Town of Huntsville Staff Report

Meeting Date: September 11, 2019
To: Development Services Committee

Report Number: DEV-2019-238
Confidential: No

Author(s): Katie Love, Scott Ovell,

Subject: Regulation of Short-Term Rental Accommodations

Report Highlights

To update committee on the range of Short-Term Rental Accommodation (STRA) regulatory frameworks and to provide an outline of Huntsville's possible Short-Term Rental Accommodation Licensing program, as well as to seek Committee's approval to gather public input regarding the program.

Recommendation

Recommendation #1

That: A public information session be scheduled to provide information and obtain input on the license and enforcement process regarding Short-term Rental Accommodation in the Town of Huntsville;

And Further That: Staff report back at the November Development Services Meeting regarding the outcome of the public information session.

Recommendation #2

That: Staff be directed to include all Short-Term Rental Accommodations in the Municipal Accommodation Tax program as of February 1st, 2020;

And Further That: that Mayor and Clerk be authorized to sign any necessary documentation related to agreements to include all third-party Short-Term Rental Accommodation platforms in the Municipal Accommodation Tax program.

Background
In September of 2018 staff presented report No. DEV-2018-167 - Municipal Accommodation Tax Implementation which outlined the details regarding the recommended implementation of the Municipal Accommodation Tax (MAT) Program in Huntsville.

During stakeholder engagement, Staff identified that local hoteliers felt very strongly about including Private Short-Term Vacation Rentals in the MAT Program to ensure all stakeholders involved in roofed short term accommodation in Huntsville are contributing toward the program. Based on consultations with industry experts it was suggested that the Town address this in a phased approach, with hotels being included in Phase 1 and private short-term vacation rentals in Phase 2. At that time, staff proposed this review would commence in early 2020.

At a recent meeting, the MAT board asked that the Town begin the process to include the private short-term vacation rentals this summer. Additionally, Town staff have received numerous complaints relating to STRA’s specifically pertaining to noise, garbage and parking and recognize the need to create a legislative framework around this expanding market.

On July 12, 2019, (DEV-2019-93) Committee directed staff to investigate the creation of a licensing program as well as including third party agencies in the MAT program and report back to the September 2019 Development Services Committee with their findings.

STRA are generally understood to refer to individuals renting their residence, or part of their residence, for short periods of time (less than 30 days) through internet-based platforms such as Airbnb. These platforms have grown significantly in number and popularity over the past five years. STRA platforms are present in over 190 countries, and many municipalities have begun to regulate this activity. Often, municipalities seek a balance between preserving the character of local communities and encouraging growth in home sharing to promote economic development. A preliminary internet search was conducted, indicating there are upwards of 425 STRA hosts in the Town of Huntsville. This number is expected to increase due to growing popularity of STRA platforms.

This emerging sector of the sharing economy has created new and innovative means for economic growth and tourism. However, the successful implementation of a STRA program in a community must be sensitive to the community’s needs and tolerance for STRA. The regulatory program must endeavor to reasonably preserve the character of neighbourhoods, and ensure the health, safety, and general well being of both STRA renters and residents.

Over regulation and/or significant operating costs can lead to non-participation by internet platforms and hosts and can increase the municipal costs of enforcement. Therefore it is beneficial to all interested parties to find a reasonable policy and regulatory balance, while respecting the interests of the Town's residents and neighbourhoods.

The regulatory frameworks of several municipalities were researched. For purposes of this report, the Town of the Blue Mountains, the Town of Niagara-on-the-Lake, the Town of Oakville, the City of Toronto, the City of Victoria, B.C. and Township of Georgina were used as comparators. Staff across multiple departments have been consulted to provide advice, input and assistance in developing the appropriate regulatory framework.

Key Issues Related to STRA:
The rapid rise in popularity of STRA has stressed municipalities, creating safety and housing concerns while simultaneously contributing to the economic growth of communities. These factors are forcing communities across the country to quickly develop policies and regulations related to STRA’s to address the following issues within their communities or regions.

- **Impact on Affordable Housing** - Home sharing programs may allow Huntsville home owners to make more money renting on the short-term market than on the long-term market. This can deplete available stock of long-term rentals and raise market rents.
- **Tourism** - Home sharing has the potential to increase the number of visitors to Huntsville, provide a wider selection of accommodations, and allow a visitor to have a "local-resident" experience. STRA can increase the overall supply of tourist accommodations in Huntsville.
- **Challenges to Existing Regulations** - In Huntsville, there are no clear policies or regulations governing STRA in residential dwellings except for bed and breakfast residences. Therefore, it is appropriate to consider a reasonable regulatory framework for the benefit of all stakeholders.
- **Public Safety Concerns** - Common concerns: renters may not respect adjacent private and public property (e.g. litter the neighbourhood); Bring a party atmosphere to the community, thereby negatively impacting the enjoyment and use of neighbouring properties (e.g. increased noise, late hour activities, and parking issues). Other concerns include fire and building safety.
- **Economic Opportunity** - People can generate additional income by renting out their homes or rooms in their homes, making it more affordable to live in their own residence, or off-set the cost of their vacation property.
- **Competitive Advantage** - The traditional accommodation industry (hotels, motels, inns, bed and breakfast residences) have concerns that STRA internet platforms like Airbnb are taking advantage of different rules to operate in the accommodation sector with a lower operating cost. Displacing the existing hospitality and accommodation industry may result in job losses, lower wages, and loss of tax revenues for the Town.

**Zoning By-law:**

The key issues noted above have been considered in preparing the Zoning By-law tables below. Some municipalities, having weighed the cost/benefits, have taken this approach.

<table>
<thead>
<tr>
<th><strong>Primary STRA Zoning By-law Options</strong></th>
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<tbody>
<tr>
<td>Option</td>
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<tr>
<td>1. Take No Action (<em>City of Barrie</em>)</td>
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<tr>
<td>2. Permit in All Zones Permitting Residential Uses (<em>City of Toronto and Towns of Oakville, Niagara-on-the-lake, and City of Victoria</em>)</td>
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Increases costs of administering and enforcing regulations.

3. Prohibit in Certain Areas *(Town of Blue Mountains)*
- Allows for better control of character of neighbourhoods.
- Limit impact on traditional tourism accommodation providers.
- Limits availability of STRA opportunities.
- May contribute to non-participation by platforms and hosts.

4. Permit by Site Specific Zoning Amendment *(Town of Niagara-on-the-Lake provisions for large homes)*
- Allows for better control of character of neighbourhoods.
- Provides neighbourhoods the opportunity for input into the planning process.
- Simplifies STRA monitoring process.
- Expensive, time consuming process for both owners and the Town.
- May contribute to non-participation leading to higher level of enforcement.

In addition to the zoning amendment options there are additional zoning provisions that could be considered. These provisions provide the Municipality the opportunity to require that an STRA can only operate if it is the owner’s primary residence as an example. The table below outlines what some communities are regulating in this regard and what the advantages and or disadvantages of these approaches are.

<table>
<thead>
<tr>
<th>Other Zoning By-law Provision Considerations</th>
<th>Option</th>
<th>Pros</th>
<th>Cons</th>
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</table>
| Require to be in Principal Residence *(City of Toronto, Town of Oakville and City of Victoria)* | • Greater accountability on owner/long-term renter.  
• Minimize impact on long term rental supply. | | • Numbered companies can register as owner/renter making it difficult to monitor. |
| Require Separation Distance Between STRA *(Town of the Blue Mountains)* | • Minimize impacts on character of neighbourhoods.  
• Minimize noise and parking impacts in neighbourhoods.  
• Limits impact on traditional tourism accommodation providers. | | • Minimizes potential number of STRA.  
• May cause conflict and competition between neighbours seeking to home share.  
• May contribute to non-participation leading to higher level of enforcement. |
| Differentiate Whole House Rentals vs. Room Rentals | • Increased specificity and control | | • Complicates process  
• May contribute to non-participation leading to higher level of enforcement. |
Building and fire code complications

Maximum Number of Persons (Building Code Requirements)
- Minimizes noise, parking, garbage and septic impacts.
- Conformity with Building Code Occupancy provisions.
- Challenging to enforce but may be administered with site plan/floor plan requirement.

Do not Permit in Accessory Apartments
- Minimizes impact on residents in main dwelling.
- Assists in maintaining long-term rental stock.
- Limits number of STRA
- May contribute to non-participation leading to higher level of enforcement.

Do not Permit in Dwellings or Accessory Structures on Septic Systems (Town of Blue Mountains)
- Avoids issues with over-use of septic systems due to larger number of renters/visitors.
- Avoids potential contamination of Lakes and permanent streams.
- Limits number of STRA
- Unnecessary limitation if properly managed.
- May contribute to non-participation leading to higher level of enforcement.

Licensing Options

A Licensing Bylaw allows the Town to collect information needed for enforcement and safety purposes. Information collected through the application process would include:

- Applicant/Agent information (full name, address, telephone number and email address)
- Corporate Information
- Proof of principal residence and self-certification of compliance
- Proof of liability insurance
- Floor Plan
- Parking Management Plan
- Property Management Plan
- Local Contact
- Operator must comply with all applicable law, including the Building Code Act and Fire Code
- Confirmation of occupancy load as it relates to private sewage systems.
- Renter's Code of Conduct.

The below Table provides some examples of STRA licensing By-law provisions in other communities

<table>
<thead>
<tr>
<th>STRA Licensing By-law Considerations</th>
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<tbody>
<tr>
<td>Option</td>
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<tr>
<td>Requires Site Plan (Town of Blue Mountains and Town of Niagara-on-the-Lake)</td>
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<tr>
<td>Requirement</td>
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<tr>
<td>Require Waste Management Plan (Town of Oakville)</td>
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<td>Demerit Point System (Towns of Oakville and the Blue Mountains)</td>
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<td>Require Maintenance Inspections (All municipalities studied – basic license component)</td>
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<tr>
<td>Combine Potential Licencing By-law with Bed and Breakfast By-law (Town of Niagara-on-the-lake)</td>
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<td>Licensing Fees on Operator/Owner (All municipalities studied)</td>
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<tr>
<td>Licensing Fees on Advertising Platforms (City of Toronto and Town of Oakville)</td>
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<tr>
<td>Maximum # of Persons (Building Code Requirement)</td>
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<tr>
<td>Renter’s Code of Conduct (Towns of Oakville and Blue Mountains)</td>
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**Enforcement**
As identified in this report there are a multitude of ways staff could enforce infractions and ultimately remove an operator's license. Some areas (Blue Mountains) have created a demerit points system, with each infraction (i.e. noise complaint) an owner receives demerit points, after a certain number of demerit points (15) the owner's license is revoked for a period of time. Owners have the ability to file an appeal that is heard by a municipal tribunal, consisting of staff and Council members. The tribunal can choose to uphold or reduce the suspension of the license or levy a fine against the property owner.

Other communities are choosing to utilize their existing by-law fines to penalize owners for a noise complaint as an example and after a certain number of infractions, that property owner is summoned to a municipal tribunal consisting of staff and Council members where a fine is imposed or a license is revoked.

**License Fees**

The next table provides examples of STRA Licensing Fees in comparative municipalities.

<table>
<thead>
<tr>
<th>Comparator Municipality</th>
<th>STRA Licensing Fees</th>
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<tbody>
<tr>
<td><strong>Municipality</strong></td>
<td><strong>Fee</strong></td>
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<tr>
<td>Town of the Blue Mountains</td>
<td>$2,500 (License Fee)</td>
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<td></td>
<td>$1,500 (License Fee: Condo)</td>
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<td></td>
<td>$750 (Renewal Fee)</td>
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<td></td>
<td>$75 (Fire/Property Standards Inspection Fee)</td>
</tr>
<tr>
<td></td>
<td>$500 (Appeal Fee)</td>
</tr>
<tr>
<td>Town of Niagara-on-the-Lake</td>
<td>$110 x # of Guest Rooms x 4</td>
</tr>
<tr>
<td>Town of Oakville</td>
<td>$237</td>
</tr>
<tr>
<td>City of Victoria B.C.</td>
<td>$150 (operator's principal residence)</td>
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<td>$1500 for all other types</td>
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<tr>
<td>Township of Georgina</td>
<td>$2000 (Pre-License Inspection)</td>
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<tr>
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<td>$750 (Renewal, 1 year from issued)</td>
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</table>

Communities across the country have taken different approaches towards establishing a fee to apply for a STRA license. When deciding on a fee structure it should be understood that the cost to apply for license needs to be substantial enough to acknowledge these operators do not incur some of the costs that businesses (hotels) do, such as liability insurance, HST, Health and Safety, etc. while also keeping it reasonable enough that hosts will participate in the program and obtain a license.
One consistent approach by most Municipalities is a higher license fee for property that is a secondary residence, to further reinforce that they are part of a community and their guests need to be respectful of those neighbors that have chosen to live year-round in the Town.

All properties should be treated equally regardless of size or classification, this would simplify the application and evaluation process.

Discussion

Zoning By-law Amendment

The purpose of the Zoning By-law Amendment is to permit Short-term Rental Accommodation in all zones which permit a single detached dwelling. The current provisions of the Comprehensive Zoning By-law 2008-66P do not explicitly permit STRAs as a permitted use in residential zones. Staff are recommending that a zoning amendment be initiated that would permit STRA as an accessory use. (Schedule A – Draft Zoning Amendment By-Law). The provisions restricting the use would include a requirement that it incorporate a full dwelling unit (no individual room rentals); and to require a parking space for each bedroom within the dwelling unit.

Draft Licensing By-law

When creating a licensing program, staff recognize the need to address concerns identified while also ensuring it is a straightforward process, not so strenuous that owners choose not to participate in the program and operate in non-compliance with the By-Law.

The proposed licensing by-law (Schedule B – Draft Licensing By-Law) contains the operational regulations which are designed to address public concerns to the greatest extent possible. Concerns regarding noise, safety of residents and renters, large number of persons on property, and disruption of daily life, will primarily be dealt with through inspection and enforcement. If STRA accommodate disruptive renters, and are run by negligent hosts, the by-law would enable staff to revoke the licence. If the STRA attempts to continue operation, it would allow municipal enforcement to quickly and effectively bring a legal action against the owner and to seek a court-ordered closure of the operation. The licensing by-law requires proper inspection of each property applying for a license by the Town, such as the fire department and building department. This will help ensure the safety of renters. The by-law would also require the preparation and submission of a detailed site plan and floor plan by the owner which will be reviewed by a licensing coordinator and all relevant Town staff. These plans would include a required parking layout and delineated guestrooms. These measures would help ensure that STRA have no additional impact on neighbours than a standard single detached dwelling.

As the existing STRA are primarily in areas that would not be considered affordable, we believe that it is still important to protect any future affordable housing within the Town. The licensing by-law and Zoning By-law would only permit STRA in a single detached dwelling, and would not permit STRA in accessory apartments or any other type of dwelling.

A provision in the licensing by-law is that only one license will be issued per property and only one license will be issued per host. The latter is intended to limit the number of STRA operated by individual owners to one to discourage multiple STRA ownerships.
A Renter’s Code of Conduct will be provided to STRA hosts in conjunction with the issuance of a STRA licence. Contained within the Draft Licensing By-Law (Schedule B) is an example of a Renter’s Code of Conduct based on one developed by Staff.

Draft Application for STRA License

Based upon the information contained within this report, external research and input from Town Staff, a draft Application for a License to Operate a STRA in Huntsville has been created and is attached as Schedule C. The draft application aims to address the issues related to STRA’s in Huntsville while also recognizing that these rentals contribute to the continued economic growth of the community and this model of accommodation will be difficult to eliminate entirely. The goal of the licensing application is to encourage individuals to participate in the program, making it easier to identify and deal with neglectful or disrespectful operators.

The license fee at minimum will need to cover the cost of the administration of the program and inspections. Additionally, a term will need to be identified for the validity of the license whether it be an annual renewal or multi-year license.

This Application would be presented during the public consultation period for feedback and input.

The Building department is currently exploring an e-permitting process for building permits and to further encourage people to participate in the program, we are investigating the potential to use an online application program to simplify and expedite the application process. The proportional purchase cost of this technology could be factored into the license fee.

Enforcement

The draft licensing by-law outlines a 3 strike system, which would allow the license to be revoked if 3 complaints requiring the attendance of a by-law officer at a property were received within 6 months. The draft by-law also outlines a framework for appeal by a licensee to request that the license be reinstated.

Inclusion of STRA’s in MAT Program

To incorporate the STRAs in the MAT program, amendments to the MAT by-law (2018-131) and the agreement with the HMATA would be required.

Staff have been in contact with representatives from both AirBNB and Home Away (VRBO) regarding both third party agencies collecting the MAT from their hosts. Both parties are willing to partner with the Town and participate in the program. In AirBnB’s case they have already entered into collection agreements with the City of Ottawa and the City of Barrie. The process would require the Town to enter into collection agreements with these businesses to collect the MAT from their hosts and remit these funds to the Town of Huntsville.

Other third-party rental agencies operating in the region have been contacted and discussions are ongoing, Staff will work with these operators to develop collection agreements similar to those proposed with AirBnB or Home Away.

Properties who do not rent their residences through a third-party provider would have to remit the MAT back to the Town individually. Through the licensing process staff would be able to create a
database of properties operating in the community and would establish a process with these unaffiliated operators to collect the MAT.

To ensure that all properties operating as STRA's were included in the MAT collection, staff may be required to monitor STRA’s in the region to identify non-compliant properties. Third party monitoring agencies could be retained to provide this service on the Town’s behalf. This service would monitor and notify staff of non-compliant rentals with the goal that staff could then bring that property into the MAT program.

Implementation Date

Recognizing that the launch of the licensing program will require a period of time to communicate and educate the public on the new by-laws and program, as well as window for property owners to apply for a license and their property to be inspected, the licensing will have to be phased.

Staff propose launching the program on February 1st, 2020 providing a window of 6 months for hosts to participate in the program before enforcement of non-compliant properties would commence.

Additional staffing requirements may be required to administer and enforce the proposed STRA regulations. For administrative monitoring of STRA and related services in Huntsville, the Town may consider a 3rd party monitoring like "Host Compliance" which is an online company that specializes in identifying and monitoring STRA in communities.

It is recommended that Committee provide further direction regarding Committee's preferred STRA regulatory framework and that Committee set a date for a public information meeting on the proposed Zoning By-law Amendment and Licensing By-law. Following the public meeting, a report will be prepared for Committee’s consideration summarizing the public discussion.

Options

Option 1: Committee could choose not to move forward with the recommendations contained within this report – **Not Recommended**

Option 2: Committee could choose to amend the recommendations contained within this report – **Not Recommended**

Capital

N/A

Operational

If Council were to proceed with the licensing framework identified in this report, administration and enforcement of regulations will increase the demand on staff time. It is anticipated that one new staff position would need to be created to support this program, the primary functions of this position would be to:

- Accept, review and issue licenses
- Organize and conduct (if necessary) inspections of property to ensure compliance with Building and Fire code regulations of the license program
• Manage and maintain database of licensed properties
• Monitor for non-compliant properties (not licensed)
• Receive and review complaints
• Issue notices to property owners or license violations or outstanding MAT fees
• Collect payment for MAT program

Preferably, revenue generated through the licensing program and ancillary income sources would cover the cost associated with this staff person and any additional resources required for enforcement. However, it is premature to estimate the financial and budgetary impact until the desired regulatory framework is determined.

Council Strategic Direction / Relevant Policies / Legislation / Resolutions

Strategic Plan

Vision: A vibrant, inclusive, healthy community which inspires innovation and growth, celebrates the arts, culture, and heritage, promotes recreation while developing a resilient economy founded on social caring and environmental stewardship.

Natural Environment & Sustainability Goal #2: Integrate sustainability principles into planning and development policies and processes.

Economic Development Goal #1: Collaborate with private sector and the broader community to create an economic development strategy that will diversify and strengthen the year round economy, and guide investment of time and resources.

• Engage stakeholders to generate innovative and actionable ideas to stimulate a year round economy
• Develop brand strategy to market Huntsville as an ideal place to live and work
• Identify opportunities and tools that would help ensure a vibrant downtown

Financial Management and Governance Goal #3: Ensure Municipal operations are streamlined, efficient and effective

Objectives

• Apply business model thinking to Municipal operations to identify potential efficiencies within the municipal system.
• Identify and pursue shared services opportunities with other area municipalities,

Unity Plan

Economic Considerations
Goal 11: Economic Development: Huntsville will promote a diverse and prosperous economy by attracting innovation, growing a knowledge-based economy, providing adequate training, developing green jobs, and offering sustainable year round employment to retain Huntsville’s youth.

Social Considerations
Goal 6: Social well-being: The community will encourage and support social diversity and personal sense of well-being by improving accessibility, promoting volunteerism, striving to reduce poverty,
and maintaining a healthy, safe, friendly community to live, work, and play for all ages, cultures and abilities.

**Relevant Policies/Legislation/Resolutions**

GC197 - 17  
GC219 - 17  
GC145 - 18  
292-18  
59-19  
DEV-101-19  

By-law 2018-131  

Regulation 435/17 of the Ontario Municipal Act, 2001  
Provincial Policy Statements  
Planning Act, R.S.O. 1990, cP.13  

**Attachments**

- Schedule A - Draft Zoning Amendment By-Law
- Schedule B - Draft STRA By-Law
- Schedule C - STR Draft Application

**Consultations**

Christopher Nagy - Chief Building Official  
Andrew Stillar - Chief By-Law Enforcement Officer  
Stephen Hernen - Director of Operations & Protective Services  
Mike Vadjia - Fire Prevention Officer

**Respectfully Submitted:** Katie Love, Scott Ovell,

**Manager Approval (if required):** ________________________________

**Director Approval:** Kirstin Maxwell - Director of Development Services

**CAO Approval:** Denise Corry - Chief Administrative Officer
WHEREAS the council of the Corporation of the Town of Huntsville finds it expedient to amend Zoning By-law 2008-66P, as amended;

AND WHEREAS authority to pass this by-law is provided by Section 34 of the Planning Act, R.S.O, 1990. c. P. 13 and amendments thereto;

NOW THERFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF HUNTSVILLE ENACTS AS FOLLOWS:

1. New definition 2.159:
   “SHORT TERM RENTAL ACCOMMODATION”
   Means the commercial use of a single detached dwelling that may be rented for up to 30 consecutive days as temporary accommodation, lodging or occupancy by way of concession, permit, lease, licence, rental agreement or similar arrangement, unless otherwise prohibited by this by-law, or any other by-law of the Town of Huntsville.

   Short Term Rental Accommodation uses shall not include a tourist establishment, tourist home, tourist camping establishment, or institutional tourist establishment.

   A short term rental accommodation use must be licensed appropriately with the Town of Huntsville.

2. Table 4.1 – “Parking Requirement Table” is hereby further amended by the addition of the following:

   4.1. xxxii Short term rental accommodation 1 parking space for each guest room

3. Permitted Accessory Uses Table 5.2.3 Add “short term rental accommodation” as an additional permitted accessory use in R1 and R2 Zones;

4. Permitted Accessory Uses Table 5.3.3 Add “short term rental accommodation” as an additional permitted accessory use in SR1, SR2, SR3, SR4 and SR5 Zones;

5. Permitted Accessory Uses Table 5.7.3 Add “short term rental accommodation” as an additional permitted accessory use in MU1, MU2 and MU3 Zones;
6. Permitted Accessory Uses Table 5.8.3 Add “short term rental accommodation” as an additional permitted accessory use in RU1 and RU2 Zones;

7. Schedule “I” attached hereto, is hereby made part of this by-law.

8. This By-law shall come into force on the date of passage and take effect the day after the last date for filing of appeals where no appeals are received, or, where appeals are received, upon the approval of the Local Planning Appeal Tribunal.

**READ a first, second and third time and finally passed this th day of , 2019.**

____________________________________  ______________________________________

Mayor (Scott Aitchison)                  Clerk (Tanya Calleja)
WHEREAS the Council of the Town of Huntsville may, pursuant to the Municipal Act, 2001, S.O. 2001, c.25. as amended, ("The Municipal Act"), enact by-laws for the licensing, regulating and governing of businesses and occupations in the Town of Huntsville;

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 licensing 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 licence;

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 Town of Huntsville deems it desirable that such licensing, regulation and governing takes place with regard to Short-term Rental Accommodations as defined in this By-law;

AND WHEREAS, Council has enacted Zoning By-law Amendment 2019-xxxx under the provisions of the Planning Act, R.S.O. 1990, c. PI3, as amended, with respect to Short Term Rental Accommodations within the municipality and having done so desires to provide for a system of licensing to implement said policies and provisions;

AND WHEREAS pursuant to Section 151 of the Municipal Act, Council is exercising its authority to provide for a system of licensing with respect to Short Term Rental Accommodation businesses;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF HUNTSVILLE ENACTS AS FOLLOWS:
DEFINITIONS

For the purpose of this by-law:

1.1 **Agent** means a Person duly appointed by an Owner or the Town to act on their behalf;

1.2 **Ancillary** means a use, building or structure that is located on the same lot that may or may not be attached from the main building and is essential to a principal or main use, building or structure therewith.

1.3 **Development Services Committee** means a committee of individuals which has been delegated, by Town of Huntsville Council, the responsibility of handling appeals, suspensions and revocations of Licences under this by-law;

1.4 **Applicant** means the Person applying for a License or renewal of a License under this by-law;

1.5 **Building** means, a structure occupying an area greater than ten square metres consisting of a wall, roof and floor or any of them or a structural system serving the function thereof including all plumbing, works, fixtures and service systems related thereto.

1.6 **By-law Enforcement Officer** means a municipal law enforcement officer of the Corporation of the Town of Huntsville who is dully appointed by the Council of the Corporation for the purpose of enforcing the provisions of the Corporation’s By-laws.

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 **Dwelling Unit** means one or more habitable rooms, occupied or capable of being occupied as a single housekeeping unit only, in which sleeping, sanitary conveniences, and kitchen facilities are provided, in which a heating system is provided, and which has a private entrance from outside the building or from a common hallway or stairway inside. For the purpose of this By-law, a dwelling unit does not include a tent, trailer, mobile home, or a room or suite of rooms in a boarding or rooming house, a hotel, or motor home.

1.9 **Dwelling, Principal Residence** means a dwelling that is owned or rented alone or jointly with another person, where the person(s) is ordinarily a resident and has designated the dwelling as their principal place of residency on their income tax filing and in other government records. This may include a long-term tenant residing for a minimum of 6 consecutive months.

1.10 **Fee** means a Fee as set forth in Appendix “B” of this by-law, which is not prorated and non-refundable.

1.11 **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;

1.12 **Licence** means the Licence issued under this by-law as proof of licensing under this by-law;

1.13 **Licenced** means to have in one’s possession a valid and current licence issued under this by-law and unlicensed has the contrary meaning;

1.14 **Licensee** means a Person who holds a License or is required to hold a License under this by-law;

1.15 **Licence Issuer** means any person or persons provided the authority by the Town to issue a licence under this by-law.
1.16 Officer means a Police Officer, Fire Inspector, Building Inspector, Zoning Examiner, Plans Examiner, Municipal Law or Enforcement Officer;

1.17 Owner means the Person holding title to the Property on which the Short- term Rental Accommodation is located, and "Ownership" has a corresponding meaning;

1.18 Parking Area means an area provided for the parking of motor vehicles and may include aisles, parking spaces, pedestrian walkways, and related ingress and egress lanes, but shall not include any part of a public street.

1.19 Person means an individual, a Corporation, a partnership, or an association, and includes a Licensee or an Applicant for a License under this by-law as the context requires;

1.20 Premises means the Property upon which a Short-term Rental Accommodation is operated, inclusive of buildings or structures or any part thereof used for such purpose;

1.21 Property means the land upon which a Short-term Rental Accommodation is operated, exclusive of buildings or structures or any part thereof;

1.22 Renter means the person responsible for the rental of the Premises by way of concession, permit, lease, license, rental agreement or similar commercial arrangement;

1.23 Renter’s Code of Conduct as set forth in Appendix “A” means a document that has been prepared by the Town 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;

1.24 Responsible Person means the owner (must be 18 years of age) or agent assigned by the owner or licensee of the Short Term Rental Accommodation dwelling to ensure the Short Term Rental Accommodation dwelling is operated in accordance with the provisions of this By-law, the license and applicable laws.

1.25 Short-term Rental Accommodation: means the use of a single family dwelling, as defined in Comprehensive Zoning By-law 2008-66P, as amended, that operates or offers a place of temporary residence, lodging or occupancy by way of concession, permit, lease, license, rental agreement or similar commercial arrangement for any period equal to or less than thirty (30) consecutive calendar days, throughout all or any part of the calendar year, unless otherwise prohibited by this by-law, or any other by-law of the Town of Huntsville. Short-term Rental Accommodation uses shall not include any other form of residential dwelling, a hotel, motel, motor hotel, nursing home, private or public hospital, a recreational vehicle park, a tent campground, or similar commercial or institutional use, as defined in Comprehensive Zoning By-law 2008-66P, as amended.

1.26 Town means the Corporation of the Town of Huntsville in the District of Muskoka.

1.27 Zoning By-law means the Town’s Comprehensive Zoning By-law 2008-66P, as amended, or any successor comprehensive Zoning By-law, as amended.

2.0 GENERAL PROVISIONS

2.1 No person shall use or operate any Short Term Rental Accommodation dwelling unless he or she holds a current licence issued pursuant to this By-law

2.2 No person shall advertise a Short Term Accommodation without a licence.

2.3 Short Term Accommodation dwellings shall comply with all applicable Municipal By-laws and provincial legislation.
2.4 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 sleeping area delineated on the required floor plan, inclusive of Murphy beds or pullout couches.

2.5 The provision of parking on the site plan referenced in Section 3 (1)(g) below shall include the following:
   (a) a minimum of one parking space per Guest Room;
   (b) parking space sizes of 2.5 metres X 6 metres; and
   (c) compliance with all other parking provisions as set forth in Comprehensive Zoning By-law 2008-66P, as amended.

2.6 All vehicles shall only be permitted in a parking area consisting of a hard-surfaced driveway (gravel, paved, concrete, interlock or similar hard surface).

2.7 The following shall be made available to guests:
   (a) A copy of the current licence displayed interior to the Short Term Rental Accommodation dwelling and available for inspection by Town staff;
   (b) A copy of the current Noise By-law (#2018-155);
   (c) A copy of the current Parking provisions for Short Term Accommodation dwellings as described in the Town’s Zoning By-law 2008-66P, as amended.
   (d) A copy of the approved floor plans identifying the rooms and also showing exits and fire escape routes.
   (e) A copy of the Renters Code of Conduct.

2.8 All Short Term Accommodation dwelling establishments must provide a class ABC fire extinguisher in any cooking area and a class BC or better on each floor of the establishment.

2.9 No licensee shall rent any guest room in a Short Term Rental Accommodation dwelling other than a guest room that was identified and approved as such on the floor plans submitted with the Application for the Short Term Rental Accommodation Licence.

2.10 A Licensee shall provide to the Town the name and contact information of the Owner or Owner’s Agent (responsible person) who can be readily contacted within thirty (30) minutes and respond to an emergency or contravention of any Town By-law, including attendance on site of the Short Term Rental Accommodation dwelling within sixty (60) minutes of being notified of the occurrence.

2.11 Applications for licence and issued licences, along with the legal description, civic address and associated owner, responsible person contact information will be posted on the Town’s website.

2.12 The provisions of this section shall not apply when the Short-term rental accommodation is not rented.

3.0 LICENSING REQUIREMENTS

3.1 Every application for a new License, or the renewal of an existing License, shall include:
   (a) a completed application in the form required by the Town, 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, if the Applicant is an individual;
   (d) 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;

3.2 A site plan and floor plan, drawn to scale and fully dimensioned of the Premises including:
   (a) the location of all buildings and structures on the Property;
   (b) the use of each room;
   (c) location of smoke detection and early warning devices;
   (d) location of fire extinguishers;
   (e) all entrances/exits to and from the building
   (f) exterior decks that are appurtenant to the Premises; and related site amenities including dimensioned parking spaces, and other buildings or structures on the Property;

3.4 Payment of the applicable licensing Fee (Appendix "B").

3.5 A Short Term Rental Accommodation licence that has been issued pursuant to this By-law shall expire upon the earliest of the following events:
   (a) The date that is one year (1) after the date of the issuance of the license; or
   (b) Upon the sale or transfer of the Short Term Rental Accommodation dwelling to a person other than a licensee;
   (c) A Short Term Accommodation licence cannot be assigned or transferred from the Licensee to another party.

3.6 The Licensee shall be responsible for informing the Town in writing of any changes to the approved information contained within the licence application or any deviation to the approved plans within (7) days of such change or deviation. Nothing herein allows a Licensee to rent rooms other than those identified and approved on the floor plans submitted with the application for a Licence unless the Town has approved same.

3.7 Upon determination by the Licensing Official that information requirements and all regulatory and by-law requirements of the Town are met, a licence shall be issued and remain valid for one (1) year, unless revoked. A licence may be renewed without inspection if an affidavit from the landowner is received indicating that no changes to the building, property or operations have occurred.

4.0 INSPECTION

4.1 It is the responsibility of any Person applying for a License to contact the Town for an inspection, which shall ensure compliance with the following where applicable:
   (a) provisions of this by-law;
   (d) Property Standards By-law;
   (e) Zoning By-law;
   (f) any other municipal by-laws or provincial legislation that may affect the status of the application.

4.2 During the inspection process, all relevant departments of the Town may provide comment on any known matters that would assist with determination of license eligibility.

4.3 An officer may at any reasonable time inspect an premises or place where a licence has been issued under this By-law to determine compliance to this By-law.

4.4 To obstruct or permit the obstruction of an inspection is deemed an offence.

5.0 PROHIBITIONS
5.1 No Person shall operate or carry on any trade, business or occupation of Short-term Rental Accommodation unless that Person has first obtained a License pursuant to this by-law.

5.2 Every Person shall comply with an order issued by an Officer.

5.3 No Person shall advertise an unlicensed Short-term Rental Accommodation.

5.4 No Person shall violate the provisions of the Renter’s Code of Conduct attached as Appendix “A” to this by-law.

6.0 ADMINISTRATION AND ENFORCEMENT

6.1 The Licence Issuer shall be responsible for the administration of this by-law;

6.2 Officers shall be responsible for the enforcement of this by-law;

6.3 Every person who contravenes any provision of this by-law is guilty of an offence and all contraventions of this By-law are designated as continuing offences pursuant to section 29 of the *Municipal Act*.

6.4 Upon receipt of an application for a Licence, a Licence Issuer shall perform the following functions:
   (a) receive and review the application in conjunction with any provision of this by-law; and
   (b) ensure the relevant Officers have carried out the necessary inspections to satisfy the Town that the Premises is in compliance with the provisions of this by-law.

6.5 Upon determination that a contravention of the provisions of this by-law has occurred, an Officer may issue the required notice and/or order.

6.6 Service of any notice under this section shall be carried out by personal service or registered mail addressed to the Licensee at the address shown as the Licensee’s address on the Application.

6.7 Every person who contravenes any of the provisions of this By-law, including those contained in any of the Schedules and every director of a corporation who concurs in such contravention by the corporation is guilty of an offence and may be subject to an Administrative Penalty or as an offence and conviction liable to a fine in keeping with the provisions of the *Provincial Offences Act*.

7.0 ISSUANCE OF LICENSE AND GROUNDS FOR REFUSAL

7.1 The Licence Issuer shall have the authority to issue, refuse to issue or renew a License, to revoke or suspend a License, or to impose terms and conditions on a License.

7.2 The Licence Issuer may refuse to issue or renew a License where:
   (a) there are reasonable grounds for belief that the operation of the business may be averse to the public interest;
   (b) a License has been previously revoked, suspended, or made subject to terms and conditions;
   (c) a Person applying for a License has presented a history of contravention with this by-law or other Town by-laws;
   (d) the Renter’s Code of Conduct (Appendix “A”) has been violated;
   (e) the proposed use of the Premises is not permitted by the Zoning By-law;
   (f) the Owner is indebted to the Town 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;
   (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.

7.3 The Licence Issuer may revoke a license where 3 or more notices to comply or complaints have been received by the Town within a 6 month period.
7.4 Notwithstanding Section 3 of this By-law, the Licence Issuer may issue a License where a variance to this by-law has been approved. The Appeals Committee, upon application of the Owner of a Premises permitting a short-term rental accommodation, may authorize such variance from the provisions of this by-law, in respect of the Owner’s Premises as in its opinion in desirable for the appropriate use of the Premises and in the opinion of the Appeals Committee the general intent and purpose of the by-law is maintained. The decision of the Appeals Committee, with regard to the variance application, shall be final and binding.

7.5 The Licence Issuer may suspend a License as per Table 1 in Appendix “C” to this By-law.

7.6 The Licence Issuer, if satisfied that the continuation of a License poses a danger to the health or safety of any Person, may, for the time and such conditions as are considered appropriate, suspend a License for not more than 14 days. If after this period, the Licence Issuer is satisfied that the continuation of a License will continue to pose a danger to the health or safety of any Person, he/she may further suspend for not more than 14 days or revoke a License.

7.7 The Licence Issuer may revoke a License if it was issued in error or granted based on incorrect or false information.

7.8 The Licence Issuer may revoke a License as per Table 1 in Appendix “C” to the by-law.

8.0 TERM OF LICENCE

8.1 A License issued pursuant to the provisions of this by-law shall expire one (1) or two (2) years from the date it was issued, unless it is revoked in accordance with the provisions of this by-law.

9.0 ORDER

9.1 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 Licensee 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 Licensee’s expense, and the Town may recover the expense in the same manner as municipal taxes; or
   (c) the activity be discontinued.

9.2 Any Person who contravenes an order under this by-law is guilty of an offence.

9.3 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.

9.4 Any violations of those Acts or by-laws, or any other relevant legislation, set forth in Section 5 (b) to (g) of this by-law shall be addressed pursuant to the respective remedies.

10.0 Penalties

10.1 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.

10.3 Every Person guilty of an offence under this y-law may, if permitted under the Provincial Offences Act, pay a set fine and the Chief Judge of the Ontario Court Provincial division, shall be requested to establish set fines in accordance with Schedule “A” attached to this by-law.

10.4 Each day a contravention occurs constitutes a new offence.

10.5 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.

10.6 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.

10.7 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.

11.0 APPEAL

11.1 Where the Licence Issuer has denied an Applicant a License, a renewal of a License, or has suspended or revoked a License, the Licence Issuer shall inform the Applicant or Licensee 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 Development Services Committee.

11.2 A Person may appeal to the Development Services Committee in relation to the matter of notice in subsection (1). Appeals will not be permitted for any matters that have already been heard by the Appeal Panel. A request for an appeal shall be made in writing to the Licence Issuer, setting forth the reasons for the appeal, within 14 business days after service of the written notice and payment of the required appeal fee (Appendix "B").

11.3 Where no request for an appeal is received in accordance with subsection (2), the decision of the Licence Issuer shall be final and binding.

11.4 Where a request for an appeal is received, a hearing of the Development Services Committee shall be convened, and the Applicant or Licensee shall be provided reasonable written notice thereof.

11.5 After such opportunity to be heard is afforded the Person, the Development Services Committee shall make a decision. When making its decision the Development Services Committee 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, the Development Services Committee may refuse to issue or renew a License, revoke, suspend, or impose any condition to a License. The Development Services Committee's decision is final and binding and shall not be subject to review.

11.6 Where the Development Services Committee 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.

12.0 COLLECTION OF UNPAID FINES

12.1 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, ("Provincial Offences Act") including any extension of time for payment ordered under that Section, the Licence 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.

13.0 Entry and Inspection

13.1 The Chief By-law Enforcement Officer, Chief Fire Official or their designate(s) may at any time, enter onto a property to determine whether this by-law is being complied with.

13.2 Every Person shall permit the Chief 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.

13.3 The Chief By-law Enforcement Officer, Chief Fire Official or their designates 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.

13.4 A Person exercising a power of entry on behalf of the Town under this by-law may be accompanied by any Person under their direction including Law Enforcement Services.

14.0 Obstruction

14.1 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.

14.2 Every Person who has been alleged to have contravened any of the provisions of this by-law, shall identify themselves to the By-law Enforcement Officer, the Chief Fire Official or their designates upon request, failure to do so shall be deemed to have hindered or obstructed the By-law Enforcement Officer or Chief Fire Official under section 14.1 of this by-law.

15.0 ADMINISTRATIVE PENALITIES

15.1 An Officer who finds that a person has contravened any provision of this By-law may issue a penalty notice addressed to that person.

15.2 Any person who contravenes any provision of this By-law shall, upon issuance of a penalty notice pursuant to Section 9.3, be liable to pay to the Municipality an administrative penalty in the amount of $100.00 dollars.

15.3 The penalty notice shall be given to the person to whom or to which it is addressed as soon as is reasonably practicable and shall include the following information:
(a) Particulars of the contravention, including to which property it applies;
(b) The amount of the administrative penalty;
(c) A statement advising that an administrative penalty will constitute a debt to the Municipality.

15.4 A person who has been issued a penalty notice shall pay the administrative penalty within fifteen (15) days from the date the notice was issued.

15.5 An administrative penalty that is deemed to be confirmed constitutes a debt to the Municipality and may be added to the tax roll of the property on which the offence occurred.

16.0 SERVICE OF DOCUMENTS

16.1 The Municipality may serve any document under this By-law, including but not limited to a penalty notice, 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.

16.2 Service by registered or regular mail under subsection 10.1 shall be deemed to have been made on the fifth day after the day of mailing.

16.3 A person’s last known address includes the address provided by the person to the Municipality as identified in the property tax file.
(a) the provisions of the by-law;
(b) an order issued under this by-law; or
(c) an order made under Section 431 of the Municipal Act;
16.4 Where an inspection is conducted, the Officer conducting the inspection may:

(a) require the production for inspection of documents or things relevant to the inspection;
(b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
(c) require information from any Person concerning a matter related to the inspection including their name, address, phone number and identification; and
(d) alone or in conjunction with a Person possessing special or expert knowledge, make examinations or take tests, samples, or photographs necessary for the purposes of the inspection.

16.5 The Town may undertake an inspection pursuant to an Order issued under Section 438 of the Municipal Act.

16.6 The Town’s power of entry may be exercised by an Officer, or Agent for the Town.

17.0 Severability

17.1 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.

18.0 Schedules

18.1 Schedule “A”, “B”, and “C” as attached forms part of this by-law.

19.0 Town Not Liable

19.1 The Town 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.

20.0 AUTHORIZATION

20.1 That the Town Clerk be authorized and directed to take the necessary actions to give effect to this by-law.

APPENDIX ‘A’
SHORT-TERM RENTAL ACCOMMODATION

Renter’s Code of Conduct

1. Purpose of the Code
   The purpose of the Renter’s Code of Conduct is to acknowledge that Short-term Rental Accommodation premises are permitted in residential neighbourhoods and that the permanent residents of these neighbourhoods have the right to enjoy their own properties without nuisance. It also outlines specific requirements for Short-term Rental Accommodations and imposes responsibilities for both Owners and Renters of such properties and that Owners bear the primary responsibility of conveying this information to renters of their property.

2. Objectives of this Code
   The Objective of this Code is to establish acceptable standards of behaviour for hosts and renters to minimize any adverse impacts on their neighbours and the neighbourhood.

3. Residential Area
   The Renter acknowledges for themselves and on behalf of others that they will be occupying a Short-term Rental Accommodation that is located in a residential area.

4. Guiding Principles
   The guiding principles for Short-Term Rental Accommodation renters are:
   • The premise that you are occupying is a home;
   • Treat the premise as your own;
   • Respect your neighbours; and
   • Leave it as you find it.

5. Maximum Number of Renters and Guests:
   The maximum number of renters including non-occupying guests and residents, permitted at a Short-term Rental Accommodation premises shall limited as per Section 2(1)(a) of the Short-term Rental Licensing By-law.

6. Noise and Residential Amenity:
   No person shall make noise to cause a disturbance or conduct themselves in a way that is likely to disturb area residents. Examples of noise that is likely to disturb residents at any time include:
   a) Loud music;
   b) Outdoor or backyard gatherings or activities involving excessive noise or disruptive behaviour;
   c) Late evening/early morning disturbances; and,
   d) Yelling, shouting, singing or conversing loudly.

   Renters and their guests are not allowed to disturb neighbours or interfere with their enjoyment of their premises, or the public realm, at any time of the day or night. Failure to comply with the conditions of the Town Noise By-law may result in legal action being taken.

7. Access and Parking:
   Please familiarize yourself and your guests with the Parking Management Plan for the premises to ensure ease of access with minimum disturbance to neighbours.

   All Short-term Rental Accommodation premises have vehicle parking requirements as part of the licensing process. Please refer to the approved Premises Parking Management Plan.
8. **Recycling and Garbage:**
   Please familiarize yourself and your guests with the Property Management Plan, including the provisions that have been made for waste management and the day of the week in which waste collection is scheduled. It should be noted that the “putting out” of waste on a non-scheduled day is regulated by the District of Muskoka’s Waste Management By-law. Waste collection information and pick up times are available on the District of Muskoka’s website.

9. **Dwellings on Lots on Private Sewage Disposal Systems:**
   Note: Maximum occupancy of a Short-Term Rental Accommodation is based on a maximum of two persons per Guest Room. Exceeding the maximum occupancy may result in the malfunctioning of the septic system and pollution of the ground water system.

10. **Fire and Occupant Safety:**
    All Short-term Rental accommodations shall have operating smoke alarms. In Short-term Rental Accommodations which have a fuel-fired appliance or solid fuel-fired appliance installed or an attached storage garage, the Owner shall ensure that the building is equipped with a **carbon monoxide alarm** installed outside of the sleeping areas. Further, the Owner shall regularly test the alarms to ensure that they are operational. If a renter discovers that any of the alarms are not operational the renter shall immediately notify the property owner of the deficiency.

11. **Owner’s Additional Responsibilities**
    All owners and renters of Short-term Rental Accommodations are responsible for compliance with all other Town of Huntsville by-laws (including, but not limited to the following: Noise By-law, Waste By-law, Open Air Burning By-law, etc.).

   I, _____________________________ having read the above, and the terms of the Short-term Rental Accommodations By-law and License, undertake to provide those persons renting my short-term rental accommodation with a copy of the Renter’s Code of Conduct and to advise them to act appropriately. I also realize that a violation of the licensing agreement may result in the suspension or revocation of the short-term rental accommodation for my property.

   _____________________________  ___________________________
   Signature of Applicant for License  Date
## APPENDIX “B” TO BY-LAW #

**SHORT-TERM RENTAL ACCOMMODATION FEE SCHEDULE**

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<th>REQUIRED FEES</th>
<th>FEES</th>
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<tr>
<td>Short-Term Rental Accommodation Licensing Fee</td>
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<tr>
<td>Short-Term Rental Accommodation Renewal Fee</td>
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<td>One year from issue</td>
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<tr>
<td>Licensing Committee Appeal Fee</td>
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Comment and/or Inspections Obtained from: Town of Huntsville Fire Department Municipal Law Enforcement Development Services Division
APPLICATION TO LICENCE SHORT TERM RENTALS
Licensing period beginning February 2020

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<thead>
<tr>
<th>PROPERTY ADDRESS</th>
<th>THIRD PARTY RENTAL AFFILIATION (Airbnb, VRBO etc.)</th>
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<tr>
<td>NO. &amp; STREET</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>MAILING ADDRESS Secondary Residence</th>
<th>BOX/RR/APT#</th>
<th>CITY</th>
<th>PROVINCE/STATE</th>
<th>COUNTRY</th>
<th>PC/ZIP CODE</th>
</tr>
</thead>
<tbody>
<tr>
<td>NO. &amp; STREET</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Municipal Services (Water)</th>
<th>Municipal Services (Septic)</th>
<th>Year Built</th>
<th>Total # of Guest Rooms within dwelling unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>□ YES □ NO</td>
<td>□ YES □ NO</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note: If a property is leased, a signed statement from the property owner giving permission for the property to operate as a Short Term Rental must be provided.
I/We do declare that all of the information submitted with this application is true and understand that it will take a **minimum** of four (4) weeks for this application to be processed.

I/We have read and understand all attached by-laws, requirements and the policy pertaining to the operation of a Short-Term Rental.

I/We further give my permission for Fire and By-law Inspectors, and if required, Building Inspectors, to enter the residence for the purpose of inspecting for compliance with the regulations.

SIGNATURE of REGISTERED OWNER/APPLICANT

DATE

SIGNATURE of REGISTERED OWNER/APPLICANT

DATE

FOR INTERNAL USE ONLY

| Submission Date | |
| Inspection Date | |
| Licence Fee | |
| 1st year | Licence Renewal |
| $ | |
| □ Cheque | □ Cash | □ Debit | □ Credit |
| Customer Service Representative: | |

CHECKLIST

☐ YES ☐ NO Signed Application
☐ YES ☐ NO Proof of primary residence (copy of Driver's license)
☐ YES ☐ NO Site Plan (drawn to scale showing all required parking spaces)
☐ YES ☐ NO Floor Plan
☐ YES ☐ NO Fire Plan (identify on site plan if there is a Fire Pit)
☐ YES ☐ NO Waste Disposal Plan (Garbage)
☐ YES ☐ NO Statement of Owner's Consent (if property is leased)

CDS - PRELIMINARY ZONING REVIEW

Date: 
Zoning: 
Notes: 

Staff Person |
Acknowledgement
Short Term Rentals

Short Term Rental Address: ____________________________________________

I/We _____________________________________________________________
understand that:

(1) nothing herein allows a Licensee to rent a unit other than those identified on the
licence and approved on the floor plans submitted with the application.

(2) the Licensee will be held responsible for behavioral contraventions by tenants
and guests with the Town’s Noise By-law 2018-155.

(3) Invoice will be sent out in October, prior to the next licensing year. License
fees are due by December 31st each year.

(4) the Licensee is responsible for forwarding a copy of the Certificate of
Insurance, as per Section 4, No. 3, on an annual basis.
Expire ____________________________.

(5) the Licensee is responsible for renewing the licence upon expiry.
December 31, 20____.

(6) the Licensee shall be responsible for informing the Town Official in writing of any
changes to the approved information contained within the application or any
deviation to the approved plans within seven (7) days of such change or deviation.

(7) the submission of false or misleading information will void the application and any
license issued on such an application may be revoked.

(8) Municipal Law Enforcement Officer is empowered, upon presentation of proper
credentials, to enter onto land at any reasonable time to inspect any building,
structure or property for the purposes of carrying out an inspection to determine
whether the by-law or a notice or an order issued is being complied with.

I/We understand that any breach of this acknowledgement, provisions of By-law No. ___
or any other Town By-law or regulations may result in the Short Term Rental Licence
being revoked or suspended.

Signature(s):

Licensee ____________________________________________________________
Witness _____________________________________________________________

Licensee ____________________________________________________________
Witness _____________________________________________________________

Date this____ day of__________________________, 20__.
Authorization
Short Term Rentals

Short Term Rental Address: ________________________________________________

I/We
(Registered Owners)

hereby authorize ________________________________________ of
(Name)

(Company Name)

(Address - Street No., Street Name, City/Town, Postal Code)

(Email Address)

To operate my/our Short Term Rental of __________________ room, ____________.
(Number of rooms) (Type of rental)

Registered Property Owner(s):

________________________________________  ____________  ____________
Print Signature Witness

________________________________________  ____________  ____________
Print Signature Witness

________________________________________  ____________  ____________
Print Signature Witness

Date this _____ day of ________________________, 20__.

Management Company:

I undertake to operate the above mentioned Short Term Rental in accordance with all Town of Huntsville By-laws, in particular By-law No.

________________________________________  ____________  ____________
Print Signature Witness

Date this _____ day of ________________________, 20__.
Short Term Rental Address: ______________________________________________________

I/We (Registered Owners)

hereby authorize ____________________________

(Name of Leasee)

(Address - Street No., Street Name, City/Town, Postal Code)

(Email Address)

To operate a short term rental of room(s), ____________________________.

(Number of rooms) (Type of rental)

Registered Property Owner(s):

Print ____________________________ Signature ____________________________ Witness ____________________________

Print ____________________________ Signature ____________________________ Witness ____________________________

Print ____________________________ Signature ____________________________ Witness ____________________________

Date this_____ day of ________________________, 20__.

Leasee:

I undertake to operate the above mentioned Short Term Rental in accordance with all Town of Huntsville By-laws, in particular By-law No.:

Print ____________________________ Signature ____________________________ Witness ____________________________

Date this_____ day of ________________________, 20__.