



Staff Report

Administration – Chief Administrative Officer

Report To: Council Meeting
Meeting Date: March 27, 2023
Report Number: FAF.23.050
Title: Moratorium for New Short Term Accommodation Licenses Outside the Prescribed Exception Area
Prepared by: Shawn Everitt, Chief Administrative Officer

A. Recommendations

THAT Council receive Staff Report FAF.23.050, entitled “Moratorium for New Short Term Accommodation Licenses Outside the Prescribed Exception Area”;

AND THAT Council hereby implements a moratorium on:

- a) The consideration of any application received for a Type B Municipal License under By-law 2021-70 for properties that have not been licensed prior to January 1, 2023; and,
- b) The issuance of any Type B Municipal Licenses under By-law 2021-70 for properties that have not been licensed prior to January 1, 2023

until the Town’s Official Plan Update is complete or this moratorium is alternatively ended by Council resolution;

AND THAT Council hereby revokes its delegated authority of the Town’s License Issuer to issue any Type B Municipal Licenses under By-law 2021-70, except for properties that have been licensed prior to January 1, 2023, until the Town’s Official Plan Update is complete or this moratorium is alternatively ended by Council resolution.

B. Overview

As a follow up to [Staff Report PDS.23.024](#) that was considered at the March 14, 2023, Committee of the Whole meeting, this report recommends a moratorium on accepting applications for Type B Short Term Rental Property Licenses for properties that have not been licensed before January 1, 2023, so that potential amendments can be considered through the Town’s Official Plan Update process currently underway, or through an Official Plan Amendment process if Council wishes to do so.

C. Background

The Municipal Licensing Program and associated [Licensing By-law 2021-70](#) were established by the previous Term of Council that replaced the previous Short Term Accommodation Licensing By-law.

Licensing By-law 2021-70 sets out a series of Schedules that include the following types of Licenses relating to Short Term Accommodations within the Town:

- Type A – Short Term Rental Property License within the Exception Area
- Type B – Short Term Rental Property License Outside of the Exception Area
- Type C – Legal Non-Conforming Short Term Rental Property License
- Type D – Bed and Breakfast License

The following Table outlines that there are currently no applications being reviewed for new properties requesting a Type A and/or Type B Short Term Rental Property License within The Blue Mountains.

Table 1: Current Number of Active Type A and Type B Short Term Rental Property Licenses

License Type	Active Licenses	Applications Being Reviewed
Type A	216	0
Type B	68	0

D. Analysis

This report is being brought forward to ensure that direction can be provided to staff to effectively implement a moratorium on Type B Short Term Rental Property Licenses and alleviate the concerns surrounding new applications being considered for Short Term Accommodations (STAs) outside of the prescribed exception area. Staff have confirmed that unless a property is within the Resort Residential (RR) Zone, which is within the exemption area, an STA property use is prohibited and a Zoning By-law Amendment (rezoning process) would be required to permit an STA property use.

Based on the information contained in Table 1, there are currently zero (0) Type B Short Term Rental Property License applications being reviewed for properties that have not previously held a Type B Short Term Rental Property License.

The Town's Planning Division brought forward [Staff Report PDS.23.024](#) on March 14, 2023, to Committee of the Whole recommending a Public Meeting for Council to consider amending the

Town's Official Plan to virtually eliminate any Short Term Accommodation from being a permitted property use outside the prescribed exception area.

If, through a formal planning process, Council chooses to prohibit any new Short Term Accommodations outside the exception area, this could eliminate the future need for the Type B Short Term Rental Property License. However, this would not eliminate the ability for individual property owners to submit their own Official Plan Amendment and/or Zoning By-law Amendment applications requesting site-specific permission for a new Short Term Accommodation. Restricting this ability to make these requests would require an Official Plan Amendment as outlined in [Staff Report PDS.23.024](#).

Applications for Re-Zoning to Permit a Short-Term Accommodation Use Outside the Exception Area	Zero (0) One (1) application currently appealed and under consideration by Ontario Land Tribunal (OLT)
Applications for Re-Zoning to Permit for Other Uses	Nine (9)
Total Active Applications for Re-Zoning Currently Being Considered	Nine (9)

Staff are bringing forward this report to respond to concerns that have been raised in the past and to request Council to provide direction to staff regarding how they wish to proceed.

E. Strategic Priorities

1. Communication and Engagement

We will enhance communications and engagement between Town Staff, Town residents and stakeholders.

2. Organizational Excellence

We will continually seek out ways to improve the internal organization of Town Staff and the management of Town assets.

3. Community

We will protect and enhance the community feel and the character of the Town, while ensuring the responsible use of resources and restoration of nature.

4. Quality of Life

We will foster a high quality of life for full-time and part-time residents of all ages and stages, while welcoming visitors.

F. Environmental Impacts

This proposed moratorium and Council consideration of the most appropriate use of properties within the community may also include consideration of environmental impacts.

G. Financial Impacts

Financial impacts are limited at this time as those properties currently holding a Type B Short Term Rental Property License will continue to be permitted to apply for new licenses where they have complied with all conditions, have not lost demerits points to an existing license, and have maintained the requirements of the license.

H. In Consultation With

Senior Management Team

External Legal Counsel

I. Public Engagement

The topic of this Staff Report has not been the subject of a Public Meeting and/or a Public Information Centre as neither a Public Meeting nor a Public Information Centre are required. However, any comments regarding this report should be submitted to Shawn Everitt, Chief Administrative Officer cao@thebluemountains.ca.

J. Attached

None

Respectfully submitted,

Shawn Everitt
Chief Administrative Officer

For more information, please contact:

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Report Approval Details

Document Title:	FAF.23.050 Moratorium for New Short Term Accommodation Licenses Outside the Prescribed Exception Area.docx
Attachments:	
Final Approval Date:	Mar 14, 2023

This report and all of its attachments were approved and signed as outlined below:

Shawn Everitt - Mar 14, 2023 - 9:46 AM