

September 27, 2023

Township of Oro-Medonte Council

Mayor Randy Greenlaw
Deputy Mayor Peter Lavoie
Councillor Lori Hutcheson
Councillor John Bard
Councillor David Clark
Councillor Rick Schell
Councillor Robert Young
Clerk Yvonne Aubichon

Township of Oro-Medonte,
148 Line 7 South,
Oro-Medonte, ON.
L0L 2E0

Dear Mayor, Deputy Mayor, Councillors, and Clerk:

RE: Short-Term Rental Accommodations in Oro-Medonte, Enforcement and the Official Plan

The Residents' Associations together with the Oro-Medonte Good Neighbours Alliance are pleased to submit this letter of support concerning enforcement of the existing zoning by-law, and the Official Plan that is now before the County of Simcoe for approval. Together, we represent approximately 2500 residents from across the Township. In the face of the recent proliferation of short-term rental accommodations, we have come together to declare our support for the continuing efforts undertaken by the Township to provide safer, more liveable and ultimately more sustainable neighbourhoods for all including the generations that follow.

Background facts:

- Under Zoning By-law 97-95 as amended, short-term rental accommodations ("STRs") are not a permitted use in most residential zones in Oro-Medonte. STRs are permitted in those specific areas where some Horseshoe Resort condominiums and Carriage Hills development are located.
- The Township is continuing to pursue the appeal ("Appeal") of the March 2022 Ontario Land Tribunal ("OLT") decision that struck down a zoning by-law amendment which defined the phrase 'commercial accommodation'. The OLT ruling does not affect the validity of the underlying zoning by-law.
- The underlying zoning by-law has, since at least 1997, always prohibited STRs and other forms of commercial temporary accommodations in most residential zones.

- Over the past six years, the intrusions into our residential neighbourhoods and disruptions caused by a growing number of unauthorized STRs have been extensively reported publicly and to the Township. Despite being prohibited, unauthorized STRs have proliferated and now number about 250. Other local municipalities have had similar experiences. It is clearly evident that the operation of unauthorized STRs is not compatible with the safety, security and integrity of our residential neighbourhoods. Until recently, the Township has not carried out any meaningful zoning by-law enforcement. We understand that Municipal Law Enforcement is now in the process of investigating and prosecuting unauthorized STR operators who are continuing to carry on business in residential neighbourhoods despite the public notices issued by the Township that STRs are illegal in most residential neighbourhoods.
- The cost of enforcement of the zoning by-law will be significant, at least initially until prosecutions, as required, become routine. Any alternative to enforcement such as legalization and licensing of STRs in residential zones will be far more costly. The experience in other municipalities that have legalized STRs has clearly shown that the cost of licencing and enforcement is very high, but that it has been very ineffective in controlling the intrusions and disruptions caused by the legalized STRs.
- The Township has adopted a new Official Plan which includes policy provisions on STRs. It is now before the County of Simcoe for approval. This new Official Plan continues the existing zoning regime that does not permit STRs in most residential zones.
- The new Official Plan was unanimously approved by the previous Council after public consultations and after considering the submissions from the STR operators. The previous Council unanimously decided that there should be no change in the protection of residential neighbourhoods from the intrusion of incompatible STR activities.
- The new Official Plan includes provisions similar to those adopted by the Town of The Blue Mountains which were approved by the Ontario Municipal Board, now known as the Ontario Land Tribunal, and the ruling was upheld by the Ontario Superior Court. A similar approach was taken by the City of Niagara Falls which was approved by the Ontario Land Tribunal.
- Under the Township's existing zoning by-law, STRs are excluded from lands zoned as residential but are permitted in those specific areas where some Horseshoe Resort condominiums and Carriage Hills development are located. A similar approach was used by the Town of The Blue Mountains and was considered good planning when it was approved by the Ontario Municipal Board and upheld by the Ontario Superior Court.

Our support:

- **The Appeal**
We strongly support the Township's efforts to continue the Appeal to the Ontario Superior Court to have the OLT decision of March 2022 overturned. We have stood with the Township and incurred significant costs to assist the Township in defending the original appeal of the zoning by-law amendment, and now

we are continuing our support to see that the Appeal of the OLT ruling is heard. We believe that the Appeal will be successful and will set the record straight. Regrettably, some lobbyists for the short-term rental accommodation industry have been making false and misleading statements about the effect of the OLT decision, leaving homeowners needlessly confused and uncertain. Once the Appeal has been finally resolved, we expect it will bring certainty and clarity. Therefore we strongly believe that Township must continue with the Appeal.

➤ **The Official Plan**

We strongly support the new Official Plan which includes policy provisions on STRs and is now before the County of Simcoe for approval. The new Official Plan continues the existing zoning regime that does not permit STRs in most residential zones. It is critical that the new Official Plan be approved by the County in the form adopted by the Township. The protection of residential neighbourhoods from the intrusion of incompatible STR activities must be preserved by the provisions of the Township's Official Plan.

➤ **Enforcement**

We believe that relief is long overdue for homeowners suffering from the intrusions and disruptions caused by unauthorized STRs operating in the Township. We strongly support the Township in its efforts to investigate and prosecute unauthorized STRs and to seek substantial fines and court orders to stop unauthorized STR operators who continue to disobey the zoning by-law. It is critical that it be made clear that unauthorized STRs will not be allowed to erode and impair the quality of our residential neighbourhoods. While we recognize that the costs of prosecuting STR operators may be large initially, we believe that in the long run, this is the least costly option for protecting the safety, security and integrity of our residential neighbourhoods.

STRs operating in residential areas of the Township are a serious and significant issue across the Township. The operation of unauthorized STRs has led to serious conflicts with the surrounding neighbourhoods and threatens the safety, security and integrity of our residential communities. Public safety must always be the paramount concern. STRs are an incompatible land use that conflicts with residential uses and must continue to be excluded from residential zones as set out in the existing zoning by-law 97-95. Continuing to permit STRs in the Village One zone and at the Carriage Hills development is prudent and appropriate.

We are strongly opposed to any changes to the existing zoning by-law or the new Official Plan which would permit STRs in our residential neighbourhoods where they are now prohibited. This issue is not only about today, it is also about our legacy for the future. Zoning by-law changes are effectively permanent and forever. Protecting our residential zones from the disruptions and intrusions of STRs and other commercial activities will secure the vitality and integrity of our neighbourhoods of today and tomorrow.

We strongly urge the Township and all members of Council to stay the course and not give into political pressure. Please continue to maintain and adhere to best planning practices to ensure that future generations can enjoy the safe and vibrant neighbourhoods that we have built and have come to know and cherish.

Yours truly,

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| 1. Horseshoe Valley Property Owners Association | Sonia Faryna |
| 2. Bass Lake Oro-Medonte Ratepayers Association | Michael Attard |
| 3. Shanty Bay Residents' Association | Bryn Pressnail |
| 4. Oro-Station Ratepayers' Association | David Johnston |
| 5. Barrillia Park Ratepayers' Association | Debbie Cole-Gauer |
| 6. Parkside Ratepayers' Association | Brenda Dorward |
| 7. Simcoeside Ratepayers' Association | Stephen Crawford |
| 8. Hawkestone Ratepayers' Association | Glenn Stringer |
| 9. Eight Mile Point Community Association | Jerome Horowitz |
| 10. Maplewood -Woodland Ratepayers' Association | Gene Stein |
| 11. Moon Point Ratepayers' Association | Liz Kirk |
| 12. AWARE Oro-Medonte | Ann Truyens |
| 13. West Oro Ratepayers' Association | Domenic Natale |
| 14. Oro-Medonte Good Neighbours Alliance | Kim Pressnail |