



# Best Practices for Short Term Accommodations

Municipality of Northern Bruce Peninsula

P/N 3246 | December 2019

Bruce County  
Municipality of Northern  
Bruce Peninsula

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# Best Practices for Short Term Accommodations

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### 1.0 Introduction

The Municipality of Northern Bruce Peninsula identified the regulation of Short Term Accommodations (STAs) as a matter to be addressed in the municipality. Across Ontario, a number of other municipalities are taking different approaches to the regulation of STAs in order to balance economic benefits with community concerns. This report provides an overview of various approaches being considered or implemented across Ontario to meet municipal objectives for economic development, addressing community concerns, ensuring a fair process for STA operators, and maintaining neighbourhood character.

### 2.0 Municipal Best Practices and Approaches to Regulating STAs

While a number of municipalities have instituted a complete ban on STAs (i.e., Clearview, Collingwood, Markham), or have not provided any regulatory framework yet (i.e., Algoma, Bancroft, Georgian Bay, Goderich, Gravenhurst, Kingston, Orillia, Oro-Medonte, Ottawa, Stratford, Ramara, Tay), many municipalities are approaching the regulation of STAs through planning tools such as zoning, licensing, taxes and fees, increased by-law enforcement, and other means. The following subsections summarize the regulatory approaches taken by various municipalities with regulations in place, with the intent to inform a Made-in-Northern Bruce Peninsula approach to the regulation of STAs. The intent is that these practices provide an example of approaches utilized rather than a prescription for what should be done. The approach to be recommended for Northern Bruce Peninsula is intended to reflect the municipalities unique needs and circumstances.

The best practices referred to in this report focus on municipalities in Ontario. This reflects the fact that regulations and approaches must have consideration to applicable law in Ontario. While practices in jurisdictions outside Ontario may provide insights, and were reviewed but not documented in this report, the practices in Ontario are most relevant to considering approaches potentially applicable to Northern Bruce Peninsula.

#### 2.1 City of Toronto

In the City of Toronto, STAs could be all or part of a dwelling unit used to provide sleeping accommodation for no more than 28 consecutive days and must be the primary residence of the operator. Where part of a dwelling is rented, there is a maximum of three rooms. Rental of the dwelling is permitted for no more than 180 nights of the year. Operators are to pay an

annual Operator Registration Fee of \$50. A Platform License is also required by the City which includes a one-time application fee of \$5000 plus \$1/night booked fee, listing must have a valid registration number, a procedure to minimize nuisances and provide information about the rental activity to the city. Toronto Council has adopted a 4% Municipal Accommodation Tax (MAT) on all rentals that are less than 28 consecutive days.

## **2.2 City of Sault Ste. Marie**

In the City of Sault Ste. Marie, STAs are permitted so long as they comply with zoning by-laws and are correctly zoned for such uses. The City imposed a Municipal Accommodation Tax (MAT) of 4% on the purchase price of transient accommodations lasting no longer than 30 days, through Bylaw 2018-218. Registration of accommodation establishments is required.

## **2.3 City of Kawartha Lakes**

The City of Kawartha Lakes defines a Short Term Rental as a rental space used for less than 30 days, which may include renting a private room in a home, an entire home, a seasonal property such as a cottage, or any other space. Short Term Rentals do not include established accommodations such as Bed & Breakfasts, Hotels, Trailer Parks, or Campgrounds. The City has regulations pertaining to fire pits and open air burns, parking, pets, waste, and noise. In an information sheet prepared for renters and property owners, information on these topics is provided and there is also a note to Short Term Rental property owners encouraging them to “be active hosts in ensuring that their guests enjoy an excellent stay in Kawartha Lakes and that their neighbours are not inconvenienced. Short Term Rental operators can be held accountable for the actions of their guests. If a Municipal By-law is broken, fines can be charged to the individuals who violated the regulation and inspection fees can be charged to the property owner.” Inspection fees for infractions are outlined for first through sixth occurrences of infractions. The information sheet encourages anyone to report municipal issues through the Kawartha Lakes website and contact information is provided for the municipality for both daytime and after-hours.

## **2.4 City of Kingston**

The City of Kingston is currently developing its regulatory framework for STAs. It has identified housing considerations (residence type, duration, zoning and licensing), hospitality considerations (tourism development, taxation and fees, zoning and licensing), and neighbourhood considerations (enforcement, guest regulations, zoning and licensing) as part of its approach to learning from others for regulating and approaching the STA industry.

## **2.5 City of Oakville**

In the City of Oakville, rental hosts require a license to operate an STA along with certificate of occupancy. The dwelling must be primary residence of operator. The required license is to be acquired from the city and also requires an annual fee for licensing.

## **2.6 City of Ottawa**

In the City of Ottawa, the hotel industry hopes to see the City institute a licensing regime where individual properties are licensed by the City, pay HST and the local 3% Destination Marketing Fee, and abide by the zoning and health and safety regulations hotels must follow. However, critics of this approach argue that Airbnb provides additional capacity for the City when it hosts major events.. The City of Ottawa had to open its community centres and parks up to tourists for rental during the Canada Day weekend, as there was not enough hotel capacity to handle the anticipated crowds. It is believed that STA platforms such as Airbnb can be useful in helping Ottawa provide additional space for visitors.

## **2.7 Township of Severn**

In the Township of Severn, an STA refers to the rental of a dwelling or dwelling unit to travellers for a period not exceeding 30 consecutive days. STAs do not include traditional commercial accommodations such as hotels, motels, tourist establishments, and bed and breakfast establishments. Generally, STAs are booked through online platforms including Airbnb, VRBO, Kijiji, and others. The Township is considering an approach to regulation of STAs, as there is not a framework in place currently. A range of criteria are being considered, including impact on neighbouring properties, the secondary use of a dwelling as a residence, renting the principal residence, limiting rentals to three bedrooms for guests, adequate parking and traffic hazards, licensing, and areas in the Township where STAs may be permitted. The current Zoning By-law does not have any specific provisions related to STAs or Bed and Breakfasts, although there are definitions for Accommodation Units, Bed and Breakfast Establishments, Commercial Accommodation Units, Dwellings, Hotels, Motor Hotels, and Tourist Establishments. A range of potential impacts and benefits of STAs and associated regulations are identified. The Township has examined the approaches taken in the City of Toronto, the Town of The Blue Mountains, the Municipality of Whitestone, the Township of Muskoka Lakes, the Municipality of Highlands East, the Township of Ramara, and the Township of Oro Medonte. Options being considered include: 1 – Status Quo, 2 – Prohibit in Township, 3 – Official Plan and Zoning By-law Amendments, 4 – Official Plan and Zoning By-law Amendments and Licensing, as well a hybrid options such as requiring site-specific zoning by-law amendments and licensing.

## **2.8 Town of the Blue Mountains**

The Town of the Blue Mountains has a robust framework for regulation of STAs, given its prominence as a ski resort town and four-season destination. In the Town of the Blue Mountains, the policy framework permits STAs in specific residential zones only, for no more

than 30 days per year. These properties are licensed by the Town, inspected annually, and must maintain minimum property standards. The framework includes a demerit point system for various infractions by STA operators and guests, with licenses revoked if too many points are issued. Depending on the severity of the actions that led to revocation, the operator may not be permitted to reapply for a license. The Department of By-law Services prioritizes the enforcement of their framework, and tracks STA websites such as Airbnb, VRBO, and others daily to ensure nobody is operating in the Town illegally, and the Town has a dedicated By-law officer for this purpose. Punishments for operating illegally or committing offences contrary to the framework range from demerit points to fines of up to \$5,000.

## **2.9 Town of Huntsville**

In the Towns of Huntsville, new rules for STAs are being implemented in the spring of 2020. The new rules would require short-term accommodation rental providers to apply to the municipality for a license to operate, and then contribute to the new municipal accommodation (MAT) tax of 4% by winter 2020.

## **2.10 Township of Tiny**

In the Township of Tiny, the Zoning bylaw does not prohibit the use of full dwelling units, however room/partial rentals of a dwelling would fall under zoning regulations for bed & breakfasts or motel zoning. There is a requirement to have sewage systems older than 10 years checked every 6 years. Noise bylaws are in effect in the municipality – in the event of a violation both the renter and property owner would be charged. Open fire bylaws are also in effect – in the event of a violation both the renter and property owner would be charged. Parking bylaws must be followed otherwise a special occasion permit for parking should be obtained.

## **3.0 Other Municipal Approaches**

As outlined in Appendix A, a summary of approaches to STAs is provided which includes an overview of current municipal practices. A number of municipalities are currently studying the issues and opportunities associated with STAs to develop regulatory frameworks taking into account local circumstances.

All of which is respectfully submitted,  
SKELTON, BRUMWELL & ASSOCIATES INC.  
per:



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# Appendix A

Summary of Short Term Accommodation Regulations in Ontario

## Current Short-Term Letting/Accommodation/Rental Regulations Ontario

**Algoma:** Currently not regulating - single occupancy only.

**Bancroft:** Currently not regulating - single occupancy only.

**City of Niagara Falls:** ext 4232 - not permitted - unless site specifically zoned - this is only permitted in certain commercial areas at the moment but this bylaw was appealed until 2020 therefore NOT PERMITTED. one room in the dwelling considered Bed and Breakfast , as long as you live there and have parking for each of the rooms (license from city clerk required) currently allowed.

**Clearview:** Not permitted.

**Collingwood:** Not permitted. Currently banned in Collingwood.

**Georgian Bay:** Grey area - do not currently have anything in bylaws. To make the STA legitimate it should be planned, however the township is currently not regulating. No current permitting system.

**Goderich:** Currently not regulating - zoning is the only issue (property specific). Properties must be zoned accordingly if renting out rooms or partial rental of dwelling.

**Gravenhurst:** currently not regulating

**Huntsville:** New rules for STAs are being implemented in the spring of 2020. The new rules would require short-term accommodation rental providers to apply to the municipality for a license to operate, and then contribute to the new municipal accommodation (MAT) tax of 4% by winter 2020.

**Kawartha Lakes** – Owner can be held responsible for any bylaw violations by guests in STA. In the event of bylaw violation, individuals can be charged and inspection fees can be charged to the property owner. Council continues to monitor STAs as well as implementing education campaigns regarding STAs and current bylaw implications.

**Kingston:** No current bylaws surrounding short-term rentals. Current project in works to come to agreement on licensing and bylaws by the end of 2019 by reviewing current regulations upheld in various townships throughout Ontario.

\*see attachment *Kingston*

**Markham:** Currently prohibited in Markham - haven't implemented bylaw yet but can be enforced through municipal office and Markham police if suspected.

**Mississauga:** STAs permitted in city providing the dwelling is the primary residence of operator. Operators are also required to pay the MAT (Municipal Accommodation Tax).

**North Bay:** “On December 18, 2018, City Council approved [By-Law 2018-84](#), a By-Law to implement the Municipal Accommodation Tax (MAT) in the City of North Bay. The Municipal Accommodation Tax is effective February 1, 2019 at a rate of 4%. The tax applies to accommodation sold for a continuous period of less than 30 days in a hotel, motel, lodge, inn, bed and breakfast, dwelling unit or any place an accommodation is provided.” (cityofnorthbay.ca)

**Oakville:** Rental hosts require a license to operate STA along with certificate of occupancy. Dwelling must be primary residence of operator. License is to be acquired from the city and requires an annual fee for licensing.

**Orillia:** Currently looking into options for licensing and regulation

**Oro-Medonte:** Interim control bylaw allows existing short-term rentals to operated legally until June 28, 2020. Currently looking at licensing and enforcement options. No new short-term rentals are permitted to open until further review, licensing bylaws and zoning amendments are in place.

**Ottawa:** City voted in favour of bylaw regulating STAs that will only allow for STAs in the primary residence of a host and requires a permit system for hosts. Owners must register with the city and a two-year permit from the municipality.

**Prince Edward County:** Must have license obtained through municipality. Application for the license requires that applicant has insurance for the unit, the STA is occupied as permanent residence, a site plan, floor plan and photographs of the site and building.

**Ramara :** Currently looking into options for licensing and regulation

**Sault St. Marie:** Permitted in the city so long as they comply with zoning bylaws, have to be correctly zoned with planner from the city. Imposed an MAT tax on short-term accommodations – an Municipal Transient Accommodation Tax.

**Severn:** Not currently prohibited. Must not impact neighboring properties. Short-term rental must be secondary to the use of the property as a residence and must be the principal residence of the owner/operator. Limited to three bedrooms for guests. Must have adequate parking and no traffic hazards.

\*see attachment *Severn*

**Tay:** Currently looking into options for licensing and regulation

**Tiny:** Zoning bylaw does not prohibit the use of full dwelling units, however room/partial rentals of a dwelling would fall under zoning regulations for bed & breakfasts or motel zoning bylaws. Must have sewage systems older than 10 years checked every 6 years. Noise bylaws in effect – in the event of a violation both the renter and property owner would be charged. Open fire bylaws in effect – in the event of a violation both the renter and property owner would be charged. Parking bylaws must be followed otherwise a special occasions permit for parking should be obtained.

**Toronto:** STR could be all or part of a dwelling unit used to provide sleeping accommodation for no more than 28 consecutive days and must be the primary residence of the operator. Rental of the dwelling is permitted for no more than 180 nights of the year. Operators are to pay an annual Operator Registration Fee of \$50. A Platform License is also required by the City which includes a one-time application fee of \$5000 plus \$1/night booked fee, listing must have a valid registration number, a procedure to minimize nuisances and provide information about the rental activity to the city. Toronto Council has adopted a 4% Municipal Accommodation Tax (MAT) on all rentals that are less than 28 consecutive days.

**Town of the Blue Mountains:** permits STAs in specific residential zones only, for no more than 30 days per year. Properties are licensed by the Town and inspected annually. Implimented a demerit point system for infractions by operators and guests where licenses can be revoked if too many

demerit points are issued. STAs are licensed for a fee and have mandatory inspections for fire safety compliance and building inspections.

\*see attachment *Kingston*

**Windsor:** Currently not licensed by the city. City does not oversee any short term rental agreements.

*Summary* – Most townships that allow and regulate short-term accommodations are requiring licensing obtained through the municipality via an application. Many are being taxed as well under the Municipal Accommodation Tax (4%). Other fees associated with the application for licensing, permits, and insurance may also apply. Many townships are still in the workings and development stages of creating regulations and bylaws surrounding STAs and are accepting public input and consultation on the matter as well. General public feedback is not in favour of STAs but may become more accepting with stricter regulations and enforcement, particularly surrounding larger dwellings with the potential to host large groups, which may cause nuisance issues to surrounding dwellings.