

Legislative  
Assembly  
of Ontario



Assemblée  
législative  
de l'Ontario

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**Official Report  
of Debates  
(Hansard)**

HE-56

**Journal  
des débats  
(Hansard)**

HE-56

**Standing Committee  
on Heritage, Infrastructure  
and Cultural Policy**

Unlicensed event venues

**Comité permanent du  
patrimoine, de l'infrastructure  
et de la culture**

Lieux pour événements  
sans permis

1<sup>st</sup> Session  
43<sup>rd</sup> Parliament  
Tuesday 13 August 2024

1<sup>re</sup> session  
43<sup>e</sup> législature  
Mardi 13 août 2024

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Chair: Laurie Scott  
Clerk: Isaiah Thorning

Présidente : Laurie Scott  
Greffier : Isaiah Thorning

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON HERITAGE,  
INFRASTRUCTURE  
AND CULTURAL POLICY**

**COMITÉ PERMANENT DU PATRIMOINE,  
DE L'INFRASTRUCTURE  
ET DE LA CULTURE**

Tuesday 13 August 2024

Mardi 13 août 2024

*The committee met at 1000 in Whitchurch-Stouffville Museum and Community Centre.*

**UNLICENSED EVENT VENUES**

**The Vice-Chair (Ms. Teresa J. Armstrong):** Good morning, everyone. The Standing Committee on Heritage, Infrastructure and Cultural Policy will now come to order.

We are meeting in the town of Whitchurch-Stouffville to conduct public hearings on the study related to land use for unlicensed event venues. We are joined by staff from legislative research, Hansard, and broadcast and recording. Please wait until I recognize you before starting to speak. As always, all comments should go through the Chair. Are there any questions before we begin?

Each presenter has been allotted 10 minutes for an opening statement, followed by 20 minutes of questioning divided into one round of seven and a half minutes for the government members, one round of seven and a half minutes for the official opposition members and one round of five minutes for independent members of the committee. Are there any questions?

**TOWN OF WHITCHURCH-STOUFFVILLE**

**The Vice-Chair (Ms. Teresa J. Armstrong):** The first scheduled presenter on the agenda is the town of Whitchurch-Stouffville. I will now call the town of Whitchurch-Stouffville presenters to the chairs. You will have 10 minutes for your presentation. Before your presentation, I ask that you state your name for the record. You may begin.

**Mr. Iain Lovatt:** Just to clarify, we have 10 minutes between the two of us or 10 minutes each?

**The Vice-Chair (Ms. Teresa J. Armstrong):** Ten minutes total for the presentation from the town of Whitchurch-Stouffville.

**Mr. Iain Lovatt:** Thank you, Madam Chair.

Good morning, everyone. My name is Iain Lovatt. I'm the mayor of the town of Whitchurch-Stouffville. I'm with Councillor Kroon, who is the ward 1 councillor in our community. I believe you all have a copy of the deck that we brought this morning for you, just to guide our discussion.

My hope is—an overview of regulating unlicensed event venues in Stouffville—to give you the short-term-landscapes within our community, statistics on licensing challenges with licensing and bylaw enforcement issues, an example of a problematic property still operating despite

legal action that has been taken against them and six legislative support requests to help manage properties to enhance community well-being.

On slide 2, I'd like to turn it over to Councillor Kroon to talk about addressing short-term rental and event venues in our community. Councillor Kroon?

**Mr. Hugo Kroon:** Welcome, all of you, to Whitchurch-Stouffville. I'm speaking on behalf of the residents. I know the mayor will get into more of the technical details, but this community is—I don't want to say it's unique. My colleagues here from Caledon, they understand rural areas are something that people are really happy to live in. Our residents love this community. As a matter of fact, our motto in this town is "Country Close to the City," and that is a blessing for us to be able to enjoy these rural areas, these forests and fields, but be so close to the amenities in our neighbouring communities and in the city of Toronto.

But it's also a curse for us because a lot of people come out to this area to try to enjoy what we enjoy, and a lot of them come out for these short-term rentals, these short-term uses of facilities in these communities. To be 100% honest, these uses are disruptive, for lack of a better term. A lot of people use their facilities and their properties for parties and stuff like that. I've had weddings in my backyard. These are community events, and everybody enjoys those kinds of things, but they don't go on every weekend. They don't attract hundreds of people. They don't have fireworks. They don't have parking problems. They don't have people wandering onto other properties—trespassing.

Those are all issues that we, as a municipality, can deal with, but we need help from the province. We need some legislative tools. We need some additional resources. It's difficult for us to go to our residents and say, "We can't do this"—because as the mayor will point out later, what we call a success is still not successful. So we're asking the province, on behalf of our residents, to continue to be able to enjoy their properties without these disruptive uses. On behalf of my residents, I'm asking the province to equip us, to give us the resources and the tools to be able to regulate these things more effectively.

Thank you for your time.

**The Acting Chair (Mr. Rick Byers):** Thank you—*Interjection.*

**Mr. Iain Lovatt:** It turned on by itself, okay. Thank you.

We want to really, specifically focus on illegal event venues because they are really what is causing the issue for us. The short-term rentals have a place, I think, across

the province, where appropriate, but it's these illegal event venues.

At a recent ward 2 town hall meeting, the councillor and I heard about the negative impact on the community's well-being: physical and mental health impacts, sleep loss and stress from intoxicated guests, late-night fireworks, parties, loud music, residents having to close their windows, not being able to sit out on their properties, to enjoy their properties in the rural area, and growing frustrations and anger that the town wasn't able to do anything to stop these parties.

On slide 3, it's a quick overview of the short-term rental landscape within our community and what the town has done. On April 6, 2022, council passed a licensing bylaw requiring properties that wish to operate as a short-term rental to obtain the licence and pay the appropriate fee and provides regulation properties must abide by.

On May 1, 2024, short-term rentals were pulled out of our general licensing bylaw and given their own distinct bylaw to further clarify and expand the town's expectations and regulations of these establishments. Before the bylaw, there was an estimated 74 short-term rentals operating in Stouffville and only 8% were actually licensed.

On slide 4, it shows the short-term rental landscape as well. Stouffville acquired a licensing software program called Host Compliance to identify unlicensed short-term rentals within the municipal boundaries by scanning sites like Vrbo and Airbnb. Using this information, the town was able to identify non-compliant properties, issue notices about the new STR bylaw and provide information for compliance. Property owners were given two and a half weeks to start their STR applications, with operations to cease until a licence was obtained.

Fines were clearly communicated for non-compliance. Following these activities, the overall numbers of STRs dropped from an estimated 74 to 58, with 31% or 18 properties becoming compliant. Of those 40% that were still operating, 20% have received multiple fines and still remain non-compliant.

What is not captured in the chart on slide 4 is the properties that continue to operate without a licence but have found ways to evade detection and enforcement using various methods, which will be discussed in the following slide.

On slide 5, we oversee the ongoing challenges, despite the bylaws that we've put in place. The challenges in licensing are that property owners evade enforcement by claiming to be a bed and breakfast, and the town is amending our bylaw to license these as short-term rentals; attempting to license as both a second suite and a short-term rental; removing and reposting ads, which disrupts host-compliance tracking; and changing rental terms to avoid the classification by listing as a 30-day minimum when STR's definition is 28 days of renting or less.

Bylaw enforcement challenges, properties, hosting large parties and events are difficult for a single bylaw officer to control. Renting out additional structures like garages or pools for parties are also becoming an issue. Noise and nuisance issues are hard to enforce since property owners are typically off-site, leaving guests unaccountable.

Challenges for unsuspecting renters: Renters have no idea what violations or zoning issues an event space may have in town, and they assume that they're renting an STR in good faith and that it's legal. To be clear: Bad actors are the owners, not the renters.

In slide 6, I present a case study of Vivian Villa. It's a prime example of the challenges of an unlicensed event venue in a rural area in Whitchurch-Stouffville. Vivian Villa frequently disrupts the community with noise and loud parties. It operates outside our zoning bylaw, and since the first complaint on December 5, 2022, there's been an estimated 50 residential complaints.

Staff have met with the concerned residents seven times in this past year, and as I've already mentioned, at a town hall where Councillor Smith and myself—we met with irate residents about what we're not doing to shut down Vivian Villa. We have taken legal action in the town. The town obtained a court order for an interim injunction. Bylaw staff have regularly enforced the injunction, and the town purchased a website domain to post the court order, to inform potential renters.

Vivian Villa operates [vivianvilla.ca](http://vivianvilla.ca); the town operates [vivianvilla.com](http://vivianvilla.com), which has the injunction posted upon it. The challenge is in outcomes. Vivian Villa continues to operate, despite the fines and the court injunction. The venue earns \$2,000 a day, while fines ranging from \$1,000 to \$1,500 are infrequent. It's financially advantageous for them to keep operating despite the legal implications.

#### 1010

What we're requesting today: Introduce new legislation. There's a need for provincial action. Stouffville has implemented bylaws and enforcement measures, but stronger province-wide legislation is necessary to effectively regulate STRs and event venues.

Case for higher fines: Drawing from British Columbia's recent legislative changes where fines for non-compliant properties were increased from \$2,000 to \$50,000. Stouffville suggests significantly higher penalties would serve as a strong deterrent.

**The Acting Chair (Mr. Rick Byers):** One minute remaining.

**Mr. Iain Lovatt:** As demonstrated in the Vivian Villa case, the current fines are not enough to discourage illegal operations, as the financial gain from continuing to operate far outweighs the penalties.

Data-sharing from the institutions: Having legislation like BC that requires Airbnb and Vrbo to share listings with the province and then with municipalities would also be incredibly helpful.

Two-way tracking counts, additional municipal resources, funding, locally led municipal studies, enhanced enforcement powers and provincial direction are all other avenues that we believe the province can take to help municipalities govern not only short-term rentals but event venues in our communities.

Thank you for your time.

**The Acting Chair (Mr. Rick Byers):** Terrific. Thank you very much for the presentation.

We'll now have one round of questions, with seven and a half minutes for the official opposition, five minutes for

independent members and seven and a half minutes for the government.

MPP Armstrong.

**Ms. Teresa J. Armstrong:** I want to thank the town of Whitchurch-Stouffville for presenting. I think this has been a brewing issue for a long time, because it went so unchecked from the commencement of these rental properties.

I had read a submission last night from Airbnb Ireland, and they talked about some of the measures that they've put in place to try to mitigate these out-of-control gathering parties, unlicensed events. Are you aware of some of those strategies? Do you find that those strategies would help in some of the issues that you have?

**Mr. Iain Lovatt:** We have had conversations with staff from Airbnb. I actually met them at AMO last year to talk about this issue.

But I'll be honest with you: It's just lip service. There's not really a lot that's happening. With the court injunction, we were able to get Vivian Villa—as the example—removed from Airbnb, but it took proof of a court injunction to do that.

And then we're seeing, as I mentioned, the owners just delisting and listing again. And there are 40,000-square-foot homes just north of here that are listed on Airbnb right now for parties.

**Ms. Teresa J. Armstrong:** Wow. So the measures that they claim are being proactive aren't really effective?

**Mr. Iain Lovatt:** I would agree with that statement.

**Ms. Teresa J. Armstrong:** The other question that I had was: the Airbnb properties that are being rented out on a short-term-rental basis—are they local owners who are using their properties for investment business purposes, increasing their income? Or are they properties that were purchased by people that don't live here and are using them specifically for an investment rental property?

**Mr. Iain Lovatt:** Three of the, I would say, bad actors in our community do not live in town. One is a realtor, and two others live in Richmond Hill—very difficult to try to communicate with to express the issues that are happening and what they are causing. To be candid, they don't really care.

**Ms. Teresa J. Armstrong:** Right. So it's business to them?

**Mr. Iain Lovatt:** It's a business.

**Ms. Teresa J. Armstrong:** And they're disrupting the peace and tranquility of Whitchurch-Stouffville that you guys are trying to get back.

You had mentioned a few municipal actions that you've taken. Like you said, there are some court actions, orders that were enforced or decisions made. How long was that process, from the time that you started until the time the court made a decision on those?

**Mr. Iain Lovatt:** We were actually very lucky when we filed for the injunction. We actually had a hearing within two weeks. That's unheard of, actually.

**Ms. Teresa J. Armstrong:** That's unusual, yes.

**Mr. Iain Lovatt:** So we were very, very grateful for the quick action of the courts in this particular order. And now we're seeking a permanent injunction.

**Ms. Teresa J. Armstrong:** I can feel your pain and what you're going through, especially when there isn't legislation that, number one, is enforceable or a deterrent to bad behaviour.

The other question that I had was: From the time Airbnb came onto the scene until now, what's the uptick from what you've seen on these Airbnb rentals? Is it now 50% that it's increased? How much has it caught on where it's become the norm as opposed to the unusual situation—

**Mr. Iain Lovatt:** Do you mean in terms of complaints that we're receiving short-term rentals?

**Ms. Teresa J. Armstrong:** It's twofold: Have there been more investments, more Airbnbs, since Airbnb became popular? Were there only 10 homes? Now are there 20 or 25? And then the complaints: How many? Has that gone up?

**Mr. Iain Lovatt:** The current data that we have is that there are 58 registered short-term rentals in the municipality, and that's through the host compliance software that we purchased the licence for. But I can tell you right now, we could go on Airbnb at a break, and I could show you probably a hundred that are listed within our municipal boundary.

**Ms. Teresa J. Armstrong:** And so, from originally when Airbnb started until now, what was that increase like? Has it increased 50%, 100%?

**Mr. Iain Lovatt:** I don't actually know that statistic; I'm sorry.

**Ms. Teresa J. Armstrong:** Because it seems to be becoming more and more the norm that people are, I don't know for what reason—their business ventures, or they want to supplement their income, or they don't want to commit to a long tenancy because rent tribunal boards take forever to get a tenant who isn't paying out, or whatever the case may be.

**Mr. Iain Lovatt:** I just will clarify, though, that there is a place for short-term rentals. We absolutely support short-term rentals. It's the bad actors who are not wanting to license, who are renting their houses out for parties. In 2016, we had a fatality at an Airbnb in our community. It was a grad party, and a young man from Markham was shot and killed. That was something that, as a new mayor, I didn't want to deal with.

**Ms. Teresa J. Armstrong:** Niagara Falls also recently had the same situation: a young girl who was murdered during an out-of-control party.

Some of the legislative pieces that you proposed, those are things you're going to find that are going to be effective when it comes to keeping the peace on Airbnb. The one you mentioned from BC, raising fines and listing platform data: I find legislation is good when it's helpful, but the enforcement piece is always an issue for me. You had talked about how people have fines but they continue to practise. What is the deterrent? Is that sufficient? Has BC been successful in that legislation and deterring bad actors?

**Mr. Iain Lovatt:** I believe that it would be.

**The Acting Chair (Mr. Rick Byers):** One minute remaining.

**Mr. Iain Lovatt:** Currently, any fines that we put on for an unlicensed short-term rental—or against Vivian Villa, as an example, because they're violating a court injunction—go through our AMPS program and the fine is placed right on their tax roll. So there needs to be, I think, as BC has done, the extent of a \$50,000 fine. The threat of that, I think, will deter people from operating without a licence and inappropriately in our communities.

**Ms. Teresa J. Armstrong:** So a financial incentive that's a high bill or invoice, you think, will deter.

**Mr. Iain Lovatt:** That's right. And the fact that we can put it on the tax bill—I don't care if they don't come in and pay it. That's fine; whatever. We're going to put it on the tax bill, and we'll be in a position to do a tax sale on their home. We're deadly serious about this.

**Ms. Teresa J. Armstrong:** Thank you very much for your presentation, to both of you.

**The Acting Chair (Mr. Rick Byers):** We'll now move on to independent members. MPP McMahon, five minutes.

**Ms. Mary-Margaret McMahon:** Thank you for hosting us at your dreamy space up here.

Thanks, Iain and Hugo. This is very enlightening. What's the population up here?

**Mr. Iain Lovatt:** We're just shy of 60,000 people currently, growing to 100,000 in the next 30 years.

**Ms. Mary-Margaret McMahon:** And how many bylaw officers would you have?

**Mr. Iain Lovatt:** Eight.

**Ms. Mary-Margaret McMahon:** Okay. Wow. You have—what was it—58 STRs with licences. Is that what you said? But, like, hundreds listed.

**Mr. Iain Lovatt:** Yes.

**Ms. Mary-Margaret McMahon:** Okay. And of those 58, you obviously have some horrifically bad actors, but by and large, what percentage of the 58 would be good actors?

**Mr. Iain Lovatt:** I would say most of them.

**Ms. Mary-Margaret McMahon:** Most of them, okay. So it's the other ones who haven't even followed through on getting the licence, obviously, that are the bad actors. And—what is it called? Vivian Villa?—how many other homes like that do you have?

**Mr. Iain Lovatt:** Problem homes?

**Ms. Mary-Margaret McMahon:** Yes.

**Mr. Iain Lovatt:** There are three that I know of for sure that I get lots of calls about: two in the rural area and one right next to our Memorial Park.

**Ms. Mary-Margaret McMahon:** Okay. So are you working on a kind of similar process with the other ones that you did with Vivian?

**Mr. Iain Lovatt:** A court injunction?

**Ms. Mary-Margaret McMahon:** Yes.

**Mr. Iain Lovatt:** The council needs to give that direction, absolutely.

Vivian Villa was a bit of a test case. We didn't actually know if we were going to get an injunction, nor did we expect to get one so quickly. So knowing that that is an opportunity that's available to us and to our friends in Caledon here, I would recommend that we all take that action, yes.

**Ms. Mary-Margaret McMahon:** How many councillors do you have?

**Mr. Iain Lovatt:** There's six.

**Ms. Mary-Margaret McMahon:** Six?

**Mr. Iain Lovatt:** Yes, six wards.

**Ms. Mary-Margaret McMahon:** I know, in BC, it's had a bit of an effect on—it's a balance, right? We want to have homes for long-term renters. We also want to have innovative options for people visiting. In some areas of BC, the tourism has suffered a little bit. I don't think that's a situation with Vivian Villa or places like that, that your tourism up here would be suffering with more regulations.

**Mr. Iain Lovatt:** These locations are not bringing in any tourists. They're bringing in one-night—pick your genre of party that you want.

**Ms. Mary-Margaret McMahon:** Okay.

I think you said you had a town hall recently—a ward 2 town hall meeting. How many people came out to that?

**Mr. Iain Lovatt:** There were 70 people that came out.

**Ms. Mary-Margaret McMahon:** Seventy. And they seemed pretty upset, with all different types of quality-of-life complaints.

**Mr. Iain Lovatt:** Yes, and it wasn't actually a town hall set up to talk about event spaces and short-term rentals. It was to talk about ward issues, but that was the dominating topic. We actually had to stop the meeting because that's all everyone wanted to talk about. We had to see if anyone else in the room wanted to talk about issues like traffic and our recreation in the area and servicing. It just became a dominating topic for us.

**Ms. Mary-Margaret McMahon:** Okay. Have you connected with other municipalities—obviously, Caledon, but any other municipalities about this issue?

**Mr. Iain Lovatt:** I have at a mayoral level, certainly. It's an issue—

**Ms. Mary-Margaret McMahon:** Which ones?

**Mr. Iain Lovatt:** Every York region municipality. There's nine of us that deal with this issue. A lot of the rural, northern six municipalities in York region deal with the same issue.

**The Acting Chair (Mr. Rick Byers):** One minute.

**Ms. Mary-Margaret McMahon:** Okay. I'm from Collingwood and they're working on that with—

**Mr. Iain Lovatt:** We followed, actually, Collingwood and Prince Edward county to establish our bylaw and our licensing program for short-term rentals because they were way ahead of the game before us. But they're running into the same issues. It's just compliance.

**Ms. Mary-Margaret McMahon:** Right, okay.

Thank you very much. I just have a very short period of time, so over to those guys.

**The Acting Chair (Mr. Rick Byers):** Thank you very much.

Over to the government now, starting with MPP Rae—seven and a half minutes.

**Mr. Matthew Rae:** Good morning, everyone. Thank you to Iain and Hugo for presenting and everyone else for coming this morning. I know we're looking forward to hearing your presentations as well this morning.



I know Minister Calandra represents, obviously, this riding, so he has spoken to at least myself and members of the committee about the challenges, not just—I know, the mayor elaborated, that Stouffville is facing as well, but many other communities. Ontario is a very beautiful place, and so lots of venues across Ontario. I know I have the pleasure of representing Stratford in the Legislative Assembly. Not to the same extent, it sounds like—just from your presentation, Mayor—but obviously some events are coming to that part of the world too. So I think, from a committee's perspective or from a government's perspective, we understand, as the mayor mentioned, there are bad actors in this space—and seeing what tools we could provide our municipal partners to rectify some of those issues.

I think you mentioned it twice already, Iain, but I just wanted to clarify: You see the benefit of, obviously, short-term rentals, Airbnbs—Airbnb is just the most popular one; there are other platforms as they emerge—to your community, to tourism. So it's more the bad actors that you want to rectify that issue with.

**Mr. Iain Lovatt:** Yes, that's correct. I think the caveat being part of the licensing program allows us to ensure that what is being rented to renters is safe, because there's a requirement for our fire marshal to go through or fire inspectors to go through and make sure, if it's a basement, that there are egress windows, there are smoke detectors that are working. Parking is an issue as well, because if you have 20 people that show up to your Airbnb, most municipalities in our province have a three-hour parking minimum. So, if you've got 20 cars that are parking on the street, that's also a challenge.

So part of the licensing program is just to ensure there can be compliance, because we're not opposed to short-term rentals.

When we get into the event venues, these guys just don't care. They're building structures on their property without building permits, whether it's a deck or gazebos. Vivian Villa has two hot tubs and a sauna that's not regulated by public health. You have 150 people jumping in and out of a hot tub, public health has got concerns. So, these are the issues that we're facing, let alone the disruption to the community, and that's where we really want to try to get some teeth in this, is how we stop that from happening.

**Mr. Matthew Rae:** Of course, you mentioned in your presentation and throughout the questions my colleagues have been asking around Airbnb and you mentioned that you had to get a court injunction to say they were not cooperative. Would that be a correct assessment?

**Mr. Iain Lovatt:** Finding the right person at a tech company to talk to is challenging in the best of days. They have removed the listing because of the court injunction. They removed the listing when there was the fatality at the house down on Bloomington, but they're a business. Their listings are not governed by people other than the people who are filling out the form to put their listing up, so you've really got to work hard to get to the right people. It's challenging.

**Mr. Matthew Rae:** Yes. I know in your presentation, which was wonderful—thank you for providing copies as

well to the members of the committee—it mentions sharing listing data with the province for local government use. So, whether it's Airbnb or any other—again, there are many platforms now, those short-term rentals—will that provide you as a mayor with the tools then to implement more stringent or more specific bylaws or fines for—you mentioned you're just trying to focus on the event venue space. Would that be beneficial then to you as a municipality?

**Mr. Iain Lovatt:** Yes, absolutely. I think for all municipalities, if there was a central intake from the province, you can demand Vrbo and Airbnb give you that information and disseminate it to the municipal level.

I'm concerned about an Airbnb renting in our town and there being a catastrophic fire. Who's responsible if there are fatalities there? Knowing that we have a licensing program, if they chose not to license and we're fining them for not licensing their Airbnb, we're protected. We've done our due diligence. We're doing what we've required. They're not; they're liable.

But not knowing who they are, and the evasion tools that are being used, it is a—and listen, we're in a financial crisis. People are using their homes to make money. I understand that, and so we're not trying to stop that. We're just saying, "Look, just play within the sandbox properly." We're not trying to be unreasonable. We just want to make sure that it's safe, that we know about you and that you're not disturbing the neighbourhood.

**Mr. Matthew Rae:** Thanks for that. Correct me if I'm wrong, Iain: You can levy fines currently, or your council has decided to levy those fines. So are you looking at a new mechanism potentially from the provincial government for different fines or just an increase in the fines? Can you elaborate a little bit on that?

**Mr. Iain Lovatt:** Increasing the fines, giving us the ability to—right now we're limited at \$1,500, and that is still not enough, because they're making more money off of a weekend rental. They're making \$6,000 a weekend; we're fining them \$1,500. That math is still in their favour. And I'm not saying we go out of the gate with \$50,000 fines, but with a guy like Vivian Villa, who doesn't care about a court injunction, literally giving us the middle finger every weekend, we can levy a \$50,000 fine that is going to hopefully, I would imagine, stop them from operating.

1030

**The Acting Chair (Mr. Rick Byers):** One minute.

**Mr. Matthew Rae:** As many people in Ontario have, I obviously have used Airbnb in the past, and so, obviously, there is a benefit to that. It is very expensive if you were to stay at a cottage, I will just say, with Airbnb now, and so I can imagine a fine of \$1,500 would not necessarily change that sort of mentality, especially in a large event venue space.

I appreciate the town of Whitchurch-Stouffville for coming in and presenting today. Thank you, Chair.

**The Acting Chair (Mr. Rick Byers):** We have 35 seconds. Done? Okay.

Thank you very much for the presentation. This completes this round. Thank you for coming today.

## TOWN OF CALEDON

**The Acting Chair (Mr. Rick Byers):** I'll call now on the representatives from the town of Caledon.

That was a quick change—very good, very efficient. You have 10 minutes in total for the presentation. If you could just state your name before you begin speaking, it's much appreciated. Ten minutes starts now.

**Ms. Annette Groves:** I'm Annette Groves, the mayor of the town of Caledon. To my left is Councillor Tony Rosa; to my right is Catherine McLean, our commissioner of community and human services; and Councillor Doug Maskell, as well, representing the town of Caledon. Thank you for the opportunity. I will be very brief, because they all want to say a few words.

Certainly we share the same concerns that our colleagues from Whitchurch-Stouffville are facing. We've got a lot of illegal land uses happening in our town. Caledon is an absolutely beautiful place. It's very large geographically. We are almost 700 square kilometres, so you can imagine how big we are geographically. And so, we've noticed an increase in the number of illegal land uses.

We've got issues with some of these event spaces. As our friends from Whitchurch-Stouffville said, these are some bad actors. We've got some great people there, but we also have a lot of bad actors, and we've seen an increase in the number of bad actors popping up in different areas in our neighbourhoods, in our communities. And similar to Whitchurch-Stouffville, it's very disruptive to our residents in the area.

I'm going to turn it over to Commissioner McLean, and she'll run through what our asks are from you and what we need from the province to help us deal with this challenge.

**The Acting Chair (Mr. Rick Byers):** Can you again just introduce yourself the first time you speak?

**Ms. Catherine McLean:** My name is Catherine McLean. I've worked for the town of Caledon for over 20 years in various roles, most recently as the commissioner of community and human services. Municipal law enforcement is one of the departments in my commission.

Thank you for the opportunity to speak with you today and share my experience with illegal land use in the town of Caledon. In Caledon, this looks like illegal event centres, as well as parking and storage of tractor-trailers and other commercial vehicles—two different land uses with very similar impacts to our residents: long-term environmental and infrastructure damage, risks to public safety and disruption to residential communities, to name a few.

But if you ask a person who just built their dream home on a two-acre they thought would be paradise, where they planned to raise their family or share their home with their aging parents, what is it like to live beside one of these properties? They will probably tell you this: They will tell you they never imagined the backyard where hundreds of loud, messy trucks are moving in and out day and night, every day of the week, because the property behind them is zoned for agricultural use.

They will tell you they never pictured teaching their 16-year-old how to drive on roads where trucks are pulling

out of driveways that were intended for residential or agricultural vehicles and are a safety hazard, not to mention the fact that the roads were never engineered to support the volume and weight of all of these trucks and are buckling under the pressure. They're full of deep potholes and grooves, another safety hazard.

They never pictured bright lights shining into their bedroom windows 24 hours a day, seven days a week, making sleep for their baby next to impossible, or loud music and fireworks all night long, another sleep disruption.

If you were an average, law-abiding, rule-following taxpayer who was experiencing this disruption to your quality of life, what would you do? I know what I would do. I know what my neighbours would do. They would reach out to their local municipality for help.

In Caledon, we've been trying to help for a very long time. In 2020, we established a truck task force to identify and investigate trucking depots throughout Caledon, as well as implement a variety of tactics to increase awareness on this issue specific to our town. In 2024, our council approved an updated terms of reference for the task force that will expand the scope of work and the stakeholders involved.

While the issue has grown in recent years, illegal land use is a long-standing issue in Caledon. Despite our efforts, illegal truck depots are expanding with defiance, while many operators consider legal fees and municipal fines a cost of doing business, and they're finding ways to circumvent violation notices by converting property ownership to delay prosecution.

Just last week, I was reviewing a file that we're moving ahead with in the courts. The file dates back to 2007—17 years. One of the officers' affidavits was 514 pages in length: 514 pages of notes, pictures, complaints, orders to comply, more pictures, more complaints—it just goes on and on. To give you context, a ream of printing paper is 500 pages—so it's a good thing I didn't have to print it.

We've been dealing with this property for 17 years. It began in 2007, when we started receiving complaints about a property that was storing vehicles and conducting business it was not zoned for. They've been prosecuted numerous times for violations, such as operating a contractor's facility and accessory open storage, but they're not deterred by our current enforcement tools. It's a cost of doing business for them—a business, which I might add, has grown since 2007. This is 17 years of defiance and disregard for public safety while their illegal business grows.

This example is unique because the ownership hasn't changed but imagine this was a property that had been bought and sold numerous times in 17 years, which is actually more common. Where do we even begin to collect on fines when the property is sold and the owner moves along to another property in another town or another region? Growing trends in Ontario show a blatant disregard for land use rules.

This perception of impunity for illegal land use has important consequences. People who depend on us see this and believe we're not doing enough, and they're not wrong. Current municipal powers under provincial law are not

adequate to address this issue, so our ask of you today is that you add illegal parking and storage of commercial vehicles to the scope of your study, going beyond unlicensed event venues. We ask that you consider amending the Planning Act and Municipal Act to strengthen municipal enforcement powers, including enabling municipalities to physically bar entry to properties; increase maximum penalty amounts for individuals and corporations; and include all charges, orders, notices, prohibitions, injunctions and imposed fines on the title of a property.

We need to do more together. Our residents are counting on us.

**The Acting Chair (Mr. Rick Byers):** Thank you again. Please introduce who's the next speaker.

**Mr. Doug Maskell:** My name is Doug Maskell. I'm the councillor for ward 3 in Caledon. I was elected in the last election and, as a new councillor coming in, I was absolutely astonished at the inadequacy of the current legislation to deal with both the trucking problem we have in town, but also the illegal event centres. My introduction to that came from a large event centre which is located on the boundary of my ward. The first thing I did was say, "We have to go to bylaw," and we went to bylaw; we dealt with it. I find that we're doing everything we can at our level. I think our tools have been maxed out in these situations and we're looking for support.

If I can echo the mayor of Stouffville, we're dealing with people in these event centres and the trucking—I refer to them essentially as pirates. These are people who have absolutely no respect for the law; they are operating completely outside of the law, and they are well aware that they have a three-to-five-year window to stay in operation before they can possibly be shut down. So they have a well-oiled business model that they're operating under.

I think we've done as much as we can do at the town. We passed a bylaw last year to make sure that, if fire and emergency services are called to a place which has illegal land use on it, they pay the full freight of having those emergency vehicles come—so we amended our bylaw. We did a review of our bylaw enforcement and added more enforcement to the town of Caledon. We added bylaw enforcement officers. We changed the hours of operation so we have overnight servicing now.

1040

So I feel that at the town level, we're doing everything that we can possibly do in this situation, and I'm here today asking for the help of provincial government, because it's not the good actors who are the problem; it's the bad actors, and we need to figure out a way that we can work co-operatively with the province to ensure that people, when they come to Caledon to live and to work and to play—that those things are respected. I think that we need your help, so thank you very much.

**The Acting Chair (Mr. Rick Byers):** One minute remaining.

**Mr. Tony Rosa:** Good morning. My name is Tony Rosa, and I am the ward councillor for ward 5, which represents the village of Bolton within the town of Caledon. I can say in my ward this continues to be one of the major issues

that we are trying to combat, but I can say it's not only in Bolton where the problem resides today; it really is across our entire municipality.

Our council is unified on this issue in wanting to find resolutions to combat this. It is something that we all believe in, but we've really reached a point where we can no longer do this alone. We welcome the opportunity to have this dialogue today, and what we're really looking for is an opportunity to have some type of partnership with the province, to really find solutions here, because it has really gotten to a point where we've tried everything that we have in our tool box, but it doesn't seem to have been making a major impact. Our goal here is to find a way and a path forward.

**The Acting Chair (Mr. Rick Byers):** Thank you very much for the presentation.

We'll now have one round of questioning, beginning with the official opposition. MPP Armstrong, seven and a half minutes.

**Ms. Teresa J. Armstrong:** Thank you to all of you from the town of Caledon to come out and give your feedback on it. Really, it's a very important issue. When your home where you live is affected by the activities of people who are doing unsavoury events, it really does impact you, your quality of life, and you have to put up with their behaviour and their shenanigans.

I would like to give you my time to continue on if you've missed something that you want to say, because I know 10 minutes is a very short time to present on this issue. So please continue, and if any other person on the panel wants to add anything on, please do.

**Ms. Annette Groves:** I want to just highlight something, and it's the safety on our roads. When we talk about these illegal land uses—and we've got other municipalities that surround the town of Caledon, and they also have a lot of illegal land uses happening in their area; it doesn't really impact their municipality as much as it impacts our municipality.

Highway 50, for example, is a regional road. It is bursting at the seams. It has been at capacity for many, many years. And just to put this in reality, in 2021, we had eight fatalities in Caledon; in 2023, we had 23. We cannot continue to have these fatalities on our roads. These are impacting families. It's something that we don't have any control over.

Our roads—we've got Highway 10. Highway 10 is also at capacity, and when we're talking about the fatalities, it's disruptive to our community. But when we talk about tripling the fatalities on our roads, that is something that we really need to pay attention to, and we need your help in resolving this. I've got families who are using Highway 50 daily to commute back and forth to work, and so I just want to draw your attention to how that's what we're dealing with.

We've got car thefts. We've got container yards popping up everywhere. Peel Regional Police, along with Caledon OPP, partnered up and did a major bust with car thefts and found these cars in these containers that are stored illegally.

We've got all sorts of things happening. I don't want to get extreme here, but we've got human trafficking as a problem. When we have these illegal yards, we don't

know what's stored in those containers, so it's a much, much bigger issue than being disruptive to the community; it's the safety, as well, that I want to highlight.

I'll let my colleagues—

**Mr. Tony Rosa:** Thank you, Mayor. Also, these containers are affecting the gateways into our community. I've had the opportunity to go and delegate at regional council in York and at the city of Vaughan. They're piled up four or five high, right along the highway, and people are driving in. It's not something we're proud of; it's something we really feel that we need to take attention. Over 2,500 residents signed a petition saying, "Please, Councillor, make this a top priority," and this is why we're here today to delegate for this: because we really need rules—setback rules, rules for proper landscaping, rules that allow these operators to follow a set of criteria if they're going to operate these things legally, at least, and to identify which ones are illegal and how we go after them to make an improvement.

At the corner of Mayfield Road and Highway 50 today—and it's not something I'm proud of when I drive into my village. I can say that I'm speaking on behalf of 30,000 residents in Bolton who want to make this a top priority. It's a problem across the entire municipality. We have the mass majority of our residents behind us on this here.

So I appreciate the opportunity to come in and delegate today, because we want to be heard on this issue. Thank you for allowing us to continue our presentation.

**Ms. Teresa J. Armstrong:** Does anyone else have any comments they want to add? I just have—yes, please.

**Ms. Annette Groves:** Thank you for allowing us that time, but I think really what's really important here in our ask is to be able to barricade these illegal operations, because again—I know that our colleagues referenced that, and Commissioner McLean as well—it's \$400 per parking spot that they receive monthly. They're cramming in 100 trucks or more. Do the math: That's a lot of money. Going in and getting a slap on the wrist is just not enough. They see this, they're in, they're out. Getting to prosecution sometimes is a challenge because we don't have enough justices of the peace in our courts. So that becomes a challenge as well. Anyway, thank you again for the opportunity to use up your time.

**Ms. Teresa J. Armstrong:** I have three questions. I hope we can get through them. The first one is—you mentioned law enforcement. What does that look like in your budget that police resources have been used for these kinds of issues?

**Ms. Annette Groves:** I'm going to turn that over to Commissioner McLean.

**Ms. Catherine McLean:** Our municipal enforcement team has twelve bylaw officers, which has grown significantly but is not enough to combat this problem, and I don't even know how many would be enough. So when we get called out to do an investigation for a complaint, it takes a lot of time, a lot of following up and coming back to one property over and over again. But we have other issues we need to be dealing with in the municipality as

well. We do call on our colleagues from the OPP from time to time, but the majority of the enforcement falls on our shoulders.

**Ms. Teresa J. Armstrong:** The other question I had was about insurance. Are they getting the right insurance for their business operations? You said they were agriculturally zoned. Does that not mean they have to get different kinds of insurance for different operations?

**Ms. Annette Groves:** That's a great question, and I would think that they would have to have a different type of insurance, because they're not operating an agricultural use. I'm not sure how they get around that with their insurers. I really don't have any clue. Maybe that's something we need to look into.

**Ms. Teresa J. Armstrong:** Yes, insurance can be very broad depending on the operation. It could be built into that. But I would think about doing that and finding a way to make that a priority if someone is using it. If you have a way to push that through a bylaw—

**The Acting Chair (Mr. Rick Byers):** One minute.

**Ms. Teresa J. Armstrong:** The other question I have is, can you please summarize again what you're asking the province for help for? I think, specifically, you mentioned it, but you went really quickly at first—

**Ms. Catherine McLean:** I'll summarize again: We're just asking you to include illegal parking and storage of commercial vehicles in the scope of your study, so going beyond unlicensed event venues, recognize the impact and the enforcement measures are similar. We have bad actors not responding to fines—and also amend the Planning Act, the Municipal Act, to strengthen municipal enforcement, so barring entry to properties, increasing maximum penalty amounts for individuals and corporations, and then including all charges, orders, notices, prohibitions and injunctions, court-imposed fines on the title of a property. Currently, we can't do that.

**Ms. Teresa J. Armstrong:** If it's possible to ask for those recommendations to be submitted to the committee before documents are closed, we would appreciate that.

**The Acting Chair (Mr. Rick Byers):** Thank you very much.

We'll move to the independent members. MPP McMahon, five minutes.

**Ms. Mary-Margaret McMahon:** Thank you for coming in. This is really fascinating.

So what's the population of Caledon?

**Ms. Annette Groves:** Just about 80,000 and growing to 300,000 over the next 27 years.

**Ms. Mary-Margaret McMahon:** Okay, and the number of councillors?

**Ms. Annette Groves:** Eight.

**Ms. Mary-Margaret McMahon:** Okay, and the number of bylaw officers?

**Ms. Catherine McLean:** Twelve.

**Ms. Mary-Margaret McMahon:** Twelve? Okay. All right, even though I'm a small-town girl—it was a long time ago that I lived in Collingwood—I've never heard of this. I represent a downtown Toronto riding, beautiful Beaches—East York—come on down sometime, go for a

swim. Tell me about these truck depots. I'm trying to get my head around it. It's like agricultural land that someone has purchased and they're just dumping a bunch of trucks?  
**1050**

**Ms. Annette Groves:** That's right. Normally, what you see is they purchased the land, they start to bring in the fill, they build the parking lot and they start parking the trucks on that. I'm talking hundreds of trucks on these.

And they are paying agricultural taxes as well, so that's the other challenge: You've got the good actors that are paying the right amount of taxes as per the zoning, but you've got these other bad actors that are paying agricultural taxes, which are significantly lower.

**Ms. Mary-Margaret McMahon:** So there's no stipulation for them to be actually farming or using it for agricultural services?

**Ms. Annette Groves:** They're supposed to, but they don't. And they show up overnight. On the weekend, you'll see them grading the lots and, before you know it, the trucks arrive.

**Ms. Mary-Margaret McMahon:** And then they're just storing them there? Or are you saying that they're driving around, messy—like, is some sort of mud—

**Ms. Annette Groves:** Oh, they're running a business. They're charging about \$400 per parking spot for a month. They're running a business.

**Ms. Mary-Margaret McMahon:** Who would they rent the spot to, for example? Like, a construction company?

**Ms. Annette Groves:** No, no, these are trucking companies that are transporting goods and services. I'm not sure who their tenants are or who is parking the trucks there, but they transport goods and services. You've got some of them that are haulers. They may be having dump trucks parked there. They have tractor-trailers parked there. I don't know what sort of goods they're transporting.

**Ms. Mary-Margaret McMahon:** But where did they used to go? Is this new? How long ago—well, one was 17 years, I guess. What did they do before that? They just did at their company or—

**Ms. Catherine McLean:** Illegal land use is not new, if that's the reference to 17 years. What is becoming increasingly more common—if you can picture where Caledon is situated, particularly the southeast area, we are right along the 400-series highways, near the airport, near a large intermodal railyard, so as far as the transportation of goods and services, we're a prime location.

With the changing economy, e-commerce becoming more common and the increase of trucks on the road, independent contractors, for example, need a place to store their trailers. If you're carrying goods, you may have five trailers, but you can only run one at a time, so you need somewhere else to store those five trailers temporarily. I think the increase in volume we're seeing because of demand, because of the increase in e-commerce, has to do with our geographic location. There are a number of distribution centres and warehouses around us, from Brampton and Vaughan, as well as Caledon. So it's really changing the volume in that way, and they need somewhere to park.

**Ms. Mary-Margaret McMahon:** Okay. And then just a quick question before you run out of time. First of all,

you've done everything innovatively, creatively—genius—to try and curb this—

**The Acting Chair (Mr. Rick Byers):** One minute.

**Ms. Mary-Margaret McMahon:** —but what you are mentioning, Doug, about EMS, the new bylaw amendment: Just elaborate on that a bit.

**Mr. Doug Maskell:** Sure. What we realized is that any of these bad actors who are using these lands for illegal purposes, if there was a fire call there for fires—and there were a number of situations where we've had fire calls to these—they were basically borne by the general taxpayer. We changed our fees bylaw to specifically target those illegal operations, so if we do get a call there for a fire call, the owner of the property will pay full cost of the service.

**Ms. Mary-Margaret McMahon:** Which is what, approximately?

**Mr. Doug Maskell:** It's \$1,500 per vehicle. It could be \$6,000 to \$10,000, probably, for a fire call now to there, whereas before there is nothing on the books.

**Ms. Mary-Margaret McMahon:** Is that making a difference?

**The Acting Chair (Mr. Rick Byers):** Thank you very much. The time is up for this round of questions.

Over to government now: MPP Kanapathi, seven and a half minutes.

**Mr. Logan Kanapathi:** Thank you, Mayor Annette, Your Worship. Thank you for being here, councillors. Thank you for bringing your voice from your wonderful town of Caledon. It's a beautiful town, like Stouffville, a green space. I enjoy it.

I have a couple of questions before I hand it over to my colleague Ric Bresee. How many short-term rental properties were licensed to operate in Caledon?

**Ms. Catherine McLean:** We don't have a licence for short-term rentals—

**Mr. Logan Kanapathi:** You don't have any bylaws?

**Ms. Catherine McLean:** We don't, and we are actually in the process of looking into that. This is really a multi-faceted problem. We're trying to come at it from many different angles. I mentioned the trucking task force, which was set up originally in 2020. We've come to realize that trucking isn't the only issue. Illegal land use is also an issue. Event centres and soon short-term rentals would become a problem for us. In fact, we just had a situation on Sunday evening or early Monday morning where two individuals were shot at an Airbnb party in Caledon. So it is on our radar. We are aware this is a challenge. We are currently in the process of looking at what the best option is as far as how we manage short-term rentals with licensing requirements and a bylaw to either permit or prohibit them. And that work will be done through this initiative.

**Mr. Logan Kanapathi:** So is the trucking parking the biggest violation in Caledon?

**Ms. Catherine McLean:** Yes. At this time, it is.

**Mr. Logan Kanapathi:** The landowners are from Caledon; is that right?

**Ms. Annette Groves:** Not necessarily. The landowners are not necessarily from Caledon. Just to give you some context, we've got over 200 illegal trucking yards in our municipality.

**Mr. Logan Kanapathi:** So the landowners are coming from other parts of the—

**Ms. Annette Groves:** Yes.

**Mr. Logan Kanapathi:** Can you track it down? Can you trace them, where they come from?

**Ms. Annette Groves:** Sorry?

**Mr. Logan Kanapathi:** Can you trace them? Can you find out where they—

**Ms. Annette Groves:** I'm not sure how we would track them. I'm sure we could when they—I'm sure we could track them down.

**Mr. Logan Kanapathi:** So how do you—you have a bylaw. You are going after them. When there is a complaint, then they have [*inaudible*]. So how do they—you have to go after the owners of the lands, the property owners.

**Ms. Catherine McLean:** Yes, so we are able to find out who the property owner is. Oftentimes it's a numbered company or it's a company that's owned by an individual, and we are able to find that information. But as Mayor Groves said, they're not always Caledon residents.

**Mr. Logan Kanapathi:** Thank you. My last question: I know there are a lot of things happening. I know you need help from the government and legislative change. Tell me, do you have any specific examples of legislative gaps in the Planning Act or Municipal Act as existing regarding the land use for unlicensed event venues. What do you want us to do, exactly? How can we empower you in order to address those challenges?

**Ms. Annette Groves:** We need to have the authority to barricade these illegal operations. Right now, we cannot. The only time that we can do that is if the access is not permitted. That's when we can do it. But we really need the opportunity and the authority to be able to barricade them, because I think that will send a very clear message and stop many of them from just popping up.

I don't know if Commissioner McLean has anything else that she'd like to add.

**Ms. Catherine McLean:** Yes, I would just echo what the mayor of Whitchurch-Stouffville said as well: We need to have fines that are actually a deterrent, that are heftier, so that people don't just dismiss it as a cost of doing business.

**Mr. Logan Kanapathi:** Thank you so much.

I will transfer it over to my colleague Ric Bresee.

**The Acting Chair (Mr. Rick Byers):** Thank you. MPP Bresee, you have three and a half minutes.

**Mr. Ric Bresee:** First of all, again, I'd like to express my appreciation for your being here and the predecessors. I understand—again, I have a municipal background. I've worked with issues of illegal land use on a number of different fronts. You guys are talking about your small municipalities. I look at you as being very big municipalities compared to my former municipalities.

One of the things that I'm recognizing, certainly, is that part of this problem—and it's only part of the problem—is a resource issue: having enough bylaw officers, having enough around the clock. I mean, the smaller bylaws, if you will, the noise bylaws and things like that—having somebody there at midnight to deal with the party problem is a very expensive proposition for municipalities, and I

certainly appreciate that you seem to have taken a lot of or all of the steps that you possibly can within that range.

Again, recognizing some these challenges is very difficult. They change on a dime—

*Interruption.*

**Mr. Ric Bresee:** My phone is ringing.

They do; they change on a dime. You don't have any direct connection to the owners.

I want to make sure that one of the parts of this that could be, I'll say, a challenge is addressed, and that is, we talked about in both circumstances, the Airbnb and the parking, the idea of good actors and bad actors. In order to determine that, you don't want to nail the farmer who's got a couple of trucks on his property to take grain away. I mean, that is a completely normal part of the agricultural process. We also, going back to Airbnb, don't want to nail the people who have one weekend of guests over that are friends of theirs and they happen to be charging them a little bit, or something along those lines. We want to deal with the bad actors, and we want to deal with those problems and have the tools to be able to do that.

**1100**

To that end—and this is where my question lies—I believe that the decision points and the enforcement actually are best vested with the municipality, because you have those local eyes on determining the difference between the good actors and the bad actors. Can you speak to that, if you would?

**Ms. Catherine McLean:** I would agree with you. That's what we're seeking: to have more power and more authority as a municipality to actually deter the good actors and the bad actors.

You made a good point about legal businesses. As I said before, where we're located in Caledon, we are very popular for freight.

**The Acting Chair (Mr. Rick Byers):** One minute remaining.

**Ms. Catherine McLean:** We have legal truck yards who are doing the right thing and paying their taxes. So we just want to make sure that, out of respect for them, we're dealing with the ones who aren't. And the same with Airbnb and event centres: There are some legal businesses operating, and we want to see them be successful. So we do just want the tools to enforce on that.

**Ms. Annette Groves:** If I may add as well, when we talk about the bad actors—the good actors go through a process: They address drainage issues, they address access, they address grading issues. They address everything that we've asked them to do—secondary plans, all of these things that go through the planning process—and it's an expensive process. The good actors have done that job, so they address all of the issues that the municipality would be concerned about.

The bad actors—none of that is addressed. They have drainage issues. They're draining water on their neighbour's property. There's not proper access. All of those things—

**Mr. Ric Bresee:** Toxic spills.

**Ms. Annette Groves:** That's right.

**The Acting Chair (Mr. Rick Byers):** Thank you very much. That concludes the time for the presentation. Thank

you for coming to be with us this morning. It's very much appreciated.

**Ms. Annette Groves:** Thank you very much for having us.

#### ASSOCIATION OF MUNICIPALITIES OF ONTARIO

**The Acting Chair (Mr. Rick Byers):** Our next presentation is actually on screen, I understand: the Association of Municipalities of Ontario.

We have Spencer Sandor. Thank you very much for being with us this morning. You can start your presentation. You have 10 minutes, and then there will be a round of questions following.

**Mr. Spencer Sandor:** Thank you to the committee for the opportunity to address you today. My name is Spencer Sandor; I'm a senior adviser with the Association of Municipalities of Ontario, also known as AMO. We really appreciate the opportunity to provide some comments on policy related to land use for unlicensed event venues.

As you know, municipalities play a crucial role in setting and enforcing bylaws to ensure public safety, community well-being and regulatory compliance. This includes working with local venues, which serve as economic drivers generating revenue and hosting events so Ontarians can participate in festivals, concerts, weddings and community gatherings. Municipal support for this event and entertainment industry facilitates local economic development and community well-being.

But, as you've heard this morning, at the same time, municipalities are very concerned about the potential negative repercussions associated with illegal event venues. This includes challenges around protecting health and safety and community well-being. These illegal venues often lack necessary infrastructure to meet public health standards such as food safety, access to water and waste water disposal. Of course, safety concerns are paramount, especially when larger events are held in locations that are not zoned or equipped for these gatherings. Municipalities are responsible for ambulance, police and firefighting services that are required to respond to emergencies and can incur significant costs to make sure that residents and event attendees remain safe.

We also want to recognize that the venue operators who are playing by the rules can incur financial costs to comply with licensing and zoning bylaws—for example, to convert an old agricultural structure into a safe event space or, as we've heard this morning, licensing fees and bringing properties into compliance. These costs are a clear competitive disadvantage for those who are playing by the rules, and we need to see a level playing field with incentives to encourage compliance so that the illegal operators are discouraged from trying to skirt those rules and avoid those fees.

It's also worth noting that event venues are not the only illegal-land-use challenge. As our friends from Caledon identified this morning, municipalities also routinely identify soil hauling, dumping and trucking depot operations. Similar

to illegal event venues, these cause increased noises, environmental and safety impacts for the communities.

Although municipalities are working hard to identify and take action against all these illegal operators, we do need provincial support to ensure that the activities are addressed and stopped. Whether it's for event venue operators, soil depots or trucking sites, it's essential that the rules for these operators are clear, that the province and the municipalities are equipped to monitor these sites and that there are strong penalties in place for violators.

We appreciate, through the study this committee is undertaking, that the province is taking a proactive approach to identifying opportunities to direct resources towards enforcement against the illegal operators. Towards this, AMO has three recommendations to help ensure municipal governments are best equipped to provide a safe, affordable and vibrant entertainment and event landscape.

First, municipal governments should maintain control over the zoning bylaws of their communities and should remain equipped to determine what regulations and actions make sense to their local context. For example, we've heard some municipalities express concerns about barn venues being incompatible with neighbouring farming operations. Intensive farming activities like spreading manure or operating heavy machinery like tractors on shared roads can conflict with large-scale events. Event attendees often complain about noise, odour and traffic congestion, and farms do experience lost productivity as a result.

However, in other areas with less intensive farming, these barn venues coexist without significant conflicts with neighbouring land uses, and some municipalities have actually successfully implemented local policies not just to mitigate these impacts but to encourage and facilitate these venue operators to help contribute to local economic success.

Municipalities have all taken different approaches to supporting legal venues, and they've set clear rules for operators, including things like adopting zoning, allowing these buildings in specific areas, setting clear processes and regulations for converting buildings to event spaces and working directly with operators to ensure that plans are in place for capacity and traffic management. Ontario's land use policy and licensing frameworks work best when municipalities are in control of their local bylaws, and municipal governments are best positioned to determine where these venues are located and what requirements are needed to mitigate the impacts of the community.

Secondly, as we've discussed this morning, bylaw enforcement requires resources, and the fiscal framework that enables municipalities to do this work is broken. Fiscal pressures limit the number of bylaw officers municipalities can hire to monitor and enforce land uses, noise bylaws, licensing and other rules. When these events take place in residential zones—for example, house parties at short-term rental accommodations—they can be highly disruptive to residents and lead to municipal bylaw enforcement complaints. These events can be very challenging to investigate, particularly when they're unlicensed and of a temporary or unpredictable nature.

To help these capacity challenges and the broader issue of a broken municipal fiscal framework, AMO continues

to call on the province to join with municipalities in committing to a comprehensive provincial/municipal joint social and economic prosperity review. This review would ensure municipalities are sustainably resourced to deliver on their responsibilities, including having adequate bylaw enforcement capacity.

Thirdly, the province should help improve the capacity of municipalities to enforce these bylaws by developing modernized, accessible support mechanisms that consider local needs and capacity. As we've heard, the capacity to enforce local bylaws varies significantly across municipalities. We see some large urban municipalities burdened with a high volume of complex cases around unlicensed venues, and we see small and rural municipalities facing similar challenges in addition to illegal excess soil and aggregate dumping. The financial burden of enforcing this and the legal costs to address violations and shut down illegal venues can be very significant and, at times, even prohibitive.

Exploring tools to help enforce local bylaws could help reduce these costs and allow more effective enforcement with the limited capacity available to municipalities. Some examples of tools that could help include reducing processes and lowering thresholds for imposing fines. Alternatively, exploring tax or other incentives to encourage non-compliant operators to license their events and their venues could help increase compliance with local land use and licensing bylaws and reduce the need for enforcement, while supporting local economic growth.

In conclusion, AMO is happy to support exploring approaches to addressing these unlicensed venues. We recognize that while these venues can represent economic and cultural opportunities for communities, it is essential that they operate legally, under provincial regulations and within the local bylaw context. Any approach to addressing these illegal land uses needs to respect municipal autonomy over land use decisions and support zoning bylaw enforcement. These recommendations will help address these illegal land uses and will benefit municipalities and the province as a whole.

I thank you for your time.

**The Acting Chair (Mr. Rick Byers):** Thank you for the presentation.

We'll now have one round of questioning beginning with the official opposition—seven and a half minutes. Go ahead, MPP Armstrong.

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**Ms. Teresa J. Armstrong:** I also want to thank AMO and Mr. Sandor today for coming and presenting. You had mentioned there are the different perspectives between different municipalities. We've heard from Whitchurch-Stouffville and Caledon today, which have two different perspectives with regard to the traffic and the safety issues compared to the residential issue and the quality of life to residents. I'm sure they equally share those commonalities, but they were highlighting different concerns that need to be addressed.

My riding is London-Fanshawe, and it's obviously different from the two presenters that are here. What have

you been hearing from the London perspective about the short-term-rental unlicensed events or just the short-term-rental problems in residential areas?

**Mr. Spencer Sandor:** Thank you very much for the question. I will say, I myself live in London West, and I am speaking to you from there today.

I think you're right to classify that municipalities have different perspectives, but I think it's also important to recognize that a lot of them are the same. Whether it's illegal short-term rentals in a rural community or in an urban community, we hear very much the same thing, that we would like people to play by the rules, to work with the municipalities in meeting those requirements. We would like to see some of those short-term rental companies play a role in helping prevent these illegal events from taking place in the first place. We know, as we've heard this morning from some of the other speakers, they do play a role in trying to help remove listings, but that is not always effective, particularly with non-compliant, short-term-rental property owners who just relist and take them down again.

We have heard from a number of different municipalities—again, as our friends from Caledon and Whitchurch-Stouffville have spoken—just very different approaches that they have taken. I think we've seen Ottawa is another very good example where their planning committee looked at zoning rules to, in fact, encourage some events but within very specific locations such as churches, mosques, synagogues and temples to help stage those events in a more appropriate location than perhaps in a backyard or a short-term rental.

**Ms. Teresa J. Armstrong:** You mentioned there are three recommendations, and one of the recommendations at the end was modernizing mechanisms to help municipalities. You had mentioned a couple of them: increase taxes, increase fines. Is that what you mean by modernizing mechanisms, or are you talking about technology as well?

**Mr. Spencer Sandor:** I think more about the processes. We've heard this morning that often, it's quite difficult to enforce the fines, so looking at an administrative monetary penalty versus a court process would help streamline things. We've heard increase the fines and the penalties—make it so that you're able to register those penalties on the tax roll and collect the fines in that way.

I think we see that the different approaches—some are more effective than others in collecting that across the province. On this and other issues, municipalities face around the tune of \$2 billion in unpaid funds, so any work that can be done to help facilitate collecting those fines—as we've heard from the others, when you are bringing in \$6,000 for a weekend rental, and the fine is only \$1,000, there's not really an incentive to comply. So what we're hoping for is just to help make it beneficial to follow the rules.

**Ms. Teresa J. Armstrong:** Just so I can get clarification on it, some of the municipalities have said that they've put their fines on their taxes. What other additional assistance could the province provide to support the municipal-



ities in collecting or mechanisms to collect? Do you guys have any suggestions on those specific ways of collecting those fines?

**Mr. Spencer Sandor:** I think shifting some of the challenges over to the administrative monetary penalty approach rather than seeking a court process to have those enforced would be a very big help. We know that when an issue has to go to the provincial offences court to collect those fines, there are challenges around sufficient judicial resources. AMO has previously encouraged the province to implement reforms to improve the municipal AMP system and the provincial offences system—just assessing the different types of things that would be easier to collect under an AMP framework rather than a judicial one.

In terms of other specific recommendations, I would have to go back to our special adviser who deals with governance and bylaw enforcement. We'd be happy to report back to the committee on that.

**Ms. Teresa J. Armstrong:** That would be helpful because, from what I'm hearing, putting the financial fines on top of the property taxes seems to be one of the main ways that you can collect without going through court. So I just wondered if there were other innovative ways that people had, through AMO, suggested and trying to figure out what that might be.

Those are all my questions. Thank you very much, and I'm glad to hear you're in London West and connected to this issue. Thank you for your presentation today. Unless you have anything else to add, I'm giving my time to presenter Sandor to continue if he wants to add any more comments.

**Mr. Spencer Sandor:** I'm fine at this time. I'm happy to continue with questions and answers.

**The Acting Chair (Mr. Rick Byers):** Great. Thank you very much.

Next will be the independent member. MPP McMahon, you have five minutes.

**Ms. Mary-Margaret McMahon:** Thank you for speaking to us today, Spencer. You were mentioning that some municipalities are really working hard, and they've done some clever things to address these problematic issues, so I'm feeling you're giving Caledon and Stouffville gold stars, yes?

**Mr. Spencer Sandor:** Yes. Yes.

**Ms. Mary-Margaret McMahon:** And—just on record. We want them to hear that. And then what about other municipalities who are doing great work on this in spite of the obstacles?

**Mr. Spencer Sandor:** Yes, of course. I think we've seen many, many municipalities who are taking creative approaches, particularly around getting people to play by the rules rather than trying to take a retroactive enforcement approach. I spoke a little bit to Ottawa looking at facilitating events at certain designated areas. We know that in the Saugeen Shores community, the council is working and have granted planning permission to farm owners to host special events. All of this, of course—

**Ms. Mary-Margaret McMahon:** Where was that, sorry?

**Mr. Spencer Sandor:** Saugeen Shores.

**Ms. Mary-Margaret McMahon:** Saugeen Shores, okay.

**Mr. Spencer Sandor:** And working with those event owners to make sure that all of the things that need to be in place—health and safety—are in place to do so.

We know as well, for example, that Toronto has a creative co-location property tax subclass specifically for tenant-based membership co-working, which includes event properties, to again sort of drive those activities towards a structured framework and to give that clarity to operators about how can you follow the rules. And I think that is an important trend to note, that for everywhere that we hear that there are problems and municipalities are trying to deal with enforcement, there's also an approach to sort of take that proactive lens to help people comply and avoid the issues in the first place. Where the challenges lie is with those handful of owners who, as we've heard from our friends this morning, are often the minority, who just simply do not want to comply with the rules that are in place.

**Ms. Mary-Margaret McMahon:** Right. So we're talking about these unlicensed event venues, but also, are you hearing from other municipalities across Ontario about these truck depots and the abuse of those?

**Mr. Spencer Sandor:** Yes. We're hearing both about the truck depots as well as—

**Ms. Mary-Margaret McMahon:** And whereabouts are you hearing it from? Like, what other municipalities?

**Mr. Spencer Sandor:** Yes. We've heard, for sure, in Caledon. We've heard in the Niagara region perhaps less so around the truck depots but more so around the aggregates and the soil trucking, where the excess soils and aggregates are dumped on an agricultural lot somewhere outside of the appropriate management framework. We have heard trucking challenges in parts of northern Ontario, particularly where municipalities will have identified, sort of—there are not always legal places for the truck owners to park along the major highways. So it is very much sort of a cross-Ontario challenge with the trucking and the aggregates.

**Ms. Mary-Margaret McMahon:** Okay. And last question: We all know how great AMO is, and we're going to see you next week in Ottawa. What can AMO do to support these municipalities, and what are you doing?

**Mr. Spencer Sandor:** Of course. Well, AMO has submitted comments to this committee—written comments, as well. We have provided comments from MNR on the excess soil and the aggregates management frameworks, and some of the issues and opportunities to support municipalities there. As well, we are beginning to explore some of the trucking challenges and consider an approach there, and when it's the appropriate time to do so and we have our ducks in a row, so to speak, we'll bring some recommendations forward on that as well.

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**Ms. Mary-Margaret McMahon:** All right. Thanks so much, Spencer.

**The Acting Chair (Mr. Rick Byers):** Thank you very much. The last round of questions with the government: MPP Pang, seven and a half minutes.

**Mr. Billy Pang:** Thank you very much and thank you for your presentation earlier and thank you for taking the time to present and share your feedback regarding land use for unlicensed event venues. The Planning Act sets out the ground rules for land use and planning in Ontario and describes how land uses may be controlled and who can control them. In particular, it provides authority to municipalities to pass and amend zoning bylaws. Zoning bylaws regulate the use of land and contain specific requirements that are legally enforceable, including land permission and performance standards.

So this morning we have heard about some bad actors that impact our municipalities, and the municipalities are seeking support. From AMO's perspective, what else did you hear from other communities that are dealing with the same issue?

**Mr. Spencer Sandor:** Of course. I think what we've heard is very consistent with the other presentations this morning about the tools that we have working in the majority of cases. It's really those, sort of, bad actors who are choosing to openly not comply with the local bylaws that are the problem.

We've heard that where the zoning bylaws are in effect and people follow them, they're very effective in making sure that these events are able to be successful but public health and safety is maintained. So I think where we've seen some requests from municipalities is certainly in helping enforce with those bad actors who don't want to play by the rules. That could be through, as we've mentioned, an increased fine, finding ways to make the enforcement and required payments more effective. I believe our friends from Whitchurch-Stouffville even recommend helping find ways to block access to those sites when property owners are not complying with the local bylaws.

But I think, to characterize more generally across the province—and I think what we've heard from our members is very consistent with what's been presented to the committee this morning—it really is trying to find a way to bring those minority bad actors into compliance with the local bylaws.

**Mr. Billy Pang:** So what you have heard is that it's spreading across the province. Do you see the direction or is it mainly in the GTHA area?

**Mr. Spencer Sandor:** It is certainly in all areas of the province, particularly around the short-term rentals, where you're seeing perhaps a house party or something like that, as well as in some of the rural communities—I alluded to barn-wedding-type venues where someone has taken a building on their property and rented that out, and in some cases, those operators are not working within health and safety; they're not following the local bylaws on how to operate those properly. But it is, yes, across the province.

**Mr. Billy Pang:** So when municipalities are seeking support from the province, whether a fine or legislation or whatever, we understand that all regulations need to be implemented. So those bad actors have to be caught so that these regulations will be implemented.

Did AMO share any of your strategies or ideas that can support—even if the ask is there, the tool box is filled with tools—how the municipalities can implement those bylaws?

**Mr. Spencer Sandor:** I think we've heard this morning a little bit about the capacity challenges. Even if the tools are there, if you imagine a very large rural municipality with only a small number of bylaw officers, it's very difficult to be everywhere they need to be to enforce them. So I think I would refer back to AMO's request for a provincial, municipal, social and economic prosperity review for a comprehensive discussion about—not just in the context of bylaw enforcement but all municipal services—how we can make sure that all of the municipalities across the province are resourced to deliver these services to our communities.

**Mr. Billy Pang:** So when we are dealing with those so-called bad actors, are there any of them that just don't know what's going on, don't know there's a bylaw there that controls them, regulates them for certain purposes? How are we going to help them to stream into those law-abiding citizens?

**Mr. Spencer Sandor:** I would have to defer to our municipal colleagues to speak to specific examples, but, absolutely, that is likely a situation that happens. I know many bylaw enforcement professionals will speak to that education role as your first approach with a lot of bylaw enforcement, where it's not necessarily going out and immediately issuing fines, but making sure that violators understand the requirements they're supposed to follow, making sure they're directed to the correct processes to work with municipalities.

As I alluded to in my comments, in a lot of places where those operators do learn about what rules are in place and follow them, it's very successful, both for the operators and for the municipalities and the broader community benefits that we see from people who are playing by the rules.

**Mr. Billy Pang:** Also from a user's perspective, right? Say, for example, I want to rent a place for an activity or rent a place for parking my truck or whatever—is there any way that we can help the users understand that this piece of land is not for that purpose? Because, say for example, if I want to find a place for a giant party for 2,000 people, I want to rent a piece of land, I don't know that piece of land is not for that purpose. How can we help those people understand that we are using a piece of land that is not for that purpose?

**The Acting Chair (Mr. Rick Byers):** One minute.

**Mr. Spencer Sandor:** I think that's certainly one of the challenging questions. As we've heard this morning, municipalities don't always know where these sites are until a complaint is made. So we've heard a recommendation perhaps to have the short-term-rental companies share that information with the municipalities so that information can be more broadly promoted.

**Mr. Billy Pang:** How can the province help the general public not use those places that are not for those purposes?

**Mr. Spencer Sandor:** I think a recommendation that we heard this morning to require those companies to share that information with municipalities, and then municipalities can then go out and share that either through local

communications or municipal websites identifying where non-compliant properties are—those are all different options. But at the end of the day, I think what is best is to help make sure the municipalities have the information that they need to choose what approach for that is best within that local context, whether it's to promote to local residents, people coming from away who are—

**The Acting Chair (Mr. Rick Byers):** Thank you very much. That concludes this presentation and, in fact, concludes our proceedings for this morning.

I want to thank all the presenters for really, really great discussion this morning—very, very useful for this committee to take your feedback and consider steps going forward.

I thank all members for their questions and discussions this morning. It's very much appreciated. I thank the team for getting us going. We've got an efficient end to the committee, and so thank you all.

This meeting is adjourned.

*The committee adjourned at 1128.*

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