

Terms of Reference

Short Term Rentals Licensing working group

Introduction and background

The purpose of this document is to provide potential members of the Short-Term Rentals Licensing Working Group (STRLWG) with an understanding of their role and responsibilities as members, expected level of commitment, rules of order, and the process to amend this Terms of Reference.

Project Background

On February 28, 2022, Guelph City Council approved the approach to licence short-term rentals under the City's Business Licence By-law (2009)-18855. Council directed staff to engage key stakeholders and the public to develop a short-term rental category along with regulations under the by-law.

This bylaw amendment stems from a noted difference in regulation and licencing between more formal bed and breakfast businesses which currently must purchase a licence and go through inspection requirements and other private short-term rentals.

In Q2 2022, the City will begin public engagement on an update to the existing business licensing bylaw that would potentially see a licence and certain criteria needed in order to operate a short-term rental listing (30 days or less) in Guelph.

A working group will be established as part of the more fulsome engagement plan which also includes broader public feedback opportunities.

Purpose of the working group

The City believes communicating with and involving local residents, community leaders and businesses in the information gathering process is important. The STRLWG will provide a forum for consultation, review and exchange of information regarding direction the City may take with regards to licensing or otherwise regulating short term rental businesses. The input and guidance of this working group will help to ensure success and avoid potential issues that may arise through the course of this project.

Members will help staff understand and consider aspirations and issues of diverse stakeholders as they relate to:

- Community concerns around the operation of short-term rentals
- Business concerns around the operation of short-term rentals

- The benefits of short-term rentals in our community
- Business licensing options and best practices in other communities
- Impacts of licensing or regulation of short-term rentals
- Impacts if status quo was to continue
- Appropriate timing and degree of adopting change

Mandate and authority

The working group's mandate is to share insights, review options and provide feedback, share ideas and concerns and contribute to a constructive dialogue that can lead to project success. It is an opportunity to provide detailed feedback and focused conversation on something the community is passionate about.

The working group is not a decision-making body and will not have the authority to commit City resources, direct the work of City staff or vote on staff recommendations.

The working group is a forum for information dissemination and gathering of feedback from stakeholders to create possible recommendations regarding direction and possible business licensing bylaw amendments or other regulatory actions. Staff recommendations will come forward as a result of this forum, research, community feedback, and other consultations and through accessing the expertise across City of Guelph Staff and in the community.

Project team

The project is led by the City's Operations department with additional support from the City's Strategic Communications and Community Engagement team and other departments as needed. The project team has contracted the services of Sage Consulting to lead and advise on certain aspects of the community engagement for this project and will be involved in some respects in the operations of this working group.

Membership

Membership on the working group is voluntary and is not subject to any remuneration. Members may continue to participate in other City of Guelph community engagement activities, both in person and online, including delegation to City Council regarding this project.

The working group will be structured to provide a balance of perspectives. membership will include members from the project team and up to 13 community stakeholders. The ideal committee will include a diverse group of participants with a variety of backgrounds and interests as they relate to the Guelph community, tourism and short-term rental industries.

In addition to inviting local community members to participate on the STRLWG, invitations shall also go out to specific stakeholders.

Members of the STRLWG shall be required to participate for the duration of the Bylaw review. Based on similar types of projects, we anticipate that the duration of this review will last until January 2023.

Members may be drawn from, but not limited to:

- Public at large (maximum 4)
 - Homeowners in Guelph
 - Long-term renters living in Guelph
 - Other people living in Guelph
- Hotel, motel, inn and bed and breakfast owners/operators (maximum 3)
- Un-regulated short-term rental owners/operators (maximum 5)
- Guelph Chamber of Commerce (maximum 1)
- Guelph and district association of realtors (maximum 1)
- Restaurant, tourism and hospitality industry members other than lodging (maximum 1)
- Downtown Guelph Business Association (maximum 1)

Meetings

Members have committed to attend at least three virtual group meetings of an expected five scheduled over this summer through winter (2022, potentially into the start of 2023). The first virtual meeting is booked for 8am on July 28, 2022. The first meeting will be primarily introductions and information sharing and will be recorded for those members unable to attend. The second and third meetings are anticipated to take place August and September 2022, date and times to be determined. Following a round of public engagement in fall, two subsequent meetings will be scheduled. Some information review and communication may occur between meetings.

The project team may invite staff subject matter experts or community organizations to meetings to present information, provide advice and answer technical questions.

All administrative services and documentation will be the responsibility of City project staff.

Meeting minutes will be provided to members within fifteen working days of the meeting. Individuals may decide whether to include their names in the minutes. Once final, all meeting minutes will be posted on the City's website.

Note: An individual member may decide whether to include their name in the minutes, however the final project report to Council must include the names of all working group members, as Council directed in response to the November 4, 2019 Committee of the Whole Council report [Transparency and Removal of Barriers Related to Non-Council-appointed Working Groups](#).

Rules of order

Members of the STRLWG have a duty to conduct themselves in an impartial and objective manner. It is understood that members of the STRLWG will perform their duties in such a way as to promote public confidence and trust in the integrity, objectivity and impartiality of the STRLWG.

The meeting Chair will have the right and responsibility to control proceedings of the STRLWG, including the right to exclude any member of the public or any member of the STRLWG who is interfering with or disrupting the STRLWG proceedings.

Every person, every idea and every concern has equal worth. It will be expected that the members of the STRLWG be fully respectful of others.

Roles and responsibilities

Chair

The City's Project Manager will act as the chair with support from the project team. The chair will:

- Coordinate the activities of the group
- Ensure the meeting agenda is created and distributed three working days before the meeting
- Follow up with group between meetings as necessary
- Lead meetings following the approved agenda, direct discussion, ensure all members have an opportunity to participate and ensure agreed upon meeting processes are followed

Project team

In addition to the City staff responsibilities listed in the [City of Guelph Community Engagement Framework](#), the project team will:

- Provide accurate, understandable information to members so they can contribute informed ideas and input.
- Ensure that appropriate City staff, or other resource people, are present at discussions on specific issues or topics of importance to the group.
- Ensure that guidance and input from members are fully considered in developing recommendations to Council or to the project Steering Committee.
- Embrace the City of Guelph's [Guiding Principles for Community Engagement](#) when working with or planning to work with the group.

Members

In addition to the participant responsibilities listed in the [City of Guelph Community Engagement Framework](#), members will:

- Consider matters, issues or information provided by the project team and provide guidance and input as requested.
- Liaise with the organization they represent (if applicable) to bring issues or comments from their organization to the group and return project information and results to the organization from the group.
- Identify concerns and issues early in the process.
- Participate openly, honestly and constructively, offering ideas, suggestions and alternatives.
- Work in the process in a transparent, respectful and cooperative manner.
- Stay up-to-date on the project, engagement activities and related issues.
- Provide input and feedback within project timelines.
- Ensure that meeting discussion results are accurately recorded in the meeting summary.
- Encourage others to become engaged and offer input to the project and engagement activities.
- Embrace the City of Guelph's Guiding Principles for Community Engagement (Appendix A) when providing guidance and input and when interacting with members and the project team.

For more information

Please contact **Scott Green at scott.green@guelph.ca or call 519-922-1260 ex 3475** if you have questions, comments or would like to be added to the Short-Term Rentals Licensing Working Group.

Information will be collected in accordance with the Freedom of Information and Protection of Privacy Act. With the exception of personal information, all comments will become part of the public record and published with the final Report.

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Appendix A

Community Engagement Framework – Selected excerpts

Guiding Principles for community engagement

The following principles build on those approved by City Council in 1998. They have been updated to reflect emerging community engagement practices. Community engagement at the City of Guelph embraces these principles.

1. Inclusive – The City encourages participation by those who will be affected by a decision. The City builds relationships with stakeholders by using a range of tools to engage varied audiences.
2. Early involvement – The City involves the public as early as possible in the community engagement process so stakeholders have time to learn about the issue and actively participate.
3. Access to decision making – The City designs processes that will give participants the opportunity to influence decisions.
4. Coordinated approach – The City co-ordinates community engagement activities to use community and City resources effectively.
5. Transparent and accountable – The City designs processes that are open and clear. Stakeholders will understand their role, the level of engagement and the outcome of the process.
6. Open and timely communication – The City provides information that is timely, accurate, objective, easily understood, accessible and balanced.
7. Mutual trust and respect – The City engages the community in a fair and respectful way that fosters understanding between diverse views, values and interests.
8. Evaluation and continuous improvement - The City commits resources to evaluating engagement processes to ensure engagement activities are effective.
9. Equitable engagement process – The City designs engagement processes that allow all community members a reasonable opportunity to contribute and to develop a balanced perspective.

Employee responsibilities

City employees who are responsible for the design and implementation of community engagement processes will:

- Pursue community engagement with the belief that community involvement leads to better decisions.
- Ensure that community engagement activities comply with the Community Engagement Framework and Policy, its processes, worksheets and tools.
- Develop project charters or project plans that provide adequate timelines and resources for community engagement.
- Notify the Community Engagement team of any planned community engagement activities.
- Design engagement processes that reflect the promise made to stakeholders according to the level of engagement.
- Design engagement processes that reach out to vulnerable populations.
- Ensure all community members who want to be involved are included.
- Ensure all communication is clearly presented, balanced and understandable to the target audience.
- Ensure that participants are aware of their responsibilities in the engagement process and support participants to fulfill those responsibilities.
- Foster long-term relationships based on mutual trust and respect.
- Ensure the project accurately reflects all the feedback received.
- Ensure decisions and recommendations acknowledge the needs, values and desires of the community.
- Ensure consultants or external organizations undertaking community engagement activities on behalf of a City department comply with the Community Engagement Framework and Policy.

Participant responsibilities

Successful community engagement processes require respectful and constructive contributions from participants. Participants are responsible to:

- Pursue community engagement with the belief that community involvement leads to better decisions.
- Focus on the decisions to be made or the question to be answered.
- Recognize the City must consider the needs of the whole community.
- Strive to reach sustainable solutions.
- Request alternative ways of participating if required.
- Listen to understand the views of others.
- Identify concerns and issues early in the process.
- Participate openly, honestly and constructively, offering ideas, suggestions and alternatives.
- Work in the process in a transparent, respectful and cooperative manner.

