

ADDENDUM TO THE MARCH 19, 2024

Public Meeting Agenda “Short Term Rental By-law”

Additional Comments Received as of March 18, 2024 at 4:00 p.m.

- A. Al and Pat Johnson
- B. Peg Andrews
 - i. Peg Andrews (February 5, 2023)
- C. Marie Mitilinellis
- D. Kristina Hay
- E. Donna Berry
- F. Margie Szilagyi
- G. Tracy Rivers
- H. Leo Baljet
 - i. Leo and Henny Baljet
- I. Kimberley Dare
- J. Hugh and Susan Roser
- K. Werner Wehmeyer
- L. Sandra Bray
- M. David Corinne Filer
- N. Jeanie Donato
- O. Yvonne Mason

From: Al Johnson

Sent: March 14, 2024 3:07 PM

To: Paula Macri <paula.macri@whitestone.ca>

Subject: Re: Public Meeting on Short-Term Rentals - March 19, 2024

re short term rentals-@ ■ black fly lane---environment threat -- five bedroom house with a septic tank built for a 3 bedroom, excessive speeding on laneway despite posted signs-pets and guests trespassing on private property, ignoring posted signs-cans and debris ending up in lake-excessive noise on dock facing our property-removal of weeds impacting pickerel spawning-refusal to maintain road/tree cutting/snow removal We purchased our lot because of its privacy, and because its not in a commercial area where businesses are being run.-concern over well water as we are on the same aquifer-having an air bnb next door affects our property value in a negative way-we have safety concerns as we are an elderly couple and have no idea who will be staying next door. Thanks, Al and Pat Johnson

From: **Peg Andrews**

Date: Thu, Mar 14, 2024 at 6:04 PM

Subject: Public Meeting STR Bylaw

To: Michelle Hendry <michelle.hendry@whitestone.ca>, John Jackson <JJPlan@vianet.ca>, George Comrie <mayor.comrie@whitestone.ca>, Janice Bray <councillor.bray@whitestone.ca>, Joe Lamb <councillor.lamb@whitestone.ca>, Scott Nash <councillor.nash@whitestone.ca>, Brian Woods <councillor.woods@whitestone.ca>

I'm writing in response to your invitation to provide written submissions for the Public Meeting next week regarding revisions to the Short Term Rental Bylaw.

Firstly, I see no evidence of significant retail or employment income arising from STR's in Whitestone. I see no merit in 'courting' them. However, I do see the need to create rights and responsibilities for the 'industry'.

The 'absentee landlord' model of tourist accommodation increases potential for environmental damage and it adds to the costs and frequency of policing, government agency and Municipal bylaw enforcement – trespass, fish and game, water, waste management, noise, animal etc.

My personal area of major concern, however, is the licensing of STR's on privately owned roads/access routes. Since July 2022, I have submitted written complaints and recommendations to all of you and conversed at length about the subject with several of you. Let me summarize our situation:

Our property is on Blackfly Lane, which is a private road from Highway 520 providing deeded Right of Way access to each of the 5 subdivision properties (Plan 42-R-10079 (1988) and Plan 42R11807 (1990)). Unlike most private roads in Whitestone, Blackfly Lane passes through the middle of the lots and runs very close to the residences. Each lot owns, and therefore has **liability** for the section of the Lane passing through it. In May 2022, ■ Blackfly Lane (with deeded access through ■ Blackfly (zoned C2 Tourist Commercial) and ■ Blackfly (zoned Waterfront Residential) changed ownership. Less than one month later, it was listed and rented on AIRBNB. This was the new property owners' second unlicensed STR in Whitestone, the first being ■ Shady Maple Trail purchased in May 2021 and rented on AIRBNB and VRBO starting September 2021.

And in June 2022, our previously safe, co-operative, respectful neighbourhood was no more. The sewage and building permit for a 3 bedroom was rented as a 5 bedroom with 15 person maximum. It was months before the listing was changed to reflect the permits. There have been many instances of dangerous driving and close-call pedestrian/vehicle incidents (despite signage including speed maximums). There have

been many instances of trespass (some very confrontational) including use of waterfront furniture and children's play equipment. There have been several instances of dogs off leash on neighbouring properties. There have been several failed attempts to get the landlord to accept responsibility for his tenants and to take corrective actions, even with the assistance of Municipal staff.

All of these issues and incidents have created new liability (potential for civil suit for personal injury on our private property). They have led to significant loss of privacy and peace of mind. These in turn have definitely affected our emotional and physical wellbeing.

Legal advice supports our opinion that this STR is a "commercial operation" and contravenes our Zoning Bylaws. It also supports our position that operating the STR on our private road represents an "over utilization of the Right of Way" which "over-burdens" the other property owners on Blackfly Lane and therefore is actionable. We believe that Municipal Bylaws which diminish or conflict with civil/property law regarding deeded access or Rights of Way, subjects the Municipality to financial liability.

With all of this in mind, in February 2023, I prepared specific recommendations for the revised Short Term Rental Bylaw. I have attached a copy of that email. Again, if any of you wish to speak with me, I would be happy to do so

Sincerely,

Peg Andrews

Date: February 5, 2023

Attention: Michelle Hendry, Paula Macri, Paul Rossiter, John Jackson,
George Comrie, Janice Bray, Joe Lamb, Scott Nash, Brian Woods

Copy: Yvonne Mason

Subject: Municipality of Whitestone Short Term Rental Bylaw Revision

The revised STR Bylaw needs to include the qualifiers of the current Bylaw – septic capacity, fire code, building code. For waterfront and EP properties additional qualifiers should be added (docks, shoreline modifications etc).

The revised STR Bylaw also needs to include the following:

1. Renting and/or advertising/listing/marketing a STR with real estate or an “online” platform prior to the issuance of a Permit is an automatic violation and shall result in a significant fine (at least equal to two weeks’ the rent being advertised). Any consideration of an STR application must be suspended until the listing is removed and the fine is paid. If the listing is left active and/or reappears, additional and increased fines (at least doubled) should be issued. A third offence should result in a permanent ineligibility for an STR Permit. Outstanding fines should be added to the owners’ tax bills.
2. If a ratepayer owns (in whole or in part) more than one STR property within the Municipality, all such properties will be automatically considered Commercial and subject to all bylaws related to Commercial Zoning.
3. Public Notice of an application for STR Permit shall be posted by the Municipality in exactly the same way Zoning Change applications are.
4. STR Permits must be for a maximum period of 12 months. Granting renewal Permits must include a review of Bylaw infractions, and any environmental, fish and game, boating, trespass violations related to the property.
5. For residential properties, STR Permits must limit the total number of rental days per year to no more than 120 days.
6. No STR Permits should be issued on Private Roads except under the following conditions:
 - 6.1 The applicant property is the first property from the public road.
 - 6.2 If the applicant property is accessed across the private property of one or more other properties:

- > the applicant property must provide proof of deeded access (registered ROW) across the other properties
- > the applicant property owner must provide proof of a minimum \$2 million 3rd party liability insurance per property owner subject to their ROW

- > each of the owners of those properties must provide written consent to the STR Permit specifically allowing or disallowing the use of their sections of the Private Road for ANY use other than vehicular passage. Specific permission for renters to use ATV's or snowmobiles, and to recreationally walk themselves and/or pets must be included. (Based on legal consultation, I believe that without the express written consent of neighbouring properties, the issuance of STR Permits accessed via private roads is outside the legal scope of the Municipality in that the Permit enables the owner of the STR property to overutilize a Right of Way in such a way as to overburden the owners of the utilized private lands. The Municipality will be jointly liable for any damages arising out of such overutilization.)

I would be happy to discuss any of the above recommendations. You may contact me by email or telephone.

Respectfully submitted by Peg Andrews

From: Marie Mitilinellis
Sent: March 14, 2024 5:16 PM
To: 'Paula Macri' <paula.macri@whitestone.ca>
Cc: balta
Subject: RE: public meeting on short term rentals

Thank you. I do have some comments to make concerning the short term rentals.

My husband and I own a cottage on Gooseneck Lake. We have rented it in the past and likely will in the future. We have abided by the by-laws to the best of our knowledge, obtained our license, had a fire inspection and posted the requisite documents for the renters. We also advised our neighbors that we intended to rent the cottage from time to time and obtained their permission.

We care very deeply for our property and the surrounding lands. Not only do we screen our renters very carefully, we also have them sign a detailed short term rental agreement (in addition to any agreement through a third party) and require a hefty security deposit before we finalize the rental agreement. We require the name of every person staying at the cottage and signatures of all over 18. We do not allow more than 6 people under any circumstances. And in fact offer discounts for 2 or less people.

We send the renters a detailed list of rules and helpful information and ask them to sign that as well. We also have this information available in paper form at the cottage. In fact since my husband and I are both vegan we also ask renters not to bring meat to the cottage. We are aware that renters may not know anything about indoor or outdoor fires, hence, we do not provide a BBQ. We do not allow them to use the wood burner inside the cottage and we only allow them to make outdoor fires in the chimenea, which is placed inside a fire pit.

And of course with all these rules, large security deposit and legal contracts our cottage is clearly not for everyone, which is fine with us.

We can understand why it is important to have rules and regulations governing short term rentals in Whitestone. We ourselves would certainly not want problems with renters at neighboring cottages. That said there is only so much we can control. I do not want to be held responsible for the ill conduct of renters at my property. This is why I have them sign a short term rental agreement and hold on to a large sum of their money, so they take full responsibility for their actions.

Any published code of conduct should be reasonable and fair, or perhaps put other provisions in place that put the onus on the owners to put the onus on the renters as we do.

It is very unfair for people like myself and my husband, who go to such pains to screen our renters and abide by the rules, to be subjected to harsh regulations put into place because some people are not following the rules.

And our cottage I believe is still on the 3rd party sites but is not showing available for short term rental (30 days or less). So I don't want to be punished because it is showing up but in effect cannot be booked.

I think you have to tread carefully with these amendments and make specific amendments, after this meeting, available for comment and further public review before changing the current by-law. Because this could easily become an issue between those who don't want short term rentals (by making it very difficult), and those who do; and that is not what this is about I hope.

It would be interesting to see how many complaints there have been regarding renters in the last few years and exactly what those complaints are about. And are they formal complains or anecdotal?

And how do you know that only 20% of rented cottages obtain a permit. How do you know the total of cottages that are in fact being rented?

Being punitive is not always the answer. Often times create approaches to solving problems makes for a better and happier community.

Regards,
Marie and Mehmet

Hi Paula

I hope all is well?

We haven't had any issues with our short-term rentals, however we view our cottage as our future retirement home and also value the community in maintaining it's beauty and ensuring our guests do not disturb our neighbours. There are advantages to renters coming to the area to support local businesses, we employ full time residents to help with the maintenance of our cottage. I know many owners would not be able to own their cottages unless they subsidize their costs with renting. We find the \$200 rental fee license reasonable and fair considering the alternative. And for the most part renewing the license has been a relatively easy process. I do agree there either needs to be a fee, license or a rental by-law in place.

Unfortunately, regardless if a the property owner is a full time resident, seasonal owner, or owner that rents, there will always be individuals who will disobey the by-laws. ie trailers on waterfront properties, unleashed dogs, building without a permit, exceed the noise limit, burning without a permit. Unfortunately, this will also be true of some owners that rent without a license. I do have a few sincere questions: What is the intended purpose of the rental fee/license? Is it meant to encourage owners to inform the Municipality they are renting their properties, to restrict the number of rental properties in the area, to inform renters of the by-laws, to encourage good rental etiquette, to make additional funds for Municipality? Knowing the reason or purpose of the fee/license may help determine if it is needed or not, as you indicated there is low uptake on the permits, it is unenforceable and appears those who do not obtain a license generate the most complaints. Since the implementation of the rental license has there been a decrease or increase in complaints, change in renter's behaviour whether positive/negative, or are these all the same issues the Municipality have heard before the license was mandated?

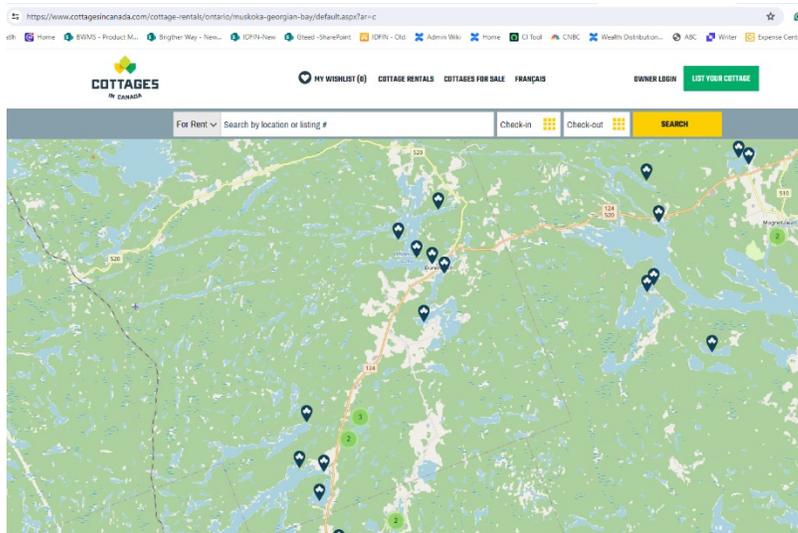
As you know we are a bit over the top with our rules when it comes to renting, but I think that is why we have had success, with no complaints from the Municipality over the last 12 years. Here are a few things we have done that have helped us find quality renters and adhere to the by-laws.

- Have a solid terms and conditions and formal rental application process.
- We review application and vet our renters. I will refuse to rent if conflicting information on the application.
- We have a minimum \$800 security deposit, if they fail to abide by the terms and conditions, I have the right to keep the deposit, plus ask for more in damages.
- Ask for photo identification and must sign and agreed to our terms and conditions. Signature on the application must match Driver's license.
- We do not rent to just anybody, I will refuse groups who I feel are not a good fit. ie, They say they have a celebration, bachelor party or graduating high school students.

- We do not use Airbnb, rather we use cottagesincanada.com. As an owner I have more control over how we run our short-term rentals vs. using Airbnb. As an example, Airbnb will allow renters under 30, their age minimum is 25.
- Renters must meet minimum age requirement; we will not rent to under 30. If the main renter is 30 but everyone else age is questionable, I will ask for their IDs.
- Renters must not exceed maximum occupancy, if they do we evict them.
- Dogs must be leashed, we provide a spare leash, crate, chain, corkscrew for their use during their stay.
- Municipality of Whitestone, provide copies of the by-laws in cottages terms and conditions of rental agreement. As well in provided in welcome kit prior to arrival and hard copy at cottage.
- Security cameras at main entrance, to determine guests do not exceed maximum capacity. Cameras have sound, so we can hear if the noise level is too loud.
- I indicate on both my website and terms and conditions, we have security cameras, this helps weed out renters who are up to no good even before they inquire. If renters plan to do something illegal, they likely won't rent from us due to the cameras.
- Evict renters if non-compliant to any cottage rules or by-laws, without reimbursement.
- Clearly outline parking in our welcome kit
- We pump our septic every 4-5 years, whether it is needed or not.
- We limit the number of rental weeks to mostly summer months, even though our cottage is 4 seasons. This allows for septic time to do its work.
- For weekend rentals, we charge more to limit the number of people.
- Our neighbours are our eyes and ears when we are not there. We are in direct contact with our neighbours, and they are excellent at informing us if groups are too loud, too many people and we will evict if the behaviour does not improve.
- We provide all our rules in the terms and conditions at time of booking, again at final payment, plus 1 week prior of the rental dates, as well hard copy version in the welcome kit at the cottage.
- Provide clear plastic bags for garbage. We provide landfill site location, hours of operation in our welcome kit, as well post information on fridge. We also post how to sort and organize waste prior to trip to landfill.
- We do not allow renters to bring their sea-dos, only small fishing boats. Advise them to say away from shorelines, unless docking boat.
- We provide a rowboat, canoe, and paddle boat, to encourage non-motorized boating.
- Provide guests with information on how to obtain fishing license.
- Provide guests instructions on how to obtain a fire permit, website link for current fire rating. We also provide them with the current fire rating prior to their arrival. Tell them the fire must be extinguished prior to being unaccompanied.
- We have a FB group designated for Fairholme Lake where local residents and seasonal owners can post comments/concerns.

- For cottage owners who rent on our lake we have a designated chat group, to keep each other informed as well use each other as back ups in the event there are issues with the cottage or renters.

If an owner is posting their cottage for rent on a website, it is more than likely for money and not just to family. If have the time to investigate, and search sites like Airbnb, cottagesincanada.com, bookings.com, Expedia, Travelodge, you could potential prove they are in violation and fine the owner. Many of these sites have maps so you can determine the location of the cottage and if it is in the Municipality of Whitestone. Cottages in Canada also has the owner's name posted, so again easy to find out who they are and determine if they have a license to rent or not.



As a suggestion to add some additional requirements to obtain a rental to what is already required. This is to address some of the concerns outlined in the FAQ, however the more requirements you have the less likely an owner will fulfill them and not pay the fee.

- Must provide copy of the application, terms and conditions.
- Terms and conditions must include Municipality of Whitestone by-laws, noise, fire, fireworks, dog etc
- Terms and conditions must include landfill location, hours
- Security cameras installed on property, (during annual fire inspection can determine if installed)
- Receipt of most recent septic pump. Must be done xxxx so many years.

Let me know if you would like me to share my experiences during Tues' meeting.

Kind regards
Kristina Hay

From: Donna Berry
Sent: March 15, 2024 7:59 PM
To: paula.macri@whitestone.ca
Subject: Hi, thanks for reminding me to write.

Short term rentals are an issue in cottage country. Generations of my family have owned property on lake Wahwashkesh since 1919, and have witnessed many changes in that time.

In my lifetime I was subjected to 9 years of the short term rental cabins across the bay, being rented to groups to “party”. That resulted in many sleepless and frustrating visits to the lake. One year, it became so problematic, the we assembled a convoy of 12 boats from our side of the bay, and pulled up on their shore to talk. They eventually understood that their behavior was unacceptable, and changed it. And I am happy to say that the property changed hands a few times, and has become a single family enclave.

But the issue still stands, with no simple answers. Some people make a living renting out properties. And some people want to experience cottage country, but can't afford, or don't want, to own.

I now live in the Laurentians in Quebec. An area of many lakes and cottages. In our municipality it is not legal to rent for less than 3 months. But in practice, people rent for short terms, and as long as the renters are respectful of their neighbours and the environment, it goes quietly along. But the law is a good failsafe. If renters become problematic, they can be evicted, and the owners fined. So the owners are motivated to find good guests, and the guests are motivated to be cooperative within the community.

Please keep me posted re the ongoing discussion.

Best wishes, Donna Berry

From: Margie Szilagyi
Sent: March 16, 2024 6:52 PM
To: mayor.comrie@whitestone.ca; councillor.lamb@whitestone.ca;
councillor.nash@whitestone.ca; councillor.bray@whitestone.ca; Michelle Hendry
<michelle.hendry@whitestone.ca>; Brian Woods <councillor.woods@whitestone.ca>
Cc: Joe Szilagyi
Subject: Short term rentals

I see the consideration of short term rental by law is on the agenda for Tuesdays council meeting. A few comments if I may.

A few meetings back, when council heard there were 20 or so permits currently active in whitestone, councillor lamb commented to the effect there were 20 on his bay alone. I would concur. Blatant non compliance with a by law which has been in effect since 2014 is really much more of the issue at hand. Whatever opinion you have..yeah or nay or yes within certain guidelines, it is clear that enforcement is the issue.

My comment in this regard is with current technology, it is a simple thing to identify rental properties currently being offered, and send them a formal letter advising of their obligations in this regard and asking them either to verify they do not rent or directing them to do so and here is the process..we expect a response by whatever date. A quick search of vrbo(114), air bnb(112), various cottage sites..cottage Canada(6) vacation rentals.(28) Ontario cottage rental(40), homes to go(21), not to mention FB sites or FB marketplace. Suggests a plethora of abuses. Could be a great source of much needed income.

In terms of the by law itself, just a few comments

Enforcement- don't bother with the time and effort of developing or updating a by law if you don't intend to enforce it

Limit number of renters-limit number of renters advertised to the ability of septic to handle

Private road -I know this issue has been discussed at council and has not currently been addressed in by law. It needs to be. It is one thing for council to approve significant traffic and wear and tear on their own roads..quite another when other ratepayers are paying the brunt for what is essentially commercial gain of neighbours. Rentals on private roads should not be approved by council without a measure to ensure other home owners do not pick up the tab for road usage and repair costs.

Thank you for your consideration in this regard.

Margie

From: Tracy Rivers
Sent: March 17, 2024 11:37 AM
To: Paula Macri <paula.macri@whitestone.ca>
Subject: STR Feedback

Hi Paula,

We rent our cottage and have some feedback for consideration in developing STR regulations in Whitestone.

The process to obtain a license should be reasonable to encourage those to get a license. For example, arranging for a fire inspection every year is likely putting up a barrier that isn't necessary. The fire inspection should be valid for 5 years. The same approach should be taken for the water testing. The fee should also be reasonable or else people will not apply.

Limits on how many renters are permitted are reasonable, and should be based on the septic system or number of bedrooms.

Rules for renters should be the same as those for owners. For example, quiet hours should be enforceable, regardless of who it is (renter or owner).

Careful consideration should be taken if limits to the amount of time properties can be rented or the number of properties issued a permit, as if it becomes too difficult, it will push owners to take it underground and then it is harder to monitor and manage.

When we consider renting to families, we ask questions and make sure that the potential guests are going to be respectful of the property and the neighbors. They must agree to our house rules, which includes no parties, following quiet hours, no visitors or ATVs and following the fire ratings. We also provide a document before and during their stay to outline aspects such as garbage, where the property lines are so no trespassing occurs and use of watercraft. We provide our cell phone number and are available to deal with any questions or concerns.

We also feel it is important to have all sides at the table in these discussions as the bylaw is developed, and appreciate the ability to share our comments.

Regards,
Tracy Rivers and Bryan Fleming

From: Leo Baljet
Sent: March 17, 2024 5:23 PM
To: michelle.hendry@whitestone.ca; paula.macri@whitestone.ca
Cc: Henny G Baljet
Subject: Seeking Public Input and Comments on Short Term Rentals

Dear Paula and Michelle,

Thank you for reaching out to get feedback from cottagers and residences in Whitestone. Please find attached comments my wife and I had. We understand it is tough to get ideal solutions on short term rental problems. Looking at what other municipalities have done is a good way to go in addition to getting local input. We wanted to strongly encourage the process of understanding what other municipalities have done and learn what they have learned is working. These are cottage area wide problems in which much thinking has already been done.

Regards
Leo and Henny Baljet

Feedback about Short Term Rentals as Requested by Whitestone Council
March 17, 2024

My wife and I own a cottage on Whitestone Lake for several years to continue our cottage life experience as well as being able to rent out for others to experience how wonderful cottage life can be as I experienced when my parents regularly rented a cottage.

We commend Whitestone Municipality for setting up the rental permit system to help communicate expectations in managing/controlling short term rentals. Setting up the permit system appears to be a good way for more effectively dealing with any problematic short term rental situations. Several other municipalities have similar short term rental permitting setups as they too want to discourage bad short term renter behaviours and have rentals setup to encourage a cottaging spirit that is respectful of others.

A challenge with the short term rental permit system is about setting system up and having the system evolve to encourage rental practices respectful of others. **Strongly suggest continuing to observe what other municipalities are doing or what has been done to encourage rental practices respectful of others.** Seek out what is working and what is not so Whitestone Municipality can be effective in determining what would be good to have in their permit system in addition to considering the public feedback currently being requested. If there are issues related to other bylaws (eg noise, fireworks, dogs, etc) perhaps the other bylaws need to be modified as such issues are often not specific to short term rentals.

Leo and Henny Baljet
Whitestone Lake

From: Kimberley Dare
Sent: March 17, 2024 9:00 PM
To: michelle.hendry@whitestone.ca; Paula Macri <paula.macri@whitestone.ca>
Subject: SHORT TERM RENTAL

Hi there. Thank you for giving us the opportunity to speak about our short-term rental. Here is our response.

As homeowners in Whitestone for the past 20 years, we are concerned about the proposed changes to further regulate short-term rentals in our municipality. I object in principle to any further regulation of how I can reasonably rent out my property and hope the council will change their proposed action in this area of governing our community.

We are concerned that the municipality is overly regulating short-term rentals because it is a recent hot topic in other areas. Why do this when the municipality does not need it and does not have the resources to manage it? The proposed changes only make it harder for the people in this community to make a living and take away from the governing municipalities time. We need to promote an environment that encourages MORE people to move, invest or visit here not LESS!

We are very conscientious members of this community and proud of our house, property and community. Our cottage is rented in every season and brings wonderful people into the area. In turn, these "renters" support our small economy and the people that live full time here in Whitestone. Supporting the local economy and increasing business in Whitestone should be the priority of the council, particularly when so many of our community are struggling to get by.

LOW UPTAKE ON RENTAL PERMITS

We already submit to yearly licensing (which we feel is overdoing it in terms of cost, time and money as the municipality asks for the same information every year) which is enough.

If only 20 owners currently have rental licenses and the municipality is only making \$4000 per year on its licensing scheme is it cost effective to license further?

If the municipality does not have the resources to enforce rental permits overall; I feel that the cost of doing so outweighs the benefits to the community. I feel that the municipality should solely focus on enforcing the individual by-laws that impact short-term rentals and their neighbors instead of adding more legislation to our already overworked council members.

In summary,
I find the rental license cumbersome and bureaucratic and an additional cost that is unnecessary. However, since it was implemented, I have faithfully adhered to it. I would object to any further regulation that would make this process even more

cumbersome and wasteful. I believe that having the ability to rent out properties in Whitestone promotes a win-win situation for the owners AND the township as we have more visitors who discover the beauty of our area and they boost tourism revenue to our area. One day, they may even move to Whitestone which will help as our community is still very very small.

Common Complaints can be enforced by existing bylaws. A cumbersome rental license will not make these issues go away or change them in the future.

Excessive Noise

After 6 years of renting out our property we have had no problematic guests. We screen all of our new guests before they book with us and have a booking age of 30y/o. At this point in our rental business we have many regular guests that return every year. Our regular families make up 60% of our rent and they know our cottage, community and all the rules and regulations of renting.

The noise bylaw is posted in our cottage for guests to see upon arrival. Additionally - I send out a welcome package to reinforce guest expectations around music and noise after 11pm. We also post signs down at the waterfront asking guests to be quiet after 11pm.

Please note: Our closest neighbor is down on the waterfront and is over a kilometer away making it unlikely that nighttime noise is a problem. Saying this we understand that noise can travel on a quiet night and we regularly communicate with our guests to prevent this from happening. Any issues in the past have been sorted out with our neighbors and managed well by the bylaw officer.

Trespassing

Our property has 55 Acres of land. We have maps of our property posted and it is unlikely that our guests trespass to any degree.

Too many people on the rental property

Our cottage is large (4000 sqft) and our property is larger than most with 55 acres of land. The house and property can accommodate many people and their cars regardless if they are renting or not.

Kind regards,
Kimberley Dare

18 March 2024

Municipality of Whitestone
c/o Paula Macri,
Planning Assistant
21 Church Street
Dunchurch, Ontario
P0A 1G0

RE: Public Meeting on short-term rentals scheduled for March 19, 2024.

We received an email from the town, 15 March 2024 advising of an upcoming meeting regarding short-term rentals to be held 19 March 2024.

The attached letter from us to the town dated 21 August 2021 outlines some of the challenges we have faced with a rental property next to us – ■ Mitchell Lane. In the past three years not much has changed. And with said property now up for sale, we anticipate more of the same issues. (Note that the online ad for said cottage states there is parking for twelve cars – welcome friends and party goers!)

We realize there is much to consider when it comes to setting regulations for permits for rental properties, and we hope that our experiences outlined in our attached letter of 2021 will be considered.

The following are some of our other concerns that we hope will be addressed when deciding on the regulations.

- The most important of course, is that there are rules and regulations in place so that the By-law Officer has something to enforce.
- Rental properties should not be advertised as such without a permit, which should be displayed prominently on the cottage.
- Rental properties should not be advertised as such unless property taxes are up to date.
- A hard copy of the town by-laws should be at each rental property.
- Proof of property insurance of all buildings on the site, should be required for a permit.
- Regular inspections of the septic system, fireplace/chimney, electrical, HVAC, and check of smoke and CO alarms.

Enforcement is the key, as you say less than 20% of properties are reported as rental units. The question is – what plans are in place to do so?

We would appreciate hearing what comes up at this meeting regarding cottage rentals and the bylaws.

Thank you,

Hugh and Susan Roser
cc/Town Council

From: Werner Wehmeyer
Sent: March 18, 2024 3:16 AM
To: Paula Macri <paula.macri@whitestone.ca>
Subject: Comments on Short Term Rental By Laws

Hi Paula,

As discussed on our call a few weeks ago I won't be able to attend the public meeting I'm currently out of the country. My comments are below:

I'm a cottage owner who uses my cottage for personal use most of the time and does rent it out when I'm not using it via short term rentals.

The current bylaws in my opinion are sufficient and far more advanced than many other areas in cottage country.

However we shouldn't require our neighbours permission to rent out our cottages. This provides neighbours with a decision right to a property they don't own. I know that as owners we can there is a process when a neighbours don't want a short term rental but that could put undue pressures on the relationships between neighbours.

I have also heard that some cottage owners don't want short term rentals for various reasons. I would counter this with that there are many cottage owners who disturb the peace and do all the things they accuse renters of doing so if there are new rules they should apply to existing cottages who don't rent. In both cases it's the minority of renters and cottage owners who do things that may disturb others.

If any capacity constraints are being considered they should apply to both short term rentals and cottages who don't rent.

Short term rentals are also good for local businesses.

I look forward to seeing the comments from the public meeting when I'm back in Canada.

I would be happy to clarify any of my comments if needed.

Thanks
Werner

From: Sandra Bray
Sent: March 18, 2024 8:57 AM
To: Michelle Hendry <michelle.hendry@whitestone.ca>
Subject: Amendments to the current Short-term Rental Unit Licensing By-law

Dear Ms Hendry,

I hope to attend the March 19 meeting but am writing to have my comments recorded for Council.

I would like to describe my rental situation for Council to consider when amending the Rental Licensing By-law.

- I rent for two, two week periods each year, when there is no family using the cabin
- My cabin is ~380 sq feet, and has an outhouse built to municipal standards.
- I rent to the same two parties each year.
- One family is a single parent, her son, and her Mom.
- The other family is a larger family who also bring a tent.
- I charge \$1200 for each two week rental period.
- I have paid \$2000 in municipal rental license fees over the years.
- There has never been a complaint or a by-law call to my place.
- My property is the only rental on Chur-Lee Road that I know of.
- There are two kayaks and a canoe; no motor boats to disturb the peace of humans/wildlife, nor pollute the air or lake.

I would appreciate being able to continue this practice. It's important to me that I can share my beautiful spot at a price my guests can afford.

Kind regards,
Sandra Bray

From: Corinne Filer
Sent: March 18, 2024 11:06 AM
To: michelle.hendry@whitestone.ca
Cc: paula.macri@whitestone.ca
Subject: Public Meeting on Short-term Rentals March 19, 2024

Subject: FW: Public Meeting on Short-term Rentals March 19, 2024

Good morning: Thank you for the opportunity to express our concerns about short-term rentals on Whitestone Lake. We have owned a cottage for 15 years on Finn Road – a private, single lane, dead-end road. Of the 8 cottages on our lane, there are now 2 cottages being offered as short-term rentals. I have included my last letter written to the Municipality on September 7, 2023 when the ■ Finn Road cottage submitted a rental application.

As stated previously, we have several areas of concern.

1. Rentals on private lanes. We feel, at the very least, there should be a limit to the number of short-term rentals on private lanes. Rental properties, especially on private lanes, impact other property owners due to their close proximity. For example, one rental cottage on our lane advertises that it will sleep 9 people. Obviously this increases the number of cars using the lane creating the necessity for increased road maintenance by the other cottagers, and increases the demand for parking spaces which is limited on the properties at the end of the lane.
2. Safety. Our single lane travels up an incline and offers a limited view of oncoming cars, pedestrians and pets. Since the lane dead ends at the top of this incline, motorists often gun their cars up the last hill. We believe that the Municipality should provide proper signage on lanes that it has approved rentals to ensure safer use of private lanes, eg. 'No Exit', 'Watch for Pedestrians', and 'Children Playing.'
3. Environment. Rental cottages on our lane include boat and seadoo usage. Often we observe boaters travelling on the lake seemingly unconcerned or unknowledgeable about their impact on our lake environment. This is especially concerning since there has been a precious pair of nesting loons on Gibsons Bay.
4. Municipality Responsibilities. After reviewing the Rental By-law, we are concerned about the impact on other cottagers when renters use private lanes. The by-law should ensure clear personal accountability of renters if there is a mishap – vehicular or recreational - while using a private lane.

The cottagers on our lane has been always been close-knit. We look out for one another. Short-term renters are changing that sense of community. It is our hope that Council will consider these impacts as you move forward.

In summary, our recommendations are:

1. Limit the number of short-term rentals on private lanes. Request all cottage lane owners input when rental applications are received and, more importantly, consider their concerns, and respond in writing.
2. Provide increased signage to lanes and roads to increase vehicle and pedestrian safety.
3. Include in the Rental By-law provisions to protect the environment and wildlife.
4. Include in the Rental By-law provisions to protect other cottage owners from responsibility when renters are using private lanes.

Thank you. David and Corinne Filer

From: Donato Jeanie
Sent: March 18, 2024 1:35 PM
To: Michelle Hendry <michelle.hendry@whitestone.ca>
Cc: mayor.comrie@whitestone.ca; councillor.lamb@whitestone.ca;
councillor.bray@whitestone.ca; Brian Woods <councillor.woods@whitestone.ca>;
councillor.nash@whitestone.ca
Subject: Rental Unit Bylaw suggestion notes

Morning all ,

I'm not able to attend tomorrow , so I thought I'd sent a few notes about the Rental License bylaw.

1. Suggestion to identify this bylaw as clearly distinct from STR, either through addition of Long term Rental , with definition to include greater than 30 days - Do not add the term continuous as an individual can vacate for one 24 hour period and return.
2. # 5.4 , conspicuous area? Should that have read non-conspicuous area ? Regardless maybe refine to read easily accessible ?
3. I would also suggest a note be added to the property owner , that as part of their lease agreement with a tenant , should be the signing of a document each year that they have received, read and are aware of the location of these documents within the dwelling.
4. When it comes to Tenant rights , You may be asking for the property Owner to step outside what Canadian law allows. For example , If there is a lease agreement for a year, and The municipality revokes the rental license at 6 mths time due to the actions of a tenant, the property owner has very little recourse if the tenant does not leave, until it works through the tribunal.
5. The municipality should be required to ensure that property owners who hold rental licenses are notified via email about any changes to bylaws that affect rental licenses, however It is the property owners obligation to ensure their current information is up to date with the municipality.
6. Building codes have changed , specifically the requirements regarding smoke alarms and CO2 monitors. Existing long term rentals may not meet current standards , some provisions may need to be adjusted as required through the fire chief.
7. Long term Rental licenses should be split into two categories, Seasonal long term , and long term year round.
8. There should be a specific requirements regarding which properties qualify for year round Rental licenses, if rented year round, they must be located on a year round road that is fully accessible, or with certain exceptions , an owner maintained private road that allows access for Emergency Services. Specific Provision that the municipality will not be responsible now or in the future.
9. There must be a provision about a Sufficient heat source throughout the winter. If wood stove , It needs to pass safety , 1 yr, 2 yr? Whatever is adequate. Though the current version says licenses can be issued for up to three years.
10. There should also be a provision about the necessity of a year round water source even if it's not potable.
11. Camping trailers should not be eligible for long term year round licenses.
12. Be cognizant that families sometimes make long term living arrangements with extended family members, adult children etc. Even though the occupant is not the direct property owner., it may not fall under the scope of a rental type of situation,

Thanks
Jeanie F

From: Yvonne Mason

Sent: March 18, 2024 3:08 PM

To: Michelle Hendry <michelle.hendry@whitestone.ca>; Paula Macri <paula.macri@whitestone.ca>; George Comrie <mayor.comrie@whitestone.ca>; Janice Bray <councillor.bray@whitestone.ca>; Joe Lamb <councillor.lamb@whitestone.ca>; Brian Woods <councillor.woods@whitestone.ca>; Scott Nash <councillor.nash@whitestone.ca>

Subject: Short term rental submission

March 18, 2024

Good afternoon,

Public Meeting on Short Term Rental

We are writing in response to your invitation to provide a written submission on short term rentals. Our issues to consider for the granting of a short-term rental permit on a property accessed by a private lane which is owned by the property owner unlike municipal access roads.

Extra liability concerns due to our lane's construction with its poor site lines and higher number of unaware STR (short term rental) travellers could cause an increase in pedestrian or vehicular collisions. We have already had many close calls despite posted speed limit signs. Not only our own safety but the safety of the short-term rental occupants and the safety of 3 other ROW (right of way) users that travel it to get to their properties, 2 of which are permanent residences. We have pedestrian and vehicular traffic of 4 other ROW water access properties that have use of the lane with 3 of them having contracted parking rights on the lane to also consider. Many times, there are excited children and dogs walking the lane to the dock to go to their cottages. While we have always been aware of the risks of having a ROW through our property and have kept great repour with all of our current neighbours, we all respect each other properties and the current volume of traffic is minimal. Short term renters do not know the hazards that are on this lane, nor do they respect them.

The extra traffic burden placed on our roadway has increase the cost for its repair and maintenance. Historically these costs have been divided equally by ROW owners how can we divide these costs now? There have been no monies recovered from the STR in question to date even after payment has been asked for. The current residents have had to pay extra for the road.

Commercial interests have been the driving force of the purchase at ■ Blackfly Lane. Even though no STR permit was granted the new owner had it posted with online platforms like Airbnb soon after its purchase. The owner of ■ Blackfly Lane has another property listed with Airbnb on Shady Maple Lane also without permit. We have submitted written complaints and recommendations to the municipality and conversed about this subject for over a year now. As a ghost host of these 2 properties who lives 4 hours away how can he properly monitor the actions of his guests? We are often left to deal with their guests' issues which affects our enjoyment of our property.

Trespassing guests from ■ Blackfly Lane have been on our waterfront, docks, benches, trails and our swing set at our firepit area without permission. We have found their guest children sitting on our quads in our laneway after coming back from an afternoon of fishing. We have been yelled at by guests of the STR while on our property and on the lake and have been made to feel very uncomfortable about being outside at our own residence.

Blackfly lane passes 7.5 meters in front of our house and divides our yard in half. We have a dog and when Airbnb guests walk their strange dogs on our property he reacts as any dog would and runs to meet them. It may startle the other new dog or it's owners and that's not fair to him. When we have friends or neighbours visiting with their dogs who are off leash (and legally so) on our property, what would be the outcome then? Not an ideal situation and this constant vigilance affects our enjoyment with our pet on our own property.

The granting of a STR permit should not only be the many things listed in the applicants check list. It should also consider the other parties/properties crossed on the lane travelling to the rental property. Things like how the increase of traffic on the lane would affect the lives of the permanent residents who live there with arrival and departure times possibly at all hours of the day or night which we have endured. Typically, rights of way pass through properties at the back and away from houses or the waterfront. On this unique lane it does not, so special consideration should be given to the granting of the STR permit across it and other properties like it.

Can the Environmental Protected area in front of this STR be destructed by the increase of weed removal for boating and swimming?

We have reviewed Magnetawan's Short Term Rental policy and feel that it's a good model with the "proper amount of teeth". We would hope that there be language included about private roads were the liability lies on the individual owners unlike municipally owned roads.

Our case seems to be the extreme case; however, it does afford consideration for a change. I understand that most rental places are not like this which makes your task a difficult one, however it affects our emotional and physical well being. We are tired of having to continue dealing with transient trespassers, being afraid to see what this week brings, and not being able to do anything about it.

Sincerely,
Yvonne and Dave Mason