



April 4, 2024

Via E-Mail: phc@toronto.ca

Planning and Housing Committee
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Attention: Nancy Martins, Committee Administrator
Members of Planning and Housing Committee

**Re: Item PH11.9 - Short-Term Rental By-law Implementation Update
Planning and Housing Committee Meeting – April 5, 2024
Seneca Polytechnic Residence - 1760 Finch Ave E., City of Toronto**

We are the solicitors for Seneca Polytechnic (“Seneca”), the owner of the Seneca Polytechnic Residence (Newman Campus) located at 1760 Finch Ave E. in the City of Toronto (the “Residence”).

Our client is requesting further amendments to Chapter 547 of the Municipal Code, Licensing and Registration of Short-Term Rentals (the “Licensing By-law”) to explicitly exclude premises owned or operated by post-secondary schools from the definition of Short-Term Rental.

Background

Seneca offers short-term rental of rooms within the Residence during off-peak seasons as an incidental but important source of additional revenue. This is a common practice of many post-secondary institutions. Online platforms, such as Bookings.com, are used to advertise the availability of the Residence, which is predominantly reserved by large groups including conference attendees, school groups and sport groups.

We understand that online platforms verify the registration of host properties with the City’s Municipal Licensing and Standards division. On January 2, 2024, the City advised Bookings.com that the Residence was an unregistered short term rental property. As a result, all summer 2024 bookings for the Residence were cancelled within 24 hours. We understand that Bookings.com, the largest platform used by Seneca and other post-secondary institutions, will not reopen the Residence for bookings without written confirmation of registration exemption from the City.

The Licensing By-law

While it is undisputed that the Licensing By-law does not apply to the short-term rental of rooms within a student residence, which are not “dwelling units” nor units within a “principal residence”

and therefore not “short-term rentals”, the lack of an explicit exemption in the Licensing By-law, as is currently provided for hotels or motels, is creating inadvertent but significant financial impacts. In our view, clarity is needed within the Licensing By-law to avoid negatively impacting post-secondary institutions.

Requested Amendment

On behalf of Seneca, we urge the City to adopt the following amendment to the Licensing By-law to explicitly exempt premises owned or operated by post-secondary schools:

“SHORT-TERM RENTAL – All or part of a dwelling unit used to provide sleeping accommodations for any rental period that is less than 28 consecutive days in exchange for payment, and includes bed and breakfasts but does not include premises owned or operated by a post-secondary school, hotels or motels.”

In addition to the foregoing amendment, we respectfully request that Council direct City staff to provide confirmation in writing that the Residence does not require a license or registration under the Licensing By-law to allow for the immediate reinstatement of the Residence on online platforms, including Bookings.com.

We thank the Committee in advance of its consideration of this request. Please do not hesitate to contact the undersigned with any questions.

Yours truly,

Cassels Brock & Blackwell LLP



Signe Leisk
Partner

SL/MK