

From: [REDACTED]  
To: [REDACTED]  
Subject: [External Sender] My comments for 2024.PH11.9 on April 5, 2024 Planning and Housing Committee  
Date: April 4, 2024 9:35:35 PM

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.To the City Clerk:

Please add my comments to the agenda for the April 5, 2024 Planning and Housing Committee meeting on item 2024.PH11.9, Short-Term Rental By-law Implementation Update: **Please also ensure this communication submission is formatted so it can be viewed by the public when clicked upon. Please also be sure to black out my email address. Thanks**

Good day Councillors,

My name is Paul Nedoszytko,

I want to dispel the ongoing dissemination of misinformation and disinformation, regarding current STR By-laws and proposed STR amendments.

I consider myself to be a person who is well versed and qualified to speak on matters of Housing and Short term rentals.

I have worked in the private and public sectors of the housing and land development industry for over 30 years.

I am a former City of Scarborough Design and Construction Inspector

I am a former Contracts Administrator for the Sernas Group, a Civil engineering consulting firm

and I am a former Project Coordinator for the Kaitlin Group

I, along with my wife Lina also have 10 years of experience navigating online housing platforms

Lina and I also attended the Toronto STR LPAT hearing in 2019 where a ruling was made stating basement apartments constructed without a building permit were to be treated as a "room" listing for purposes of applying Toronto STR bylaws.

Lina and I spent almost 2 years working with Tracey Cook and Carlton Grant back in 2016 and 2017 to help craft meaningful and effective STR regulations. It was important that regulations were easy to understand but, it was equally important that regulations were meaningful and easily enforceable and this is where the Principal Residency Rule was paramount to protecting housing from being commodified.

Tracey Cook, Carlton Grant, Gregg Lintern defined a principal residence as follows below,

**d. A principal residence is a dwelling unit owned or rented by an individual person, alone or jointly with another person, where he or she is ordinarily resident.**

Originally proposed bylaws also stated

### **Definition of principal residence and limit on nights rented**

The recommended zoning changes require that short-term rentals occur in a principal residence. Restricting short-term rentals to principal residences helps to protect community stability, avoids nuisances, and assists in keeping long-term rental units available and affordable. The zoning changes also allow residents to rent short term in one secondary suite in their principal residence. A secondary suite is a self-contained living accommodation in which both food preparation and sanitary facilities are provided for the exclusive use of the occupants of the suite, located in and subordinate to a dwelling unit. Further details about why short-term rentals must occur in a principal

and lastly, originally proposed bylaws stated the following regarding tenants

## Requiring tenants to get permission to operate short-term rentals

The recommended short-term rental regulations would allow both tenants and owners to operate short-term rentals out of their principal residences. The City would not require the permission of the landlord. This approach is considered fair and equitable since it

does not distinguish between tenants and owners. There are no inherent additional risks or nuisances that would result with short-term rentals operated by principal residents who are tenants.

The landlord-tenant relationship is governed by the *Residential Tenancies Act, 2006*, (RTA) which establishes the rights and responsibilities of landlords and tenants for most residential rental properties in Ontario. If there is a dispute between a landlord and tenant, this dispute should be resolved by the Landlord and Tenant Board (LTB). Staff recommend that the City avoid becoming involved in such disputes regarding short-term rentals.

Originally proposed bylaws were easy to understand and very enforceable but, that all came to a crashing end when former Deputy Mayor and Chair of the Planning and Housing committee Ana Bailão who now works for Dream Development came along and amended the original proposed bylaws by removing the ability of private homeowners to STR their secondary suite (basement apartment). This effectively destroyed two years of hard work and transitioned current STR bylaws into an illegal and unenforceable discriminatory housing policy so, here we are again today but, I just want to share one experience.

In 2020 and one month into Covid lockdowns and restrictions, my former councillor Gary Crawford reached out to me by phone and asked if I would participate as a community representative, in a phone conference with Dolly Begum and Bill Blair to provide feedback on the impacts to community members resulting from lockdowns and restrictions. Fast forward, I asked about CERB for Lina and I and 5 weeks later, a representative from Mr. Blair's office replied and said Lina and I did not qualify for CERB because our STR income did not meet the threshold to be considered as operating a business. Our STR income is rental income and has been from the day we started in 2014.

Lina and I weathered the Covid storm on our total combined pensions of \$24,000.00 per year for the duration of lockdowns and restrictions. We did not receive a single penny of financial assistance throughout the entire pandemic. We did however, earn some income from legitimate quarantine stays for new immigrants to Canada during lockdowns and restrictions.

Lina and I do not want to become a burden upon society. We do not want any financial assistance or subsidies whatsoever. We simply want to maintain our dignity and self respect by remaining independent and financially secure so we can age in place, in the one and only home we have ever owned and have lived in for 40 years.

We poured tens of thousands of dollars and thousands of hours of sweat equity into our home so that one day, we were well prepared for retirement but now, we are told we are not permitted to use our home as we see fit and how we choose to generate rental income, and that we must use our home as the City sees fit and we can only generate some income, as the City dictates.

If it is this committee's decision to adopt proposed amendments then Lina and I request you treat us with the dignity and respect we deserve as 65 year residents of Toronto and 40 years property tax payers. We request the courtesy of a 6 month grace period before any amendments come into effect. Such a grace period would align with the courtesy and respect displayed by British Columbia's Premier David Eby, who appreciated and understood the devastating financial economic hardships to STR Operators, if they were not afforded a 6 month grace period, to allow the necessary time to transition STR operating models and/or their financial circumstances.

Lina and I already have confirmed summer bookings and if our summer bookings are canceled, we will never be able to list on the Airbnb platform again and will lose the opportunity to transition our two room listings to mid-term stays (28+ night stays). We are also not in a financial position to absorb the devastating financial consequences should a long term tenant default on rent payments.

Thank you for your time