



Motion Memorandum

SUBJECT: Provincial legislation for third-party short-term rental companies
TO: **Mayor and Members of Council**
FROM: Councillor Kelvin Galbraith, Ward 1
Date to Committee: N/A
Date to Council: September 26, 2023

Motion for Council to Consider:

Whereas the demand for alternative accommodations has resulted in an increased prominence of residential properties being advertised for short term accommodations through third party companies such as Airbnb and VRBO; a shift from the 'traditional' cottage rental historically managed by a property owner; and

Whereas over the past decade a flood of properties have been removed from the ownership and long-term rental market (*Canada Research Chair in Urban Governance at McGill University*) contributing to housing shortages, increased housing demands and increased housing costs resulting in housing affordability issues, including affordable rentals; and

Whereas short term rentals (STR) can be beneficial, when operated appropriately, by providing solutions for the accommodation industry that supports local tourism and small businesses as well as providing an opportunity for property owners to generate income from their residence (permanent or seasonal) using a convenient third-party system; and

Whereas STR's can create nuisances including noise, parking, high volumes of visitors attending a property, septic capacity and fire safety, for adjacent residential property owners who wish to experience quiet enjoyment of their property; and

Whereas research indicates that demand for STR's is increasing, in part due to vacationers choosing domestic travel options as well as the financial benefits to property owners, demonstrating that STR's are here to stay; and

Whereas there are no Provincial regulations in place governing third party STR companies resulting in a variety of regulations/guidelines being implemented at the local municipal level which creates inconsistencies, confusion and frustrations for both consumers and residents across the province; and

Therefore, be it resolved that Burlington City Council calls on the Provincial Government to move forward as soon as possible to legislate all third-party short-term rental brokerage companies, for example Airbnb and VRBO, requiring them to:

- appropriately manage and be responsible for their listings, and to compel compliance; and
- establish a registry system, making it mandatory for each rental listing to register and pay an appropriate annual fee, with the requirement that STR companies are to provide the registry and collected fees to the municipality in which the STR properties are located, allowing municipalities to be aware of all registered STR properties and to have access to funds to assist with the response and enforcement of issues surrounding STR properties; and
- de-list/remove a property from the STR company's listing when a municipality has identified and verified life, health and/or nuisance infractions including noise, fire safety, septic, etc. to ensure a property cannot be rented; and

That a copy of this resolution be sent to all Ontario municipalities for support as well as to the Minister of Municipal Affairs and Housing and Halton MPPs.

Reason:

Provincial legislation is needed to govern third-party short-term rental companies to create consistency across the province. Also, the increase in short-term rentals has created a need for municipalities to develop a new framework to license and enforce them due to the nuisances they can create within residential neighbourhoods.

Having a registry of STR properties, along with funding, will assist with the additional resources it will take to license and enforce STRs.

Outcome Sought:

Provincial legislation governing third-party short-term rental companies in Ontario that will assist municipalities in managing short-term rentals in their communities.

Vision to Focus Alignment:

- Increase economic prosperity and community responsive city growth
- Improve integrated city mobility
- Support sustainable infrastructure and a resilient environment
- Building more citizen engagement, community health and culture
- Deliver customer centric services with a focus on efficiency and technology transformation

Motion Seconded by: Councillor Shawna Stolte, Ward 4
Share with Senior Staff

Approved as per form by the City Clerk,

Reviewed by the City Manager - In accordance with the Code of Good Governance, Council-Staff Relations Policy and an assessment of the internal capacity within the City to complete the work based on a specific target date (quarter/year).

Comments:

City Clerk: Approved as per Form

City Manager: