

THE CORPORATION OF THE TOWN OF GEORGINA

COUNCIL AGENDA

ADDENDUM #2

Wednesday, February 27, 2019
7:00 PM

11. PUBLIC MEETINGS

(1) STATUTORY MEETING(S) UNDER THE PLANNING ACT OR MEETINGS
PERTAINING TO THE CONTINUATION OF PLANNING MATTERS

Pages 33-107

(7:30pm)

- (A) Application to Amend Zoning Bylaw No. 500
2603235 ONTARIO LIMITED
Lot 9, Plan 65M-2613, 117 Spring Road, Keswick
AGENT: WSP Canada Group Limited

Report No. DS-2019-0007

Additional Correspondence:

Page 1

- Connie and Greg Meeke, 115 Spring Road, expressing a concern with the location of the visitor parking for the proposed development at 117 Spring Road

12. REPORTS

(2) REPORTS REQUIRING SEPARATE DISCUSSION

Reports from the Office of the Chief Administrative Officer:

- (C) Regulation of Short-Term Rental Accommodation (STRA) in the
Town of Georgina

Report No. CAO-2019-0009

Additional Correspondence:

Page 2

- Don Matthews, President of the Federation of Ontario Bed and Breakfast Accommodation, suggesting an additional definition be included in the Town's Bed and Breakfast Bylaw for regulation of Short Term Rentals.

Page 3

- Sandy Cooper advising of concerns with the operation of an abutting property as a short term rental.

Pages 4-5

- Dave Szollosy providing comments on the report concerning Short Term Rental Accommodations within the Town and posing questions for consideration.

From: Connie Meeke
Sent: Monday, February 25, 2019 10:53 AM
To: Dustin Robson
Subject: 117 Spring Road Development

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Dustin,

We live in the house directly to the east of the proposed development - 115 Spring Road. While we are not happy with the prospect of these townhomes backing onto our 225 ft. lot, we are also aware that this will be developed at some point. We have had many conversations with Albert Zhang and his wife about the impact to our property. We feel they are making efforts to make this as tenable as possible for us. We have discussed a variety of options for us - such as fencing, trees, privacy etc. I have what we have agreed to in writing and currently I am satisfied with how this is progressing between us. I wanted to make you aware because were plans to change substantially in terms of the style of homes to be built or promises Albert has made to us, we would definitely have a problem.

I have seen the preliminary plans and do have one concern - currently the visitor parking is located at the back of the property but I do think the construction of these townhomes could severely limit the safety of exiting and entering our property. I do think perhaps the parking would be better located to the front of the development. Currently there are trees that border both properties and even with just those. it can be difficult to safely see the road when exiting and even more importantly difficult to see pedestrians crossing the sidewalk in front of our property going west to east.

We will be attending the town meeting on February 27.

Thank you for your time and consideration.
Connie and Greg Meeke

Subject: FW: AMEND BY-LAW NUMBER 500

From: Don Matthews
Sent: February-23-19 10:49 AM
To: Tammi Roberts <troberts@georgina.ca>
Subject: AMEND BY-LAW NUMBER 500

Please forward this to the Mayor and members of council.

Mayor and members of Council:

I am Don Matthews current President of the Federation of Ontario Bed and Breakfast Accommodation (FOBBA.com) and would like to ask that rather than eliminate Bed and Breakfast from your by-law that you add the definition of long standing with our organization established in 1987.

That being:

An owner-occupied private residential dwelling that is the owner's principal residence, and in which the owner has control of the environment. It provides temporary accommodation not exceeding 28 consecutive days, and amenities and services auxiliary to guest accommodation including the preparation and service of breakfast for an all-inclusive fee.

The difficulty in regulating "Short Term Rentals" in by-law 500 as is promoted by web sites like AirBnB and others is that it may impact on long established small business B&B that promote safe and orderly Tourism enterprises.

I hope that you will consider this as you deliberate your amendment.

Don Matthews
 President FOBBA

A BY-LAW TO AMEND BY-LAW NUMBER 500; . BEING A BY-LAW TO REGULATE THE USE OF LANDS AND THE CHARACTER, LOCATION AND USE OF BUILDINGS AND STRUCTURES WITHIN THE TOWN OF GEORGINA.

Pursuant to Section 34 of the Planning Act, R.S.O., 1990, the Council of the Town of Georgina ENACTS AS FOLLOWS:

1. That Section 2 **DEFINITIONS** of Zoning By-law No.500, as amended, is hereby further amended by deleting Section 2.22 **BED AND BREAKFAST RESIDENCE**.

Don & Marion Matthews
 Sleepy Hollow Bed & Breakfast
 95 King St West Gananoque 613 382-4377
 What a great place to escape to or... have a wedding...have a look
<http://www.sleepyhollowbb.ca/weddings.html>

"If you find a path with no obstacles,
 it probably doesn't lead anywhere"

Subject: FW: Airbnb Keswick

-----Original Message-----

From: Sandy Cooper [mailto:sandyxc55@gmail.com]

Sent: February 26, 2019 11:26 AM

To: Margaret Quirk <mquirk@georgina.ca>

Subject: Airbnb Keswick

Hello Margaret,

I know the Airbnb meeting is coming up, so I thought I'd write to you again to voice my concerns.

My sister and I are owners of a seasonal cottage that we've enjoyed with our families from May to October. This cottage has been in our family for about 65 years, (before we were born) as an escape from the city. Sadly, we no longer look forward to our time at the cottage because we never know what to expect from the guests next door.

To have an Airbnb next door is upsetting, because we have always known our neighbours and that has some security attached to it. They would report to us anything unusual while we were not there. Now we are faced with new people every time we come to our cottage and this is something we have to accept unfortunately. Most guests are friendly and quiet, BUT many others see it as a place to party. Often alcohol (and drugs) are involved and noise levels are unacceptable.

We have witnessed the following:

- parties with beer being poured through a tube from the upper level to someone's mouth on the lower level.
- air guns being fired at a target in the back yard
- noisy loud parties (I thought the noise By-Law states on line 14, that yelling, shouting,...singing are not allowed at ANY TIME)
- contained fires on the back (wooden) deck late into the night, which causes smoke to flow into our cottage
- guests using our dock and leaving garbage behind (again full time neighbours reported this to us)
- possibly driving under the influence of alcohol or drugs as they go to restaurants, etc.

Each time we have talked to the guests about an issue, they have told us the owner gave them permission!

I understand that Georgina wants to make money from these rental properties, but more concern should be given to the residents whether full time or seasonal. Our opinions should count!

Sincerely,
Sandy Cooper

Sent from my iPad

To Mayor and Council

Submission on Report CAO-2019-009

Regulation of Short-Term Rental Accommodation (STRA) in the Town of Georgina

For Council February 27, 2019

The goal of this submission is to record a few observations on the Report to Council and pose certain questions for further consideration. I shall organize it by reference to the paragraphs in the report.

4.1 Further questions need to be posed to the solicitor asking not what limits us within the regulatory framework, but rather how can we accomplish the desired goal. Without being privy to the details in the closed session, the report suggests that options were overly limited by not asking the right questions, and in this way, determining a more limited scope.

4.2 By restricting the definitions to those presently in By-law 500, we can limit the scope of what options can be pursued. The list of definitions have to be expanded to include the uses of a STRA as a room or unit or within (or adjacent to) a residential premises and a STRA standing independently as the whole house.

4.3 Care is required in adopting the direction of *"Home Sharing Guide for Ontario Municipalities."* This is not a legislative document and we cannot place undue emphasis on it. Further the document contains the disclaimer "This page was published under a previous government and is available for archival and research purposes." It has no force.

"The regulatory program must endeavour to reasonably preserve the character of neighbourhoods." This is the key point of concern to the residents of Georgina. It cannot be assured if numbers and density of STRAs are not regulated or restricted.

"Overregulation and/or significant operating costs can lead to non-participation by internet platforms." This is a non-argument as it was stated in a prior segment that internet platforms are only a new tool inserted into an already existing practice. There are other (more traditional) ways to promote rental accommodation.

The phrase "and are advertised to accommodate far more guests than those listings" identifies a concern that cannot be addressed. When a person (or group) rents an entire house, there is no way to control how many guests they have without classifying that situation differently i.e. as a commercial activity.

4.4.2 The concerns about "Principal Residence" can be resolved by avoiding that term and instead defining the use by periods of time for the rental.

- a) STRAs can be rented out as per the existing licencing of Bed and Breakfasts *as long as they are restricted to a room or sub-unit within a residence.* (Note that current definitions do not require meals to be served.) As per current by-law definition, this is restricted to a of 15 days.

- b) If a whole residence is being rented, it must be for a minimum of 15 days. This would still allow the “traditional” cottage rental practice and not interfere with one of the premises upon which the conclusions of this report are predicated.
- c) Failing the above uses, a residential complex or whole house, in order to operate as a STRA (for less than 15 days) must have C5 Tourist Commercial zoning. For existing investment properties, this would involve applying for zoning change and the members of the neighbourhood would have an opportunity to comment during a public meeting.

4.4.3 “For this reason, it is proposed that a STRA not be permitted within a single detached dwelling where there is an existing accessory apartment.” This logic is not consistent. This is exactly where it should be permitted.

4.4.4 The consistency between Bed and Breakfast and STRA is then fine and can remain.

4.4.5 On the matters of taxation, by requiring the re-zoning of buildings dedicated to hosting STRAs, the different tax level will account for any increase.

It is recognized that Council wishes to have some regulatory framework in place before the summer season, but I would suggest that a bad regulatory framework that does not address the legitimate concerns of the residents is worse than having no finalized regulatory process.

I ask that these matters be considered and addressed in a subsequent report to Council and that Council therefore will choose to adopt Recommendation 2 and ask that the Consultant and Staff provide a further report.

Respectfully,

Dave Szollosy

857 Fairbank Ave. Willow Beach