



David then reviewed the sections of the draft short term accommodation licencing by-law and noted the importance of the definition “responsible person”.

David then reviewed Section 2 “Application” of the draft by-law and noted the term “tourist cabin or cottage” is being reviewed. David then reviewed Section 3 noting “law” includes by-laws as well.

David then spoke regarding the exemption of a short term accommodation in a condominium corporation, noting some concern has been expressed about this exemption. David noted that the reason for the exemption is because generally condo corporations have their own rules and regulations and that they can regulate themselves. David noted there are a large number of short term accommodation operations in our municipality and that many predate the 2008 by-law. David noted that Council may choose to include condominium corporations in the short term accommodation licencing bylaw.

David then noted Council will consider options following the Public Meeting. Mayor Anderson then spoke noting some condominium corporations do not have the means to manage short term accommodation uses and noted it may be of benefit to the condominium corporations if they are not exempted. Solicitor Leo Longo then spoke noting this is an interesting topic that needs to be discussed. Leo noted that what the Town is attempting to licence may be included in the condo declarations, further noting that each condo development is different. Leo noted this is a broad issue for Council consideration as to whether condominium corporations should be exempted or not.

David then noted there is nothing preventing a condominium corporation from requesting that their corporation be included in the short term accommodation licencing by-law.

David then reviewed Section 4 “Administration” and noted Building and By-law would be responsible for enforcement, and noted there is a statement from the Fire Department that the premises conforms to the provisions of the Fire Protection and Prevention Act. David noted that property standards deals with the exterior of the premises, and that if required, the property standards by-law may be amended, should interior standards be a concern. David confirmed that the Building Code has high standards and that the Chief Building Official will determine if a licence is issued.

David then reviewed Section 5 “General Regulations”, and confirmed that all agents must be licenced under the Real Estate and Business Brokers Act.

David reviewed Section 6 “Licensing Committee”, and noted it is suggested that a minimum of three members be appointed to the Committee, or Council could proceed with a Hearing Officer. David noted that a fee would be imposed and that the costs would be recovered.

David then reviewed Section 7 “Revocation and Suspension”, and noted that a licence may be suspended.

David then reviewed Section 8 “Offence and Penalties”.

David reviewed Section 9 “Administrative Penalties”, and noted this is in addition to the terms contained in Section 8, depending on the severity and confirmed that this may be appealed to the Committee.

David then reviewed the comments received and identified the area where short term accommodation units have typically been located and noted the provisions of the short term accommodation licencing by-law may not apply consistently throughout the municipality if Council wishes.

David then spoke regarding Staff Report PL.13.08 Short Term Accommodation Licencing.

David spoke regarding comments from the public that short term accommodation licencing could have a negative impact on the number of short term accommodation premises available.

David noted that comments were received indicating that the \$250 administrative fine is not high enough. Deputy Mayor McKinlay questioned how long a short term accommodation owner has to pay a fine, David replying that this is to be determined and that the invoice would be issued identifying the timeframe for payment. David then noted if the fine is not paid, that the fine would be added to the tax toll, further noting that much work is to be done before the Town will be at this stage.

David then noted there is much uncertainty of the annual costs to licence, and noted staff require Council direction as to whether condominium corporations are to be included or not, so that rates can be set. David noted that the fixed costs will be recovered and that the licence fee and inspection fees will be paid by the operator.

David then spoke regarding Section 4.4 "Number of Bedrooms / Maximum Occupancy / Basement Occupancy" of the staff report. Duncan questioned if there are rules identifying occupancy or occupant load parameters, David replying that occupant load of a bedroom is in accordance with the Ontario Building Code, limiting the bed occupancy load to two.

David noted Council will have to give direction as to how it wishes to proceed on the maximum of two persons per bedroom identified, or if Council wishes to be silent on the matter.

Duncan then questioned if one large room with many beds would be permitted, David replying there are rules in the Ontario Building Code relating to this. Duncan then noted the safety of the occupants is the most important factor and that egress needs to be clear. David then spoke regarding dorm type facilities noting the Fire Department will inspect to ensure life safety, and noted that capping loads can be set, and adequate amenity levels will be set as well.

David noted that the draft by-law notes that short term accommodation units cannot have bunk beds so as to regulate life safety.

David then spoke regarding section 4.5 "Exemptions" of the staff report, noting this is specific to condominium corporations, and referenced the comments received. David noted the fee structure would be different. David noted the Building Code identifies egress standards for basement bedrooms, further noting the draft by-law does not contain provisions relating to basement bedrooms.

Duncan then questioned if there is any data available identifying currently operating short term accommodation units, David replying not good data, and only relating to buildings constructed since 2000.

Councillor Halos then spoke noting condominium corporations should not be exempted, further noting that if a unit is being rented as a short term accommodation unit, that it should be licenced.

David then spoke regarding item 4.6 "Grandfathering / Legal Non-Conforming Use" of the staff report noting that clarification on legal non-conforming is necessary and confirmed that the onus is on the property owner to prove they are entitled to be grandfathered, further noting that new short term accommodation units must comply with all licencing regulations.

David noted that through the licencing regime, that David will provide a list of short term accommodation premises, including those that have been grandfathered in or have legal non-conforming status.

Joe then questioned if the short term accommodation unit can pull out of the licencing regime and rent their unit for a longer period than 30 days, David replying yes, further noting that the short term accommodation definition will be adjusted. Leo then spoke noting the courts have indicated that a rental period of 30 days or less is a short term accommodation, 31 days or longer is not a short term accommodation.

Duncan then questioned if a unit could be subletted for short term accommodation purposes, Leo replying that most residential leases indicate that commercial uses are not permitted.

David then spoke regarding the qualifications of non-conforming and grandfathering.

Duncan then questioned if Council would consider evidence of cessation of use being a time when the unit is not rented, Leo replying that legal non-conforming requires that a use not cease if the intention is there to resume rental at some point.

David then reviewed section 4.7 "Safety", of the staff report noting that safety is paramount and ensuring that the requirements of the Ontario Fire Code are met, further noting that even without the licencing regime, that property owners need to ensure the property is maintained in accordance with the Ontario Fire Code.

David then reviewed section 4.8 "Noise", of the staff report and noted that the OPP are involved with public nuisance complaints.

David then reviewed section 4.9 "Property Maintenance" of the staff report and noted many of the comments are consistent, that the property be maintained.

David then reviewed section 4.11 "Ad Hoc Committee", of the staff report and noted that Council will provide direction as to whether a Hearings Officer or a Licensing Committee with a minimum of three members are appointed to hear appeals.

David then reviewed section 4.15 "Licensing Program Costs" of the staff report and noted that the licencing costs will be contingent on whether condominium corporations are included in the licencing regime or not, further noting if condominium corporations are included, that there will be lower fixed costs per unit.

David then reviewed section 4.19 "Parking" of the staff report and noted there is no provision in the current by-law to limit the maximum number of parking spaces.

David then reviewed section 4.20 "Signage" of the staff report. Duncan then spoke noting he would like to see a sign, similar to the green 911 signs, noting the contact name and number for the unit. Mayor Anderson spoke concurring with Deputy Mayor McKinlay. David then spoke in response noting the sign by-law would have to be amended to include this change, and that this would have to be a requirement under the short term accommodation licencing by-law as well.

Councillor Ardiel then spoke concurring with Ellen and Duncan, and referenced the security alarm signage on many properties is similar to what Duncan has suggested. David spoke noting Council direction is required if this is how Council wishes to proceed.

David then reviewed section 4.21 "Property Owner Responsibility" of the staff report and noted comments received included that it is unreasonable to have someone available 24/7 to respond to calls, further noting that this cost would have to be built into the owner's costs.

Duncan spoke noting it is not unreasonable to ask that a live person be available 24/7 to answer calls about a unit being rented. Mayor Anderson spoke, concurring with Deputy Mayor McKinlay. David noted the OPP has requested this for the short term accommodation units.

Councillor Ardiel spoke noting short term accommodation units are businesses and noted she agrees with Deputy Mayor McKinlay and Mayor Anderson that a representative needs to be available 24/7 to respond to concerns at a unit.

David then reviewed section 4.23 "Education" of the staff report and noted there is much work to be done to educate the public on short term accommodation.

David then reviewed section 4.24 "Other" of the staff report and noted records may be excessive and that Council direction is required in this regard. David noted that the OPP would be required to view records for enforcement purposes. Councillor Halos then spoke noting the renters would have certain rights in accordance with the Municipal Freedom of Information and Protection of Privacy Act. Duncan then spoke noting house insurance requirements should be considered as well.

Councillor Ardiel then questioned the level of house insurance required, Duncan spoke in response noting that the insurance premiums on a short term accommodation unit are approximately two to four times higher than house insurance rates. David spoke in response noting that the intent is that the renter will be covered in any insurance claim on a short term accommodation unit.

David then spoke thanking those that had taken the time to provide their comments, further noting that before a formal public meeting is held, Council needs to provide further direction to staff on specific matters.

Councillor Gamble then spoke questioning if it is the owner, the property, or the operator of the short term accommodation unit that is licenced, David replying that the licence applies to the property and the licence is not transferrable between owners.

Duncan then questioned if a certified real estate agent is required to rent a unit, David replying that the property owner can rent the unit or a real estate agent are permitted to rent units, further noting that solicitors can also rent units.

Joe then spoke regarding the fee structure and noted most are in favour of a higher administrative penalty fee, and noted Council should consider these comments. Joe then noted he is in favour of including condominium corporations in the licencing regime, and that two persons per bedroom should be set as the permitted number of persons per bedroom.

Mayor Anderson then spoke regarding the inclusion of condominium corporations, noting that in her experience, she believes that including condominium corporations in the licencing would be helpful to condominium corporations. David spoke in response to Mayor Anderson and noted the draft by-law now states that short term accommodation units in condominium corporations are excluded and are not subject to licencing.

Mayor Anderson then confirmed that Council concurred that condominium corporations should be removed as an exemption from the draft by-law.

Mayor Anderson then spoke regarding the maximum occupant load at two persons per bedroom, and questioned if specific locations could be assessed for a possible exemption. David spoke in response noting this would be up to the Manager of Building and By-Law, further noting an exemption could be appealed to the Licencing Committee.

