Meeting notes  
B&B Working Group  
October 4, 2019, 11 a.m. - 2 p.m.  
Town Hall - Council Chambers

Attendees:
Bed and Breakfast Home Operators (3)
Theresa Gawron
Edwina Handley
April Wood

Public Members (5)
Ross Glenfield
Bonnie Lothrop
Ken McMurdo

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

Staff and facilitator (3)
Dave Michaels
Leslie Taylor

Hotel Sector (1)
Sean O’Farrell (up to end of Accessory Use)

Notes from the last meeting:
The group agreed that, with the changes proposed, the notes from September 13 were accurate.

Reminder: committee purpose, intended outcome and ground rules

The group did a round-table check-in re sectors and reasons for being on the committee. The facilitator reviewed the ground rules for the committee.

Accessory use

The group expresses interest in a "preamble" in the bylaw or in policy, for the guidance of development approving authorities, that would state the intention that B&B homes should be an accessory use, and provide examples of the sorts of indicators that would normally mark an accessory use, while pointing out that not all B&Bs would meet every indicator.

The following options were supported by the group:

• xiii. Specifying the number of nights that an owner can be absent and the B&B can continue to operate. The group supported this on the following conditions:
the owner sends an email to the town stating that they are absent and who is in charge
longer absences could be granted after notification of an emergency situation
the number of days to be specified, as identified by group members, ranged from 5 to 21
there would need to be a maximum number of days per year for this provision - in other words, you couldn’t have (for example) thirty 5-day absences just by notifying the town.

The following options were not supported by the group:
• x. requiring that a bed & breakfast be operated for a minimum number of nights per year. The group felt that this was not a support of "accessory use", and that a measure to support "accessory use" would be a maximum number of nights, not a minimum. The aspect of "sitting on an unused license" was moved to the parking lot.
• xi. Removing corporate ownership for B&B homes.
• xii. Restricting the number of owners (joint tenants or tenants in common) and requiring that all of them reside at the property as their primary residence.

The following options were split decisions:

• viii. Requiring that at least one of the owner's bedrooms is above grade. Not supported by the group, but supported by one member who described circumstance(s) he has seen which involve owners ceding the upper house to guests and sleeping in substandard accommodation below.
• ix. Requiring that operators supply breakfast to guests. Not supported by the group but supported by one member who felt that this service is integral to visitor experience and interaction with host.
• xiv. Requiring that live-in owners keep a log of who is in residence at the property when guests are present. Supported by the group, but one member was not in support, stating that asking the owner to write his/her name every day seems silly.

Taxes

The following options were not supported by the group:

• A differential tax rate, higher than the current residential tax rate, on the whole of B&B properties.
• Assessing the portion of the property used as B&B at a non-residential rate.

Fees

The group expressed the opinion that approaches such as cost recovery, or charging legitimate operators for enforcement against unlicensed operators, should not be applied to the B&B
sector uniquely. The group also expressed the opinion that enforcement cost recovery should be through penalties on the guilty parties, not levies against legitimate operators.

The following options were not supported by the group:

- i. Increasing application fees to $8,700
- ii. Increasing renewal fees to $530
- iii. Add $150 annually to partially offset enforcement costs
- iv. Reduce current fees

The following option resulted in a split decision:

- Increase application and renewal fees somewhat, but not to full cost recovery. This was not supported by the group, but was supported by one member, who felt that the current fees could be increased without undue hardship.

**Parking Lot:**

Items that we want to be sure we get to before the end of the last meeting:

- restrictive covenant
- statutory declaration
- licenses only used seasonally, or not used - should a B&B be required to operate a minimum number of days per year, to prevent sitting on unused licenses?
- parking requirements when B&B Inns redevelop, should they then match B&Bs?
- items around renewals: can we have a longer period between renewals for compliant properties (and should physical inspections then be required at renewal), should we notify more than the directly adjacent neighbours when renewals come up for consideration, should we always have public notification when allocation becomes available in a previously full district. Time renewals earlier in the calendar year, so that stretches of time without licenses are avoided.
- add additional clarity regarding the exclusive management and operation of Bed and Breakfasts
- Revisit earlier decision on allocation redistribution.

6. **Summarize, confirm date for next meeting, and adjourn**

Our next meeting will be October 11th, in Council Chambers, 11 am to 2 pm.

Dave Michaels will contact everyone by email to establish dates for a final meeting in late November (week of November 25th).