

## Proposed recommendations

1. To create a new by-law, (Short-Term Rentals By-law), in line with the following:
  - a. Define Short-Term Rentals as, “All or part of a dwelling unit used to provide sleeping accommodations for any rental period that is 29 consecutive nights or less in exchange for payment but does not include Bed-and-Breakfasts.”
  - b. Require a licence for STR Brokers (such as Airbnb) and STR Operators (those who rent their homes) in a stand-alone by-law, requiring initial licensing and annual renewal, subject to the following annual fees:
    - i. STR Brokers:
      - a. \$10,000 for those with more than 100 listings;
      - b. \$5,000 for those with 51 to 100 listings;
      - c. \$1,000 for those with 11 to 50 listings; and
      - d. \$500 for those with 10 or fewer listings.
    - ii. STR operators: \$300.
  - c. Limit the number of STR units to one per property (i.e., registered lot) and only on properties within a zone that permits residential uses.
  - d. As a condition of licensing, require STR Brokers and Operators to share and update information with respect to:
    - i. Operator contact information, including emergency contacts where someone can be reached 24 hours a day during rental periods;
    - ii. a description of the Operator’s property, which parts will be used for rental and access/exit information; and
    - iii. government-issued identification that demonstrates that the address is the STR Operator's principal residence.
  - e. Advise that STR Operators must operate in accordance with applicable regulations, such as, but not limited to, municipal by-laws, the Ontario Building Code and Ontario Fire Code.
  - f. Create the authority for the Director and Chief Licensing Officer, BCLPS, to refuse to issue or renew a license, to cancel, revoke or suspend a license, or to impose terms and conditions on a licence when:
    - i. The applicant/licensee hasn’t completed the application, including submission of required documents of fee payment.

- ii. The applicant/licensee has failed to pay fees or fines associated with this or other City by-laws.
  - iii. There is reason to believe the information provided is false or ceases to be accurate.
  - iv. Where an adverse report has been received from any of the officials, departments, or other public authorities.
  - v. Reason to believe the applicant/licensee has not complied with any other applicable law.
  - vi. The applicant/licensee is not acting in accordance with integrity, honesty or any laws or there is reasonable grounds to believe they are not doing so.
  - vii. There are reasonable grounds to believe that the conduct of the applicant/licensee and/or other circumstances would/has infringe on the rights of other members of the public and/or would endanger their health, safety, or would infringe on the rights of members of the public.
  - viii. An applicant's application/ licensee's licence was refused/ revoked/ suspended within the last 12 months.
  - ix. There is any other matter that the Director and Chief Licensing Officer is authorized by law to consider.
- g. Require STR Brokers to list STR Operator licence numbers in advertisements and require STR Brokers to stop advertising any STR for which the licence has been suspended or revoked by the City.
  - h. Under licensing, STR Operators can be compelled to provide access to their properties for purposes of inspection.
  - i. STR Operators be required to list accommodations for periods that do not exceed 29 consecutive nights per booking, and that all bookings for that STR not exceed 180 days within any calendar year.
  - j. Allow STR Operators to offer accommodation in any home which is their "principal residence"; in the instance where the STR Operator does not own the property, the permission of the owner is required, and in the case of a condominium, additional permission of the Condominium Board is required.
  - k. Require STR Brokers to disclose information about STR hosts and their accommodations to the City as needed for investigation and planning purposes, and to retain this information for at least three years.

- I. STRs are subject to the MAT, as per the Municipal Accommodation Tax By-law(s), or its successor by-law(s).
  - m. To prohibit any STR brokers from imposing mandatory arbitration clauses for STR Operators or users, or regulations outside of those in line with Canadian, Ontario or municipal regulation.
  - n. Create a provision that no person shall hinder, interfere with or obstruct a Municipal Law Enforcement Officer from performing any of his or her duties, as provided for in the by-law.
  - o. Establish penalties for any person or director or officer of a corporation who commits or assents to a contravention of the by-law, in a fine not exceeding \$100,000 or a special fine, in an amount the court deems appropriate to eliminate or reduce the possible economic advantage of the contravention, and a fine of up to \$10,000 per day for each day in which an offence continues.
  - p. Any other consequential requirements as prescribed by the new by-law.
2. To amend the Zoning By-law 1-88, as amended, to:
  - a. Define Short-Term Rentals as, “All or part of a dwelling unit used to provide sleeping accommodations for any rental period that is 29 consecutive nights or less in exchange for payment, but does not include Bed-and-Breakfasts, as defined in the Short-Term Rentals By-law or its successor by-law”.
  - b. Amend the definition of “Bed and Breakfast Establishment” to mean “an establishment within part of a single family detached dwelling that provides sleeping accommodation for guests, and may include meals, services, facilities and amenities for the exclusive use of guests, but excludes a hotel, motel, or Short-Term Rental”;
  - c. Allow Short-Term Rentals in areas where residential use is permitted; and
  - d. Limit the number of the Short-Term Rentals to one rental booking per dwelling unit at any given time.
  - e. Any other consequential requirements as prescribed by the amending by-law.
3. To create a Municipal Accommodation Tax STR By-law that:
  - a. Defines Short-Term Rentals as, “All or part of a dwelling unit used to provide sleeping accommodations for any rental period that is 29

consecutive nights or less in exchange for payment, but does not include Bed-and-Breakfasts, as defined in the Short-Term Rentals By-law or its successor by-law”.

- b. Requires that Short-Term Rental accommodations be subject to MAT.
- c. Any other consequential requirements as prescribed by the new by-law.