



Decision

The Blue Mountains Short Term Accommodation Licensing Committee Meeting

Meeting Date: December 3, 2019
Meeting Time: 1:00 p.m.
Location: Town Hall, Council Chambers
Prepared by Corrina Giles, Town Clerk,
Secretary of Short Term Accommodation Licensing Committee

A. Call to Order

Present: Appointed Short Term Accommodation Licensing Committee members present, including Mayor Soever, Councillor Rob Potter and Councillor Rob Sampson

A.1 Appointment of Chair for the December 3, 2019 Meeting:

Moved by: Rob Potter Seconded by: Alar Soever

THAT Councillor Rob Sampson be appointed as the Chair of the December 3, 2019 Short Term Accommodation Licensing Committee Meeting, Carried.

A.2 Approval of Agenda

Moved by: Rob Potter Seconded by: Alar Soever

THAT the Agenda of December 3, 2019 be approved as circulated, including any items added to the Agenda, Carried.

A.3 Declaration of Pecuniary Interest

None

B. Appeals

B.1 STA Appeal CEAPP2019-494, 137 Tyrolean Lane, The Blue Mountains Re: Refusal to Issue a Licence Renewal for this Property

Municipal Prosecutor Wayne DeWitt spoke noting that the Manager refused to issue a licence renewal for the subject property.

Committee Decision:

THAT the Short Term Accommodation Licensing Committee affirms the decision of the Manager refusing to issue a short term accommodation licence renewal for 137 Tyrolean Lane, the Blue Mountains

Reasons for Decision:

1. The Committee acknowledges that the original licence was granted in error, and had the Town attempted to rescind that licence, the Short Term Accommodation Licensing Appeal Committee would likely not have concurred with that decision.
2. The Appellant has provided evidence that they relied upon the Short Term Accommodation Licence PRSTAL2017-0000531 that clearly stated the expiry date of the current licence being May 23, 2019. The Appellant had the full use of the licence issued for the duration of its term.
3. Section 4.16 of the Short Term Accommodation By-law 2013-50, as revised, states that “no person shall enjoy a vested right in the continuance of a licence”.
4. Section 4.10 of the Short Term Accommodation By-law 2013-50 indicates that “if it is determined that an application does not meet the requirements of this By-law and the requirements of all of the circulated agencies, the Manager shall refuse the issuance of the licence.” The subject property does not conform to the requirements of the By-law in that the property is not connected to municipal services
5. Going forward, all properties in the municipality must comply with all aspects of the Licensing By-law

B.2 STA Appeal CEAPP2019-595, 133 Scandia Lane, The Blue Mountains
Re: Refusal to Issue a Licence for this Property

Municipal Prosecutor Wayne DeWitt spoke noting that the Manager refused to issue a licence renewal for the subject property.

Committee Decision:

THAT The Short Term Accommodation Licensing Committee provides an adjournment of this appeal to allow the owner to provide the Committee with the following information within 60 days of December 3, 2019:

1. When did the flood occur on the subject property?
2. When was the renovation completed on the subject property?
3. Proof of rental income since the property was purchased to today's date

Upon receipt of the information a Short Term Accommodation Licensing Appeal Committee Meeting will be scheduled to further consider the application following a 30 day period to review the material.

C. New and Unfinished Business

C.1 Additions to the Agenda

None

D. Upcoming Meeting Dates

Meetings are set when required

E. Adjournment

Moved by: Rob Potter Seconded by: Alar Soever

THAT the Short Term Accommodation Licensing Committee meeting does now adjourn at 3:59 pm, Carried.