



# Notice of Public Meeting

## Application for Zoning Amendment

**Property Location: Municipal Wide**

**Public Meeting: July 3, 2019 at 5:00 PM**  
**Town Hall, Council Chambers**  
**32 Mill Street, Thornbury, ON**

### What is being proposed?

Town of The Blue Mountains Planning Staff are undertaking a Zoning By-law review to consider new Short Term Accommodation (STA) provisions for the Blue Mountains Comprehensive Zoning By-law 2018-65. The Draft Zoning By-law Amendment intends to consolidate the previous Zoning By-laws 2009-03, 2009-04 and 2009-05 that regulates STA uses as well as providing some additional clarification and direction with updated definitions, general provisions and parking requirements.

A copy of the Draft Zoning By-law is attached to this Notice.

A Key Map is not provided as the proposed By-law will apply across the entire Municipality.

### What happens at a Public Meeting?

The public meeting is your chance to hear more about the proposal and make your views about it known. You may also speak at the meeting or submit written comments. Information from the public will help Council in their decision-making process, so make sure to have your say!

Any person or agency may attend the Public Meeting and/or make verbal or written comments either in support or in opposition to the proposed amendment.

### Where do I find more information?

Visit us in Planning Services, Town Hall during regular office hours Monday to Friday 8:30 a.m. to 4:30 p.m. or contact the planner for this file.

### Where do I submit my comments?

Your written comments may be sent to the Town Clerk, Corrina Giles:

#### By Mail or in Person:

32 Mill St. Box 310,  
Thornbury ON, N0H 2P0

**Fax:** (519) 599-7723

**Email:** [townclerk@thebluemountains.ca](mailto:townclerk@thebluemountains.ca)

**Written comments are requested by July 2, 2019** so that they may be read at the public meeting for the benefit of everyone in attendance.

### When will a decision be made?

A decision on this proposal has NOT been made at this point and will NOT be made at the Public Meeting.

After reviewing the application and any comments received, Town staff will bring a recommendation on this project to a future council meeting.

### Want to be notified of a decision?

You must make a request in writing if you wish to receive a notice of any decision of Council on this proposal.

### Your rights to appeal a decision:

If a person or public body does not make oral submissions at a public meeting or make written submissions to Town of The Blue Mountains before the by-law is passed, the person or public body is not entitled to appeal the decision of Council to the Local Planning Appeal Tribunal.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to Town of The Blue Mountains before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

### A Note about information you may submit to the Town:

Under the authority of the Municipal Act, 2001 and in accordance with Ontario's Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), all information provided for, or at a Public Meeting, Public Consultation, or other Public Process are considered part of the public record, including resident deputations. This information may be posted on the Town's website, and/or made available to the public upon request.

This document can be made available in other accessible formats as soon as practicable upon request.

### Questions? Want more information? Ask the Planner!

Shawn Postma MCIP RPP. Senior Policy Planner

**Phone:** (519) 599-3131 ext [248] or Toll Free (888) 258-6867 **Email:** [planning@thebluemountains.ca](mailto:planning@thebluemountains.ca)

# **The Corporation of the Town of The Blue Mountains**

## **By-Law Number 2019 –**

Being a By-law to insert provisions into Zoning By-law No. 2018-65 which may be cited as "The Blue Mountains Zoning By-law";

Whereas the Council of The Corporation of the Town of The Blue Mountains enacted By-law 2018-65 being the Comprehensive Zoning By-law for the Town of The Blue Mountains which may be cited as "The Blue Mountains Zoning By-law";

Whereas Short Term Accommodation Uses is one section of non-decision as identified under Section 1.5(a) to By-law 2018-65;

Whereas it is necessary and in the public interest to include Short Term Accommodation Use provisions in The Blue Mountains Zoning By-law 2018-65;

And Whereas pursuant to the provisions of Section 34 of the Planning Act, R.S.O. 1990, c. P.13, the By-law may be amended by Council of the Municipality;

Now Therefore Council of The Corporation of the Town of The Blue Mountains hereby enacts as follows:

1. That Section 1.5(a) to the Blue Mountains Zoning By-law 2018-65 is deleted in its entirety.
2. That Section 3.0 to the Blue Mountains Zoning By-law 2018-65 is amended by deleting and replacing the definition of 'Commercial Resort Unit' as follows:

**"COMMERCIAL RESORT UNIT**

Means one room or a group of rooms in a building used or designed or intended to be used as a single, independent and separate housekeeping establishment:

- a) In which food preparation and sanitary facilities are provided for the exclusive use of such occupants;
- b) Which has a private entrance from a common hallway either inside or outside the building;
- c) Which is part of a rental or lease management program which consists of a minimum of ten commercial resort units in one or more buildings on one or more properties;
- d) In which the maximum habitation per housekeeping unit is restricted to 120 days per year; and,
- e) Which has been established to provide accommodation for gain or profit, but does not mean or include a residential dwelling unit, a hotel unit, a motel unit, an inn unit, a lodge unit, a short term accommodation unit, a dormitory unit or a hostel unit"

3. That Section 3.0 to the Blue Mountains Zoning By-law 2018-65 is amended by deleting the definition of COMMERCIAL RESORT UNIT COMPLEX in its entirety.
4. That Section 3.0 to the Blue Mountains Zoning By-law 2018-65 is amended by inserting a new definition for 'Rental or Lease Management Program' as follows:

**"RENTAL OR LEASE MANAGEMENT PROGRAM**

Means a program that provides for the full centralized management of a minimum of ten commercial resort units including, but not limited to: a registered business that provides for such full centralized management. The Program shall provide a point of contact being an individual or company available on a 24 hour basis for security,

housekeeping, maintenance, and accounting matters. In this definition, “full centralized management” means common, centralized or shared advertising, booking, operations, security, housekeeping, maintenance and accounting.”

5. That Section 3.0 to the Blue Mountains Zoning By-law 2018-65 is amended by deleting and replacing the definition of ‘Dwelling Unit’ as follows:

“DWELLING UNIT

Means 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.”

6. That Section 3.0 to the Blue Mountains Zoning By-law 2018-65 is amended by inserting a new definition for ‘Seasonal Dwelling’ as follows:

“SEASONAL DWELLING

Means a dwelling unit that is not used for continuous habitation or as a permanent residence or a dwelling unit to be used for recreation but not occupied or intended to be occupied as a permanent residence or any combination of the two.”

7. That Section 3.0 to the Blue Mountains Zoning By-law 2018-65 is amended by deleting and replacing the definition of ‘Motel’ as follows:

“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:

- a) Supply food;
- b) Have an on-site management office;
- c) Include permanent staff accommodation;
- d) Include convention facilities;
- e) Include one or more dining rooms;
- f) Include recreational facilities for use by the guests;
- g) Be licensed under the Liquor License Act of Ontario;”

8. That Section 3.0 to the Blue Mountains Zoning By-law 2018-65 is amended by deleting and replacing the definition of ‘Tandem Parking’ as follows:

“TANDEM PARKING

Means a maximum of three parking spaces arranged such that up to two motor vehicles that are parked do not have independent access to a private or public street.”

9. That Table 5.3 – Non-Residential Parking Requirements Under Section 5.4 to the Blue Mountains Zoning By-law 2018-65 is amended by inserting the following parking requirements:

| Use                                                                     | Number of Minimum Parking Spaces (per unit, unless otherwise specified)                                                                                     |
|-------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Short Term Accommodation Multiple Unit Building (Shared Parking)        | 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. |
| Short Term Accommodation Multiple Unit Building (Exclusive Use Parking) | 0.5 parking space per occupant or 1.0 parking space per guest room used for sleeping, whichever is greater.                                                 |
| Short Term Accommodation Single Detached Building                       | 0.5 parking spaces per occupant or 1.0 parking space per guest room used for sleeping, whichever is greater.                                                |

10. That Section 4.31 to the Blue Mountains Zoning By-law 2018-65 is amended by deleting and replacing Section 4.31 with the following:

“4.31      SHORT TERM ACCOMMODATION USES

- 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 ‘R1’ or Residential ‘R3’ Zone.
- 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.
- 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.
- d) Short term accommodation uses shall be subject to site plan control.
- 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:
  - a. A minimum 3.0 metre wide planting strip consisting of coniferous plantings, measured from the rear lot line, shall be provided.
  - b. A minimum 3.0 metre wide planting strip consisting of coniferous plantings, measured from the exterior side lot line, shall be provided save and except within a sight triangle.
  - c. A minimum 1.0 metre wide planting strip consisting of coniferous plantings, measured from the interior side lot line, shall be provided.
- f) One (1) enclosed waste/recycling depot consisting of a garbage box or solid waste enclosure shall be required
- g) A short term accommodation use shall have connection to municipal water and sewage services.

- h) The number of parking spaces shall be provided in accordance with Table 5.3 – Non-Residential Parking Requirements. Required parking spaces for a short term accommodation use shall be provided in accordance with the Section 5.1 - General Parking Provisions and Section 5.3 Residential Zones – Parking and Access. In addition, the following parking provisions shall apply:
- a. Tandem Parking shall be permitted for single detached buildings and multiple unit buildings with exclusive use parking only.
  - b. For those lands identified under Exception 98 a surface Parking Area shall also be permitted in the rear yard provided that:
    - i. The parking area is setback the same distance as required for the main building
    - ii. A 3.0 metre deep planting strip measured from the rear lot line and consisting of new coniferous planting is provided across the entire width of the lot
    - iii. A minimum 100 square metre outdoor recreational amenity area consisting of lawn, deck or combination thereof shall be provided.
    - iv. A 2.0 metre high tight board fence shall be required along all interior side lot lines and rear lot lines and shall not be located closer to the street than the main building.
    - v. A minimum 35 square metre snow storage area shall be provided.

11. That Table 6.1 –Residential Zone Use Permissions under Section 6.1 to the Blue Mountains Zoning By-law 2018-65 is amended by inserting the following:

| Permitted Use            | R1 | R2 | R3 |
|--------------------------|----|----|----|
| Short Term Accommodation |    | X  |    |

12. That Table 8.1 – Agricultural, Rural, Recreational and Other Zone Use Permissions is amended by adding a new Column and Rows as follows:

| Permitted Use            | RR |
|--------------------------|----|
| Single Detached Dwelling | X  |
| Short Term Accommodation | X  |

13. That Table 8.2 – Agricultural, Rural, Recreational and Other Zone Standards is amended by adding a new Column as follows:

| Zone Standard            | RR    |
|--------------------------|-------|
| Minimum Lot Area (ha)    | 550   |
| Minimum Lot Frontage (m) | 18(1) |
| Minimum Front Yard (m)   | 7.5   |

| Zone Standard                  | RR  |
|--------------------------------|-----|
| Minimum Exterior Side Yard (m) | 6   |
| Minimum Interior Side Yard (m) | 2   |
| Minimum Rear Yard (m)          | 9   |
| Maximum Height (m)             | 9.5 |

(1) Minimum Lot Frontage shall be increased by 3 metres for corner lots

14. That Table 9.1 – Exceptions is amended by adding the following Exceptions as follows:

| Exception Number | Zone                    | Special Provisions                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|------------------|-------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 98               | R2-98                   | A short term accommodation use shall also be permitted with such use being excluded from:<br><br>a) The maximum number of occupants permitted within a short term accommodation use under Section 4.31(b)<br><br>b) The minimum distance separation of 120 metres in a continuous path over the shortest distance from another short term accommodation use or bed an breakfast establishment under Section 4.31(c)                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 99               | R2-99                   | A commercial resort unit shall also be permitted.<br>A short term accommodation shall also be permitted with such use being excluded from:<br><br>a) The maximum number of occupants permitted within a short term accommodation use under Section 4.31(b)<br><br>b) The minimum distance separation of 120 metres in a continuous path over the shortest distance from another short term accommodation use or bed an breakfast establishment under Section 4.31(c)                                                                                                                                                                                                                                                                                                                                                                                |
| 100              | R1-1-100<br>R1-1-100-h7 | A short term accommodation shall also be permitted with such use being subject to the following provisions:<br><br>a) Accessory uses, buildings and structures to a short term accommodation shall be permitted.<br><br>b) Short term accommodation shall be excluded from the minimum separation distance of 120 metres in a continuous path over the shortest distance from another short term accommodation use or bed an breakfast establishment under Section 4.31(c).<br><br>c) The maximum number of occupants shall be fourteen (14).<br><br>d) The maximum number of bedrooms shall be six (6).<br><br>e) Parking shall be provided in accordance with Table 5.3<br><br>f) Parking shall not be permitted in a front yard.<br><br>g) The minimum front yard setback shall be staggered between 7.5 metres and 12.5 metres with a 1.0 metre |

| Exception Number | Zone    | Special Provisions                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|------------------|---------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                  |         | <p>minimum variation with front yard setback of abutting side lots.</p> <p>h) The minimum rear yard shall be 30 metres</p> <p>i) A 2.0 metre high tight board fence shall be required along all interior side lot lines and rear lot lines and shall not be located closer to the street than the main building.</p> <p>j) A minimum 9.0 metre planting strip is required in the rear yard measured from the rear lot line comprised of 6.0 metre existing deciduous vegetation strip plus 3.0 metre new interior coniferous planting strip across the entire width of the lot.</p> <p>k) A minimum 100 square metre outdoor recreational amenity area consisting of lawn, deck or combination thereof shall be provided.</p> <p>l) A minimum 35 square metre snow storage area shall be provided.</p> |
| 110              | Various | A short term accommodation use shall not be permitted on these lands.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

15. Schedule ‘A’ to The Blue Mountains Zoning By-law 2018-65 is hereby amended by placing Exception 98, Exception 99 and Exception 100 on lands in accordance with Schedule ‘A-1’ to this By-law.

16. Schedule ‘A’ to The Blue Mountains Zoning By-law 2018-65 is hereby amended by placing Exception 110 on lands in accordance with Schedule ‘A-2’ to this By-law.

17. Schedule ‘A-1’ and Schedule ‘A-2’ are hereby declared to form part of this By-law.

And Further that this By-law shall come into force and take effect upon the enactment thereof.

Enacted and passed this \_\_\_\_ day of \_\_, 2019

\_\_\_\_\_  
Alar Soever, Mayor

\_\_\_\_\_  
Corrina Giles, Clerk

I hereby certify that the foregoing is a true copy of By-law No. 2019-\_\_\_\_ as enacted by the Council of The Corporation of the Town of The Blue Mountains on the \_\_\_\_ day of \_\_\_\_\_, 2019.

Dated at the Town of The Blue Mountains, this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Corrina Giles, Clerk

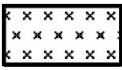
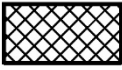
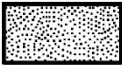
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# Town of The Blue Mountains

## Schedule 'A-1'

By-Law No. \_\_\_\_\_

-  Subject Lands of this Amendment
-  Exception 98
-  Exception 99
-  Exception 100



# Town of The Blue Mountains

## Schedule 'A-2'

### By-Law No. \_\_\_\_\_



Exemption 110

