

Township of Georgian Bay Office Consolidation

This is a consolidation of the Township's **Short-Term Rental By-law** being **By-law No. 2023-116, as amended**. This is an electronic reproduction made available for reference and information purposes only. It is not an official version of the By-law. Official versions of all by-laws can be obtained by contacting the Clerks Department at (705) 538-2337 or **clerks@gbtownship.ca**. If there are any discrepancies between this consolidation and By-law No. 2023-116, as amended, the By-law(s) shall prevail.

By-law No. 2023-116, as amended by

By-law No.	Amendments	Date Enacted
2025-011	Red Strike Outs = Removed Yellow Highlights = Added	February 3, 2025

**THE CORPORATION OF
THE TOWNSHIP OF GEORGIAN BAY**

BY-LAW 2023-116

Being a By-law to register, regulate and govern
Short-Term Rentals ("STR") in the Township of
Georgian Bay

(Short-Term Rentals)

WHEREAS the Council of the Township of Georgian Bay may, pursuant to the *Municipal Act*, 2001, S.O. 2001, c.25. as amended, ("*The Municipal Act*"), enact by-laws for the Registration regulation and governing of businesses and occupations in the Township of Georgian Bay; and

WHEREAS pursuant to Section 9 of the *Municipal Act* Part II, a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act; and

WHEREAS pursuant to Section 10 of the *Municipal Act*, a municipality has the authority to implement business licencing in the interest of health and safety, well-being of Persons, consumer protection and nuisance control; and

WHEREAS Sections 390 to 400 of the *Municipal Act* enables a municipality to pass By-laws for imposing Fees or charges to permits and services provided or done by them; and

WHEREAS pursuant to Section 434.1 of the *Municipal Act*, a municipality has the authority to impose a system of administrative penalties and Fees as an additional means of encouraging compliance with this By-law; and

WHEREAS Section 436 of the *Municipal Act* permits a municipality to pass by-laws providing that the municipality may enter on land at any reasonable time for the purpose of carrying out an inspection to determine compliance with a by-law direction, order, or register; and

WHEREAS Section 444 of the *Municipal Act* provides that if a municipality is satisfied that a contravention of a by-law of the municipality passed under this Act has occurred, the municipality may

make an order requiring the Person who contravened the by-law or who caused or permitted the contravention or the Owner or occupier of the land on which the contravention occurred to discontinue the contravening activity; and

WHEREAS the Council of the Corporation of the Township of Georgian Bay deems it desirable that such registration, regulation, and governing takes place regarding Short-Term Rentals as defined in this By-law; and

WHEREAS pursuant to Section 151 of the *Municipal Act*, Council is exercising its authority to provide for a system of registering, regulating, and governing with respect to Short-term Rentals;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF GEORGIAN BAY ENACTS AS FOLLOWS:

1. DEFINITIONS

For the purpose of this By-law:

1.1. **Administrative Penalty** refers to a financial penalty, commonly referred under an Administrative Monetary Penalty System (AMPS), authorized under section 434.1 (1) of the *Municipal Act*, 2001, S.O. 2001, c. 25, issued to Person, Owner, Agent or Licensee who has contravened or failed to comply with any provision of a municipal by-law:

1.2. **Agent** means a Person duly appointed by an Owner or the Township to act on their behalf;

1.3. **Applicant** means the Person applying for a Registration or renewal of a registration under this By-law;

1.4. ~~**Building** means any enclosed structure on land or in water used or intended to be used for shelter or the occupation of Persons, animals, chattels, goods, materials or equipment, other than a fence or wall.~~ **Building** refers to the definition in the current Township of Georgian Bay Zoning By-law;

1.5. **By-law Enforcement Officer** means a Municipal Law Enforcement Officer of the Corporation of the Township of Georgian Bay who is duly appointed by the Council of the Corporation for the purpose of enforcing the provisions of the Corporation's By-laws.

- 1.6. **Commercial activities**, for the purposes of this By-law, means activities being hosted at subject property that involve costs or monies for services provided (Examples: weddings, receptions, retirement party, music event, etc.).
- 1.7. **Corporation** means a body 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;
- 1.8. **Day** means any part of a calendar day;
- 1.9. ~~**Dwelling Unit** means a suite of habitable rooms located within a Building and operated as a household unit, used, or intended to be used exclusively as a domicile by one or more Persons that contains cooking, dining, living, sleeping and sanitary facilities exclusively for the use of the occupants.~~ **Dwelling Unit** refers to the definition in the current Township of Georgian Bay Zoning By-law;
- 1.10. ~~**Dwelling** means a residential Building designed for occupancy by one or more Persons, containing no more than one Dwelling unit as its principal use.~~ **Dwelling** refers to the definition in the current Township of Georgian Bay Zoning By-law;
- 1.11. **Fee** means a Fee payable under this By-law or the Fees and Charges By-law, which may be amended from time to time, and is not prorated.
- 1.12. **Guest Log** means a document, provided on the Township website, which indicates date of inspection, name of person who completed inspection, check in and check out date, number of renters in dwelling during stay, confirmation that renters were given and signed required documents, as well as smoke and carbon monoxide alarm inspection after check-out.
- 1.13. ~~**Guest Room** means a room, within a Dwelling, offered for Short-term Rental intended primarily for overnight occupation, which conforms to the standards for a bedroom, as set forth by the Ontario Building Code;~~ **Guest Room** means a room offered for short-term rental accommodation intended primarily for overnight occupation, which conforms to the standards for a bedroom, as set forth by the Ontario Building Code. A Guest Room shall only include rooms within a Dwelling, Sleeping Cabin,

or Sleeping Area;

- 1.14. **Light Rental Host** means a Register who is operating a Short-Term Rental for 21 or less days in a calendar year.
- 1.15. **Officer** means a Police Officer, Fire Inspector, Building Inspector, Planner, or Municipal Law Enforcement Officer;
- 1.16. **Owner** means the Person holding title to the Property on which the Short-term Rental is located, and "Ownership" has a corresponding meaning;
- 1.17. **Parking Area** means the use of an area of land, Building or structure for the parking of motor vehicles associated with a principal use on the same lot. A parking area may include related aisles, parking spaces, and ingress and egress lanes, but does not include any part of a road. The definition shall also include dock spaces for the purposes of mooring vessels;
- 1.18. **Person** means an individual, a Corporation, a partnership, or an association, and includes a Licensee or an Applicant for a Licence under this By-law as the context requires;
- 1.19. **Premises** means the Property upon which a Short-term Rental is operated, inclusive of Buildings or structures or any part thereof used for such purpose;
- 1.20. **Property** means the land upon which a Short-term Rental is operated, exclusive of Buildings or structures or any part thereof;
- 1.21. **Registration** means the Registration issued under this By-law as proof of Registration under this By-law;
- 1.22. **Registered** means to have in one's possession a valid and current registration issued under this By-law and unregistered has the contrary meaning;
- 1.23. **Register** means a Person who holds registration or is required to hold a registration under this By-law;
- 1.24. **Register Issuer** means any Person or Persons provided the authority by the Township to issue a register under this By-law.
- 1.25. **Regular Rental Host** means a Register who is operating a

Short-Term Rental for 22 or more days in a calendar year.

- 1.26. **Renter** means the Person Responsible for the rental of the Premises by way of concession, permit, lease, Registration, rental agreement or similar commercial arrangement;
- 1.27. **Renter's Code of Conduct** as set forth in Schedule 'A', and may be amended from time to time, means a document that has been prepared by the Township 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;
- 1.28. **Responsible Person** means the Owner (must be 18 years of age or older) or Agent assigned by the Owner or Register of the Short-term Rental Dwelling to ensure the Short-term Rental Dwelling is operated in accordance with the provisions of this By-law, the Registration and applicable laws;
- 1.29. **Set fine** refers to a financial penalty issued to Person, Owner, Agent or Register who has contravened or failed to comply with any provision of a municipal by-law;
- 1.30. ~~Short-Term Rental (STR) means a primary Dwelling or any part thereof that operates or offers a place of temporary residence, lodging or occupancy by way of concession, permit, lease, Registration, rental agreement or similar arrangement for thirty (30) consecutive calendar days or less. Short-term Rental uses shall not mean or include a bed and breakfast establishment, institutional tourist establishment, tourist establishment, tourist camping establishment, motel, resort, boat, vessel or similar commercial or institutional uses defined in the Comprehensive Zoning By-law 2014-75, as amended; or any successor, as amended.~~ **Short-Term Rental (STR)** means a Premises or any part thereof that operates or offers a place of temporary residence, lodging or occupancy by way of concession, permit, lease, Registration, rental agreement or similar arrangement for thirty (30) consecutive calendar days or less. Short-term Rental uses shall not mean or include a bed and breakfast establishment, institutional tourist establishment, tourist establishment, tourist camping establishment, motel, resort, boat, vessel or similar commercial or institutional uses defined in the Comprehensive Zoning By-law 2014-75, as

amended; or any successor, as amended;

1.31. ~~Township means the Corporation of the Township of Georgian Bay in the District of Muskoka.~~ **Sleeping Area** refers to the definition in the current Township of Georgian Bay Zoning By-law;

1.32. **Sleeping Cabin** refers to the definition in the current Township of Georgian Bay Zoning By-law;

1.33. **Township** means the Corporation of the Township of Georgian Bay in the District of Muskoka.

2. **APPLICATIONS**

2.1. The requirements of this By-law apply to the business or occupation of providing Short-Term Rentals within the geographic limits of the Township of Georgian Bay;

2.2. Persons who own, operate, Registered or offer a Premises for Short-Term accommodation as of the effective date of this By-law, must file an application for a Registration under this By-law.

2.3. The determination of whether a registered application is "complete" in accordance with this By-law shall be within the discretion of the Registration Issuer, or as a result of a review from an appeal received by the Township.

2.4. For greater certainty, the requirements of this By-law will not apply to a motel, bed and breakfast establishment, institutional tourist establishment, tourist establishment, tourist camping establishment, resort, boat or vessel or similar commercial or institutional use as defined under the Zoning By-law.

3. **GENERAL PROVISIONS**

3.1. Short-term Rental Dwellings shall comply with all applicable Municipal By-laws and provincial legislation.

3.2. The maximum number of Persons, including but not limited to residents, renters and their guests, permitted on a Premises, at any one time, shall be restricted to 2 Persons per Guest Room above the age of 2 as stated in an approved registration.

- 3.3. The provision of parking on the site plan referenced shall include the following:
- a) a minimum of one parking space per Guest Room;
 - b) parking space sizes of 3 metres by 6 metres;
 - c) For water access properties, an accessible dock must be used for vessel mooring; and
 - d) compliance with all other parking provisions as set forth in the applicable Zoning By-law.
- 3.4. All vehicles shall only be permitted in a parking area consisting of a hard-surfaced driveway (gravel, asphalt, concrete, interlock, or similar hard surface). If property is water access, an accessible dock must be used for boat mooring.
- 3.5. The following shall be posted on the interior of each STR Premises, visible to guests and made available for inspection:
- a) Copy of current STR Registration
 - b) Premises address (and phone number if applicable)
 - c) Guest Log, which can be found on the Township website and printed. The host must maintain the guest log which indicates date of inspection, name of person who completed inspection, check in and check out date, number of renters in dwelling during stay, confirmation that renters were given and signed required documents, as well as smoke and carbon monoxide alarm inspection after check-out.
 - d) Type of access to the STR Premises, where one of the following must be checked:
 - a. Year-round maintained public road
 - b. Seasonally maintained road
 - c. Private road / Right-of-way
 - d. Water access
 - e) If the type of access to the Short-Term Rental Premises is NOT a year-round maintained public road, the following Emergency Services Statement will be posted within the address: "Due to

this STR Premises not accessible by a year-round maintained public road, emergency response times may be delayed to this location.”

- f) Owner name and contact information.
 - g) Responsible Person for Emergency and By-law concerns (if different to details contained in section (f)).
 - h) Copy of approved Site Plan (including parking management plan), Waste Disposal plan, Floor Plan, and Sustainability Plan.
 - i) A copy of the Renters Code of Conduct, to be signed by each renter upon arrival.
 - j) QR code, provided on Township Short-Term Rental webpage, which will navigate renter to Township website of frequently requested by-laws.
- 3.6. All Short-term Rental Dwellings must provide a class ABC fire extinguisher in any cooking area and a class BC or better on each floor of the establishment.
- 3.7. ~~An Owner or Owner’s Agent (Responsible Person) will respond within sixty (60) minutes to an emergency or contravention of any Township By-law. The phone number provided in the application must be that of a phone that receives text messages so all forms of communications can be achieved.~~ An Owner or Owner’s Agent (Responsible Person) must be on site at the property within sixty (60) minutes in response to an emergency or contravention of any Township By-law.
- 3.8. The provisions of this By-law shall not apply when the Short-term Rental is not rented or if rented for 30 days or more consecutively.

4. **REGISTRATION REQUIREMENTS**

- 4.1. Every application for a new registration, or the renewal of an existing registration, shall include:
- a) A completed application, in the form required by the Township, which shall include each Owner, Applicant and/or Agent’s name, address, telephone number, and email

address;

- b) Proof of Ownership for the Premises;
- c) Proof that the Applicant is at least eighteen (18) years of age or older, if the Applicant is an individual;
- d) A completed Responsible Person Consent Form;
- e) 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 is being operated on the Premise;
- f) proof that the Applicant, if a Corporation, is legally entitled to conduct business in Ontario, including but not limited to:
 - i. an article of incorporation or other incorporating documents, duly certified by the proper government official or department of the Province of Ontario or the Government of Canada; and
 - ii. a list containing the names of all shareholders of the Corporation;
 - iii. 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;
 - iv. in the case of an Applicant or Agent acting on behalf of the Owner, an Owner's written authorization;
- g) Provide information related to occupancy and potential sewage load and details of sewage system to confirm capacity. As well as record of system pump-outs and maintenance and demonstrate septic tank has been inspected by a qualified person per the Building Code and Building Code Act every 3 years as part of application to the Township; septic inspector shall not be an inspector for the Township.
- h) Site plan drawn to scale and fully dimensioned of the Short-Term Rental property identifying;
 - i. Parking Management Plan (refer to section 3.3);
 - ii. All buildings and structures on the property;
 - iii. The location of the septic system;
 - iv. Exterior decks and staircases;

- v. Docks located on waterfront (if applicable);
 - i) Floor plan drawn to scale and fully dimensioned of the Short-Term Rental identifying;
 - i. Each room and its intended use;
 - ii. Location of all smoke and carbon monoxide alarms;
 - iii. Location of all fire extinguishers;
 - iv. All entrances and exits from the buildings and structures;
 - v. Fire escape routes;
 - j) Waste disposal plan which will provide detail on where garbage is to be kept, who is responsible for removing it from property (host or renter), and how often it will be disposed of.
 - k) Sustainability plan regarding reduction of energy and food waste and identified efforts to reduce their carbon footprint will result in the reduction of registration fee indicated in the Fees & Charges By-law. The following are examples of an what an appropriate sustainability plan should include:
 - i. Reduce carbon footprint
 - ii. Planting trees/pollinator gardens
 - iii. Managing food waste
 - iv. Reduce energy consumption
 - v. Unlock thermostat
 - vi. Improve insulation/windows/doors
 - vii. Promote local culture
 - viii. Purchase local
 - ix. Support Indigenous knowledge
- 4.2. Payment of the applicable Fees referred to in the Fees and Charges By-law, which may be amended from time to time.
- 4.3. A Short-term Rental Registration that has been issued pursuant to this By-law shall expire upon the earliest of the following events:
- a) The date that is one (1) year after date of the issuance of the Registration; or
 - b) Upon the sale of an STR Premises to a Person other than a Registrant.
 - c) Upon the transfer of an STR Registration to another party.

- 4.4. The Registrant shall be responsible for informing the Township in writing of any changes to the approved information contained within the Registration application or any deviation to the approved plans within (7) days of such change or deviation. Nothing herein allows a Registrant to rent rooms other than those identified and approved on the application for registration unless the Township has approved same.

5. **ADMINISTRATION AND ENFORCEMENT**

- 5.1. The Register Issuer shall be responsible for the administration of this By-law;
- 5.2. Officers shall be responsible for the enforcement of this By-law;

6. **REGISTRATION – APPLICATION & ISSUANCE**

- 6.1. Upon receipt of an application for Registration, a Registrant Issuer shall perform the following functions:
 - a) receive and review the application as per any provision of this By-law;
 - b) receive and review any documents attached to the application; and
- 6.2. Upon determination by the Registrant Issuer that information requirements and all regulatory and by-law requirements of the Township are met, registration shall be issued and remain valid for one (1) year, unless revoked.
- 6.3. The Registrant Issuer shall have the authority to impose additional terms and conditions on a registration.
- 6.4. Registration 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 any provisions of this By-law.

7. **REGISTRATION – SUSPENSION & REVOCATION**

- 7.1. The Registrant Issuer shall have the authority to refuse to issue or renew registration, or to revoke or suspend a Registration where:

- a) there are reasonable grounds for belief that the operation of a Short-term Rental at a specific Premises may be averse to the public interest;
 - b) the Premises has had a Registration that has been previously revoked, suspended, or made subject to terms and conditions;
 - c) the Applicant has had a Registration that has been previously revoked, suspended, or made subject to terms and conditions;
 - d) a Premises or Applicant applying for a Registration has presented a history of contravention with this By-law, other Township by-laws, or Provincial and Federal Legislation;
 - e) the Renter's Code of Conduct has been violated at this Premises with known knowledge of the host;
 - f) the Owner is indebted to the Township 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, unless any of these fees were imposed directly to the renter;
 - g) 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.
- 7.2. Notwithstanding section 7.1 of this By-law, the Registrant Issuer may issue registration where a variance to this By-law has been approved. Council, upon application of the Owner of a Premises permitting a Short-term Rental, may authorize such variance from the provisions of this By-law, in respect of the Owner's Premises as in its opinion is desirable for the appropriate use of the Premises and in the opinion of Council the general intent and purpose of the by-law is maintained. The decision of Council regarding the variance application, shall be final and binding.

- 7.3. The Registrant Issuer shall notify the Applicant/Registrant of what action is being taken under the authority of section 7.1 or section 7.2 within thirty (30) days of the determination of said action.
- 7.4. The Registrant Issuer, upon confirming a registrant has received an emergency order issued under section 8.4 of this By-law, may, for the time and such conditions as are considered appropriate, suspend a registration for not more than 14 days. If after this period, the Registrant Issuer is satisfied that the continuation of registration will continue to pose a danger to the health or safety of any Person, they may further suspend for not more than 14 days or revoke a Licence.

8. **ORDERS – GROUNDS FOR ISSUANCE**

- 8.1. 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 Registrant 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 Registrant's expense, and the Town may recover the expense in the same manner as municipal taxes; or
 - c) the activity be discontinued.
- 8.2. 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.
- 8.3. Service of any notice or order to an Owner/Agent, directing the Owner/Agent to bring the Premises into compliance, shall be carried out under the provisions in section 15 of this By-law.
- 8.4. When an Officer deems a violation under this By-law to pose an immediate risk to health or public safety, the provisions in section 15 may be waived and an emergency order shall be issued and may posted on the property requiring immediate action or other remediation. The Owner/Agent shall comply with an emergency order within the period specified on the emergency order.

- 8.5. Where an Officer has placed or caused the placing of a placard or order containing the terms of an order upon the Premises under the authority of the Building Code Act or provisions within this By-law, no Person shall remove such placard except with the consent of the Officer who issued the order.
- 8.6. Once served upon an Owner/Agent in accordance with sections of this By-law, an order shall remain in effect on a Premises until the order has been complied with or for the duration of the calendar year.
- 8.7. Every person shall comply with an Order issued by an Officer.

9. **GROUNDS FOR APPEAL – Registration & ORDERS**

- 9.1. Where the Registrant Issuer has denied an Applicant a Registration, a renewal of a Registration, or has suspended or revoked Registration, the Registrant Issuer shall inform the Applicant or Registrant 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 Township Clerk.
- 9.2. Any Owner/Agent or Register who has been served with an order and who is not satisfied with the terms or conditions of the order, may appeal to the Township of Georgian Bay within fifteen (15) days after being served with the order, by:
 - a) sending a notice of appeal, setting forth the reasons for the appeal, by registered mail to the Township Clerk; or
 - b) in Person to the Township Clerk to set forth reasons for the appeal and to request an appeal date; and
- 9.3. If an emergency order is issued on a Premises to an Owner/Agent, the appeal process in section 9.2 shall not apply.
- 9.4. Where no request for an appeal is received in accordance with subsection 9.2, the decision of the Register Issuer shall be final and binding.
- 9.5. Where a request for an appeal is received, the request will be added to the agenda of the next available Council meeting, and

the Applicant or Register shall be provided reasonable written notice thereof.

- 9.6. If the Owner/Agent fails to appear at the appointed time for their request to appeal, the order shall be final and binding.
- 9.7. After such opportunity to be heard is afforded the Person, Council shall make a decision. When making its decision Council 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, Council may refuse to issue or renew a Registration, revoke, suspend, or impose any condition to a Registration. Council's decision is final and binding and shall not be subject to review.
- 9.8. Where Council 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.

10. **ENTRY AND INSPECTION**

- 10.1. The Chief Building Official, By-law Enforcement Officer, Chief Fire Official or their designate(s) may at reasonable times, enter upon land, Premises, Buildings, or place where a Registration has been issued under this By-law, for the purposes of carrying out an inspection, taking photographs and obtaining evidence to determine compliance to this By-law.
- 10.2. Every Person shall permit the Chief Building Official, By-law Enforcement Officer, Chief Fire Official or their designate(s) to inspect any land for the purposes of determining compliance with this By-law.
- 10.3. The Chief Building Official, By-law Enforcement Officer, Chief Fire Official or their designate(s) may enter upon lands at any reasonable time to direct or require that a matter or thing be done, and in default of that matter or thing being done, to do such matter or thing in accordance with this By-law.
- 10.4. The Township's power of entry may be exercised by an Officer, or Agent for the Township and this Person may be accompanied by any Person under their direction, including Law Enforcement Services.

- 10.5. During any inspection carried out under this By-law, an Officer may be accompanied by other Township of Georgian Bay employees, Agents or authorities as deemed necessary.
- 10.6. The Township may undertake an inspection pursuant to an order issued under provisions of this By-law or Section 438 of the *Municipal Act*.
- 10.7. During an inspection to ensure compliance of this by-law, if an officer or agent observes any further issues, the owner shall ensure compliance with the following where applicable:
 - a) provisions of this By-law;
 - b) Ontario Building Code Act, 1992, S.O. 1992 c.23; ("Building Code Act")
 - c) Ontario Fire Protection and Prevention Act, 1997, S.O. 1997, c.4 ("Fire Protection and Prevention Act")
 - d) Electricity Act, 1998, S.O. 1998, c. 15, Sched. A ("Electricity Act")
 - e) Applicable Zoning By-law;
 - f) any other municipal by-laws or provincial legislation.

11. **PROHIBITIONS**

- 11.1. No Person shall use or operate any Short-term Rental Dwelling unless they hold a current Registration issued pursuant to this By-law.
- 11.2. No Person shall advertise a Short-term Rental without a municipal issued Registration number.
- 11.3. No Person shall use or operate any Short-term Rental Premises for Commercial activities.
- 11.4. No Person shall provide false information on an application form to apply for a Short-term Rental Application.

- 11.5. No Person shall allow a Premises under their Ownership or care and control to be operated in contravention of the Registration that has been approved.
- 11.6. No Person shall allow a Premises under their Ownership or care and control to be operated in contravention of the Site plan that has been approved.
- 11.7. No Person shall allow for any overnight occupation on a Short-term Rental Premises other than within a guest room that was identified and approved with the Application for the Short-term Rental Registration.
- 11.8. No Person shall violate the provisions of the Renter's Code of Conduct attached as Schedule 'A' to this By-law.
- 11.9. No person shall offer a place of temporary residence, lodging or occupancy by way of concession, permit, lease, registration, rental agreement or similar arrangement on the Premises unless the Primary Dwelling is rented concurrently to the same guests.

12. **OBSTRUCTION**

- 12.1. No Person shall hinder or obstruct, or attempt to hinder or obstruct, any Person exercising a power or performing a duty under this By-law.
- 12.2. No Person, who has been alleged to have contravened any of the provisions of this By-law, shall fail to identify themselves to the Chief Building Official, By-law Enforcement Officer, Chief Fire Official or their designate(s) upon request.

13. **PENALTIES**

- 13.1. Every Person who contravenes any provision of this By-law is guilty of an offence pursuant to the provisions of the Provincial Offences Act R.S.O. 1990, Chapter P.33, as amended, and upon conviction, a Person is liable to a fine of not more than \$5,000, exclusive of costs.
- 13.2. Every person who contravenes a provision of this By-law shall, upon the issuing of a Penalty Notice under the Administrative Monetary Penalty System By-law, be liable to pay the Township

an Administrative Monetary Penalty in the amount set out in the Administrative Monetary Penalty System By-law.

- 13.3. Each day a contravention occurs constitutes a new offence.
- 13.4. 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.
- 13.5. 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.
- 13.6. 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.

14. **COLLECTION OF UNPAID FINES**

- 14.1. 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, including any extension of time for payment ordered under that Section, the Register Issuer 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.

15. **SERVICE OF DOCUMENTS**

- 15.1. The Municipality may serve any document under this By-law, within thirty (30) days of becoming aware of the alleged offence, personally to the Person named on the notice, by registered or

regular mail addressed to the Person to whom the document is to be given at the Person's last known address, and by email transmission to the Registers email address given with the most recent application received by the Township.

- 15.2. Service by registered or regular mail under subsection 15.1 shall be deemed to have been made on the fifth day after the day of mailing.
- 15.3. A Person's last known address includes the address provided by the Person to the Municipality as identified in the property tax file.

16. **SEVERABILITY**

- 16.1. If a Court of competent jurisdiction should declare any section or part of a section of this By-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the by-law and it is hereby declared that the remainder of the by-law shall be valid and shall remain in force.
- 16.2. The Clerk is authorized to make changes to this By-law after enactment by Council to correct spelling, punctuation or grammatical errors, or errors that are of a clerical, typographical or similar nature.

17. **SCHEDULES**

- 17.1. The schedules attached to this By-law form part of this By-law.

18. **SHORT TITLE**

- 18.1. This By-law shall be known as the "Short-Term Rental Registration By-law".

19. **TOWNSHIP NOT LIABLE**

- 19.1. The Township assumes no liability for property damage or Personal injury resulting from remedial action or remedial work undertaken with respect to any Person or property that is subject of this By-law.

This By-law shall come into full force and effect as of January 1, 2024, at which time all By-laws that are consistent with the provisions of this By-law and the same are hereby repealed insofar as it is necessary to give effect to the provisions of this By-law.

READ AND ENACTED in Open Council this 11th day of December 2023.

PETER KOETSIER, MAYOR

KAREN WAY, CLERK

Schedule 'A' **Renter's Code of Conduct**

Purpose of this Code of Conduct

1. Maximizes the enjoyment of all properties in the Township of Georgian Bay.
2. Ensures the safe operation of short-term rental premises.
3. Acknowledges that the Township of Georgian Bay residents have the right to enjoy their properties without nuisance.
4. Establishes acceptable standards of behaviour for short-term rental renter(s).
5. Defines requirements for renter accountabilities for a short-term rental premises.

Owners Acknowledgement of Short-Term Rental Use

1. The owner acknowledges that a valid Short-Term Rental Registration shall be posted in a conspicuous place.
2. The owner acknowledges that the following information is to be provided on the premises:
 - a. Premises address (and phone number if applicable)
 - b. Type of access to the STR Premises:
 - i. Year-round maintained public road
 - ii. Seasonally maintained road
 - iii. Private road / Right-of-way
 - iv. Water access
 - c. Guest Log
 - d. If the type of access to the STR premises is NOT a year-round maintained public road, the following Emergency Services Statement will be posted within the address:
"Due to this STR Premises not being accessible by a year-round maintained public road, emergency response times may be delayed to this location."

- e. Owner name and contact information
- f. STR responsible person contact information for emergency and by-law concerns (if different than owner contact information).
- g. Copy of approved Site Plan, Floor Plan, Waste Disposal Plan, and Sustainability Plan.
- h. A copy of the Renters Code of Conduct, to be signed by each renter upon arrival.
- i. QR code (provided on Township's Short-Term Rental webpage) which will navigate renter to Township website of frequently requested by-laws.

Renters Acknowledgement of Short-Term Rental Use

1. The renter acknowledges that they have observed and reviewed all the information posted and displayed by the owner as per the owner's Acknowledgment of Short-term Rental Use.
2. The renter acknowledges that their actions, if in contravention of any municipal by-law, may result in a complaint against the owner of the premises and may cause the owners' Short-Term Rental Registration to be suspended, revoked, and/or not renewed.
3. The renter acknowledges that continued non-compliance with any by-law may result in enforcement measures being taken against themselves and/or the owner.
4. Review the following on the Township's website through the QR code provided in the premise:
 - a. Noise By-law
 - b. Animal Control By-law
 - c. Parking By-law
 - d. Burning By-law
 - e. Clean Yard By-law
 - f. Fireworks By-law