

June 14, 2021

Terry Kellar, STA Chairperson, Blue Mountain Ratepayers Association  
Deputation to Council

Good Day Council, Staff and Residents: Deputation re: Bylaw to Regulate and License Businesses

First we would like to thank the Committee of the Whole for deferring approval of the proposed STA related Bylaw changes until improvements can be made. We truly appreciated the support shown by Committee members for upholding the Official Plan concept of a quiet undisturbed quality of life for our community and families. In addition, as we've also said previously, the notion of residents opposing all STAs is incorrect and this needs emphasizing again. They do have a small role in the tourism sector but as we are here again, evidently are cause a disproportionate amount of problems. Unfortunately we are still very concerned regarding several areas of this Bylaw.

The new Bylaw is proposing to change the occupancy load of 2 per bedroom +2... to +4. This is a major modification and seems the only reason for this is to legalize licenses that were issued in error (with the extra 2 people allowed). We would like to suggest a compromise: we ask that Council **not** allow this change but only for the 50+ LNC Grandfathered STAs, Type C licenses. More renters have always equaled more noise, as the Town's own statistics prove. Let's use this one tool to assist in protecting our neighbourhoods, as referred to by several of the Councillors at the CoW meeting.

We completely agree with the Mayor that the primary purpose of these bylaws are to protect residents and also that the definition of a bedroom must be tightened. In our last letter to the Committee, we suggested changing the 'or' to an 'and' in the Schedules' bedroom definitions.

It should be made clear that several of the points made at the Tuesday CoW need corrections. The current Bylaw does not require that an RP be called or no demerit points will be issued. It never even states that the RP needs to be called. It does state that an RP must be available. We agree with one Councillor's comments that the "existence" of RPs is not questioned however their "role" is definitely in question and that it was "never to take over official Bylaw" functions.

Giving the RP 'first crack' at solving that day's problem will do nothing for solving the ongoing issues some of these businesses cause, especially the legal non-conforming STAs located in residential areas. We would like to review two charts that hopefully will clarify the proposed process regarding RPs.

For clarification, RP is the owner's Responsible Person and DP is demerit points

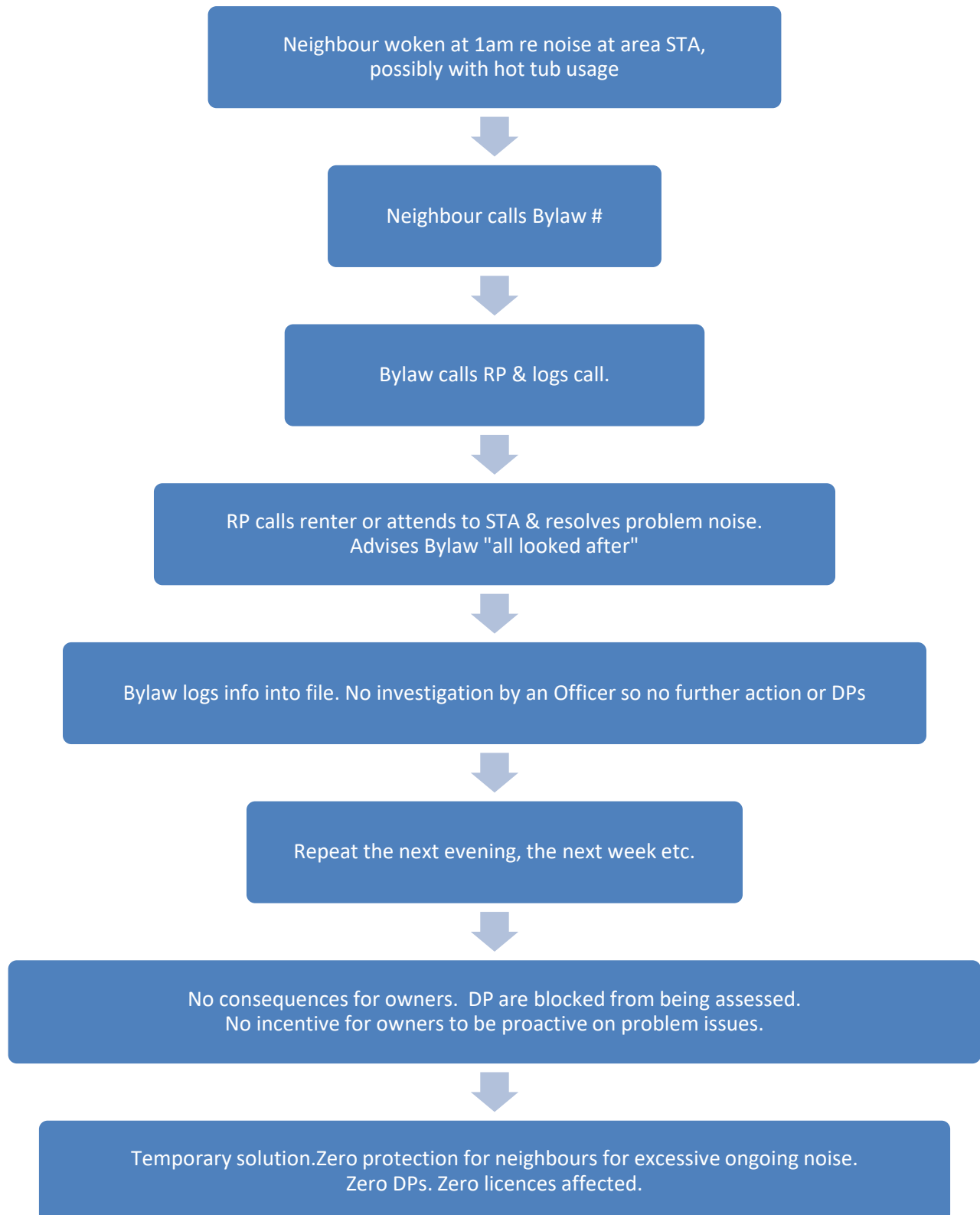
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Chart # 1: RP call is required:



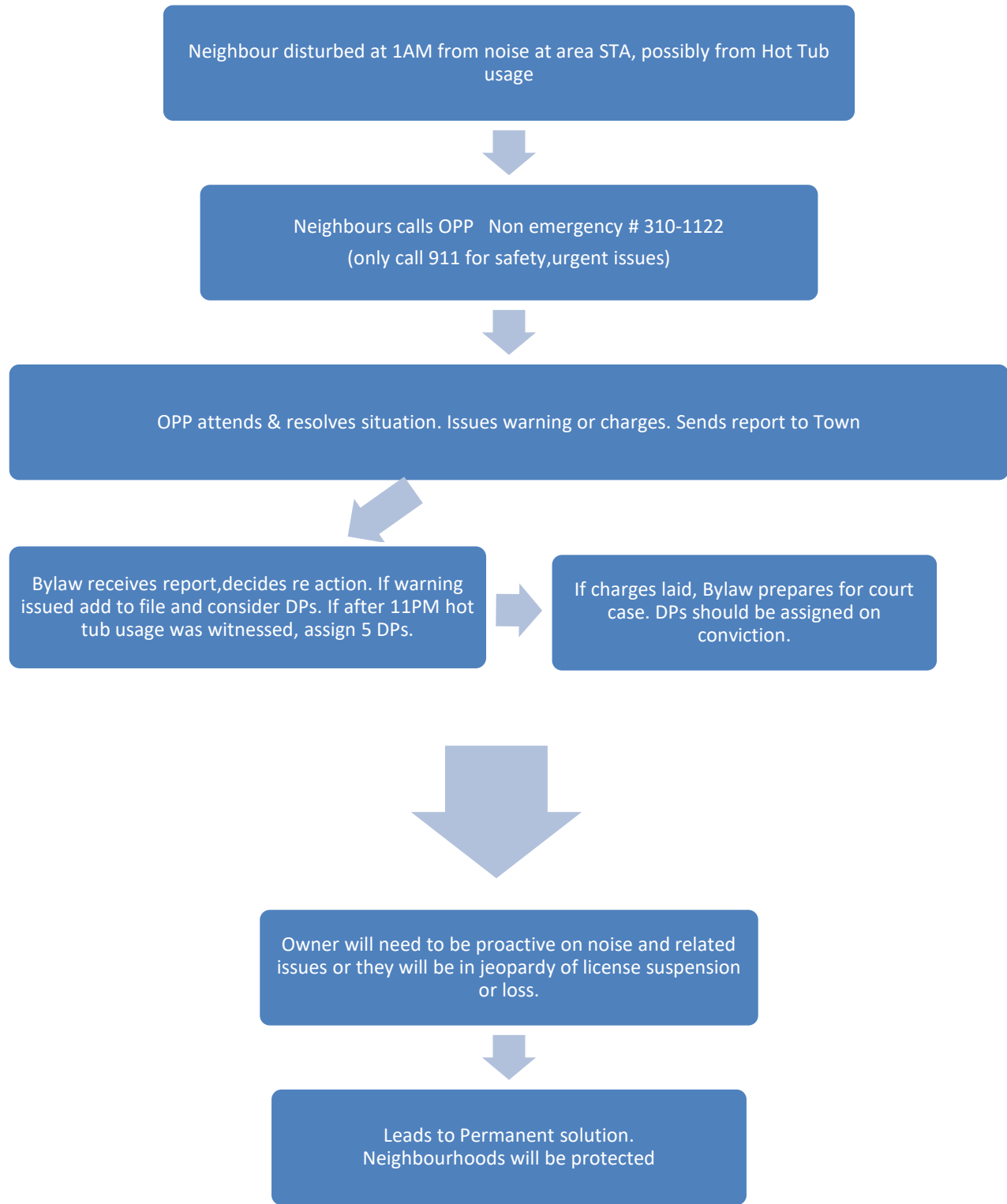
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Chart # 2 : OPP is called



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As the Feb 1<sup>st</sup> staff report indicated, a responsible person is required to attend and address issues, but “their attendance does not negate the issue in the first place”. Demerit points must always be assigned for infractions. Council, Please do not require an RP be contacted for Demerit points to be assigned. The taxpayers should have a right to have their legitimate complaints investigated by the OPP or by Town officials and our Bylaws enforced. Why would the Town attempt to strengthen the role of untrained RPs?: As one Councillor put it the “responsibility for enforcement is ours”.

We totally agree with the CAOs comments that the residents welcome controls on the late night usage of hot tubs, pools and fire pits. This is definitely an appropriate addition. However the Bylaw must have the teeth to enforce it with demerit point processes that will be assigned, or it means nothing. This new RP requirement would remove operator accountability, therefore demerit points and obviously provide no relief for our families.

As mentioned by one Councillor, the hot tub, pool & fire pit hours of use should be in the Renters Code of Conduct. This guarantees the renters are aware of the hours of operation and prevents an “I didn’t know defense”.

Our committee has literally been working on this for over 15 years. We have seen what works and what doesn’t for our community. We respectfully request that our recommendations from today and previous submissions regarding this Bylaw be incorporated.

I would be happy to answer any questions.

Regards, Terry Kellar,

STA Chairperson, BMRA