

66.

THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS

BY-LAW NO. 2009-03

Being a By-law to amend Zoning By-law No. 83-40
which may be cited as "The Township of Collingwood
Zoning By-law"

WHEREAS the Council of the Corporation of the Town of The Blue Mountains deems it necessary in the public interest to pass a by-law to amend By-law No. 83-40;

AND WHEREAS pursuant to the provisions of Section 34 of the *Planning Act*, the By-law may be amended by Council of the Municipality;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS ENACTS AS FOLLOWS:

1. SECTION 3: DEFINITIONS of By-law No. 83-40, as amended, is hereby amended by adding the following new definitions:
 - (i) 3.17 (a) "Bed and Breakfast Establishment" means a dwelling that operates or offers no more than three (3) guest rooms as places of temporary residence, lodging or occupancy by way of concession, permit, lease, license, rental agreement or similar commercial arrangement throughout all or any part of a calendar year and that is the principle residence of the establishment's proprietor. Bed and breakfast establishment shall not mean or include motel, hotel, short term accommodation, tourist cabin or cottage, hospital or similar commercial or institutional uses.
 - (ii) 3.17 (c) "Boarding or Rooming House"
 - (i) means an owner occupied dwelling in which lodging with or without meals is supplied for gain to three (3) or more persons other than the lessee, tenant or owner of the said dwelling, or any member of his family, but
 - (ii) does not mean or include a motel, hotel, short term accommodation, bed and breakfast establishment, hospital or similar commercial or institutional use, or apartment house.
 - (iii) 3.139 (a) "Residential" means the use of land, buildings or structures for human habitation, but excluding temporary human habitation uses such as short term accommodation, bed and breakfast establishment, tourist cabin or cottage, hotel or motel.
 - (iv) 3.148 (b) "Short Term Accommodation" means a building or structure or any part thereof that operates or offers a place of temporary residence, lodging or occupancy by way of concession, permit, lease, license, rental agreement or similar commercial arrangement for any period less than thirty (30) consecutive calendar days, throughout all or any part of a calendar year. Short term accommodation uses shall not mean or include a motel, hotel, bed and breakfast establishment, tourist cabin or cottage, hospital, commercial resort unit, village commercial resort unit or similar commercial or institutional use.
 - (v) 3.166 (a) "Tourist Cabin or Cottage" means a seasonal dwelling operated or offered as a place of temporary residence, lodging or occupancy by way of concession, permit, lease, licence, rental agreement or similar commercial arrangement, throughout all or any part of a calendar year.

2. SECTION 3: DEFINITIONS of By-law No. 83-40, as amended, is amended by revising the following existing definitions:

(i) After "3.30 Commercial" means the use of land, building or structure for the purpose of buying, selling, leasing and renting commodities," delete the comma and insert:

"or accommodations".

(ii) Delete 3.31 (iii) and replace with:

3.31 (iii) "which is part of a rental or lease management program which consists of a minimum of ten (10) commercial resort units in one or more buildings on a single lot; and"

(iii) Delete definition 3.32 and replace with:

3.32 "Commercial Resort Unit Complex" shall mean a building or group of buildings containing ten (10) or more commercial resort units which is part of a rental or lease management program on a single lot.

(iv) Delete definition 3.45 and replace with:

3.45 "Dwelling" shall mean a building occupied or capable of being occupied exclusively as a permanent or temporary home, residence, accommodation or sleeping place by one or more persons, but shall not include short term accommodation use, hotel, motel mobile home, recreational vehicle, park model trailer, tent, commercial resort unit, institution, railroad car or other railroad rolling stock, or living quarters for a caretaker, watchman, or other person or persons using living quarters which are accessory to a non-residential building or structure.

(v) Delete definition 3.54 and replace with:

3.54 "Dwelling, Seasonal" means a dwelling that is not used for continuous habitation or as a permanent residence or a dwelling to be used for recreation but not occupied or intended to be occupied as a permanent residence or any combination of the two.

(vi) Delete 3.56 and replace with:

3.56 "Dwelling, Single Detached Residential" means a single dwelling unit which is not joined to any other dwelling.

(vii) Delete definition 3.89 and replace with:

3.89 "Hotel" means an establishment that consists of one building or two or more connected or adjacent buildings that, throughout all or part of a calendar year, caters to the needs of the public by furnishing guest rooms for a fee, including all such establishments as defined from time to time by the *Hotel Registration of Guests Act*, R.S.O. 1990, c.H.17, as amended, but not including any other establishment otherwise defined or classified in this By-law. A Hotel may or may not:

- (i) supply food;
- (ii) have an on-site management office;
- (iii) include permanent staff accommodation;
- (iv) include convention facilities;
- (v) include one or more dining rooms;
- (vi) include recreational facilities for use by the guests; and
- (vii) be licensed under the Liquor Licence Act of Ontario, R.S.O. 1990,c..

(viii) Delete definition 3.113 and replace with:

3.113 "Motel" means an establishment that consists of one building or two or more connected or adjacent buildings that, throughout all or part of a calendar year, caters to the needs of the public by operating or offering guest rooms for a fee, where each guest room is directly accessible from the exterior, but not including any other establishment otherwise defined or classified in this By-law. A Motel may also:

- (i) supply food;
- (ii) have an on-site management office;
- (iii) include permanent staff accommodation;
- (iv) include convention facilities;
- (v) include one or more dining rooms;
- (vi) include recreational facilities for use by the guests;
- (vii) be licensed under the Liquor License Act of Ontario.

3. Section 5.14 Parking Requirements of By-law No. 83-40, as amended, is amended by adding the following parking requirements:

Section 5.14(a)(xxiv)
Short term accommodation

- | | |
|----------------------------|---|
| - multiple unit building | 1.75 parking spaces per unit having four (4) guest rooms used for sleeping or less plus 1.0 parking space for each additional guest room used for sleeping. |
| - single detached building | 0.5 parking space per occupant or 1.0 parking space per guest room used for sleeping, whichever is greater. |

4. SECTION 5: GENERAL PROVISIONS of By-law 83-40, as amended, is hereby amended by adding the following new Section: Section 5.24 Short Term Accommodation

Section 5.24 Short Term Accommodation

Section 5.24.1 (a) No person shall use any land or erect, alter or use any building or structure for the purpose of a short term accommodation use within any Residential First Density (R1), Residential Second Density (R2), Residential Third Density (R3) or Residential Fourth Density (R4) Zone.

Section 5.24.1 (b) No person shall use any land or erect, alter or use any building or structure that secures nine (9) or more occupants for the purpose of short term accommodation use.

Section 5.24.1 (c) No short term accommodation use shall be located closer than 120 metres in a continuous path over the shortest distance from another short term accommodation use or bed and breakfast establishment.

Section 5.24.1 (d) Short term accommodation uses shall be subject to site plan control.

Section 5.24.1 (e) Where short term accommodation uses abut a residential zone that permits a single detached residential dwelling, the following landscaped open space provisions shall apply:

- (i) A minimum 3.0 metre wide buffer strip, measured from the rear lot line, shall be provided.

- (ii) A minimum 3.0 metre wide buffer strip, measured from the exterior side lot line, shall be provided save and except within a sight triangle and driveway entrance.
- (iii) A minimum 1.0 metre wide buffer strip, measured from the interior side lot line, shall be provided.

Section 5.24.1 (f) One (1) enclosed waste/recycling depot shall be required.

Section 5.24.1 (g) A short term accommodation use shall have connection to municipal water and sewage services.

- 5. Section 8.1 (b) of By-law No. 83-40, as amended, is amended by deleting "family detached" following "single" and replacing it with "detached residential".
- 6. Section 9.1 (b) of By-law No. 83-40, as amended, is amended by deleting "family detached" following "single" and replacing it with "detached residential".
- 7. Section 10.2.1 (a) of By-law No. 83-40, as amended, is amended by deleting "family detached" following "single" and replacing it with "detached residential".
- 8. Section 10.3.1 (a) of By-law No. 83-40, as amended, is amended by deleting "family detached" following "single" and replacing it with "detached residential".
- 9. Section 10.4.1 (a) of By-law No. 83-40, as amended, is amended by deleting "family detached" following "single" and replacing it with "detached residential".
- 10. Section 10.6.1 of the Residential Fifth Density (R5) Zone of By-law No. 83-40, as amended, is amended by deleting and replacing with the following :
 - 10.6.1 Permitted Uses
 - a) horizontally attached dwellings;
 - b) short term accommodation;
 - c) uses, building and structures accessory to the uses permitted in Clauses a) and b).
- 11. Section 10.7.1 of the Residential Sixth Density (R6) Zone of By-law No. 83-40, as amended, is amended by deleting and replacing with the following:
 - 10.7.1 Permitted Uses
 - a) horizontally attached dwellings;
 - b) multi-attached dwellings;
 - c) short term accommodation;
 - d) uses, buildings and structures accessory to the uses permitted in Clauses a), b) and c).
- 12. Section 10.8.1 of the Residential Seventh Density (R7) Zone of By-law No. 83-40, as amended, is amended by deleting and replacing with the following:
 - 10.8.1 Permitted Uses
 - a) a rowhouse unit;
 - b) a linked unit;
 - c) short term accommodation;
 - d) uses, building and structures accessory to the uses permitted in Clauses a), b) and c).
- 13. Section 10.9.1 of the Residential Eighth Density (R8) Zone of By-law No. 83-40, as amended, is amended by deleting and replacing with the following:
 - 10.9.1 Permitted Uses
 - a) apartment houses;
 - b) short term accommodation;
 - c) uses, buildings and structures accessory to the use permitted in Clause a) and b)

14. Section 10.10.1 (a) of By-law No. 83-40, as amended, is amended by deleting "family detached" following "single" and replacing it with "detached residential".
15. Section 10.11.1 (a) of By-law No. 83-40, as amended, is amended by deleting "family detached" following "single" and replacing it with "detached residential".
16. Section 10.12.1 (a) of By-law No. 83-40, as amended, is amended by deleting "family detached" following "single" and replacing it with "detached residential".
17. Section 10.13.1 of the Resort Residential (RR) Zone of By-law No. 83-40, as amended, is amended by deleting and replacing with the following:
 - 10.13.1 Permitted Uses
 - a) a single detached residential dwelling;
 - b) short term accommodation;
 - c) uses, buildings and structures accessory to the uses permitted in Clauses a) and b).
18. Section 10.14.1 (a) of By-law No. 83-40, as amended, is amended by deleting "family detached" following "single" and replacing it with "detached residential".
19. Section 30.1 (a) of By-law No. 83-40, as amended, is amended by deleting "family detached" following "single" and replacing it with "detached residential".
20. That Schedule 'AA' of the Township of Collingwood Zoning By-law No. 83-40, as amended, is amended by deleting "Single Family" in the "Use" Row and replacing it with "Single Detached".
21. That Schedule 'AA' of the Township of Collingwood Zoning By-law No. 83-40, as amended, is amended by deleting the Resort Column and replacing with the following:

SCHEDULE 'AA'		ZONE	RESORT
		USE	SINGLE DETACHED
		SYMBOL	RR
MINIMUM AREA (METRES)	LOT (SQ. METRES)	PUBLIC WATER AND SEWER	550 (1)
MINIMUM FRONTAGE (METRES)	LOT	PUBLIC WATER AND SEWER	18 (2)
MINIMUM SETBACK (METRES)	YARD	FRONT	7.5
		REAR	9
		INT. SIDE	2
		EXT. SIDE	6
MAXIMUM COVERAGE	LOT %		30
MINIMUM AREA PER DWELLING (SQ. METRES)	FLOOR PER UNIT	1 STOREY	83
		1.5 STOREY	87
		2-2.5 STY.	100
		BACHELOR	A
		1 BEDROOM	A
		2 BEDROOM	A
	3+ BEDRM.	A	
MAXIMUM NO. OF UNITS PER LOT			1
MINIMUM SETBACK FROM CENTRE OF ROAD ALLOWANCE (METRES)		PROVINCIAL	30
		COUNTY	27
		OTHER	17.5
MAXIMUM HEIGHT (METRES)			2.5 STY.

A - PROVISION NOT APPLICABLE
 (1) - THE MINIMUM LOT AREA SET OUT IN THIS SCHEDULE SHALL BE INCREASED BY 50 SQ. M. FOR CORNER LOTS
 (2) - THE MINIMUM LOT FRONTAGE SET OUT IN THIS SCHEDULE SHALL BE INCREASED BY 3 M. FOR CORNER LOTS

22. That Schedule "A-1" is hereby declared to form part of this by-law.
23. Section 5.24 of By-law 83-40, as amended, is hereby further amended by adding the following new Section:

Section 5.24.2 In addition to the uses permitted on the lands set out on Schedule "A-1" attached to By-law 2009-03, short term accommodation use shall be permitted with such use being excluded from:

- a) the maximum number of occupants permitted within a short term accommodation use under Section 5.24.1 (b).
- b) the minimum distance separation of 120 metres in a continuous path over the shortest distance from another short term accommodation use or bed and breakfast establishment under Section 5.24.1 (c).

24. That Schedule "A-2" is hereby declared to form part of this by-law.

25. Section 5.24 of By-law 83-40, as amended, is hereby further amended by adding the following new Section:

Section 5.24.3 In addition to the uses permitted on lands boldly set out on Schedule "A-2" attached to By-law 2009-03, short term accommodation use shall be permitted with such use being excluded from:

- a) the maximum number of occupants permitted within a short term accommodation use under Section 5.24.1 (b).
- b) the minimum distance separation of 120 metres in a continuous path over the shortest distance from another short term accommodation use or bed and breakfast establishment under Section 5.24.1 (c).

26. That Schedule "A-3" is hereby declared to form part of this by-law.

27. Section 5.24 of By-law 83-40, as amended, is hereby further amended by adding the following new Sections:

Section 5.24.4 (a) In addition to the uses permitted on the lands boldly set out on Schedule "A-3" attached to By-law 2009-03, a commercial resort unit shall be permitted.

Section 5.24.4 (b) In addition to the uses permitted on lands boldly set out on Schedule "A-3" attached to By-law 2009-03, short term accommodation use shall be permitted with such use being excluded from:

- a) the maximum number of occupants permitted within a short term accommodation use under Section 5.24.1 (b).
- b) the minimum distance separation of 120 metres in a continuous path over the shortest distance from another short term accommodation use or bed and breakfast establishment under Section 5.24.1 (c).

28. This By-law shall come into full effect upon the date of approval of the Town of The Blue Mountains Official Plan Amendment No. 11, in accordance with Section 24 (2) of the *Planning Act*.

Town of The Blue Mountains

Key Map Schedule A-1

By-law No. 2009-03



Town of The Blue Mountains

Key Map Schedule A-2

By-law No. 2009-03



Town of The Blue Mountains

Key Map Schedule A-3

By-law No. 2009-03

