfully used for such purpose on the day of the passing of the by-law, so long as it continues to be used for that purpose; ...”*
- Both the Town of the Blue Mountains and the Town of Niagara-on-the-Lake considered STRA existing prior to the passing of their respective zoning by-laws, legal non-conforming uses

Key Official Plan and Zoning Options

- Prohibit in the Town of Georgina
- Permit in all designations and/or zones permitting residential uses
- Prohibit in certain designations and/or zones
- Permit by site-specific official plan amendment and/or zoning amendment

“Discussion Draft” Official Plan Amendment

- For Discussion Purposes Only
- Remove Bed and Breakfast definition
- Define Short-term Rental Accommodation
- Permit Short-term Rental Accommodation in any designation permitting residential uses

“Discussion Draft” Zoning By-law Amendment

- For Discussion Purposes Only
- Remove definition and all references to Bed and Breakfast Residence
- Add definitions for Guest Room and Short-term Rental Accommodation
- Add Short-term Rental Accommodation parking requirement
- Permit Short-term Rental Accommodation in all zones permitting residential uses, subject to meeting road access, and health and safety standard provisions
- Prohibit STRA in an Accessory Apartment within a dwelling or non-residential accessory building within 100 metres of Lake Simcoe or a permanent stream

“Discussion Draft” Licencing by-law

- For Discussion Purposes Only
- Replace existing Bed and Breakfast Licencing By-law
- Provide Town Staff with necessary administrative and enforcement powers to effectively licence and control Short-term Rental Accommodation, including a demerit point system, licencing fees, a renter's code of conduct, etc.

Demerit Point System

- Allows Town to manage negligent STRA hosts to ensure adherence to the applicable By-laws, Acts and Codes
- Provides for more immediate consequences and controls on negligent STRA hosts, while any applicable fines are being processed by a court of competent jurisdiction

Demerit Point System Example

Infraction	Reference	Type	Demerit Points
Fire Protection and Prevention Act/Fire Code	FPPA/FC	Confirmed order -----	3 -----
		Part 1 or Part III	7
Operating without a licence		Confirmed order -----	3 -----
		Part 1 or Part III	5
Building Code Act (construction w/o a permit)	BCA	Confirmed order -----	3 -----
		Part 1 or Part III	7
Noise By-law Infraction	Town Noise By-law	Confirmed order -----	2 -----
		Part 1 or Part III	5
Contrary to the Parking Management Plan	Section 3 (h)	Confirmed order -----	2 -----
		Part 1 or Part III	4
Property Standards	Town Property Standards By-law	Confirmed order -----	2 -----
		Part 1 or Part III	4
Ontarians with Disabilities Act	ODA	Confirmed order -----	3 -----
		Part 1 or Part III	7

Comparator Municipality Licencing Fees

TABLE 4: Comparator Municipality STRA Licencing Fees		
Municipality	Fee	Term
Town of the Blue Mountains	\$2,500 (Licence Fee)	2 year term
	\$1,500 (Licence Fee: Condo)	
	\$750 (Renewal Fee)	
	\$75 (Fire/Property Standards Inspection Fee)	N/A
	\$500 (Appeal Fee)	N/A
Town of Niagara-on-the-Lake	\$110 x # of Guest Rooms x 4	4 year term (Paid in lump sum or in annual payments over the 4 year term)
Town of Oakville	\$237	1 year term

Next Steps

- 1) Report to Council (summary of input from public, stakeholders, and Technical Advisory Committee) on September 12, 2018
- 2) Any additional research required
- 3) Statutory public meeting for OPA & ZBA pursuant to Planning Act
- 4) Assessment and incorporation of public comments in report to Council
- 5) Second public meeting (if required)
- 6) Report to Council to consider adoption of proposed OPA (including amendments to the Keswick, Sutton/Jackson's Point and Pefferlaw Secondary Plans, ZBA and Licencing By-law
- 7) Preparation of general information package on STRA