

STRs IN ORO-MEDONTE

APRIL 2024 NEWSLETTER IN BRIEF

LIFE AFTER ORO-MEDONTE'S OLT APPEAL

Background

Unknown to homeowners, the Township could have prosecuted short-term rental operators when problems were first reported in 2017. Back then, short-term rentals (STRs) were illegal in residential zones. They are still illegal now. They have been illegal at least since 1997. STRs are illegal because they are not listed as a permitted land use in residential zones.

The Failed Amendment

Rather than simply enforcing the existing zoning by-law, the previous Council passed a zoning by-law amendment that clarified the meaning of a 'commercial accommodation.' The Divisional Court upheld the OLT ruling that quashed the Township's attempt to clarify the meaning of 'commercial accommodation'. The strategy pursued by the previous Council took 4 years, cost the Township hundreds of thousands of dollars, and cost the residents' associations that supported the Good Neighbours Alliance throughout the process more than a \$100,000. All this time and money spent on a dead end. Meanwhile, the STR operators made millions as some homeowners continued to suffer. Prior to the election of the new Council in 2022, no STR operators were ever taken to court for violating the zoning by-law and shut down.

A Silver Lining

A careful reading reveals that the Divisional Court decision does not affect the underlying Zoning By-law 97-95. **Contrary to misinformation currently being propagated, short-term rentals are STILL prohibited in residential zones.** The court decision removes any confusion that there is an acceptable commercial use of a residential property other than those that are specifically listed. Compared to other municipalities, Oro-Medonte still has one of the most robust zoning by-laws.

Six Fundamental Facts That Remain Unchanged by the Court Decision

1. All municipalities have a paramount duty to provide safe and healthy neighbourhoods.
 2. STR uses are fundamentally incompatible with residential uses.
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3. Homeowners opposed legitimizing STRs in 2019 when the Township proposed licensing STRs. Homeowners are still opposed to legalizing and licensing STRs.
4. Creating any exceptions to the existing STR prohibition will make enforcement more difficult and more costly if enforcement is carried out at all.
5. No one, not even STR operators want to live next to an STR that on any day could be disruptive.
6. Recent enforcement measures have already reduced disruptive illegal STR activity. Calls for help have declined and the number of disruptive STRs is much lower than it was in 2022.

Possible Pathways Moving Forward

1. **Appeal the Divisional Court Decision.** This path is unnecessary and would be a further waste of time and money.
2. **Legalizing and Licensing STRs.** This approach is very costly and ineffective and would be opposed. Leaving neighbourhoods vulnerable to disruption while draining the municipal coffers when there is no benefit to homeowners is unacceptable.
3. **Continue with Enforcement.** This path is already having the desired effect and at a much lower cost than the strategy adopted by the previous Council. This pathway may well be the least costly option of all regulatory options.

A Return to Safe and Enjoyable Neighbourhoods

- We need to recognize that the current Council has already achieved calm in our neighbourhoods through enforcement that no one thought possible just a few short years ago. Council should be praised for making many of our neighbourhoods safe and enjoyable again.
- Members of Council are likely receiving a barrage of misinformation emanating from a very small number of wealthy STR operators who want to keep their good times rolling. **All homeowners are just one zoning by-law amendment away from returning to the uncontrollable and disruptive behaviour of the past.** Homeowners need to continue to be vigilant.
- The overwhelming majority of homeowners do not want STRs permitted in residential zones. Safe and healthy neighbourhoods aren't just a Planning Act requirement; it is what all homeowners expect and most importantly, need.

To learn more, we encourage you to read the complete five page April Newsletter at : **Home - Good Neighbours Oro-Medonte (goodneighboursoromedonte).**