

**Public Comments Received Regarding the Draft Municipal Licensing By-law for Short Term Rental Accommodations and Bed & Breakfast Establishments**

<b>Penalties</b>	
<b>Public Comments Received</b>	<b>Response from Panel</b>
Presentation was quite good	Noted
Fees that go on the tax system sound promising, rather than given through the courts	Noted
Like the 3 options for reporting complaints	Noted
Referenced Tiny Township's recent decision (STR's) and inquired if their fees were addressed and found acceptable	The fees have been levied in Tiny Township, and they must be paid
Concerns about the process in place to stop non-licensed STR's (e.g. 11pm Friday night)	Leave voicemail for Township; OPP can be called to assist after-hours; have 30 minutes to respond, etc.
Can illegal STR's be charged?	AMPS permits new steps to penalize (fees)
What if illegal STR's advertise by 'word of mouth' and not by advertising – Can they be fined?	Can monitor the sites through Granicus for advertising
What if it was only rented for 2 weeks?	Zoning By-law doesn't permit commercial accommodation
Will this only apply to V1 Zone, or apply to all zones?	All zones
Residents are policing and monitoring their neighbours and feel intimidated by doing this	Through Granicus, STR's operating in Oro-Medonte are identified through scanning; the only ones that can operate must be legal and a licensing by-law allows OM to go after them
Concerns that A/RU Zone permits STR's	Only B&B's are permitted under the A/RU Zone

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What about farmers who rent surplus homes to farm help on short term basis in A/RU Zone?	Will take this comment back and review.
How long does the “fee” process take for illegal STR operators?	Fees can be stacked on taxes if not paid by property owner.
Concern that the “fee” structure won’t immediately help neighbours in the meantime	If the property owner is not making money, businesses will not keep operating.
How does a property owner comply if they are not aware of what the renters are doing? (e.g. If only certain number of people are permitted, and a pull-out couch is used for extra occupants)	It is the property owner’s responsibility to control the space; if they do not comply then fees will be applied to property owner; property owner can go through Airbnb for fee reimbursement.
What if property owners say, “they are my family”?	Under Zoning By-law, only commercial accommodation not permitted.
STR’s are only allowed in small specific areas – what about the ones that operate outside of that zoned area?	Granicus will flag non-legal STRAs; fees will be applied; By-law now has additional fees that can be applied stop illegal STRAs from operating.
Are the fees strong enough to deter illegal STR’s?	Granicus confirmed, based on their experience, yes.
What if property owners are given fees that are applied to their taxes, and they fail to pay?	They have 3 years to pay, then there is a process to follow, with potential tax sale of their property.
What happens if you rent for over 28 days?	Landlord Tenancy Act says that if you rent over 28 days, you are now deemed a tenant and not a short-term renter.
Protections of citizens is only as strong as the by-laws, so what if the renters have a party at 2pm in the afternoon?	Can contact Granicus through the 1-800 number and the OPP after 11pm. Demerit points and AMP penalties would apply.

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Will illegal operators automatically be given the fee through Granicus, so that the neighbours don't have to do anything?	The properties will be notified through Granicus, and they will be given time to comply, or cease, or be subject to the fee.
Will you be able to catch illegal operators even if they do not have renters?	Yes, if they advertise, they will be flagged and are deemed to be operating under the terms of the Licensing By-law.
Can illegal addresses be cross-referenced against CRA data when property owners declare income?	Noted
How would you catch people that are leasing from an operator for 30 days, the sub-rent every weekend?	Owner will be notified – can be considered breaching the law and offenders can be evicted.
Licensing requirements are too onerous for an operator?	Requirements are based on best practice used by other municipalities.
The requirement for commercial insurance is not commercially feasible and appears also to be prohibitive and unnecessary as residential insurance can be obtained. The only requirement, if any, should be insurance that covers STRs with a limit of \$1M.	Reviewed by staff with the Township Insurance Broker. Changes to be made in the Licensing By-law to require an endorsement on an existing residential policy that covers STRAs.
Limiting rentals to 8 people is too restrictive and unnecessarily impinges on the right to rent under the zoning bylaw. Suggest a limit of the lesser of 10 people or 2 per bedroom. Or 8 people and no limit on children.	The two person per bedroom and limit of eight people per property is fairly standard across municipal licensing by-laws. Flexibility is being considered to allow two children under two years of age under this provision.
There is far too much discretion to issue and revoke licenses and far too many conditions, any of which, every if minor,	The requirements to issue and revoke licenses is standard across licensing by-laws. The onus is on the owner to ensure

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would effectively deprive a person's right to license a property.	that matters are addressed in a timely manner.
The AMPS and demerit points regime and investigation powers are draconian, unfair, and illegal. They go too far and are inconsistent with the Municipal Act and the Charter of Rights and Freedoms. There is also no due diligence defense, something that is required, especially given the sanctions imposed that takes away property rights.	The AMPS program was developed based on a review of seven other AMPS programs in place in other municipalities. The demerit point system is commonly used to address nuisance infractions in a manner that will lead to changes in behavior by owners and those they rent to.
Requirement that the Operator have a "responsible" person available twenty-four (24) hours a day, seven (7) days per week to: respond within thirty (30) minutes of being contacted or notified by the Township and attend the property within one (1) hour of being contacted by the Township is onerous in the fact that complaints can invariably be handled by a phone call rather than attend the property within the timeframe. It appears designed to prevent GTA cottage owners from renting their cottages	By-law to be amended to permit a responsible person to respond within thirty (30) minutes from initial contact by telephone.  A further change will require the responsible person to attend the site within 24 hours if the matter is not resolved or a second complaint is made.
Numerous documents to be submitted. Requirements are unreasonable and unnecessary and would make it pragmatically impossible to apply for a licence.	Sewage system confirmation, site plan, floor plan with emergency evacuation plan shown, proof of insurance, responsible person document signed, renters code of conduct signed, zoning confirmation, and inspections are all reasonable requirements based on what is required in other STRA licensing by-laws, which are necessary to ensure health and safety and well-being persons and the community.

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By-law requires to maintain the property and STRs in accordance with federal and provincial laws that have nothing to do with the health and safety and well-being of persons and are included to create opportunities to deprive property owners of the rights to rent their properties	Reference to provincial and federal laws pertains to operating an STRA on the property. Language in Schedule 'A' to the Licensing By-law will be amended to provide greater clarity by adding the word "applicable".

<b>Fees &amp; Costs</b>	
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Illegal STR's are lowering property values.	Noted
Concern that the amount of effort going into this, for such a small area (zone), is far too great.	Licensing would cover the whole Township
What is the cost to the Township for this program?  What would legal fees cost the Township?	Annual Granicus contract is approximately \$13K.  Staff time to be covered by fees.  Estimate cost for legal fees in report is \$40K based on 150 STR's and 10 B&B's.
Proposed Licensing fees are too high.	Proposed Fees are reflective of the cost of administering the program. Staff are reviewing fee structure.
It is difficult for operators to make money with the proposed Application Fee Structure for STRAs. They are too high.	Application fees are consistent with fees charged by other municipalities.

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<b>Health, Welfare &amp; Safety</b>	
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Concerned about overcrowding in the STR, which could cause overuse of a septic system.	Noted: Addressed in Draft Licensing By-law
Concerns that OADA be implemented in licensing requirements	Noted
Can residents have access to the addresses of the registered/illegal STR's?	The Township will not provide addresses—against the Privacy Act; Only licensed STRA addresses will be provided.

<b>Implementation &amp; Timeline</b>	
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Property owners applying for ZBA's now will not make the July 1 <sup>st</sup> timeline, which is unrealistic	Re-Zoning process could take 3–4-months.
Concern that the ZBA process is costly – How would a small B&B or farm operator absorb those costs, not knowing if it would even be approved?  Who will be responsible for reviewing and what would be considered acceptable?	Our intent is to provide guidelines for licensing; other Municipalities provide software to residents to do the drawings themselves – legible, to-scale drawings showing all the features that are required.
How will neighbours know that an STR is allowed?	Many websites have lists of licensed accommodations with addresses and contact information. Maximum is 8 people (STR's).
If I live in an R2 Zone, can I rezone to a V1 Zone?	

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If council says no, can I appeal to OLT?	Yes, you can appeal.
What is the timeline given to property owners to decide?	A period of time is typical – an education period comes first
Should Oro-Medonte not wait for the court decision on the Township of Tiny Licensing By-law before proceeding with its own Licensing By-law?	<p>The Township of Tiny enacted a STRA Licensing By-law on August 11, 2022, which is similar to the draft by-law being considered by Oro-Medonte. The by-law was appealed to the Superior Court of Justice with a request to quash the by-law for several reasons including: illegality, lack of authority to license, infringement on freedom expression under the Charter of Rights and Freedoms violations, bad faith, illegally disguised zoning by-law, too restrictive, deprives income, and infringement on privacy rights.</p> <p>On March 24, 2025, the Court released its decision dismissing the appeal, indicating that the licensing by-law is not illegal and should not be quashed.</p> <p>The Superior Court decision has been appealed to the Ontario Court of Appeal, and it is anticipated that the application will be heard by the Court within the next six months.</p> <p>Staff are reviewing the situation with legal counsel.</p>

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<b>Current Operators</b>	
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Why would I fill out all the pages of licensing when I can just cheat?	Noted
Can current operators continue to operate?	If you operated before and were a legal use, you will have to be licensed to continue to operate.
Concern that property owners who already have bookings will lose those bookings and the customers that they currently have.	Noted
Will there be any grandfathering for current property owners who are operating?	No grandfathering under licensing – once licensing by-law comes into effect, a license is required.
Concerned that this will be allowed in only 2 zones; re-zoning will run into the summer season and money will be lost	Licensing applies Township wide
What if you are not in an area that is zoned for STR's, and you are already benefitting?	You must apply for a ZBA and be approved before you can apply for a license and continue operating legally.
Doesn't the OLT/Divisional Court decision dismissing the Township's attempt to introduce the definition of "Commercial Accommodation" to the Zoning By-law allow for occasional STRAs in all dwelling units?	<p>The OLT rescinded the amending by-law and the Superior Court supported the OLT decision. The Court recognized that the current Zoning By-law already prohibits commercial accommodation in dwelling units but stated it must be something "other than simply renting a dwelling unit for money".</p> <p>The Court goes on to suggest that the term "commercial accommodation" in the current definition of dwelling unit, "... could mean that temporary accommodation provided as part of an ongoing commercial enterprise akin to a hotel, motel, resort or</p>

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	<p>bed and breakfast are prohibited as commercial accommodations.”</p> <p>Staff have reviewed the decision thoroughly and do not share this point of view.</p> <p>Staff are of the view that the decision means that an owner of a dwelling unit in a Zone other than Village One and Residential Two Exception 123 (R2*123) that advertises the unit for the occasional use as an STRA is providing commercial accommodation and is in violation of the Zoning By-law.</p> <p>Further, staff are of the view that the decision indicates that owners that rent occasionally and do not advertise are permitted to rent their dwellings as STRAs.</p>
<p>Rural and agricultural property owners operate STRAs on their properties to provide short-term housing for farm workers, families from the City that want to enjoy an experience on a working farm or those that just want to enjoy the natural environment.</p> <p>Owners live on the property or nearby. These types of STRAs do not cause any issues, similar to B&amp;Bs. Is there a way they can be included as a permitted use under the Zoning By-law in the agricultural/Rural (A/RU) zone similar to B&amp;Bs.</p>	<p>Staff recognize that the use of dwelling units on farm properties for STRAs does not have the same land use impacts as a STRA in a subdivision or urban area. The impacts are similar to a B&amp;B.</p>