

Staff Report

2023-231 - Fire and Emergency Services Department



To: Mayor Koetsier and Members of Council
From: Joshua Bondar, Municipal Law Enforcement Officer
Albert Chan, Municipal Law Enforcement Officer
Date: December 11, 2023
Subject: Short-Term Rental Registration

Report Highlights

- Staff have listened to comments made by Committee of the Whole and made specific changes and additions to the short-term rental by-law.
- Fees for each short-term rental have been calculated based on yearly usage and the implementation of a sustainability plan.
- AMPs fines will be used to gain compliance from both renters and hosts and will be added to AMPS by-law following the passing of the short-term rental by-law.

Recommendation

WHEREAS Committee of the Whole provided numerous comments regarding short-term rentals (STR); and

WHEREAS Committee of the Whole directed staff to bring a finalized Short-Term Rental By-law to Council in December 2023;

BE IT RESOLVED THAT Council approve the Draft Short-Term Rental Registration By-law to be brought forward for adoption; and

THAT Council approve the draft Fees and Charges By-law Amendment for Appendix G to incorporate the short-term rental registration fees.

Background

On November 13, 2023, staff brought forward a short-term rental presentation and draft by-law to Committee of the Whole for comment and suggestions before moving forward with the passing of the Short-Term Rental Registration By-law.

Staff have diligently taken the time to hear and review the councillors comments while also making changes to the by-law before before being read and enacted in open council.

Analysis and Options

The following changes were made to the by-law by staff:

- Light rental host was changed to 21 or less days and regular rental host was changed to 22 or more days.
- **Day** is now defined as "any part of a calendar day".
- Section 3.3 and 3.4 have been modified to specify having an accessible dock instead of a hard-surfaced parking area for water access only properties. As well, hard-surfaced driveway is explained in section 3.4 on what would be appropriate as part of the parking requirement for properties accessible by road.
- Section 3.7 has added the requirement that the phone number for the designated Responsible Person must be one that receives text messages.
- Section 11.7 has been modified to specify that sleeping can only occur in approved guest rooms.

As staff reviewed the comments provided during Committee of the Whole, there were a few points there were not added to the by-law at this time that can staff can provide further comment on.

- Under Section 11.3 (Prohibitions), it states that "No Person shall use or operate any Short-term Rental Premises for Commercial activities." To provide further clarify, **Commercial activities** is defined as "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.). With this, section 11.3 prohibits people using a registered short-term rental as a place to host weddings, receptions, retirement parties, etc.
- Requirement to have the septic pumped-out in the last 3 years is to remain unchanged. After consultation with the Chief Building Official, it has been determined that this requirement is not to be the same as enforcing the building code. However, it is considered a good practice for owners to ensure the proper use of their property and prevent any potential issues from arising.
- No additions were made to the renter's code of conduct at this time. The Renter's Code of Conduct establishes the renter's obligation to adhere to all Township by-laws, promoting good neighborly behavior (e.g., avoiding late-night noise, controlled outdoor burning, etc.). By signing this document, the renter commits to responsible conduct and ensures that all occupants of the address behave in accordance with this code and other relevant by-laws.
- At this time, staff will not be looking to register boats or transient trailers. With this project being a large undertaking, staff will primarily focus on short-term rental dwellings and continually monitor the need to later add the requirements of registering boats and trailers.

Staff have also made changes to by-law to provide more clarity on certain sections following further review.

- Section 4.1(h) and 4.1(i) has been updated to add what is specifically required for the site plan and floor plan.
- Responsible Person Consent Form was created and it is required to be submitted as part of the application. This is a document to be signed by the Responsible Person which ensures they understand their responsibilities set out in the by-law.

Financial Considerations

With the short-term rental by-law being passed, the by-law department is in need to update the Fees and Charges By-law accordingly. Fees and Charges By-law Appendix G is to be amended to allow for the following additions:

Appendix "G" - By-law Services	User fee wo/HST	User fee w/HST	Unit of measure	Comments
Short Term Rental Registration Fees - Light rental host (21 days or less)	250.00	282.50	per year	10% discount applicable with approved sustainability plan
Short Term Rental Registration Fees - Regular rental host (22 days or more)	1,000.00	1,130.00	per year	10% discount applicable with approved sustainability plan

With Township staff working towards gaining compliance from all short-term rentals, enforcement efforts will also increase the ability to achieve this compliance from both the host and renter in specific cases. The Administrative Monetary Penalty System will allow staff to have an incremental fine system for short-term rentals to escalate enforcement for repeat offenders.

- 1st offence - \$500
- 2nd offence - \$1000
- 3rd offence and beyond - \$1500

Following the short-term rental by-law being passed, the AMPs by-law will be amended to add the fine system so that enforcement can be conducted when required.

Due to the major scope of this implementation, the Township has also entered into an agreement with Granicus which will provide address identification, compliance monitoring, rental activity monitoring, and mobile permitting/registration with an annual fee of \$13,995.46. The Township was given a prorated fee in 2023 as a full year was not obtained.

Conclusion

Township staff have worked diligently to research and curate a by-law based on Council's direction and by actively listening to public input. Staff is confident in the short-term rental by-law and its effectiveness for the Township of Georgian Bay.

Report Supported By

This recommendation report is in alignment with the following strategic pillars:

- Environmental Protection
- Fiscal Responsibilities and Technology Efficiencies
- Streamline Planning Policies and Procedures
- Customer Experience and Community Engagement
- District and Township Relationship
- Engage with Indigenous Communities

Relevant Background Report

[Administration Department Report 2023-014 \(February 13th, 2023\)](#)

[Fire and Emergency Services Department Report 2023-063 \(May 8th, 2023\)](#)

[Fire and Emergency Services Department Report 2023-201 \(November 13th, 2023\)](#)

Reviewed By/Collaborated With:

- Chief Administrative Officer
- Chief Building Official
- Director of Corporate Services / Clerk
- Director of Finance / Treasurer
- Director of Fire and Emergency Services / Fire Chief
- Manager of Human Resources
- Director of Operations
- Director of Planning
- Director of Sustainability
- Other

Reviewed By

Karen Way, Director of Corporate Services / Clerk
Greg Mariotti, Chief Administrative Officer

Status:

Approved - 04 Dec 2023
Approved - 27 Nov 2023