Meeting notes  
B&B Working Group  
October 11, 2019, 11 a.m. - 2:30 p.m.  
Town Hall - Council Chambers

Attendees:

**Bed and Breakfast Home Operators (3)**  
Theresa Gawron  
Edwina Handley

**Bed and Breakfast Inn Operator (1)**  
Lee O’Donnell

**Hotel Sector (1):**  
Sean O’Farrell

**Public Members (5)**  
Ross Glenfield  
Bonnie Lothrop  
Ken McMurd (until 1:15 pm)

**Staff and facilitator (3)**  
Dave Michaels  
Darren Enns  
Leslie Taylor

Notes from the last meeting:

The group agreed that, with the changes proposed to the "emergency absence" section, the notes from October 4 were accurate.

**Reminder: committee purpose, intended outcome and ground rules**

The facilitator reviewed the ground rules for the committee, and introduced a new method of indicating a wish to speak.

"Other" items:

In the original report to Council, a range was provided of other possible amendments to regulations.

- The following options were supported by the group:
  - ii. Changing any relevant references to recognized ‘A’ or ‘B’ ranked heritage resource to buildings identified on the heritage inventory, as the Heritage Corporation has
moved to a single list of properties that have heritage value rather than a ranking system;

- The following options were split decisions:
  - Limiting B&B applications to existing property owners only, and not allowing applications by a potential purchaser during the sale process. Supported by the group, but not supported by one person, who prefers the status quo and does not believe that the practice of advance conditional approvals is an issue.
  - iv. Remove the limit to variances associated with Bed and Breakfast Homes, and have variances treated the same, whether they are for heritage or non-heritage properties. Supported by the group, but not supported by one member, who believes that B&B regulations should be met in their entirety, and only heritage properties should be eligible for variance.

- The following option was moved to the discussion (below) of renewal issues.
  - iii. Amend the notification requirements for renewal of previously approved Bed and Breakfasts to remove the requirement to provide written notification to adjacent property owners. Written notification to adjacent property owners is required when an application is first approved and at annual renewal. Written notification annually is administratively time consuming and concern has been raised by a number of property owners that they only wish to be notified when there has been a change in the operation only rather than the continuation of approved operation.

Parking Lot

In the course of our discussions, several items have been proposed for examination, and these were discussed at the October 11 meeting.

- Restrictive covenant and statutory declaration: The group discussed the current practices of having owners sign statutory declarations regarding their awareness of the conditions of their development permit, and of having development permit conditions registered against title as a restrictive covenant. The group supported the continuation of statutory declarations. The group recommended that the statutory declaration be included as a one-time requirement for all operators (presently, it is used only on new applications, the suggestion is that current operators be included on renewal). The majority of the group supported discontinuing restrictive covenants, with one member dissenting, who felt that he had not been convinced that they are not useful.
- "Sitting on" licenses: The group discussed whether B&B operators who operate only seasonally or not at all should be required to operate a minimum number of days per year to avoid the practice of "sitting on" licenses. The group recommends that no action be taken on this at this time.
- Parking requirements when B&B inns redevelop - should they then be required to meet the B&B home standard of one parking stall per bedroom? The group supported one
parking stall per bedroom in the case of redevelopment, with one member opposed because of concern about the effect on the operator of a change in his/her requirements.

- Items around renewals:
  - can we have a longer period between renewals for compliant properties (and should physical inspections then be required at renewal)? The group supported a longer period between renewals for compliant properties. There was a split on what constitutes a compliant property - some members felt that everyone should start as compliant until a problem arises, others suggested that a period of time (varied inputs from two years to five years) without enforcement action constitutes compliance. The group recommends that compliant properties be allowed to renew every three years instead of annually, and that the renewal fee should be the same as three times the current annual fee. There was a 4/4 split on the question of whether physical inspections should be required at the renewal point. Those who did not support this stated that physical inspections are rarely carried out now and that keeping them on complaint or when identified as a need by the Town would be sufficient.
  - Notification of neighbours was briefly discussed, but was removed as this has recently been dealt with by council. Renewals will not trigger any notification, and new applications will result in notification by postcard to all properties within 45 metres.
  - Notification of availability in a previously full district. The group agreed on the following recommendation: In a previously full district, when an allocation or allocations become available, the existence of this/these available allocation(s) should be advertised through normal channels for two weeks, with a reasonable deadline set for applications. If more applications than allocation are received, the lottery is triggered. Only complete applications are included in the lottery.
  - Time renewals earlier in the calendar year, so that stretches of time without licenses are avoided? The group supports a rescheduling of renewals, so that they are complete before the new year begins.

- Add clarity regarding the exclusive management and operation of Bed and Breakfasts, considering the types of services offered: The group supports the existing definition of live-in owner. The group recommends a statement in a bylaw preamble or in policy that states that a live-in owner would normally be directly involved in the provision of services such as:
  - Cleaning of the property
  - Laundry
  - Managing a website/online service
  - Communicating with potential guests via phone/online for booking enquiries etc.
  - Cooking/preparing of breakfast
  - Arranging for someone to stay onsite when the owner is not at the property for any period of time
  - Meeting/checking in guests
  - Building/property maintenance
Implementation of any regulation changes, and new parking lot item

An item was added to the parking lot: should there be a maximum number of licensed pillows per room?

The group is also tasked with considering the following question:
How should changes to regulations apply to existing B&B’s? e.g. grandfathered? required to comply on renewal? given time frame to comply?

These two items were not completed in the meeting. Leslie was asked to start an email circulation on these, so that they could be discussed by the group by email before the meeting at the end of November.

Summarize, confirm date for next meeting, and adjourn

Our next meeting will be in the last week of November, 10 am to 2 pm., exact date and location TBA. Agenda items will be: pillows/room, implementation of regulation changes, any changes anyone wishes to suggest after seeing the entire draft report, review/approval of draft report, election of committee chair to take report to Council.

Dave Michaels will contact everyone by email to establish date and location for the meeting in late November (week of November 25th).

In the meantime, Leslie will prepare the draft report, and provide it to everyone by October 31. And everyone will participate in the email rounds concerning pillows/room and implementation of regulation changes.