



UPDATE SHORT-TERM RENTALS IN ORO-MEDONTE

18 September 2022

Background

- Township legal counsel and staff agree. Since 1997 short-term rentals (STRs) are not permitted in residential zones. They are prohibited.
- At least 190 STRs have been carrying on business in Oro-Medonte since 2017.
- Over 35 (16%) of these have been repeatedly reported as very disruptive.
- Since 2017, despite hundreds of calls for help, not one STR operator has been brought before the courts and shut down.
- In 2020, while awaiting the outcome of the Ontario Land Tribunal (OLT) Hearing, STR operators in Oro-Medonte made more than \$10 million while neighbours continued to suffer.
- Not even members of council want to live next to an STR.

Recent Township Actions

Recent actions by the Township are extremely discouraging and make it very difficult to believe that there will be any help for homeowners. These actions include:

- December 2021 Tourism Gap report cost taxpayers \$30,000 and claims STRs are good for tourism. This is completely contrary to 100's of homeowner observations.
- February 2022. After waiting almost 2 years for the OLT hearing and after spending hundreds of thousands of dollars on preparing for the hearing, the Township tried twice to adjourn the hearing. An adjournment would have effectively ended the proceedings.
- At the OLT hearing in March 2022 the Township introduced an amendment that would have legalized all existing STRs, effectively derailing and undercutting the whole purpose of the hearing.
- Draft Official Plan: see below.

The Ontario Land Tribunal Hearing

- The appeal by the short-term rental operators was allowed. The Township's By-law Amendment which was passed in 2020 and clarified the meaning of 'commercial accommodation' was struck down.
- Despite this ruling, short-term rentals are still prohibited in residential zones. The underlying zoning by-law is still robust and is still in force.
- Short-term rentals were found to be a commercial land use. This finding validates the expert opinions provided to the OLT by both the Township and Good Neighbours witnesses.
- The OLT decision only nullifies the Township's By-law Amendment passed in 2020. STRs are still a prohibited use outside of the V1 zone at the Horseshoe Valley Resort Complex.
- Based on errors in the OLT decision, there are strong grounds for an appeal that seeks to overturn the decision. The Alliance fully supports the Township's appeal of the decision.

For more information see PRESS RELEASE @ goodneighboursoromedonte.ca.

Draft Official Plan Amendments

- Official Plans set policy guidelines for zoning by-laws. The draft Plan contains hopeful provisions for protecting residential communities from STRs. It is not known whether these provisions will be passed.
- However, the draft Plan removes two of five 'fundamental pillars' needed to establish that our current zoning by-law prohibits STRs in residential zones, thereby weakening the existing protections of our neighbourhoods and communities.
- The draft Plan de-regulates Bed and Breakfasts and allows them as a matter of right in all residential zones including Shanty Bay and Hawkestone, except those designated as shoreline residential.
- Not all waterfront or backlot properties along Lake Simcoe are zoned Shoreline Residential. Some are R1, RUR1 and A/RU. It is likely that Bed and Breakfasts will be permitted as of right.
- Where permitted as of right, the protections offered by the requirement for a site-specific zoning amendment and the opportunity of neighbours to make submissions with respect to the opening of a Bed and Breakfast have been removed.
- If passed, de-regulating Bed and Breakfasts will create a loop-hole that will allow STR operators to claim they are a Bed and Breakfast. Such a loop-hole will be next to impossible to defend.

Conclusion

- Recent actions by the Township are extremely discouraging. The fact that not one short-term rental operator has been taken to court and shut down after 100's of complaints over the past 6 years speaks volumes. The failure to act is not because the zoning by-law that prohibits STRs is not robust. It is because of the lack of will on the part of the Township to protect homeowners.
- Recent draft official plan provisions if enacted will create a loop-hole that will be almost impossible to enforce. Short-term rental operators will continue to make millions while disrupting neighbourhoods. All homeowners will be vulnerable.
- We already have a very robust zoning by-law that prohibits short term rentals in residential zones. STRs are limited to only the V1 zone at the Horseshoe Valley Resort Complex. These protections need to be preserved and should not be undermined by policy changes in the official plan.
- If you don't want to end up with an STR hotel next to you, then you cannot remain passive. On October 24, 2022, vote for candidates in the municipal election that will protect all neighbourhoods.