

STAFF REPORT



TO: Development Committee

FROM: Ray Kelso, Manager of Planning and Development
Nathan Wukasch, Planner

SUBJECT: Report back from Public Meeting
Tourism Accommodation Policy Review and Conversions to Residential Use

DATE: July 23, 2014

RECOMMENDATION:

“THAT Development Committee recommend to Council to proceed with the proposed Town-wide Zoning By-law Amendment to change the definition of Tourist Establishment to remove the 31 day time limit and provide for seasonal and temporary rentals, subject to Business Licensing;

AND THAT Development Committee recommend to Council that the proposed Official Plan and Zoning By-law Amendments be adopted by Council for four former Tourism Accommodation establishments located at 32nd Street South and Mosley Street, subject to final inspections in summer 2014 to confirm that they meet residential standards to the satisfaction of the Town;

THAT Development Committee recommend to Council that the other nine fully-converted Tourism Accommodation properties be inspected in fall 2014 to confirm that they meet residential standards to the satisfaction of the Town, and that staff report back to Development Committee prior to an implementing Zoning By-law Amendment being adopted by Council;

AND THAT Development Committee recommend to Council that it direct staff to enforce the conformity of Tourism Accommodation properties to the Property Standards By-law for the repair, maintenance and occupancy of properties.”

BACKGROUND:

The Town has been investigating and reviewing the use of tourist establishments in Wasaga Beach. The Business Licensing program identified that a number of licensed tourist establishments were being used for residential rental housing purposes. Tenants were living for longer periods of time in units that were designed for shorter stays, which in some cases, presented health and safety concerns. Land use concerns were raised at that time because the Zoning By-law does not permit long-term residential use in tourist establishments, or rentals beyond 31 consecutive days.

A broader discussion of this issue was included in the Town’s Housing Strategy, which was completed in March 2013, and recommended that the Town continue to build consensus around this complex issue. The Town has explored the land use issue through a review of current policies and community standards. The general recommendations of the policy review were to amend the Zoning By-law and Official Plan, the purpose of which are twofold:

1. Change the rules for tourist establishments Town-wide to allow more flexibility as seasonal or temporary rentals, provided they comply with Business Licensing requirements,
2. Site specifically recognizing certain properties that are used for residential purposes and from a policy perspective could be converted to residential by meeting the residential standards set out by the Town.

There were a number of consultations with various stakeholder groups throughout the policy review, including circulation of a Discussion Paper (summer 2013), consultation with individual property owners (October 2013 – May 2014), and an Open House and Public Meeting (June 24, 2014). The purpose of this report is to summarize the public meeting comments, and conclude with recommendations on the direction in which to proceed. However a brief summary of the previous consultation is provided below.

The comments on the Discussion Paper were primarily from accommodation owners and the Wasaga Beach Business Association, which supported removing the 31 day time restriction for tourist establishments in favour of a more flexible permission. The South Georgian Bay Housing Resource Centre commented that properties for permanent occupancy should be re-inspected and the owners requested to make necessary repairs to bring units up to standards. An Open House for tourist accommodation business owners was held in October 2013, followed by a detailed property review and individual meetings with a number of property owners to confirm the current land use. The general opinion from business owners was support for more lenient zoning regulations for tourism establishments on a town-wide basis. It was determined that 13 out of 36 properties reviewed had converted to full-time residential use and wished to continue that use.

DISCUSSION:

Comments from the Open House and Public Meeting (June 24, 2014)

The following written correspondence was received as a result of the circulation of the notice of Open House and Public Meeting:

- A letter of no objection - Simcoe County District School Board (June 4, 2014).
- The Nottawasaga Valley Conservation Authority (June 20, 2014) provided comments identifying that several of the site specific properties are located within NVCA regulated area due to flood hazards (16 Puccini Drive, 165 River Road East, 931 Mosley Street, and 158 River Road East). They comment that Section 3.1 of the Provincial Policy Statement (PPS) indicate that development should be directed outside of hazard lands including flood prone areas. They note that the PPS definition for development includes changes in land use, and ask how these expectations were considered by Town staff.
- The County of Simcoe (June 24, 2014) provided technical comments on the draft Official Plan Amendment asking for legal descriptions and addresses of the properties being redesignated, and the total number of units being converted. They also note that the Town may wish to address intensification, and that conversions would help the Town meet intensification targets set out in the Places to Grow legislation.
- Mr. Mark Bolton, 3 Old Mosley Street, wrote to express concern with the abutting Crystal Village cottages regarding containment of the cottage-related uses on the property, including the movement of people and placement of garbage bins in the right-of-way.
- Mr. Ken Douglas, 21 Sunnidale Road North, wrote that affordable housing built to Code on these properties would be more acceptable. He was concerned that the amendments would

legitimize illegal current uses of properties rather than enforce existing laws. This will extend the lives of the tourist properties rather than allow them to evolve into new uses.

A number of residents provided verbal comments at the open house and public meeting on June 24, 2014, the minutes of which are attached as Appendix A. A summary of the main issues identified is provided in the following section.

Identified Issues from Written and Verbal Comments

Town-wide Zoning Amendment for Tourist Establishment Uses

1. Business community support and no objections received for the Zoning By-law Amendment to permit seasonal or temporary use of tourist establishments.

Site-Specific Property Amendments

2. Some members of the public expressed their concern with legitimizing uses that don't comply with the Zoning By-law.
3. Some members of the public commented that residential conversion and commercial properties should meet the Town's maintenance and occupancy standards in the Property Standards By-law, including aesthetic standards to improve the poor condition of some of the properties, and basic living standards such as heating systems.

Other Issues

4. Housing Affordability - Some members of the public commented that the Town should create more new affordable housing instead of recognizing existing rental housing uses. One member of the public felt that recognizing these residential uses would provide more housing opportunities that are affordable.
5. NVCA comments regarding properties within flood hazard areas
6. County of Simcoe comments regarding intensification

Review of Identified Issues

Town-wide Zoning Amendment for Tourist Establishment Uses

1. Community support and no objections to the Zoning By-law Amendment to permit seasonal or temporary use of tourist establishments, subject to business licensing.

The Town has received favourable response from the accommodation business community in support of changing the Zoning By-law to remove the 31 day restriction, replacing it with the permission for seasonal or temporary use, subject to Business Licensing. The Town found that the 31 day limitation on guest stays was too restrictive, recognizing that some businesses are renting on these terms in order to supplement revenues, particularly in the tourism off-season. The Town does caution that some relationships between property owners and guests may evolve into a tenancy, in which the relationship would be governed by the Residential Tenancies Act. No objections to the Town-wide changes to the Zoning By-law were received, therefore staff recommend that this component of the Zoning By-law Amendment be passed by Council.

Site-Specific Property Amendments

2. Concern with legitimizing uses that don't comply with the Zoning By-law.

Through the proposed amendments, the Town proposes a solution that meets the needs of the community as a whole, by recognizing the current residential use of certain properties that, over time, have shifted from their original tourism commercial use, provided that they meet the Town's

standards for residential use. The difference between a commercial tourism rental and a longer-term residential rental is often difficult to distinguish/enforce, because the use is identical (overnight accommodation) but the length of time of occurrence varies with the intention of the guest. Some tourist establishment operators have made the business decision to stop renting to tourists, and provide permanent residential rental housing, and some have been doing so for many years.

The Tourism Accommodation policy review included an assessment of 36 properties that were determined through Business Licensing to be operating in non-compliance with the Zoning By-law by renting for periods longer than 31 days. Of those 36 properties, 23 are proposed to remain in their current commercial zoning. The Town has recommended additional flexibility be provided to allow tourist establishments to evolve with the changing tourist market in Wasaga Beach, with the proviso that they remain licensed and meet the standards that the Town sets out. Owners who rent on a seasonal or temporary basis may have to operate within the Residential Tenancies Act if they enter into long-term rental relationships with guests.

This initiative does seek to legitimize current residential uses, because they are providing an important housing need in the community. Of the 36 properties, 13 have been determined to have converted to full-time residential use. It is important to note that enforcement of the current Zoning By-law for the converted properties would require landowners to remove tenants from their homes. This is an undesirable situation which can be avoided by ensuring that the properties meet defined standards for residential use. These amendments propose to recognize that these properties are meeting a need for affordable rental housing in the community. This type of housing: a) provides shelter (a basic human right) for vulnerable populations, b) is an important piece of the support network for lower income residents, and c) provides options along the Housing Continuum which seeks to move people from homelessness to housing ownership. The Town's Housing Strategy highlighted the lack of rental housing in Wasaga Beach, noting that 88% of the housing stock was in the form of single-detached dwellings in private ownership. Not all members of our community can afford to purchase a single-detached dwelling. There is only one 41-unit social housing apartment building in Wasaga Beach, which is owned by the County of Simcoe. If the residential conversion properties are brought up to standards, they will continue to provide housing options for those in the community whose options are limited.

If they meet the residential standards set out by the Town, the properties are proposed to be placed in the parent residential zones, being the Residential Type One (R1), Type Three (R3), and Type Four (R4) Zones. The recommended zone depended on the underlying Official Plan designation and Town's long-term vision for the property, the size of the property in relation to potential future uses, the location and neighbourhood character, the current density and built form, and the form of redevelopment that has occurred for other similar parcels in proximity.

In a number of cases the properties do not meet the zoning provisions (including landscape provisions, building setbacks, requirement for play areas) for the zones proposed because they were originally constructed as commercial properties. The parent zones are proposed, so as not to site-specifically recognize or permit these instances of non-compliance. These are existing conditions that may be permitted to continue. By placing them in the proposed Residential Zones, the properties will be considered legal non-complying, if they can be demonstrated to have been legally established when they were constructed. When these properties are redeveloped in the future under the proposed residential zoning, they would be required to meet the parent zoning standards, permitted uses, and densities as set out in the Official Plan.

3. Residential conversions and commercial properties should meet the Town's maintenance and occupancy standards in the Property Standards By-law, including aesthetic and basic living standards.

The Town agrees that all properties in the Town, whether residential conversions or commercial properties, should meet the standards set out in the Property Standards By-law. The concerns raised at the public meeting about these properties meeting a higher aesthetic standard are valid, and were supported by the Executive Director of the local Housing Resource Centre.

The purpose of the Property Standards By-law is to prescribe the minimum standards for maintenance and occupancy of property. Heating systems are a requirement in the By-law, and the Town's Municipal Law Enforcement Department is generally made aware of issues via complaint where this requirement is not being met. The Town has recommended that prior to any Official Plan or Zoning By-law Amendments being adopted, that the 13 residential conversion properties demonstrate that they are now appropriate for permanent residential use, by ensuring that the following standards are met:

- Each unit must meet the definition of a dwelling unit in the Town's Zoning By-law and Property Standards By-law (to demonstrate that they contain a kitchen which has a fridge, a cooking appliance, a sink, and counter-space/food storage area);
- The property must comply with the Property Standards By-law for the interior and the exterior of the building(s).
- The Building(s) must comply with the Ontario Fire Code; and
- The owner will be required to provide a satisfactory assessment of the electrical system capabilities by a licensed master electrician for the proposed use of the property.

The Town's early focus in the review of Tourism Accommodation properties in 2011 was to ensure that health and safety concerns were addressed. The major health and safety issues were addressed in the following year through Business Licensing inspections. Staff agree that a closer examination of Property Standards By-law compliance for building aesthetics should be a part of this exercise. A number of residents who voiced concerns stated they supported affordable housing if it met standards. Several residents, including the Executive Director of the local Housing Resource Centre and a resident of one of the properties, supported the proposed amendments because this initiative would bring these properties up to a higher standard.

The Town recommends that if the properties can demonstrate that they meet these standards, that they could be rezoned to recognize the current residential use. If they do not meet the standards, and improvements are required, the improvements should be completed within a reasonable timeframe to be determined. There is at least one property which will require upgrades in order to meet the standards for residential use that is identified in the Town's Property Standards and Zoning By-laws. In reality, some properties may require improvements that the owners are not willing to undertake. In these circumstances, these properties would remain in the commercial zone, be required to comply with the Zoning and Property Standards By-laws, and subject to enforcement if non-compliant.

Other Issues

4. **Housing Affordability** - Some members of the public commented that the Town should create more new affordable housing instead of recognizing existing rental housing uses. One member of the public felt that recognizing these residential uses would provide more housing opportunities that are affordable.

The Town's Housing Strategy and the County of Simcoe's Housing and Homelessness Plan both identify a shortfall of affordable housing units in Wasaga Beach. The creation of new affordable housing units is not an easy task, without subsidization from the Province or the County of Simcoe, which is the local Housing Service Provider. The Town has submitted applications to the County for funding in recent years, and private applications for affordable housing have been made, with no funding being allocated to projects in the Town of Wasaga Beach. The Town supports the Habitat for Humanity homebuild program. The goal of establishing new affordable housing in Wasaga Beach is not without effort. One resident who lives in affordable rental housing supported the initiative at the public meeting because it would create more housing opportunities.

5. **NVCA comments regarding properties within flood hazard areas**

The majority of properties located along the Nottawasaga River, including two of the residential conversion properties (931 Mosley Street - Park Plaza Motel, and 158 River Road East - Waterfront Apartments), are located within flood hazard areas and are regulated by the NVCA. No site alteration or development is proposed on these sites through the proposed amendments, and the buildings are pre-existing, therefore it is not likely that NVCA approval will be required. In the event of a flood that could affect properties along the Nottawasaga River, the Town has prepared a Flood Contingency Plan, which identifies roles and responsibilities of the Town and partners (NVCA, MOE, MNR, OPP) to protect residents from flood hazards, and includes notification and evacuation measures. The Town is of the opinion that the proposed amendments are consistent with the Provincial Policy Statement.

6. **County of Simcoe comments regarding intensification**

The County of Simcoe provided technical comments which staff will address in the final version of the Official Plan Amendment prior to passing. For the County's Land Budgeting purposes, a total of 146 'new' residential dwelling units are contained within the residential conversion properties, and they are all located within the Town's Built Boundary. These dwellings units are considered 'new', but pre-exist as part of the of the existing building stock of the Town of Wasaga Beach, and are simply being identified as providing a different use than their historic commercial use. The conversion of these units to residential use will assist in the meeting the intensification targets in The Growth Plan for the Greater Golden Horseshoe, and the draft County of Simcoe Official Plan.

SUMMARY AND RECOMMENDATIONS:

The Tourism Accommodation policy review recommendations are two-fold:

1. Change the rules for tourist establishments Town-wide to allow more flexibility as seasonal or temporary rentals, provided they comply with Business Licensing requirements.

The Tourism Accommodation Working Group recommends proceeding with the Town-wide Zoning By-law Amendment to remove the 31 day limitation as there is support with no objections for the change.

2. Site specifically recognizing certain properties that are used for residential purposes and meet residential standards set out by the Town.

The Tourism Accommodation Working Group have identified that prior to any site-specific amendments to the Official Plan or Zoning By-law, that properties will be required to undergo final inspections to confirm they meet the residential standards set out by the Town.

It is anticipated that these inspections will require a substantial time commitment from the Municipal Law Enforcement, Fire, and Building Departments. Staff recommend dividing inspections up into manageable portions over the next four months, beginning with the four former tourism accommodations located at the intersection of Mosley and 32nd Streets. These properties are generally viewed as some of the better examples of residential conversions, and are located in a neighbourhood that has seen whole-scale conversion to residential apartments. Staff are of the opinion that it would be appropriate to redesignate these properties in the Official Plan because they represent high density land uses and are an indicator of a neighbourhood that is adapting to provide a higher density residential function rather than the current District Commercial land use function envisioned in the current Official Plan.

These properties are also considered appropriate for High Density Residential use because: a) they are located along the Town's main arterial transportation and bus route, b) they are within proximity to commercial, institutional, and community facilities, and Beach Area 5, c) they are fully serviced lands; d) they represent a concentration of (localized) gradual conversion to residential land use; and e) these lands are a reasonable location for high density residential uses when considering the eventual community structure of Wasaga Beach.

If these properties can be demonstrated to meet the standards for residential land use, then the Town recommends adopting the Official Plan and Zoning By-law Amendments along with the Town-wide Zoning change for Tourist Establishments. These amendments would be in conformity with the Growth Plan for the Greater Golden Horseshoe, the Provincial Policy Statement, and the County of Simcoe Official Plan.

The remaining nine properties are recommended to undergo the final inspections to confirm they meet the residential standards. Staff recommend reserving and not proceeding with the Zoning By-law Amendments for these properties until the inspections have been completed by December 2014. At that time, the Tourism Accommodation Working Group will report back to Development Committee on any required improvements to meet the residential standards and further recommendations will be provided.

The Property Standards By-law is to be enforced for all Tourism Accommodation properties.

CONCLUSION:

Staff recommend proceeding at this time to amend the Zoning By-law on a Town-wide basis to remove the 31 day limitation for tourist establishments in the Town of Wasaga Beach.

Staff acknowledge that through the policy review of the Tourism Accommodation land uses in Wasaga Beach, that health and safety was the paramount concern through the Business Licensing inspection program. It is recommended that proposed residential conversion properties be confirmed to be in compliance with the Property Standards By-law.

The final inspections to confirm that the thirteen residential conversion properties (containing 146 potential dwelling units) are appropriate for residential use are recommended to be completed in two phases. The first phase would be completed in July and August of 2014 for the four establishments located at the intersection of 32nd Street and Mosley Street. Upon confirmation that these properties meet the residential standards, it is recommended that the Official Plan and Zoning By-law Amendments be adopted by Council along with the Town-wide Zoning By-law Amendment for Tourist Establishments.

The second phase of inspections for the remaining nine residential conversion properties would be completed by the end of 2014. Any improvements that are required to meet Town standards should be completed within a reasonable timeframe.

Respectfully submitted,

Ray Kelso, MCIP, RPP
Manager of Planning and Development

Nathan Wukasch, MCIP, RPP
Planner

Appendix A – Public Meeting Minutes, June 24, 2014

PUBLIC MEETING

Pursuant to Sections 17, 21 and 34 of *the Planning Act*, a Public Meeting to be held with respect to
Tourist Establishment Official Plan and Zoning Changes
Tourism Accommodation Conversions to Residential Uses

Proposed Amendments to the Town of Wasaga Beach Official Plan and Comprehensive Zoning
By-Law 2003-60

Mayor Patterson advised that Notice of Public Meeting was published in the Wasaga Sun Newspaper on June 5, 2014. This provided more than 20 days of notice for the public meeting and this meeting is therefore properly constituted as required by the *Planning Act*. Signs were also posted on affected properties, and Notices were mailed to those property owners and surrounding properties in accordance with the *Planning Act*.

The proposed amendments have been initiated by the Town following a review of Tourism Accommodation policy; therefore, apply to lands used for Tourism Accommodation purposes within the Town of Wasaga Beach.

The purpose of the draft Town-initiated Official Plan Amendment and Zoning By-Law Amendment is to allow seasonal or temporary use of Tourist Establishments and to recognize the conversion of specific tourism accommodations to permanent residential land uses.

The draft Official Plan Amendment proposes to re-designate four properties, located at Mosley Street and 32nd Street, from District Commercial and Residential to High Density Residential.

The draft Zoning By-Law Amendment proposes to:

1. Change the definition of a “Tourist Establishment” to allow seasonal or temporary use;
2. Change the definition of “Dwelling Unit” to more effectively prohibit short-term tourist rental use;
3. Rezone thirteen (13) Tourism Accommodation properties which have converted to full-time residential uses, by placing them in various Residential Zones.

The effect of the amendments is to:

1. Remove the 31 day time limit for Tourism Establishment rentals, and allow them to be rented for seasonal or temporary periods of time, provided they meet the Town’s Business Licensing requirements to do so.
2. Recognize the full conversion of former tourism accommodation properties to permanent residential rental housing uses.

The following written correspondence was received as a result of the circulation of the Notice of Public Meeting:

Letters of Support: None

Letters of No objection: Simcoe County District School Board

Letters of Concern: None

Letters of Objection: None

The Mayor asked the Town Clerk, Ms. Nicholson, if she had received any further letters or correspondence in regard to this application. The Clerk responded that further correspondence had been received and referred to the Planning to summarize.

Mr. Wukasch advised that two emails from public bodies had been received: NVCA had no objection but asked how the Town is considering the Provincial Policy Statement through these amendments: the County has asked the Town to identify how the conversion of the residential units follows the Intensification Policies of the Province.

Mayor Patterson advised the public that this was their public meeting. Staff has worked on these recommendations for about a year and a half. This meeting is the opportunity to speak to the residents and the comments will be recorded and referred back to Development Committee. Council is aware of some issues and are open to listen to comments, which will be reviewed. It was noted that three Planning Department staff were in attendance; Nathan Wukasch, Planner, who has taken the lead on this project, Ray Kelso, Manager of Planning and Development and Nick Ainley, Junior Planner. Mr. Wukasch made a brief presentation to provide further details with respect to the proposed amendments.

Mr. Wukasch, through a PowerPoint presentation, presented the results of the process. Prior to this Public Meeting there was an Open House held between 5-7 p.m. Mr. Wukasch spoke to the background of the Tourism Accommodation Amendments and Conversions to Residential Uses. The goals are health and safety under the *Building Code*, *Fire Code* and Property Standards By-Law; Land Use Conformity to the Official Plan and Zoning By-Law and addressing housing needs and providing flexibility for businesses, as the Town responds to community business and housing needs.

Mr. Wukasch spoke to the current definition of a tourist establishment, being that no room may be occupied by the same guest for a period exceeding 31 consecutive days.

Mr. Wukasch spoke to the policy and land use reviews that have taken place since March of 2013 that have led to this Public Meeting to present the recommendations.

A Housing Strategy Implementation Committee was formed to include staff from Municipal Law Enforcement, Fire, and Building, and Councillors. This Committee prepared the recommendations being presented.

The purpose of this amendment is twofold: One is to change the Zoning By-Law Town wide to remove the 31 day restriction and allow establishments to be used for seasonal or temporary period. The second are site specific changes for thirteen (13) former tourist establishments operating as rental housing; nine (9) properties for a Zoning By-Law changes and four (4) properties for Official Plan and Zoning changes.

Mr. Wukasch advised there was consultation with property owners and it has been a very transparent discussion. Twenty three (23) properties are to remain commercial and thirteen (13) now function as rental housing. Those thirteen (13) are the ones to be converted. The Town has identified standards for those to meet including having a kitchen, sink, fridge, cooking facility and counter space as minimum standard as well as meet *Fire Code* and electrical safety standards. Four (4) properties are for an Official Plan Amendment and nine (9) are for a Zoning Amendment.

The four (4) site specific properties are at Mosley and 32nd and are high density apartment buildings and a few cottages. The proposed change is to high density to reflect the current use.

The other nine (9) are for rezoning and Official Plan Amendment to reflect their current residential use.

The residential conversions are not for new development, just recognizing what is happening now and what has happened for a number of years, which meets a rental housing need in the community. There will be inspections of the properties before they are rezoned to confirm that they contain appropriate kitchens and meet *Fire Code* and electrical safety standards. They are also subject to the Town's Property Standards By-Law.

For the properties remaining commercial, it is business as usual and they are licensed and inspected on an annual basis. A land use review was presented at this meeting and in the future it will be discussed how to better license businesses that wish to rent on a temporary or seasonal basis.

The Town is not in the business of regulating tenancy. The Provincial *Residential Tenancies Act* regulates the relationship between landlords and the people staying in their establishments.

Staff will bring the comments back to Housing Strategy Implementation Group and Development Committee and based on comments and final review will present to Council in the future.

Mayor Patterson thanked Mr. Wukasch for the presentation.

The Mayor asked if there was anyone present that wanted to provide input either in support of, or in opposition to, the proposed amendment. If so, they were asked to please stand and clearly state their name and address in order that it may be correctly entered into the records of the meeting proceedings.

Eddie Sharples - 145 River Road East; stated he was against this proposal; doesn't see a need for this when there is a need for more places for tourists and believes these changes will decrease property value.

Ken Douglas - 21 Sunnidale Road North; advised he is a neighbor of two (2) properties, Whispering Waves and Shady Lane. These two (2) properties are imbedded in an R1 developing area; not a main commercial route. There are brand new homes, some very significant. These properties have been evolving as older places have been purchased and new homes put up on them. He is against the proposal as it will extend the life of these two as tourist properties rather than let them evolve into new homes and businesses. If someone wants to buy and develop, they would be expected to meet the same standards as he had when he built. By allowing this change

Council is really imbedding some properties that would not meet current standards to continue to exist in an area that is evolving rapidly. These properties are doubled banked and this goes back to density with two or three buildings on the property and he is not permitted to do that. Council is facilitating the continuation or creating legal non-conforming situations where it doesn't exist. He has concern for legitimizing an illegal current use of properties. Properties will be upgraded to meet a basic standard and heat was not mentioned as a criteria. He has low confidence in the By-Law Department to enforce those requirements as there are so many in contravention and as a Town not doing anything about it. This undermines the faith to enforce property standards on these properties. Mr. Douglas noted he regrets not being in attendance at the Public Meeting for the Sunnidale Road affordable housing proposal because he is far more in favour of new affordable housing built to Code. It is a far better and more acceptable approach than the proposal being recommended.

Vincent Stabile - 98 32nd Street North; stated he lives five (5) doors away from the proposed changes to the intersection and it is regrettable he did not able to attend the Open House. His neighbor is here also and they are both in objection to changes. With high density whether a good cause or not, he wondered about the number of new residents expected. If there are none and this is simply to recognize the current use, if the By-Laws have not been enforced, you don't grandfather something just because you have not been able to control it. He is fairly new to the neighbourhood and commented that he owns one of the best homes on the street. He is aware that interested parties inquired if they could have a Bed & Breakfast and they were told no. When you increase the density or allow continued high density it becomes a rooming house. 32nd Street and Mosley has turned into a little ghetto; there are cars all over the place. He asked what the ultimate goal is of Council. There are owners who keep a lovely property. What is the benefit for the Town changing from commercial to residential; the tax base is lower; does the value of property go up or down; is MPAC involved, have they even been consulted; what does the Town benefit other than a conforming use to a non-conforming use because the Town can't control it. This area already is dealing with a seniors residence and a couple of apartments across the road. If you change those to high residential how does that, in principal, conform with what the Town did a few years ago by not permitting people to rent their cottages unless it was long term. Let's plan something with an affordable housing build and then you have some element of control and newness. You can't tell someone to put a kitchen here and there, it will be below standards. You don't allow \$1million homes to be built and then shove high density under their noses. Current use does not permit it. One house looks like a barn and has four (4) apartments in it. He questioned if that is the kind of use Council wants.

Sandra Boland - 40 River Road East; stated that passing a Zoning By-Law will preserve substandard housing in Wasaga Beach. Abby Cottages at 25 River Road East is operating without a business license. There has not been an inspection to see if it meets standards. The Cottage Court has full time residents contrary to the By-Law and they also advertise daily and weekly online. Ms. Boland circulated pictures of Abby Cottages showing the current state of disrepair. The Town is considering changes to the Zoning By-Law to buildings that do not meet *Building Code* or Property Standards. There is no external cladding over particle board and the appearance is appalling. The Town spent \$1million to enhance the beach front directly over the bridge and now the Town is considering a Zoning By-Law change that would hold the property to a less standard instead of creating decent affordable housing. It supports substandard housings and buildings that have seen better days. This is unacceptable. For Council to consider rezoning in a limited scope will result in grandfathering of slum-like properties. Our community deserves better. This community needs affordable housing and these need to have complete standards inside and

out. Low income residents deserve a decent place to live and these must be held to Fire Safety Codes by Town By-Laws. The Town has expressed a need for overnight commercial and gave a special designation of two townhomes on River Road East in the last two years. Why now is Council contradicting itself by considering Zoning changes. This is a prime tourist area. Do we really need low income housing in the heart of the Blue Flag beach area? Is this the best use for the property? Council should consider; does this make sense. Council should ensure properties meet or exceeded standards within the current Zoning before passing any Zoning amendments. Only at this point should it be considered or enacted.

Janet Bowden - 280 River Road East has lived there 5 years. At one time it was for tourists as well as full time housing people. Now it is all full time residents. Ms. Bowden stated she is in support of these amendments as it provides more housing options for her. These properties would be brought up to standards. The Fire Department comes every (3) three months and knows the people who live in them. Ms. Bowden advised that the owner is putting on new siding. Ms. Bowden stated again that she is in favour of this and affordable housing would be nice as there is only one affordable residence available in Town. There are some new townhouses, but she can't afford to live in them. It is all well and good to want new buildings, but they just are not affordable. To tear down and try to build up to standards she knows she could not afford to live in them. Ms. Bowden agreed the places may look worn and in need of paint. Ms. Bowden stated she does not live in mold, has a kitchen, can cook and has a suitable place to live and hopes that when other places are brought up to standard, it is done properly.

Mark Bolton – represents his mother who lives near Crystal Village for four (4) years and he owns 3 and 9 Old Mosley Street. He wants to ensure the places are brought up to standards. There is lots of high density in Crystal Village and lots of activity – legal or not. Currently there is a fence around it and he would like to keep it that way. Everyday people walk an easement between 12th and 13th Streets and park on his property and cross his property continually. Big heavy trucks have wrecked his driveway. He agreed that everyone has the right to a home; however, his property value has gone down. He spoke to the trash container that is on Town property and wanted that and the fence be looked after.

Tim Martin - 57 Sandy Coast; is against these changes, but is supportive of affordable housing. He noted the Abby's Cottages pictures is how they look right now. There is no way people should live in those conditions, but people do live in there. He felt Council needs to do something to move into more affordable clean housing. He stated that a family lived in the unit in the picture in the winter with very little heat. People move in, but the buildings should be flattened. It is appalling. It looks like a "native reserve" with the same conditions people live in there.

Chris Georgiou - 11 Sandy Coast; spoke against the proposal. You can't rent out decrepit cottages. We have a destination location with the beach and once that is gone it can't be replaced. He felt this was a catastrophic disaster and there is no going back.

Patrice McCammon - 9 Sandy Coast; inquired if Council will vote on each property individually or as a block of changes.

Mr. Wukasch noted that no decisions are being made at this meeting. The By-Law is drafted to include all recommendations; however, they can look at different options to present to Council.

Gail Michalenko of the Georgian Triangle Housing Resource Centre advised that she tries to find people affordable housing in the community and appreciates that we need affordable housing and better standards for the housing. People do live in these places. For some property owners there is opportunity to receive a grant under the County of Simcoe's Ontario Renovate Program and hopes that the owners not currently up to standards will take advantage so they meet acceptable standards. Heating and the rest of the items previously mentioned are required. Unfortunately, they do meet people that are in not properly heated places.

The neighbourhoods will not be different by the proposed changes; these changes will just ensure that the properties are in a proper state and if designated as permanent residences, these people will now have rights under the *Residential Tenancies Act*. With the changes the owners must comply with the *Residential Tenancies Act*. There are pros and cons and she appreciates the concerns expressed. Ms. Michalenko noted that this is not introducing a new situation because these places are being currently occupied that way.

David Schindler - 28 Sandy Coast; Council is trying to fix a situation that is happening already and he hopes that there is no rush to make them legitimate. The lady that spoke on behalf of the amendment, needs a good and decent place to live. If Council is going to do this, make every possible effort to ensure they come up to the very best standards we can. We all need a place live. If there is a sense the Town is rushing, this is a difficult sell. It appears some property owners would like to do this sometimes but not all the time. He thinks that people in affordable housing come May 24 and need a place to live. Affordable housing is essential and communities have to be mixed accommodations and affordable housing is needed. He asked that Council consider doing the right thing and wants to see property owners improve and make their places safe.

Mayor Patterson noted that there are inspections by the Fire Department, Building and By-Law departments. Mr. Wukasch noted that all the establishments are inspected on an annual basis by the By-Law Department and Licensing requires an annual Fire inspection to ensure compliance.

Vincent Stabile thanked Ms. Michalenko of the Georgian Triangle Housing Resource Centre for getting up and speaking and advised that once the properties are converted the Town loses control because they are not responsible to administer the *Residential Tenancies Act*. There is a Board to deal with it and the Town does not continue to be involved. The gentleman advised that he is a Lawyer, Judge and Adjudicator with MPAC and enforces Orders under the *Landlord and Tenant Act* through the Board. He sees these problems, but they are beyond Council and they do not get to control. The annual inspections are too far and too few apart. These landlords know the ropes. Council wants to accommodate some property owners here and we need people to live somewhere healthy, but did not feel they were going about it the right way. The gentleman suggested Council get a strategy for affordable housing and properly state what it is. Abby's Cottages are not up to "snuff". The beach has attracted people for decades, retirees provide economic input and some of these properties have had their "hay day". What this should be about is best use. MPAC talks about highest and best use. He recommended Council proceed with caution and a lot of care as total control is lost when it goes under the *Residential Tenancies Act*.

Carolyn Sharples - 145 River Road East; spoke to the conditions of the places and inquired who does these inspections as two (2) doors down the roof is ready to cave in and what about fire plans as there is no one that lives there to enforce them.

Craig Holmes - 75 Savannah Crescent; indicated he could reiterate all the same comments as previously stated. He asked if Council had been into the facilities and been in and entered into these premises, or has that been left to the Committee doing the housing project. He respectfully requested that Council actually go in to the premises and then have another meeting. Mayor Patterson advised that he has visited them and that is when a lot of the inspections began. He admitted he was shocked by what he saw.

The members of Council have all lived in Town a long time and have seen how these places have changed. The community is growing and these commercial properties have been here a long, long time and Council is now dealing with them on a one to one basis.

Paul Zlatar - 154 River Road East; inquired if the people living in these places are illegally living in them because of the structure.

Mr. Wukasch responded that the properties in question are being used in a way that doesn't comply with the By-Law so staff are proposing to amend the By-Law to be more flexible and recognize those uses that have fully converted to current uses.

Mr. Zlatar inquired if they are leased to the users and why has it had to be taken to this point to be able to deal with this situation. Mr. Wukasch responded that the legislation that governs landlord tenant relationships in Ontario is the *Residential Tenancies Act*. That is Provincial legislation the Town has no jurisdiction in. The Town has the Zoning By-Law that distinguishes between tourist accommodations and residential use and sometimes those lines are very blurred. He suggested that illegal is a strong word as properties are operating in non-compliance with the Zoning By-Law and Council is looking at how it works to see if it can be changed.

Mr. Zlatar questioned if that is the right thing to do. Mayor Patterson noted we can't go back 10 years and Council is dealing with it now. Mr. Zlatar inquired of rental units. Mayor Patterson stated that is private enterprise. The properties are not in compliance and through our Planning and By-Law Departments have been meeting with the operators. It is a major undertaking that has taken 1.5 years and Council is seeking input from the public. Mr. Zlatar inquired if these people have enough capital funding or will this get passed then stall longer to clean up the mess. Mayor Patterson advised they will be told to meet inspection standards.

Mr. Wukasch noted that these establishments have been licensed for a number of years, so they have met the standards of licensing and for health and safety purposes.

Marilyn Douglas - 21 Sunnidale Road North; appreciates the Mayor has been through the properties; however, Mr. Wuskasch admitted to her that he has not been inside these properties and that concerns her. She felt the standards are very incomplete and doesn't include heat, insulation, rot or mold or such conditions. Mr. Wukasch indicated the kitchen means a sink, some kind of fridge and some kind of cooking device, such as a toaster oven, microwave or hot plate. Ms. Douglas felt this cannot be fire safe.

Mayor Patterson noted that to get a Business License, the property has to pass inspection.

Mr. Wukasch indicated he has not personally been inside the units on the properties as the Town has By-Law and Fire Department staff that has that role as part of their responsibilities and they carry out the inspections. Planning staff meet with those staff and review their findings. With respect to the kitchens, those are the current standards identified in the By-Law; fridge; some kind

of cooking facility, sink and sanitary facilities. If a property that is being converted doesn't meet those minimum dwelling standards, they will have to before being converted to residential use or issued a commercial business license.

Marilyn Douglas inquired about heat. The standards mentioned don't include heat. Mr. Wukasch advised that he will speak with the Property Standards Officer to determine the minimal standards; however, believed that heat was assumed as it is a basic human right.

Sandra Boland spoke to the new booklet on Accessory Uses – Apartments. People can have an apartment, if they get a building permit as an accessory use. Why are the standards not the same for affordable housing?

Mayor Patterson responded by saying a lot of accommodations have been around a long time and the Town has grown quite a bit. The Town is working to clean it up. Those businesses still exist from years ago.

Alexandra Georgiou - 11 Sandy Coast; she found it unacceptable that we live in Canada and staff didn't think about heat. She is a Landlord in Florida and has to provide heat and no one considered it here. She said doing all this is just wasting peoples time to try to create good living facilities out of shacks.

Mr. Wukasch responded by noting that was not a fair statement; heating is a basic human right and the Town receives complaints and responds if the heat goes off.

Mayor Patterson then asked two more times if there was anyone who wished to comment or ask a question and stated that this was their public meeting. He noted that staff has worked for a year and a half on this to try and raise the standards for those operating illegally and Council is trying to deal with those accommodations. The comments are recorded and will be referred back to Development Committee for consideration.

Hearing no further comments, Mayor Patterson asked members of Council if they had any questions or comments with regards to the proposed applications.

Mayor Patterson advised that the comments received will be referred back to Development Committee where a decision will be made whether to recommend the proposed amendments proceed further through the approval process.

The Mayor advised that if anyone would like to receive the Notice of Decision for the proposed Official Plan and Zoning By-Law Amendments, to make a written request to the Clerk of the Town of Wasaga Beach.

Mayor Patterson then closed the Public Meeting.