

## Short-Term Rental Zoning By-Law Amendment

Presented To:	Planning Committee
Meeting Date:	May 27, 2024
Type:	Public Hearing
Prepared by:	Ed Landry Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	751-6/24-07

### Report Summary

This report provides a recommendation regarding the introduction of a “Short-Term Rental” definition and associated permissions in the City’s Zoning By-law.

This report is presented by Ed Landry, Senior Planner.

### Resolution

THAT the City of Greater Sudbury approves the amendment to the Zoning By-law to introduce the definition and associated permissions of a “Short-Term Rental”, as outlined in the report entitled “Short-Term Rental Zoning By-law Amendment, from the General Manager, Growth and Infrastructure, presented at the May 27, 2024 Planning Committee Meeting.

### Relationship to the Strategic Plan, Health Impact Assessment and Climate Action Plans

This report refers to operational matters and has no direct connection to the Climate Action Plans.

### Financial Implications

There are no financial implications associated with this report.

### Background

#### Direction to return with regulatory options

Council passed the following motion on August 15, 2023 (CC2023-205):

“WHEREAS regulation in the Home-sharing and Short-term rental accommodation market has become common in Ontario and the City of Greater Sudbury would benefit from having a system of regulations and systems to ensure the safety of both

purchasers and suppliers included in this market.

AND WHEREAS the City of Greater Sudbury currently does not have regulations governing home sharing and short-term rental accommodations,

AND WHEREAS home-sharing and short-term rental accommodations offer some benefits to communities such as interim worker housing, tourism and economic activity, but also cause concerns related to housing availability and affordability, human trafficking, land use, and other public impacts,

THEREFORE BE IT RESOLVED that the City of Greater Sudbury directs Staff to present a report by November 7, 2023 analyzing options to implement regulations governing home sharing and short term rental accommodations that reflect, at a minimum, the following principles:

1. The safety of providers and users is paramount before, during and after a rental transaction is complete;
2. Providers will fulfill responsibilities that include, but may not be limited to:
  - a. ensuring listings are valid, and have a process for removing listings that are not valid;
  - b. resolving issues with problematic operators, and
  - c. sharing records with the City from time to time, as prescribed;
3. Short term rental accommodations are good neighbors; and,
4. Short term rental accommodations do not impact long-term rental housing supply.”

### Regulatory Options

Staff reviewed options and presented a report to the Finance and Administration Committee meeting on November 15, 2023 (See Reference 1). The review found that the City’s current by-laws address many issues or concerns that short-term rentals could pose related to public nuisance and community safety. Due to the limited number of complaints received and the potential impact on City and staff resources, staff did not recommend the creation of a licensing program.

The Committee therefore passed the following resolution:

“THAT the City of Greater Sudbury directs staff to develop regulations for the Short-Term Rental of residential dwelling units including:

- a) Amendments to the City’s Official Plan and Zoning Bylaw to define and permit Short-Term Rentals in certain Zones subject to provisions; and
- b) The creation of a new Short-Term Rental By-Law placing the onus on property owners to abide by a minimum set of standards and to allow for the investigation of complaints and education and enforcement options.

AND THAT staff return to Council with an update and options to consider for the new By-Law in Q3 of 2024, following stakeholder and community engagement as well as municipal comparisons.”

### Proposed By-laws

Staff presented proposed amendments to the City’s Zoning By-law and Business Registration By-law at the February 26, 2024, Finance and Administration Committee Meeting (See Reference 2). Staff received

direction to proceed with a public hearing on the proposed Zoning By-Law Amendment.

Staff recommends that a new definition be added to the Zoning By-law as follows:

X	Short-Term Rental	A use of all or part of any <i>dwelling unit</i> where accommodation is provided in exchange for payment for not greater than 28 consecutive days, but does not include a <i>hotel, shared housing, institutional use, boarding house dwelling, commercial tourist facility, camping ground, motel, or garden suite.</i>
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Staff further recommends that a new section be added to the Zoning By-law as follows:

#### “4.11.1 Short-Term Rentals

Notwithstanding any other provision of this By-law to the contrary, *short-term rental* accommodation shall be permitted in any *dwelling unit*.”

#### **Policy & Regulatory Framework:**

The property is subject to the following policy and regulatory framework:

- 2020 Provincial Policy Statement (See Reference 3)
- 2011 Growth Plan for Northern Ontario (See Reference 4)
- Official Plan for the City of Greater Sudbury, 2006 (See Reference 5)
- Zoning By-law 2010-100Z (See Reference 6)

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

#### Provincial Policy Statement

Municipalities in the Province of Ontario are required under Section 3 of the Planning Act to ensure that decisions affecting planning matters are consistent with the Provincial Policy Statement (PPS).

The zoning amendment proposes to allow short-term rental units wherever a dwelling unit is permitted. Several sections of the PPS are therefore relevant to the application, including those around Healthy, Liveable and Safe Communities (Policy 1.1.1), Settlement Areas (Policy 1.1.3), Rural Areas (Policies 1.1.4 and 1.1.5), Land Use Compatibility (Policy 1.2.6), Employment (Policy 1.3), Housing (Policy 1.4), Sewage, Water and Stormwater (Policy 1.6.6.1), and Long-term Economic Prosperity (Policy 1.7).

Staff is of the opinion that adding “short-term rental” as an additional permitted use to all or part of any dwelling unit would make use of the framework established in the City’s Official Plan and Zoning By-law that seeks to manage growth, ensures land use compatibility, and provides housing options. Allowing short-term rentals may support long-term economic prosperity by providing opportunities for economic development and community investment-readiness, by encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce, and by providing opportunities for sustainable tourism development (Policies 1.7.1 a, b & h).

#### Growth Plan for Northern Ontario

Municipalities in the Province of Ontario are required under Section 3 of the Planning Act to ensure that decisions affecting planning matters conform with the Growth Plan for Northern Ontario. Staff is of the

opinion that the proposed zoning by-law amendment conforms to and does not conflict with the Growth Plan.

### Official Plan for the City of Greater Sudbury and Zoning By-law 2010-100Z

As noted above, adding “short-term rental” as an additional permitted use to all or part of any dwelling unit would make use of the framework established in the City’s Official Plan and Zoning By-law that seeks to manage growth, ensures land use compatibility, and provides housing options. Staff is satisfied that the proposed amendment conforms to the City’s Official Plan and Zoning By-law.

### Conclusion

Staff recommends approval of the zoning by-law amendment as described in the Resolution section on the basis that it is consistent with the Provincial Policy Statement, conforms to the Growth Plan for Northern Ontario, the Official Plan for the City of Greater Sudbury, has regard for matters of provincial interest and represents good planning.

### **Resources Cited**

1. “Short Term Rental Review”, reported presented at the November 15, 2023 Finance and Administration Committee Meeting  
<https://pub-greatersudbury.escribemeetings.com/filestream.ashx?DocumentId=51564>
2. “Short-Term Rental Review – Proposed By-laws”, report presented at the March 26, 2024 Finance and Administration Committee Meeting  
<https://pub-greatersudbury.escribemeetings.com/Meeting.aspx?Id=e8989907-df9e-4e7f-8510-4d8b7b0a81cf&Agenda=Agenda&lang=English&Item=27&Tab=attachments>
3. Provincial Policy Statement, 2020  
<https://files.ontario.ca/mmah-provincial-policy-statement-2020-accessible-final-en-2020-02-14.pdf>
4. Growth Plan for Northern Ontario  
<https://www.ontario.ca/document/growth-plan-northern-ontario>
5. Official Plan for the City of Greater Sudbury  
<https://www.greatersudbury.ca/city-hall/reports-studies-policies-and-plans/official-plan/>
6. Zoning By-law 2010-100Z  
<https://www.greatersudbury.ca/do-business/zoning/>