Grey County Research of STAs

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Municipal Approaches

Collingwood

Collingwood staff report (provides lots of information on STA regulations in TBM, Wasaga, Niagara on the Lake, Orillia, and Whitchurch-Stouffville):

REPORT TO: (civicweb.net)

Collingwood Zoning By-law:

Bed and Breakfasts and other Short Term Accommodations of less than 30 days | Town of Collingwood

2010-040 fullzoningbylaw consolidated revisions 0.pdf (collingwood.ca)

Where STAs are Permitted:

STAs only allowed in bed and breakfasts.

Enforcement:

In accordance with the current standards for enforcement set by Council, the service level for 'Short Term Accommodation' (STA) falls within the 'Reactive Service Level', where a case is initiated upon the receipt of a valid complaint.

The following is a brief overview of the By-law Services Division complaint process as it relates to STAs:

- 1. Upon the receipt of a valid STA complaint, details from the complainant are recorded, and a case file is entered.
- 2. Using a variety of investigation techniques/methods, by-law enforcement staff substantiate or confirm the alleged violation is occurring at the property.

- 3. Upon complaint being substantiated, the owner of the illegal STA is provided with a written notice of violation and a compliance date is ordered of which the operation of the illegal STA premises must cease to operate.
- 4. The By-law Services Division will conduct a follow up inspection to ensure compliance with the Town's Zoning By-law.

The Fire Department and the Building Services Division may also be notified of the illegal STA and a follow up inspection may be required to ensure life safety provisions are in place.

Official Plan:

Nothing in OP

Town of the Blue Mountains

Licensing By-law Documents:

Short Term Accommodation (STA)Licensing By-law 2021-70 (thebluemountains.ca)

Short Term Accommodations | Town of The Blue Mountains, ON

The Town of Blue Mountains' STA Licensing By-law No. 2021-70 provides a system for the licensing of STA premises rented on a basis of fewer than 30 days. Schedule A establishes four licensing types:

- A. Short Term Rental Property License within the Exception Area (Schedule C);
- B. Short Term Rental Property License outside the Exception Area (Schedule D);
- C. Legal Non-Conforming Short Term Rental Property License (Schedule E); and
- D. Bed & Breakfast License (Schedule F).

Zoning By-law:

Comprehensive Zoning By-law -Town of The Blue Mountains 2018-65 Office Consolidation January 13 2023 FINAL.pdf

Where STAs are Permitted:

TBM created a new zone for STAs called Resort Residential Zone.

Enforcement:

Complaints about STAs from residents sent to By-law enforcement.

TBM has a demerit point system and by-law to help charge illegal STAs and ensure that legal ones continue to meet all necessary requirements.

<u>2021-71 Comprehensive System of Administrative Monetary Penalties By-law</u> (thebluemountains.ca)

Official Plan:

document viewer (11).pdf (thebluemountains.ca)

South Bruce Peninsula

Licensing By-law

DOC101322-10132022110314.pdf (southbrucepeninsula.com)

Zoning By-law:

South Bruce Peninsula Comprehensive Zoning By-law Office Consol January 2019

Where STAs are Permitted:

Short Term accommodation units permitted in Rural, Commercial, and Residential zones.

Enforcement:

Uses complaints from residents to find out about illegal STAs.

Official Plan:

Nothing in OP

Goderich

Licensing By-law:

By-Laws - Town of Goderich

Must be in Principal Residence

Council has directed staff to amend the Zoning By-Law to allow short term rentals of an individual's principal residence while they are not on site, to a maximum of 60 nights a year; along with drafting a licensing by-law for short term rentals. This Zoning By-Law and Licensing By-Law will be considered by Council later this year.

Zoning By-law:

Uses Zoning By-laws right now will change to regular zoning by-law.

Enforcement:

Will use Granicus to monitor websites listing STAs and match listings to properties, as well as identify if there is a license or not. By-law Enforcement Officer would then review it and determine if charges will be laid. Currently only have a complaint-based system but will use both soon.

Official Plan:

Nothing in OP

London

Licensing By-law:

Short-term accommodation licensing | City of London

Municipal Accommodation Tax By-law - A.-8290-227 | City of London

Zoning By-law:

Nothing in Zoning By-law.

Where are STAs Permitted:

STAs must be in a principal residence and or a unit on the principal address property.

Enforcement:

Uses a complaint-based system to find illegal STAs.

Official Plan:

Nothing in OP

Toronto

Licensing By-law:

Chapter 547 (toronto.ca)

More Important Information on STAs:

<u>City of Toronto registration of short-term rentals to launch September 10 – City of</u> Toronto

Short-Term Rentals - City of Toronto

Zoning By-law:

97ec-City-Planning-Zoning-Zoning-By-law-Part-1.pdf (toronto.ca)

Where are STAs Permitted:

Short term rentals are permitted in all Residential Zones and some Commercial Zones such as Commercial Residential Zone and Commercial Residential Employment Zone.

Enforcement:

Uses a complaint-based system to find illegal STAs.

Official Plan:

Nothing in OP

Township of Lake of Bays

Licensing By-law:

(d) (lakeofbays.on.ca)

More Important Information on STAs:

Short-term Rentals - Lake of Bays

Zoning By-law:

TOWNSHIP OF LAKE OF BAYS (Zoning By-law)

TOWNSHIP OF LAKE OF BAYS (Development Permit By-law)

Where STAs are Permitted:

Tourist Establishment = short term accommodation

Permitted in C1 and C3 zones.

Institutional Tourist Establishments are permitted in C3 zone and Waterfront Resort Commercial development permit area.

Enforcement:

Uses a complaint-based system to find STAs.

Official Plan:

Nothing in OP

Municipality of North Bruce Peninsula

Licensing By-law:

Municipality of Northern Bruce Peninsula - Document Center (civicweb.net)

More Important Information on STAs:

Short Term Accommodations - Northern Bruce Peninsula (northbrucepeninsula.ca)

Municipal Accommodation Tax - Northern Bruce Peninsula (northbrucepeninsula.ca)

Zoning By-law:

Nothing in Zoning By-law.

Where STAs are Permitted:

Licensing By-law has map showing the properties that the by-law applies to.

Enforcement:

Uses a complaint-based system to find illegal STAs.

Official Plan:

Nothing in OP

Ottawa

Short Term Rental By-law:

Short-Term Rental (By-law No. 2021-104) | City of Ottawa

More Important Information on STAs:

Short-Term Rentals | City of Ottawa

Zoning By-law:

Zoning By-law 2008-250 Consolidation | City of Ottawa

Where STAs are Permitted:

In a principal residence in the urban area, except where bed and breakfast use is prohibited by the Zoning By-law, in a principal residence in rural villages, in a cottage or vacation home, secondary suite, or coach house in rural areas other than villages, and in certain dwellings that have legally established as hotels prior to the in-force date of the Short-Term Rental By-law (conditions apply)

Official Plan:

Volume 1 | City of Ottawa

- 4.2.2 Maximize the ability to provide affordable housing throughout the city
- 1) An adequate and affordable supply of rental dwelling units is to be provided and maintained by ensuring that, in approving development, the City will:
- b) Strictly controls the diversion of long-term rental housing units and residential land to dedicated short-term rental use, including through online sharing-economy platforms that enable dwelling units to be rented to the travelling public.

Tiny Township

Licensing By-law:

11-09-22 -Short-Term Rental Accommodation By-law 22-017.pdf (tiny.ca)

More Important Information on STAs:

Short-Term Rental Licensing | Township of Tiny

2011 (tiny.ca)

Short-Term Rental License Applications are being accepted until a total of 300 Applications have been received. Once 300 License Applications have been received, the application process will be closed until the number of Licenses issued falls below the 300 limit set out in By-law 22-017, as amended.

Zoning By-law:

Zoning By-law 22-075 - April 28 2023.pdf (tiny.ca)

Where STAs are Permitted:

2.28.1 A Short-Term Rental Accommodation shall only be permitted in the following zones:

- a) Shoreline Residential (SR)
- b) Limited Services Residential (LSR)
- c) Hamlet Residential (HR)
- d) Rural Residential (RR)
- e) Country Residential (CR)
- f) Rural (RU)
- g) Agricultural (A)
- h) Greenlands (GL)
- i) Future Development (FD)

2.28.3 A Short-Term Rental Accommodation shall not be permitted in an accessory building or structure including any additional dwelling unit.

Enforcement:

Uses a complaint-based system and also have employed the use of the Granicus software service that assists in locating illegal rental units in the municipality.

Official Plan:

Township of Tiny Official Plan - Dec 6 2022 0.pdf

D.10.2.6 The Township will require the Owner of the Lands on which the Garden Suite is located to enter into an agreement with the Township to deal with the following:

c) That the Garden Suite will not be used for short term accommodations;

Mississauga

Licensing By-law:

Short Term Rental Accommodation Licensing By-law 0289-2020 (mississauga.ca)

Short-term accommodation licence - City of Mississauga

Zoning By-law:

Nothing in Zoning By-law.

Where STAs are Permitted:

Short-term accommodations can only be located in principal residence or in a second unit if that unit is your principal residence.

Enforcement:

Part of the By-law states no person shall advertise or permit the rental of STA if the property is not licensed. A By-law officer stated that advertising is the biggest part of the By-law to help find illegal STAs. Mississauga uses a 3rd party company, Harmari, which keeps eyes on listings, feeds information to Mississauga, attaches listings to addresses, and helps with laying automated penalties. A By-law officer then determines if the information is enough to lay charges. Complaints are also used, as well as the By-law officer may look on site and manually find illegal listings. Proactive inspections are also done, which they use a sample of licensed properties and inspect the properties and dwellings.

If taken to Provincial Court Harmari or Granicus can only be used as a tool.

Official Plan:

Nothing in OP

Vaughan

Licensing By-law:

<u>SPECIAL COMMITTEE OF THE WHOLE (WORKING SESSION) JAN 8, 2001</u> (vaughan.ca)

Short term rentals | City of Vaughan

Zoning By-law:

CZBL Office Consolidation 03 15 23.pdf (sharepoint.com)

Where STAs are Permitted:

Short term accommodations are permitted in all residential zones, some mixed use zones Low-rise Mixed Use, Medium-rise Mixed Use, High-rise Mixed Use, Main Street Mixed Use Kleinburg Zone, Main Street Mixed Use Maple Zone, and Main Street Mixed Use Woodbridge Zone, and Vaughan Metropolitan Centre Station Zone, Vaughan Metropolitan Centre South Zone, and Vaughan Metropolitan Centre Neighbourhood Zone, as well as the Agricultural Zone.

Enforcement:

Uses a complaint-based system to find illegal STAs

Official Plan:

Nothing in OP

Prince Edward County

Licensing By-law:

Prince Edward County - Document Center (civicweb.net)

More Important Information About STAs:

<u>Short-Term Accommodations - Prince Edward County Municipal Services</u> (thecounty.ca)

Frequently Asked Questions - Prince Edward County Municipal Services (thecounty.ca)

Zoning By-law:

<u>Z2-22 - Short Term Accommodation (Amendments) - Prince Edward County Municipal</u> Services (thecounty.ca)

Zoning By-Law - Prince Edward County Municipal Services (thecounty.ca)

Where are STAs Permitted:

A Short Term Accommodation (STA) use shall be permitted in the following zones:

- i. In the R1, R2, R3, HR, or LSR Zones, in accordance with the provisions of this Section and the requirements of the specific zone.
- ii. In the CC, CG, CH, and TC Zones within an existing or permitted dwelling unit.
- iii. On lots existing as of October 9, 2018 and zoned the RR Zones or within an existing Bed and Breakfast Establishment or an existing residence used whole or in part as a Principal Residence.
- iv. In the RU1, RU2, or RU3 Zone, accessory and ancillary to a bona fide operating farm as an exception in support of on-farm diversified uses.

Official Plan:

Official Plan 2021 (thecounty.ca)

Section 3.2.3(8) Short Term Accommodation Policies

Short-Term Accommodations (STA) are addressed by this Plan in order to maintain and protect the character of residential neighbourhoods and to ensure good long-term occupancy housing availability, in conjunction with housing policies in Section 3.3 of this Plan, while responding to the needs for Short-Term occupancy roofed accommodations of the travelling public. In so doing, the following policies apply:

- a) The forms of Short-Term Accommodations (STAs) recognized by this Plan are bed and breakfast establishments (B&Bs), owner-occupied partial dwelling or dwelling unit rentals (i.e. a principal residence), entire-dwelling or dwelling unit rentals (i.e. not a principal residence), and on-farm tourist homes.
- b) Municipality's goals and objectives related to Short-Term Accommodations (STAs) are as follows:
 - a. STAs shall generally respect and be compatible with the residential character, amenity, and quality of residential neighbourhoods. This will be achieved through establishing densities of STAs, mitigation measures to adjacent residential properties, and regulations regarding orderly STA management;
 - b. Private roads used to access lots with an STA shall generally be of sound construction and conform to the County's By-law 3121-2012 (and any proceeding amendments of such by-law therein);
 - Guests shall be provided with accommodations conforming to health and life safety standards of high quality and provide a positive visitor experience;
 - d. Facilities will be operated and maintained in acceptable conditions as detailed in the County's Property Standards and Licensing By-laws;
 - e. Operators of STAs shall acknowledge their responsibilities in complying with the County's by-laws and licensing provisions.

- c) STAs are generally directed to locate in Settlement Areas of the Urban Centre, Village, Hamlet or in the Shore Land designations. STAs are generally permitted in existing dwelling units located in the commercial zones.
- d) Where located in the Rural Lands or Agricultural areas designations, STAs are permitted on:
 - a. Lots existing as of October 9, 2018 or earlier and zoned the Rural Residential (RR) Zone;
 - b. Bona fide operating farms as an exception in support of on-farm diversified uses.
- e) Subject to density requirements of the zoning or licensing by-law, STAs shall not contain more than four (4) guest rooms ("guest rooms" is defined in the Comprehensive Zoning By-law). STAs with five or more guest rooms may be permitted in designated Settlement Areas or in the Shore Land designation without amendment to this Plan but requiring a site-specific zoning by-law amendment.
- f) A second dwelling or dwelling unit on a lot will generally be discouraged for use as an STA, except where there exists a dwelling used as a principal residence.
- g) STAs shall generally be encouraged to locate in proximity to established commercial areas, tourist areas or local attractions.
- h) The County may, on an area-specific or case-by-case basis, prohibit STAs in areas that are not considered to be consistent with this Plan.
- i) The County shall establish, through the Comprehensive Zoning By-law or a municipal licensing framework, appropriate provisions related to the nature, scale, and density of STAs appropriate and compatible with surrounding land uses, such as:
 - a. Occupancy loads;
 - b. On-site parking requirements;
 - c. On-site signage;
 - d. Landscaping, screening and buffering;
 - e. An STA Code of Conduct;
 - f. Appropriate on-site amenity area;
 - g. The requirement to have water and waste water services capable of handling the demand of the STA;
 - h. Operational fire and safety plans;
 - i. Parking management plan; and,
 - j. On-site waste management plan.
- j) Consideration may be given by the Municipality to revenue sources, accommodation taxes or fee structures, intended to mitigate municipal operational and capital impacts from the STA industry and upon local infrastructure and the supply of housing.

Gravenhurst

Licensing By-law:

2022-058 - Regulate Short Term Rentals.pdf (civicweb.net)

More Important Information on STAs:

Short-Term Rental Accommodations - Town of Gravenhurst

2022-103 - Administrative Monetary Penalty System.pdf (civicweb.net)

Zoning By-law:

Nothing in Zoning By-law

Where are STAs Permitted:

Unable to find if restrictions exist.

Enforcement:

Uses a complaint-based system to find illegal STAs.

Official Plan:

Nothing in OP

Huntsville

Short Term Rental Accommodations Licensing - Town of Huntsville

Licensing By-law:

Town of Huntsville - Document Center (civicweb.net)

More Important Information About STAs:

Town of Huntsville - Document Center (civicweb.net)

Zoning By-law:

Town of Huntsville - Document Center (civicweb.net)

Where STAs are Permitted:

STAs permitted in the Rural Zone, Rural Residential Zone, Central Business District, Urban Mixed-Use Zone, Community Mixed-Use Zone, Waterfront Residential 60m, Waterfront Residential 120m, Waterfront Backlot, Urban Residential Shoreline, Urban Residential Low, and Community Residential.

Enforcement:

Uses a complaint-based system to find illegal STAs.

Official Plan:

https://www.huntsville.ca/en/business-and-growth/resources/official-plan/huntsville-official-plan-march-2020.pdf

5.4 Recreational Resort Residential

The Recreational Resort Residential designation applies to recreational resort residential uses.

5.4.1 In the Recreational Resort Residential designation the permitted uses shall be limited to low and medium density residential and short-term rental accommodation uses.

Bylaws and Policies - Town of Huntsville

Lambton Shores

Licensing By-law:

<u>Short Term Rental Accommodations - Lambton Shores</u>

Zoning By-law:

SECTION 4 - ZONES (lambtonshores.ca)

Where STAs are permitted:

Lambton Shores does not have any provisions in the Zoning By-law with the exception of Bed and Breakfasts being permitted in almost all residential zones. Bed and Breakfasts are permitted in Agricultural Zone, Residential R2 Zone, Residential R3 Zone, and Commercial C1 Zone.

Enforcement:

Uses a complaint-based system to find illegal STAs.

Official Plan:

Nothing in OP

Wasaga Beach

Licensing By-law:

Business-Licensing-By-law-Consolidated-amended-by-2020-87.pdf (wasagabeach.com)

Zoning By-law:

<u>Microsoft Word - ZBL 2003-60 - WORKING Office Consolidation 2022</u> (wasagabeach.com)

3.28.2.10 Attached accessory dwelling units shall not be used as short-term accommodation for the travelling or vacationing public.

Where STAs are Permitted:

Short-term rentals are permitted in Downtown Core Mixed-Use Zone (DC1), Downtown Core Zone (DC2), Downtown Gateway Mixed-Use Zone (DG1), Downtown Gateway Transition Zone (DG2), Beach Mixed-Use Zone (B1), and Beach Transition Zone (B2)

Enforcement:

Handles STA complaints both proactively and reactively and has officers complete STA blitz by reviewing Airbnb and Vrbo sites to ensure STAs that are advertising are legal and are conforming to their business license.

Official Plan:

SECTION 1 (wasagabeach.com)

22.4.3.2 Land Use and Built Form Policies

b) Notwithstanding the policies of this Plan, within the Beach designation, shortterm rentals within a residential use are permitted.

Niagara on the Lake

Licensing By-law:

By-Law 4634-13 Consolidated Version (August 30 2021).pdf (notl.com)

More Important Information about STAs:

Short Term Rentals | Town of Niagara-on-the-Lake (notl.com)

Municipal Accommodation Tax | Town of Niagara-on-the-Lake (notl.com)

Only buildings that have been occupied as a single detached dwelling for a minimum of four (4) years shall be eligible for a license.

Zoning By-law:

Microsoft Word - Section 6 General Provisions (August 2016) (notl.com)

Where STAs are Permitted:

Bed and Breakfasts and Cottage Rentals are permitted in all Established Residential zones. Country Inns and Villas need to have a site specific amendment before being a permitted use.

Enforcement:

Uses a complaint-based system and Granicus to help residents file complaints and bylaw officers enforce the licensing by-law.

Official Plan:

Nothing in OP

Orillia

In July 2019, Council Committee (and further ratified by Council) in the City of Orillia approved staff's recommendation (Report No. CD-19-11) to maintain the status quo, meaning the City would continue to rely on existing legislation (i.e., the Fire Code as well as noise, dog control, and parking by-laws) to address concerns associated with STAs.

Municipal Accommodation Tax:

COUNCIL (orillia.ca)

Zoning By-law:

Nothing in Zoning By-law

Enforcement:

Uses a complaint-based system to find if STAs are following the necessary by-laws.

Official Plan:

Nothing in OP

Whitchurch-Stouffville

Licensing By-law:

SCLERKS KM 22060122070 (civicweb.net)

Zoning By-law:

Whitchurch Stouffville - Document Center (civicweb.net)

Where STAs are Permitted:

Bed and breakfasts are allowed in most Rural and Environmental Zones, most Residential Zone, and the Commercial Residential Mixed – Western Approach and Commercial Residential Mixed – Ballantrae.

Enforcement:

Uses a complaint-based system to find illegal STAs.

Official Plan:

stouffville official-plan consolidation combined.pdf (townofws.ca)

Section 4.2

The following land uses shall be permitted in all designations, subject to any identified conditions, except for the Significant Environmental Area and Flood Plain Area designations which are subject to the policies of Sections 3.4.2 and 3.5.5 respectively of this Plan and those designations in the Oak Ridges Moraine Plan Area which are subject to the policies of Sections 3.2, 4.7, 4.12, 4.15 and 4.19:

vi) Bed and Breakfast Establishments Bed and Breakfast Establishments in any legally established single detached residential unit, subject to the regulation of the Zoning Bylaw

The official plan states that Bed and Breakfasts are permitted in ORM Natural Core Area, ORM Natural Linkage Area, ORM Countryside Area, Convenience Commercial, Existing Residential Area, ORM Vandorf Residential Area, ORM Mixed Use Area, Vandorf Residential Area, and Mixed Use Area (see Sections 4.7.2, 4.12.2, 4.19.2, 10.2.6.1, 12.7.5.2, 13.6.6.2, 13.6.8.2, 13.7.4.2, and 13.7.6.2)

Municipal Accommodation Tax

List of Municipalities that have an agreement with Airbnb about Municipal Accommodation Tax

https://www.airbnb.ca/help/article/2283

County or Publicly Available Data

Private short-term accommodation is defined as the listing and rental of privately owned dwellings on a short-term basis via an intermediary digital platform. Due to the highly-evolved digital nature of these transactions, data collection has improved immensely in recent years.

Digital Intermediary platforms, for which the major players in Canada include Airbnb, VRBO, HomeAway, and Flipkey, operate as an online matching and payment processing unit for transactions between hosts and guests. They maintain the websites and digital applications that facilitate the searching, listing and reserving the service. In some cases, the platforms also verify personal information through security checks and transaction protection, and process the payments for the transactions including collecting the fees from the guests and providing the owed revenue to the hosts.

Due to the detailed digital collection and storage of each transaction using intermediary digital platforms, the opportunity to gain insights from these data is remarkable. To these ends, Grey County subscribes to "AirDNA Market Minder" which provides extensive data access for the Airbnb and VRBO platform in one tool. Data insights gathered from this tool includes occupancy, rates and revenue for all short-term accommodations using Airbnb (or VRBO) for each local municipality.

Please contact the Planning department at the County to access this information or if you have any questions regarding the AirDNA platform and its data.

Overall Recommendations*

- There's no one size fits all approach, and municipalities should consider an
 approach that work best for them. The size and complexity of solutions can come
 with great cost implications, as such any solutions will need to be carefully
 thought and costed out.
- Municipalities may wish to start by studying the number of STAs in their municipal boundaries (to the extent this data is known). Logs of any complaints to by-law enforcement may also be a starting point here.
- Some municipalities may not wish to, or need to, further regulate STAs.
- If not done yet, municipalities should have a licensing by-law, as well as at least one document that states where STAs are permitted (either the Zoning By-law, Official Plan, or Licensing By-law).
- If a municipality would like to restrict STAs, include advertising the STA within the By-law, allowing for enforcement to determine if the ad is for a legal or illegal STA.
- Municipalities may need to hire more enforcement officers to help find and determine if the STAs are legal.
- Municipalities can pay for a service like Granicus or Harmari to help enforcement find and charge illegal STAs.
- Municipalities can limit the number of STAs permitted within its boundaries.
- Municipalities can state that detached dwellings must be owned for a certain number of years before being able to be an STA.
- Municipalities may wish to establish STA policies and distinguish between a primary dwelling and any additional residential units (ARUs).
- Municipalities can limit the number of days a STA can be rented through a licensing by-law.
- Municipalities can limit where STAs are permitted by creating a new zone or permitted use zone restrictions.
- If not done yet, municipalities should consider a Municipal Accommodation Tax, which may be able to be used to help fund affordable housing and infrastructure.

*Caveat: The research in this document is high-level and has not received a legal opinion. Municipalities pursuing any of the above options may first wish to seek independent legal advice.