

Newsletter

May 2021

PLANNER'S CORNER

Views from a 40 Year Career

"Short-Term Rentals are Illegal"

Like most people, you're probably thinking: "Aren't short-term rentals illegal?" How could a hotel-like business be allowed next door to my home to disrupt me and turn me into their unpaid night clerk? Well, short-term rentals are illegal in all residential zones in Oro-Medonte. Over the next series of articles, I will explain why.

To begin, let's start with the Provincial Planning Act which among other things sets out requirements for achieving sustainable economic development and appropriate land use planning. One explicit goal of the Act is to "promote orderly development of safe and healthy communities". To achieve this, every municipality in Ontario is required to produce and maintain an Official Plan and a Zoning By-law to implement their Plan.

These planning documents separate land uses with a principal aim of controlling and avoiding adjacent land-uses that are incompatible. In this way, safe and healthy neighbourhoods are protected from the intrusion of commercial uses by prohibiting such incompatible uses in residential zones.

Both the Local Planning Appeal Tribunal (LPAT/formerly OMB) and the Courts have determined that short-term rentals are commercial, hotel-like uses that do not belong in residential areas. Your Council and staff agree. They have declared that short-term rentals are prohibited uses in the Township with one exception - an apartment building in Horseshoe Valley that was specifically permitted through an Official Plan Amendment and a Zoning By-law amendment.

In my next newsletter, I will more fully explain why the Township's position is correct and why short-term rentals are illegal uses in residential zones. This is not a grey area. It is about as black and white as it gets.

That's all for now. Hope this has been helpful.

The full version of this Planner's Corner will be posted to our website soon.



HOW DO I GET A LAWN SIGN? Send us your name and address in an email, as well, please sign up for our communications at goodneighboursoromedonte.ca/sign-up.

Why should residents fund the Oro-Medonte Good Neighbours Alliance and their participation in the LPAT hearing? Is this not what our municipal taxes are for?

These questions were asked by a resident of Oro-Medonte like you. Unfortunately, there are five reasons why Good Neighbours is necessary. First, the STR operators have requested mediation to propose licencing STRs as an alternative to an LPAT hearing. Licencing does not work for residential neighbourhoods. Second, LPAT takes voices from the community that step up and speak directly to them very seriously. To be an effective voice requires costly professional legal help. Third, we represent resident associations from across Oro-Medonte and only their interests as residential property owners. Fourth, as a community we can pool our money whereas individually we are vulnerable to the deep pocketed commercial interests behind many disruptive STR operators. Finally, the STR operators are challenging the township's right to enforce our by-laws. We can further reinforce legitimacy of the authority of the Township in front of LPAT. For more on this topic please go to goodneighboursoromedonte.ca/faqs and scroll down to Item 21.

LPAT Hearing Involving STR is Coming. There is a Case Management

Hearing Scheduled for June 2 at 10:00 AM. To attend see the information below. At the last hearing Counsel for the STR operators suggested that a decision on party status for the Good Neighbours Alliance be set aside for a later date; nonetheless, the Tribunal ordered that the Alliance become a Party as this was an efficient means for having the ratepayer groups' concerns represented. The STR operators requested mediation to propose licencing STRs as an alternative to an LPAT hearing. They then submitted a 172-page Motion to the Tribunal questioning the validity of the claims of adverse effects, asking for enforcement records, for complaints records and for the number of STRs in operation. The operators are also questioning the planning merits of the by-law amendment that already separates commercial from residential uses. By order of the Tribunal the Parties are to submit a Draft Procedural Order and Issues List by May 31st.

Get Involved and See First-Hand What The STR Operators are Up To at LPAT

Attend the next LPAT Hearing on June 2 at 10:00:
global.gotomeeting.com/join/474671373
Access code: 474-671-373

Please log in 15 min early, mute yourself, turn off video, and after your name put "Resident".