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STAFF REPORT: Planning & Building Services Department



REPORT TO: Council
MEETING DATE: May 15, 2013
REPORT NO.: PL.13.60
SUBJECT: Special Short Term Accommodation Stakeholder Committee – Terms of Reference
PREPARED BY: David Finbow, Director, Planning & Building Services

A. Recommendations

THAT Council receive Staff Report PL.13.60 entitled “Special Short Term Accommodation Stakeholder Committee – Terms of Reference” and

THAT Council adopt the Special Short Term Accommodation (STA) Stakeholder Committee Terms of Reference.

B. Background

Council at its meeting of May 6, 2013 received Staff Report PL.13.52 and adopted the following resolution:

THAT Council receive Staff Report PL.13.52 entitled “Short Term Accommodation Proposal – Martinek/Tyrolean Village Resorts”;

AND THAT Council direct staff to invite a stakeholder committee to consider alternatives to the proposed licencing by-law and to report to the July 2, 2013 Planning & Building Committee;

AND THAT the invitees to the committee be:

1. One OPP representative
2. One Building/By-law representative
3. One STA Owner/Operator
4. One Member of the Rental Managers Association
5. One representative of The Blue Mountain Ratepayers Association
6. Two members of the Public
7. One Fire Department representative

AND THAT Council confirm appointment to the Committee at the May 15, 2013 Special Council Meeting; **CARRIED.**

In reviewing the mandate of the Committee, and related deliverable(s), Town staff recommends that Council adopt a Terms of Reference for the Committee. In this regard, the Draft Terms of Reference has been prepared for Council's consideration.

C. The Blue Mountains' Strategic Plan

"Providing a strong, well managed municipal government."

"Managing growth to ensure the ongoing health and prosperity of the community."

D. Environmental Impacts

N/A

E. Financial Impact

Staff time to develop the Terms of Reference

F. In Consultation With

Greg Miller, Manager Building & By-law Services/CBO

G. Attached

Draft Terms of Reference

Respectfully submitted,

David Finbow
Director, Planning & Building Services



Special Short Term Accommodation (STA) Stakeholder Committee

Special Short Term Accommodation (STA) Stakeholder Committee Terms of Reference

Name of Committee:

The name of the Committee shall be the "Special Short Term Accommodation (STA) Stakeholder Committee".

Role/Responsibilities/Mandate of Committee:

To consider, develop and recommend possible alternatives to the proposed Short Term Accommodation Licensing By-law for Council's consideration.

Reporting Structure:

The Special STA Stakeholder Committee is a committee of Council and therefore the Committee will be appointed by and report directly to Council.

The Committee shall report to Council on an on-going basis by way of the submission of the Committee's minutes to the Town Clerk.

Council, on an on-going basis, and at regularly scheduled Council meetings, will review the minutes of the Committee.

Council will consider the Committee's Final Report and make a determination with respect to any recommendations flowing from the Committee.

Council is not obliged to act on or implement the Committee's recommendations.

Membership:

Members of the Committee shall be appointed by Council at its Special Meeting of May 15, 2013. No member of the Committee shall be dismissed from the Committee other than by Council.

Role of the Members of the Committee:

- a. Agree to this Terms of Reference established by Council.
- b. Attend Committee meetings.
- c. Review all documents, agenda and minutes presented to them before attending Committee meetings so as to provide informed discussion.
- d. Receive information from, and provide input and advice to Town Council.
- e. Suggest agenda items for Committee meetings.
- f. Strive to operate in consensus, where Committee members respectfully listen to others and openly discuss their respective views and opinions.
- g. Communicate accurate information to and from the community.

Chairperson:

At the first scheduled meeting of the Committee, the Committee shall appoint a Chairperson from amongst themselves however no employee of the Town or of the Ontario Provincial Police (OPP) shall be eligible to hold the position of Chairperson.

Role of the Chairperson:

The Chairperson is responsible for making sure that each meeting is planned effectively, conducted according to the constitution and that matters are dealt with in an orderly, efficient manner. Specifically, the Chairperson will seek to gain consensus on issues/matters/directions discussed and ensure that the committee's work is completed in accordance with the schedule directed by Council.

The Chairperson will attempt to make the most of all his/her committee members and 'lead the team'. This involves reviewing each member of the committee's performance/contributions and discussing with each member their role.

Secretary's Role:

Under the direction of the Chair, coordinate/facilitate meetings of the Committee; and, prepare and disseminate the Committee's Agenda.

Take minutes of the Committee's meetings.

Act as a Committee resource.

The Secretary shall not participate in discussions or offer opinions on matters/topics.

The Secretary is not eligible to vote on matters before the Committee.

Town Staff/OPP Role:

Town Staff and the OPP will participate in Committee meetings so as to assist in the Committee's work.

Town Staff and the OPP will provide advice from a legislative, operational and implementation perspective and to act as a Committee resource.

Town Staff and the OPP will not provide legal advice.

Town Staff and the OPP will not have voting privileges.

Frequency of Meetings, Length of Meetings, Time of Meetings and Manner of Call:

The first meeting of the Committee shall be no later than May 21, 2013 with same being arranged by Committee Secretary so as to optimize attendance.

Meetings shall commence at either 10 a.m. or 2 p.m. and not exceed 2 hours in duration.

Following the first meeting, meetings are to be scheduled at the conclusion of each meeting with a goal to optimize attendance.

Quorum:

A minimum of 51% of the voting members must be present so as to constitute quorum.

No Committee meeting shall be held without the Committee Secretary in attendance.

Decision Making:

Decision-making will be based on the principle that everyone has a right to express his or her opinion.

Decisions should be reached on a consensus basis but, when required, will be made by a vote of equal to or greater than 51% of the eligible voting members in attendance at the Committee meeting.

Committee Meetings – Open to the Public:

Committee meetings shall be open to the public however the public may not participate in the meeting without the consent of 51% of the eligible voting members.

Location of Meetings:

All meetings will be held during regular business hours at Town Hall, 32 Mill Street, Thornbury, Ontario.

Documents:

The Committee members will be provided with the following documents, by-laws, etc. and are to be reviewed in advance of the first Committee meeting:

- a. Part IV of the *Municipal Act*
- b. Draft Short Term Accommodation Licensing By-law
- c. Ontario Municipal Board (OMB) Order re Short Term Accommodation Official Plan Amendment and Zoning By-law Amendments
- d. Official Plan Amendment No. 11 as approved by the OMB
- e. Zoning By-law Nos. 2009-03 and 2009-04 as approved by the OMB
- f. Staff Report PL.13.52
- g. Council Resolution of May 6, 2013 re Special Short Term Accommodation Stakeholder Committee
- h. Minutes of the Council Meeting of May 6, 2013 related to the Special Short Term Accommodation Stakeholder Committee

Recommendation Report:

The Recommendations Report must be presented to Council, or a Committee of Council, by no later than July 2, 2013.

Recommendations of the Committee must be adopted by Committee resolution prior to presentation to Council.

If the Committee determines the need, a Committee Member appointed by the Committee will present the Committee's Report to Council on behalf of the Committee.