



The Corporation of the Township of Tay  
Planning Act Public Meeting  
Agenda

February 24, 2021

6:30 p.m.

Remote Video and Telephone Conference

**PUBLIC NOTICE:** Due to COVID-19 pandemic precautions regarding physical distancing and in accordance with Ontario Regulation 52/20, which restricts an organized public event of more than five people, Council will be meeting remotely by video and telephone conference. For details on how to view the video conference meeting visit <https://www.tay.ca/Meetings>. To listen to the meeting by telephone call 705-999-0385 (a local telephone number) and enter meeting ID number 833 8232 8273.

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	<b>Pages</b>
1. <u>Call to Order</u>	
2. <u>Approval of the Agenda</u> Recommended Motion: That the Planning Public Meeting Agenda for February 24, 2021 be adopted as circulated.	
3. <u>Disclosure of Interest</u>	
4. <u>Statement of Public Notice</u>	3
5. <u>Correspondence Received</u>	
5.1. Correspondence from a Resident - R. Smith	5
5.2. Correspondence from a Resident - D. Sloan	6
6. <u>Application</u>	
7. <u>Background Report by Township Staff</u>	
7.1. <b>PDS-2021-24 General Manager, Protective and Development Services</b> Zoning By-law Amendment (2021-ZBA-01) Public Meeting for Short Term Rental Accommodation (STRA) Definition	10
Recommended Motion: That Staff Report No. PDS-2021-24 regarding Zoning By-law Amendment (2021-ZBA-01) Public Meeting for Short Term Rental Accommodation (STRA) Definition be received for information.	

8. Question & Clarification Period - Public
9. Question & Clarification Period - Council
10. Final Statement by the Chair
11. Adjournment

Recommended Motion:

That this Planning Public Meeting adjourn at (time) p.m.



**THE CORPORATION OF THE  
TOWNSHIP OF TAY**

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Victoria Harbour, ON  
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**NOTICE OF PUBLIC MEETING TO ZONING BY-LAW 2000-57  
2021-ZBA-01**

**Take Notice** that the Council for The Corporation of the Township of Tay will be holding a Public Meeting electronically on **Wednesday February 24<sup>th</sup>, 2021 at 6:30 PM** to consider an amendment to the Township's Zoning By-law 2000-57, as amended pursuant to Section 34 of the Planning Act, R.S.O. 1990, c.P.13 as amended. The Council Meeting will be streamed live via Zoom meetings at [www.tay.ca/Meetings](http://www.tay.ca/Meetings). *Please note that there may be more than one public meeting and that the matter will be dealt with in the order it appears on the agenda.*

**The Purpose and Effect** of the proposed amendment to Zoning By-law 2000-57 is to add and define the term **Short Term Rental Accommodation**.

**There is no key map attached to this notice given that the provisions of this by-law apply to the entire Township.**

As directed by Council, the Township's Planning and Development Services Division are proposing to add and define Short Term Rental Accommodation to the Zoning By-law which would be used by the Township for the implementation of a future licencing By-law to regulate this type of land use.

Section 3.0 "Definitions" of the Zoning By-law is proposed to be amended by including the following new term:

*Short Term Rental Accommodation*

"shall mean the use of a main building containing a dwelling unit, or any part thereof, that is operating or offering a place of temporary accommodation, lodging or occupancy by way of concession, permit, lease, license, rental agreement or similar commercial arrangement for any period of 31 consecutive calendar days or less, throughout all or any part of a calendar year. Short Term Rental uses shall not mean or include a motel, hotel, bed and breakfast establishment, cabin rental establishment, tourist lodge or similar commercial or institutional use."

**Information Available:** Pursuant to Section 34 (10.7) of the Planning Act, the Application file is part of the public record and is available to the public for inspection. An electronic copy of the application is available under "Packages" on the meeting calendar entry for the public meeting at [tay.ca/Calendar](http://tay.ca/Calendar). Any person wishing for further information or clarification with regard to the applications can contact Steven Farquharson, General Manager, Protective and Development Services via email at [sfarquharson@tay.ca](mailto:sfarquharson@tay.ca) or by telephone at 705-534-7248 Extension 225.

**Take Notice** that any person may make a submission in support of or in opposition to the proposed Amendment to the Zoning By-law. Written submissions regarding the proposal can be sent to the Planning Division at [planning@tay.ca](mailto:planning@tay.ca), or by mail at Township of Tay 450 Park Street, PO Box 100 Victoria Harbour, ON L0K 2A0, facsimile 705-534-4493. Submissions received will form part of the public record, including the name and address of those making submissions. The names and addresses of those making submissions that are received by 4:00pm on February 22<sup>nd</sup>, 2021, will be read into the public record, submissions after this time will be summarized in the recommendation report to Council. **To view the meeting online visit** <https://us02web.zoom.us/j/83382328273> **or** [www.tay.ca/Meetings](http://www.tay.ca/Meetings). You can

also listen in by telephone by calling 705-999-0385 (a local telephone number) or 1-647-374-4685 (long distance) and entering meeting ID number 833 8232 8273 #

If you are unable to make written submissions and therefore wish to make an oral statement during the meeting, you can do so by using the "raise hand" function on the Zoom Video call or on a dial pad of a phone typing \*9.

If you wish to be notified of Council's decision regarding the proposed Amendments to the Zoning By-law, you must submit a written request to Steve Farquharson at the address shown above. Please ensure the subject line quotes application 2021-ZBA-01.

If a person or public body does not make oral submissions at the public meeting or make written submissions to the Township of Tay before the proposed Amendments to the Zoning By-law are passed, the person or public body is not entitled to appeal the decision of the Council of the Township of Tay to the Local Planning Appeal Tribunal and the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Any questions regarding this notice should be sent to the General Manager, Protective and Development Services, 705-534-7248 ext. 225 or email at [sfarquharson@tay.ca](mailto:sfarquharson@tay.ca)

Dated at the Township of Tay on the 4<sup>th</sup> day of February, 2021

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**Steven Farquharson, B.URPL, MCIP, RPP**  
**General Manager, Protective and Development Services**

**From:** robmar2  
**Sent:** February-14-21 3:24 PM  
**To:** planning  
**Subject:** Re: STR's

I wish to go on record as being in opposition to changing the zoning designation of residential to residential/commercial. This will eventually undermine and change the character of the properties in these neighborhoods. This will be particularly true for waterfront properties. My wife and I purchased such property 16 years ago because of its quiet and peaceful nature. Our home is in the triple Bay area of Port McNicoll. Our neighbors are primarily full-time residents, mostly retired couples. The neighborhood remained as such until 2 years ago when STR's began to infiltrate the area. As of 2020, there are 4 STRs on our little bay. Once you legalize these hotel businesses these businesses are going to multiply beyond belief. As Mr. Kennedy has pointed out, he is receiving calls from the GTA area requesting information regarding opening up more STRs in the area. Presently, we are only seeing the tip of the iceberg, If this is allowed to continue unchecked, it will be at the cost of all the current residents.

Problems that we have experienced include rowdy parties going well into the night, bonfires left unattended, excessive use of alcohol and drugs, fireworks at any time of the year, garbage of all sorts left laying around, trespassing, overuse of septic systems causing seepage from weeping beds, and parking issues with too many vehicles at one hotel. I am aware there are by-laws dealing with most of these issues but, with each new occupant, it starts all over again. We are tired of calling the bylaw officer or the fire department. Even during this period of lockdown due to Covid19, issues continue to rise as people are still coming from the GTA, owners come, spend 15 to 30 minutes to clean and disinfect their 4 bedroom, two bathroom hotel before the next occupants arrive. During the past summer it was not unusual the see ten or more occupants.

FYI on the proposed licensing fee of \$1500 every 2 years. Our neighboring STR charges from \$500 to \$700 per night during the summer so one weekend covers this fee.

Thank you for your attention,

Robert W Smith

Attention: To my local councillor Mr. Jeff Bumstead, Mayor Ted Walker, Deputy Mayor Gerard La Chapelle, Clerk Cyndi Bonneville and all the Councillors of Tay Township Council

Dear Jeff,

My name is David Sloan and my wife and I have owned a cottage on Hoyt Avenue since 1988(33 years ago). I am writing to you because we are concerned over information that council is considering looking at short term rentals with an eye to perhaps introducing licensing fees and certain restrictions.

I would like to give our perspective on short term rentals along our shore by first giving some background on the love affair that our family has had cottaging here on beautiful Georgian Bay.

I began by saying that we have owned a cottage here for 33 years but the story goes back much further than that, however.

Back in the late 1930's, my grandparents along with my Mom and my Aunt Margaret started coming up to our shore where they **rented** one of the cottages on Robin's Point Rd just past the intersection of Park and Robin's Point Rd. The structure still exists today but looks significantly different than it did then.

They loved this area so much that as the two girls grew up and were married, they each along with their husbands **rented** cottages for a number of years along the shore. This is where myself and my three brothers were introduced to 'cottage' living.

Subsequently, as my parents continued **renting** along the shore, they thought that it would be great if they could try to purchase a cottage. A property came available just seven or so cottages down which they bought. A couple years later, my Aunt Margaret and my Uncle Bill found one and purchased a cottage as well. This all occurred in the sixties.

Somewhere in the early 80's, my brother Paul purchased a cottage from a friend on Methodist Island and so we spent a few summers between his place and my parents. I thought that it would be so nice to have our own, so when one of the very cottages that my parents **rented** so many years previously came up for sale, my brother Steve, my wife and myself purchased it! Constructed circa 1934, it was one

of the very first to be built on our shore. In order to be able to afford keeping it, we **rented** it out in the offseason and when we were not using it in the summer.

This went on for several years, at which time we bought Steve out and we continued **renting** for several more years. During this time, brother Paul sold his island property and bought a cottage beside Dad's and Mom's which he lived in during the summer. During the winter, he **rented** our place as he was now living and working up here full-time. A few years later, he sold his cottage to my brother Ian and bought a cottage further down Robin's Point Rd in which he and his wife still live today.

My brother Ian adopted the same practice as ourselves and when he was not using it, **rented** it out from early spring to late fall and for the last few years has **renters** in his place over the winter as well. This has helped him and his family tremendously to be able to enjoy the cottage during his vacation time during the summer.

The property next door to my Dad's on the other side came up for sale and my three brothers and my Dad went in and purchased it together as an investment and they **rented** it out for years, largely during the spring, summer and fall. A few years back they sold it to a family that had started to come up here and were very interested in purchasing a place.

In 2011, my Dad passed away and my brother Steve came back to join us on the shore by purchasing Dad's place. In order to make it work for him and his family, they too, **rent** out their place primarily in the summer when they're not there.

And now, as my wife and I contemplate a transition to a bit more relaxed lifestyle(some people call it retirement!), we have begun to **rent** our property out again through Airbnb when we aren't there. This is a very important part of our retirement plan in order to make it work for our financial needs.

As you can see, our family has a significant representation on our shore. Including my Aunt Margaret, and an empty lot, we occupy six properties and **renting** on our shore has been **vital** to our being able to have the privilege to enjoy coming up and being on Georgian Bay. We are not alone as many who are on our shore today either did **rent** out their cottages at one time or still **rent** out their cottages today for various reasons. For most, they find it necessary in order to be able to afford to maintain their properties and pay the taxes and other overhead.

In closing, I want to make the point that having the freedom to rent cottages on our shore has been going on since the first cottages appeared in the early to mid-thirties.

Here are some thoughts to consider as you deliberate on this most important concern:

1. In all the years we and our neighbours have rented along the shore, it has been extremely rare that there have been *any* wild, noisy, abusive groups who party and disrupt the peace along the shore. I can't remember a single instance. On the contrary, most of the issues we've ever had has been with those that *own and live permanently* not on our waterfront side but on the other side of the street. Parties, loud music, incessant barking of dogs and so on.
2. The ability to rent has allowed good quality owners to be able to afford the luxury of owning a cottage. They work hard in order that they may keep it and the maintain their properties often with more care than usual in order to be up to renting standards
3. Renters, especially ***short-term rentals***, not only help owners afford their cottages but they **bring in a rich and lucrative source of tourism dollars into the community**. Where many properties would just be sitting empty, these renting tourists spend money locally to buy food, gas, propane, liquor, shop at local stores and restaurants and much more. **Renters are much more likely to spend significant dollars while renting here than those who live here**. It would be extremely short-sighted from a tourism standpoint to discourage or restrict rentals here.
4. Being able to rent in this area, especially with short-term rentals, makes it possible for many people, who couldn't normally afford to own a lakefront property, to have the chance to enjoy it like we do. They, in turn, bring fresh blood and enthusiasm to the area. They like it so much they want to come back again and again. Some, like us, like it so much they want to buy a place here to bring their families to and more-so in the last 10-15 years, retire here. These people make the best quality of people to live in Tay because they are typically hard-working, respectful, law-abiding citizens who love the community.
5. I understand that this issue is occurring because one individual had a complaint and brought it to council. It certainly sounded like a legitimate complaint but the procedure seems skewed. Was the OPP called? If so, wouldn't they be able to work out this problem between the complainant and the owner of the property in question? If it was one particular person, why are the rest of us drawn into this? It seems to me to be a grossly exaggerated reaction to a 'one-

- off' occurrence. I would like to think that simply allowing the OPP to work this out and not stir up all this would be a much better way to go about things.
6. It has been brought to my attention that council is considering adopting a policy of licensing fees based on how other communities are doing it. Blue Mountain's model was what I saw being considered. That concerns me because I don't see how we can be compared to Blue Mountain. Our neighbours over there are in an extremely busy area for tourism, much more so than ourselves, not to mention that the area is far more affluent than us. People visiting there are used to and can afford to pay the extra that has to be added to include licensing fees. I would ask that this consideration be taken and weighed in a way to be fair to the economic realities that exist here in Tay. I would hope to think that this is not a ploy to gouge more dollars off the backs of us cottagers who already pay extra high water bills and taxes!

Thanks for your time and attention,

Respectfully,

David Sloan  
54 Hoyt Ave,  
Victoria Harbour



## STAFF REPORT

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<b><u>Department:</u></b>	Protective and Development Services (Council)
<b><u>Meeting Chair:</u></b>	Mayor Ted Walker
<b><u>Meeting Date:</u></b>	February 24, 2021
<b><u>Report No.:</u></b>	<b>PDS-2021-24</b>
<b><u>Report Title:</u></b>	Zoning By-law Amendment (2021-ZBA-01) Public Meeting for Short Term Rental Accommodation (STRA) Definition

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### **RECOMMENDATION:**

**That Staff Report No. PDS-2021-24 regarding Zoning By-law Amendment (2021-ZBA-01) Public Meeting for Short Term Rental Accommodation (STRA) Definition be received for information.**

### **INTRODUCTION/BACKGROUND:**

At the January 13, 2021 Protective and Development Services Committee meeting, staff were directed to begin a public consultation process to define and add the term Short Term Rental Accommodation (STRA) to the Zoning By-law. The implementation of the proposed definition into the Zoning By-law would not have an impact on Council's decision to regulate the STRA use through a licencing by-law. It is important to note that Staff are not proposing to establish provisions in the Zoning By-law to regulate STRAs as part of the Zoning By-law Amendment. Council has appointed an Ad Hoc Committee to review the proposed licencing framework that was outlined in staff report PDS-2021-19.

### **ANALYSIS:**

Staff proposes the following to clearly define a STRA:

### Short Term Rental Accommodation

"shall mean the use of a main building containing a dwelling unit, or any part thereof, that is operating or offering a place of temporary accommodation, lodging or occupancy by way of concession, permit, lease, license, rental agreement or similar commercial arrangement for any period of 31 consecutive calendar days or less, throughout all or any part of a calendar year. Short Term Rental uses shall not mean or include a motel, hotel, bed and breakfast establishment, cabin rental establishment, tourist lodge or similar commercial or institutional use."

This definition would carry forward to any licencing by-law that allows STRAs to be operated. Staff is not proposing to establish provisions in the Zoning By-law to regulate STRAs.

Council has appointed an Ad Hoc Committee to review the proposed licencing framework outlined in staff report PDS-2021-19. The implementation of the proposed definition into the Zoning By-law would not have an impact on Council's decision to regulate the STRA use through a licencing by-law.

### **FINANCIAL/BUDGET IMPACT:**

There are no significant financial/budget impacts as a result of the recommendation of this report. However, there was a cost to provide the appropriate notice of the public meeting, in the local newspaper.

### **STRATEGIC PLAN:**

*Tay Proud – Addressing community divisions and helping deliver a more cohesive approach to tackling community needs.*

The establishment of a definition in the Township of Tay Zoning By-law would allow use to be clearly defined and would support a future licencing framework to re-regulate should Council determine that is the most appropriate avenue.

### **CONCLUSION:**

A recommendation will follow the presentation of this report at a later date.

Prepared and Recommended By:

Date: February 17, 2021

Steven Farquharson, B.URPL, MCIP, RPP  
General Manager, Protective and Development Services

Reviewed By:

Date: February 17, 2021

Lindsay Barron, CPA, CGA, HBCom.  
Chief Administrative Officer/Deputy Clerk