

PLANNING STAFF COMMENT Matrix

Project File: P3338 107 Martin Grove ZBA

Public Meeting Date: October 31, 2023

Comments Received By:	Date Received:	Comments / Concerns / Questions Summary:	Staff Response:
Agency Comments			
Nottawasaga Valley Conservation Authority	October 11, 2023	<ul style="list-style-type: none"> The property is partially regulated for an unevaluated wetland on the southeast portion of the property and the associated 120m area of interference. A permit under the Conservation Authorities Act is not required. Staff have no natural hazard concerns as no additional structures or buildings are proposed. We have no objection to the approval of this application. 	<ul style="list-style-type: none"> Noted.
Grey County	October 30, 2023	<ul style="list-style-type: none"> No concerns. 	<ul style="list-style-type: none"> Noted.
Public Comments			
Ken Harrison	October 4, 2023	<ul style="list-style-type: none"> This is a way to circumvent the rules on short-term rentals. This house does not qualify as “grandfathered”. I have my doubts that the owner lives there and how would the Town police that? If this gets approved, where else will absent homeowners try the same approach? This is a residential street, not a commercial one and we would like to keep this area as a residential area. The Town has enough places that offer short-term rentals. 	<ul style="list-style-type: none"> The purpose of the application is to rezone the subject lands to permit the proposed use. The owner is required to live on the property while the Bed and Breakfast use is operating. This will be confirmed through the licensing process. Penalties can be enforced should the owner be found to not be present on the premises during the required hours.
James and Jean Marsell	October 10, 2023	<ul style="list-style-type: none"> The zoning of this subdivision protects its quiet family nature from other development. B&B regulations are different than STA regulations, but they both allow for short term tourist accommodation. There are ongoing non-compliance concerns with STAs in this neighbourhood. There has not been enough monitoring and enforcement. We are concerned this will set a 	<ul style="list-style-type: none"> The Zoning By-law requires Bed and Breakfast uses to be located at least 120 metres from other Bed and Breakfast or STA uses. If this application is approved, any property owner within 120 metres looking to rezone their property for Bed and Breakfast use would be required to obtain a Zoning By-law Amendment to permit this.

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		<p>precedent and this neighbourhood could turn into a B&B strip. We request that this application be denied.</p>	
<p>Sarah and Lawrence Cutt</p>	<p>October 11, 2023</p>	<ul style="list-style-type: none"> We are opposed to the proposal. We live in a quiet residential neighbourhood and would like to keep it that way. The increased traffic and amount of people will increase noise, wear on the gravel roads, and potential for trespassing. This is not a commercial area and we fear this would bring in more commercial operations and affect property value. We should not have to justify our existing zoning and we have a reasonable expectation of living in the neighbourhood we bought into. 	<ul style="list-style-type: none"> The proposed use is not anticipated to have greater than a minor impact on traffic. The requirement that the owner be on site during operation seeks to mitigate the potential noise and other impacts of the use.
<p>Jim Kennedy</p>	<p>October 12, 2023</p>	<ul style="list-style-type: none"> I am disappointed in the direction for Price’s subdivision as a long-time resident. This owner wants to inflict a B&B upon us in a single-family residential area. I have a grandfathered rental beside me and have had many disputed weekends with partying renters. Do we really need to disrupt the status quo? 	<ul style="list-style-type: none"> The existence of other legal non-conforming STAs in the area does not preclude a property owner from making this application for rezoning. A Bed and Breakfast is proposed, which has less potential for disruption than STA uses.
<p>Catherine Cunningham</p>	<p>October 16, 2023</p>	<ul style="list-style-type: none"> I am a long-time resident on Martin Grove and am opposed to the proposal. This is a quiet single-family neighbourhood and the proposal will set a precedent for others to follow. I have had to call By-law officers on at least 3 occasions for my neighbours who rent out their chalet. These owners do not live on site. I live alone and hopefully will never have to relive this situation again. 	<ul style="list-style-type: none"> The existence of other legal non-conforming STAs in the area does not preclude a property owner from making this application for rezoning. The Zoning By-law requires Bed and Breakfast uses to be located at least 120 metres from other Bed and Breakfast or STA uses. If this application is approved, any property owner within 120 metres looking to rezone their property for Bed and Breakfast use would be required to obtain a Zoning By-law Amendment to permit this.

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			<ul style="list-style-type: none"> The owner is required to live on the property while the Bed and Breakfast use is operating. This will be confirmed through the licensing process.
Frank Forbes	October 17, 2023	<ul style="list-style-type: none"> I would like to strongly voice my opinion against any changes to the by-laws that would allow bed and breakfasts and short-term rentals in our subdivision. Please let's not destroy a great well-established single dwelling neighbourhood. With noisy commercial buildings, so few can make money at the expense of others. 	<ul style="list-style-type: none"> A Bed and Breakfast is proposed, which has less potential for disruption than STA uses as the owner is required to be on site during operation to address issues as they arise.
Angela Greenway	October 17, 2023	<ul style="list-style-type: none"> I do not agree with the proposal. Price's is a low density, rural area of single-family homes in a quiet, peaceful, and mature neighbourhood. There are no other bed and breakfasts and this exception would open the floodgates. A person can only have one principal residence and the applicant is not living there. How will the Town ensure that there are no other "principal" residences of the Licensee? There is no clear understanding of how bed and breakfasts are monitored over the long-term. How will the Town ensure the owner is onsite between 2300 and 0700 hours each day? What safeguards are in place to ensure the property will not turn into an STA? 	<ul style="list-style-type: none"> The Zoning By-law requires Bed and Breakfast uses to be located at least 120 metres from other Bed and Breakfast or STA uses. If this application is approved, any property owner within 120 metres looking to rezone their property for Bed and Breakfast use would be required to obtain a Zoning By-law Amendment to permit this. The owner is required to live on the property while the Bed and Breakfast use is operating. This will be confirmed through the licensing process. Penalties can be enforced should the owner be found to not be present on the premises during the required hours.
Beata Grabowski	October 17, 2023	<ul style="list-style-type: none"> Short-term rentals are not allowed in Price's Subdivision, but there are a few grandfathered licenses. This application is for a bed and breakfast, but in essence is a short-term rental. I am worried that this will set precedent for other residents to do the same. Some residents may feel pushed out into other residential areas 	<ul style="list-style-type: none"> The Zoning By-law requires Bed and Breakfast uses to be located at least 120 metres from other Bed and Breakfast or STA uses. If this application is approved, any property owner within 120 metres looking to rezone their property for Bed and Breakfast use would be required to obtain a Zoning By-law Amendment to permit this.

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		<p>seeking undisturbed living. We desperately need long-term accommodations, so I am uncomfortable with and am opposed to this proposal.</p>	<ul style="list-style-type: none"> A Bed and Breakfast is proposed, which has less potential for disruption than STA uses as the owner is required to be on site during operation to address issues as they arise.
<p>Bonnie and Glenn Wood</p>	<p>October 18, 2023</p>	<ul style="list-style-type: none"> We do not need another STA in our development. This will be another STA, not a bed and breakfast. We have had an illegal STA next door for 8 years. We have had a man running down the street yelling at 1am, someone try to kick in our doors in the middle of the night, and drug drop-offs at all hours. We have had the OPP number handy at all times. This is just someone trying to make money at our expense. We would like our neighbourhood to remain a residential area with no more STAs or bed and breakfasts. 	<ul style="list-style-type: none"> A Bed and Breakfast is proposed, which has less potential for disruption than STA uses as the owner is required to be on site during operation to address issues as they arise. Penalties can be enforced should the owner be found to not be present on the premises during the required hours.
<p>Edward Weisz</p>	<p>October 19, 2023</p>	<ul style="list-style-type: none"> My concern is the precedent this creates, which ultimately changes the fabric of the neighbourhood. There are many places in Blue Mountain Village that are already designated specifically for weekend rentals. Please help us protect our street and refuse this proposal. 	<ul style="list-style-type: none"> The Zoning By-law requires Bed and Breakfast uses to be located at least 120 metres from other Bed and Breakfast or STA uses. If this application is approved, any property owner within 120 metres looking to rezone their property for Bed and Breakfast use would be required to obtain a Zoning By-law Amendment to permit this.
<p>Carmela Keslick</p>	<p>October 20, 2023</p>	<ul style="list-style-type: none"> We are concerned this property will end up being another AirBnB and do not want the neighbourhood to start turning over to a rental area. We are against the proposal. 	<ul style="list-style-type: none"> A Bed and Breakfast is proposed, which has less potential for disruption than STA uses as the owner is required to be on site during operation to address issues as they arise. Penalties can be enforced should the owner be found to not be present on the premises during the required hours.
<p>Doug Smith</p>	<p>October 21, 2023</p>	<ul style="list-style-type: none"> Short term rentals take housing stock out of the housing supply and introduce disruption to communities. The owner is known to have multiple properties and does not use this as his principal residence. This is just a run-around 	<ul style="list-style-type: none"> The owner is required to live on the property while the Bed and Breakfast use is operating. This will be confirmed through the licensing process. Penalties can be enforced

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	November 1, 2023	<p>of the short-term rental laws. B.C. has new regulations regarding short-term rentals, and I believe TBM has the responsibility to put some form of this idea in place and should not approve any application for a Bed & Breakfast until it has done so.</p> <ul style="list-style-type: none"> We are not comfortable with the integrity of the applicant. The property is not well-suited for a Bed and Breakfast. Why would a person who owns 9 properties be willing to live in a sub-standard accommodation? How could she afford to buy \$7 million in property without a hidden partner? There should be an assessment done after a visit to the premises to determine the suitability of the property. Does the owner’s portion have a separate access, sitting, dining, food preparation, and bathroom? Do the guest rooms have adequate facilities and space? Is there reasonable storage for boots, skis, winter clothing? There should be an assessment as to what type of clientele the accommodation would attract. A drive by of all other properties owned by the applicant and conversations with existing tenants and neighbours should be had. There should be an interview with the applicant to discuss the financial structure that all properties are working under. If this property is given a license, would that mean it would now be grandfathered for future owners? 	<p>should the owner be found to not be present on the premises during the required hours.</p> <ul style="list-style-type: none"> The Town recently amended the Official Plan policies for Short-Term Accommodations, further limiting the ability to establish STA uses outside of specific areas. Bed and Breakfast uses are distinct from STA uses as they have less potential for disruption of existing residential neighbourhoods. As this is a planning application focused on land use, the integrity of the applicant does not constitute part of the review. The application is reviewed based on submitted materials, site analysis, and received public comments. Floor plans are required to be submitted as part of the licensing application process and are reviewed by Town Staff prior to license issuance. The proposed suggestions for changes to the licensing process may be considered through a review of the Licensing By-law but have not been implemented at this time. If this property is rezoned to permit a Bed and Breakfast use, future owners of the property would be permitted to continue this use but would be required to obtain a new license.
Georgina Smith	October 22, 2023	<ul style="list-style-type: none"> I am opposed to the proposal. There is no reason to add to the inventory of STAs in TBM. Why would you take homes out of the equation given the stated housing 	<ul style="list-style-type: none"> A Bed and Breakfast is proposed, not an STA. Approval of the proposal does not require the property to be used as a Bed and Breakfast. As such, the property

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Andy Babin	October 23, 2023	<ul style="list-style-type: none"> This is the only zone in the Blue Mountains area that allows long-term residents to live in peace and quiet and the city should protect it. There is no reason for someone to have an STA on this street besides profit. All indications from the hundreds of people upset with this application point to the applicant trying to fool the city and get a Bed & Breakfast license to operate an unsupervised STA with no intention of abiding by the By-law. Our street is quiet with predominantly elderly people on it. The applicant does not live there now and never will. There is no structural separation between guest and owner, leaving zero privacy for the owner. The owner has other properties and it is highly unlikely that he will live at this proposed Bed & Breakfast. 	<ul style="list-style-type: none"> The owner is required to live on the property while the Bed and Breakfast use is operating. This will be confirmed through the licensing process. Penalties can be enforced should the owner be found to not be present on the premises during the required hours. Structural separation is not required for Bed and Breakfast uses and concerns regarding privacy are at the discretion of the owner/operator of the establishment.
Barb Levesque	October 23, 2023	<ul style="list-style-type: none"> Renter noise and increased traffic has only occasionally been an issue, but we would hate to see this magnified by increasing the number of short-term rentals in the area. 	<ul style="list-style-type: none"> The Zoning By-law requires Bed and Breakfast uses to be located at least 120 metres from other Bed and Breakfast or STA uses. If this application is approved, any property owner within 120 metres looking to rezone their property for Bed and Breakfast use would be required to obtain a Zoning By-law Amendment to permit this.
Beverly Bonk	October 23, 2023	<ul style="list-style-type: none"> I am opposed to the proposal as it will open the way for others to get around the short-term rental by-laws. The owner has told me he would only live there sporadically as it is his cottage. Access to Martin Grove is dangerous and this will increase pedestrian and vehicle accidents. 	<ul style="list-style-type: none"> The Zoning By-law requires Bed and Breakfast uses to be located at least 120 metres from other Bed and Breakfast or STA uses. If this application is approved, any property owner within 120 metres looking to rezone their property for Bed and Breakfast use would be required to obtain a Zoning By-law Amendment to permit this. The owner is required to live on the property while the Bed and Breakfast use is operating. This will be confirmed

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Colleen MacKay	October 23, 2023	<ul style="list-style-type: none"> I am opposed to the proposal. This is a quiet residential cul de sac. This would open the door for a dramatic change to our neighbourhood. The owner is currently renting the property and I do not believe he will be on site. Why should we as long-term residents be forced to live with the issues associated with short-term rentals? 	<ul style="list-style-type: none"> The Zoning By-law requires Bed and Breakfast uses to be located at least 120 metres from other Bed and Breakfast or STA uses. If this application is approved, any property owner within 120 metres looking to rezone their property for Bed and Breakfast use would be required to obtain a Zoning By-law Amendment to permit this. The owner is required to live on the property while the Bed and Breakfast use is operating. This will be confirmed through the licensing process. Penalties can be enforced should the owner be found to not be present on the premises during the required hours.
Eleanor Miller	October 23, 2023	<ul style="list-style-type: none"> I am opposed to the proposal as it will open the way for others to get around short-term rental by-laws. The owner has stated he will not be residing there as his permanent home. This will have a negative effect on the residents and the ecosystem as this subdivision is built on a sensitive wetland. 	<ul style="list-style-type: none"> The owner is required to live on the property while the Bed and Breakfast use is operating. This will be confirmed through the licensing process. Penalties can be enforced should the owner be found to not be present on the premises during the required hours.
Jim MacKay	October 23, 2023	<ul style="list-style-type: none"> This proposal would have a long-term effect on changing our neighbourhood to noisy STAs. If approved, future applications for similar amendments would basically be rubber stamped. Are there building code considerations and has the Nottawasaga Valley Conservation Authority been notified of this proposed change? Do the Town's By-law officers police that the owner is on site between 11pm and 7am? 	<ul style="list-style-type: none"> The Zoning By-law requires Bed and Breakfast uses to be located at least 120 metres from other Bed and Breakfast or STA uses. If this application is approved, any property owner within 120 metres looking to rezone their property for Bed and Breakfast use would be required to obtain a Zoning By-law Amendment to permit this. The building is existing and as no construction is proposed, a building permit is not required.

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			<ul style="list-style-type: none"> NVCA has been circulated and provided comments indicating no concerns with the proposal. After hour calls to the By-law department are monitored by a third-party agency and are forwarded to either Municipal Enforcement Officers, the OPP, or sent to the By-law department to be addressed during regular working hours, depending on the type of complaint.
<p>Mark Maskens</p>	<p>October 23, 2023</p>	<ul style="list-style-type: none"> How are short-term rentals and bed & breakfasts established? How does the Town verify proximity to other rentals or B&Bs? How does the town stipulate these uses to be managed? What is the minimum/maximum duration permitted? How is this monitored? What is the capacity permitted? How is this monitored? What is the Town’s By-law enforcement protocol for violations? What actions/process can homeowners be expected to take if infringements occur? 	<ul style="list-style-type: none"> Bed and Breakfast Establishments are permitted in any zone, subject to a Zoning By-law Amendment, which requires a decision of Council. The Zoning By-law requires Bed and Breakfast uses to be located at least 120 metres from other Bed and Breakfast or STA uses. This distance is measured from the property line in most cases. If this application is approved, any property owner within 120 metres looking to rezone their property for Bed and Breakfast use would be required to obtain a Zoning By-law Amendment to permit this. Requirements to obtain and maintain a license and enforcement processes are outlined in By-law 2021-70. Maximum occupancy is determined through the licensing process, subject to review by the Town’s Fire Chief. Complaints can be directed to the Town’s By-law department. Municipal Enforcement Officers assess the complaint and determine the best course of action depending on its type. Penalties can be enforced should the owner not comply with established regulations.

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Tom Lupi	October 23, 2023	<ul style="list-style-type: none"> This proposal is out of line with the look and feel of the neighbourhood. We are not in favour of this proposal. TBM has done a good job establishing locations for rentals to avoid disruption of neighbourhoods. The proposal does not have the assurances necessary to keep the property from drifting towards an STA. 	<ul style="list-style-type: none"> The owner will be required to obtain a license and follow established regulations to maintain that license. Penalties can be enforced should the owner not comply with these regulations.
Kevin Richard	October 23, 2023	<ul style="list-style-type: none"> The neighbourhood is quiet and peaceful. The grandfathered STAs would seem to be more than enough. We are concerned about this kind of change, potential abuses of the system, and whether by-law officers are able to adequately monitor the Bed and Breakfast. Considerable thought should be given to the existing character of the neighbourhood. Perhaps regular reporting that they are permanently residing at the premises could be useful. 	<ul style="list-style-type: none"> The owner will be required to obtain a license and follow established regulations to maintain that license. Penalties can be enforced should the owner not comply with these regulations. A Bed and Breakfast is proposed, which has less potential for disruption than STA uses as the owner is required to be on site during operation to address issues as they arise.
John and Helen Shortill	October 24, 2023	<ul style="list-style-type: none"> We strongly oppose this application. This is an STA ploy dressed as a B&B from an owner who has publicly stated that he lives elsewhere. If this application is granted, it will cast doubt on TBM's abilities to maintain orderly, effective policies. 	<ul style="list-style-type: none"> A Bed and Breakfast is proposed, which has less potential for disruption than STA uses as the owner is required to be on site during operation to address issues as they arise. The owner is required to live on the property while the Bed and Breakfast use is operating. This will be confirmed through the licensing process.
Kenny and Dinah Boretsky	October 24, 2023	<ul style="list-style-type: none"> Why is another rental/B&B necessary in Price's subdivision? This neighbourhood has been overrun by investment properties and has become noisier with cars speeding down streets. When is council going to have our backs and not succumb to investors? 	<ul style="list-style-type: none"> The proposed use is not anticipated to have greater than a minor impact on traffic. The requirement that the owner be on site during operation seeks to mitigate the potential noise and other impacts of the use.

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<p>Silvia Weismann</p>	<p>October 24, 2023</p>	<ul style="list-style-type: none"> There is a lot of concern that the owner will not be in the home as required. How is it determined that this is in fact the primary residence? Who ensures that the homeowner is on site as required, especially when By-law officers are not available during those hours? It is our hope that it is not left for neighbours to monitor and ensure requirements are met. 	<ul style="list-style-type: none"> The owner is required to live on the property while the Bed and Breakfast use is operating, reducing the potential for disruption as issues can be addressed as they arise. This will be confirmed through the licensing process. Penalties can be enforced should the owner not comply with these regulations. Complaints can be directed to the Town's By-law department. Municipal Enforcement Officers assess the complaint and determine the best course of action depending on its type. After hour calls to the By-law department are monitored by a third-party agency and are forwarded to either Municipal Enforcement Officers, the OPP, or sent to the By-law department to be addressed during regular working hours, depending on the type of complaint.