

October 24, 2023

Corrina Giles
Town Clerk
Town of the Blue Mountains
Email: townclerk@thebluemountains.ca

*Sent Via Email

**Re: Final County Decision on Local Official Plan Amendment No. 3 (P3268) to the
Town of the Blue Mountains Official Plan
County File No. LOPA 3 (P3268)
Applicant: Town of The Blue Mountains**

Dear Ms. Giles,

This letter is further to the Notice of Decision given on October 2, 2023, with respect to Amendment No. 3 (P3268) to amend the Town of the Blue Mountains Official Plan.

The purpose of this correspondence is to provide you with the status of the decision on the official plan amendment pursuant to Subsections 17(36) and (38) of the Planning Act, which pertains to appeals, when decisions become final and when approvals come into effect.

Please be advised that all of Amendment No. 3 to the Town of the Blue Mountains Official Plan adopted by By-law no. 2023-58 is approved and came into force and effect the day after the last date of appeal being October 23, 2023.

Should you require any further information, please do not hesitate to contact this office.

Yours truly,


Scott Taylor, MCIP, RPP
Director of Planning
519-372-0219 ext. 1238
scott.taylor@grey.ca
www.grey.ca

cc. (All by Email)
Town of The Blue Mountains Planning Department (Attn: Carter Triana)
Ministry of Municipal Affairs and Housing



Grey
County

Planning and Development

595 9th Avenue East, Owen Sound Ontario N4K 3E3
519-372-0219 / 1-800-567-GREY / Fax 519-376-7970

October 2, 2023

Ms. Corrina Giles, Town Clerk
Town of the Blue Mountains
Email: townclerk@thebluemountains.ca
*Sent Via Email

Re: County Decision on Local Official Plan Amendment No. 3 (P3268) to the Town of the Blue Mountains Official Plan
County File No.: Town of The Blue Mountains-LOPA-3
Applicant: Town of The Blue Mountains

Dear Ms. Giles:

This letter is to advise that approval has been given for Town of The Blue Mountains Official Plan Amendment No. 3 (P3268) as set out in the attached Notice of Decision given on this date.

Attached is a copy of the original official plan amendment and a copy of the notice of decision.

Please be advised that once the appeal period is over, a subsequent letter will be sent to confirm whether the decision is then final. Should you require any further information, please do not hesitate to contact this office.

Yours truly,

Scott Taylor, MCIP, RPP
Director of Planning
519-372-0219 ext. 1238
scott.taylor@grey.ca
www.grey.ca

Encl. Notice of Decision and a copy of Official Plan Amendment No. 3

cc. Ministry of Municipal Affairs and Housing (via email)
Town of the Blue Mountains Planning Department (via email)
Bell Canada (via email)
Roger Clarke (via email)
Terry Kellar, Blue Mountains Ratepayers Association (via email)

File No: LOPA 3 (P3268)
Municipality: Town of The Blue Mountains
Subject Lands: Town-wide

Date of Decision: October 2, 2023
Date of Notice: October 2, 2023
Last Date of Appeal: October 23, 2023
*Effective Date: October 24, 2023
*if no appeals received

NOTICE OF DECISION
With respect to an Official Plan Amendment
Subsection 17(35) and 21 of the Planning Act

A Decision was made on the date noted above to approve all of Official Plan Amendment (OPA) No. 3 (Town file number P3268) to the Town of The Blue Mountains Official Plan as adopted by By-law No. 2023-58.

Purpose and Effect of the Official Plan Amendment

The purpose of the OPA is to amend Section B2.5 to restructure short-term accommodation policies for clarity; to formally recognize the licensing requirement; and to limit new short-term accommodation (STA) uses outside the established Exception Area. The effect of the application is to prohibit the establishment of new zones with STA permissions. The OPA is not site-specific and would impact all lands within the Town's municipal boundaries.

All written and oral submissions received on the application were considered, the effect of which helped to make an informed recommendation and decision.

When and How to File an Appeal

Any appeal to the Ontario Land Tribunal must be filed with the County of Grey no later than 20 days from the date of this notice as shown above as the last date of appeal.

The notice of appeal should be sent to the attention of the Director of Planning, at the address shown below and it must,

- (1) set out the specific part or parts of the proposed official plan amendment to which the appeal applies,
- (2) set out the reasons for the request for the appeal and the specific part of the proposed official plan amendment to which the appeal applies, and
- (3) be accompanied by the fee required by the Ontario Land Tribunal, payable by certified cheque or money order to the Minister of Finance, and
- (4) be accompanied with a completed Ontario Land Tribunal's form that can be found on the Tribunal's website at - <https://olt.gov.on.ca/appeals-process/forms/>

Who Can File An Appeal

Only individuals, corporations or public bodies may appeal a decision of the approval authority to the Ontario Land Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the official plan amendment was adopted, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Ontario Land Tribunal, there are reasonable grounds to add the person or public body as a party.

When the Decision is Final

The decision of the County of Grey is final if a notice of appeal is not received on or before the last day for filing a notice of appeal. The last date to file a notice of appeal is October 23, 2023.

What Happens to the Appeal Once Submitted?

If an appeal has been received by the County, the County prepares the appeal package and sends this to the Ontario Land Tribunal (OLT). Once the OLT receives the appeal, the Notice of Appeal will be reviewed by the OLT and an acknowledgment letter will be provided.

Getting Additional Information

Additional information about the application is available for public inspection during regular office hours at the County of Grey Planning & Development office at the address noted below or from the Town of The Blue Mountains. Please contact the County or the Municipality to arrange an appointment.

Other Related Applications

- None

Mailing Address for Filing a Notice of Appeal:

County of Grey
595-9th Avenue East
OWEN SOUND, Ontario N4K 3E3
Phone: 519-376-2205
Fax: 519-376-7970
Attention: Scott Taylor, Director of Planning

Dated and mailed at the City of Owen Sound
this 2nd day of October 2023

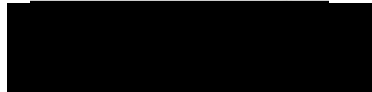
Scott Taylor, MCIP RPP
Director of Planning

DECISION

With respect to an Official Plan Amendment Subsection 17(34) of the Planning Act

The County of Grey hereby approves all proposed Amendment No. 3 to the Town of The Blue Mountains Official Plan as adopted by By-law No. 2023-58.

Dated at Owen Sound this 2nd day of
October 2023



Scott Taylor, MCIP, RPP
Director of Planning
County of Grey



Notice of Adoption of an Official Plan Amendment

This is a notice about a decision of Council to Adopt an amendment to the Town of The Blue Mountains Official Plan.

Council adopted the Official Plan Amendment by passing By-law 2023-58 on August 28, 2023.

What was the purpose of the Amendment?

The purpose of the Town of The Blue Mountains Official Plan Amendment is to modify the policies of Section B2.5 Short-Term Accommodation Uses of the Official Plan and the Exception Area subject to Section B3.7.6.14 to further restrict the expansion of short-term accommodation uses.

Rights to Notice of Adoption of the Official Plan Amendment

Any person or public body will be entitled to receive notice of the decision of the approval authority if a written request to be notified of the decision (including the person's or public body's address, fax number or email address) is made to the approval authority, being the County of Grey Planning and Development Department, 595 9th Avenue East, Owen Sound Ontario N4K 3E3.

How to Get More Information

The complete Official Plan Amendment is available for inspection during regular office hours in the Planning Department at the Town Hall, 32 Mill Street, Thornbury, Ontario.

The Corporation of the Town of The Blue Mountains

By-Law Number 2023 – 58

Being a By-law to adopt Amendment Number 3 to the Official Plan of the Town of The Blue Mountains.

The Council of the Corporation of the Town of The Blue Mountains in accordance with the provisions of Sections 17 and 21 of the Planning Act, R.S.O.1990, hereby enacts as follows:

1. Amendment Number 3 to the Official Plan of the Town of The Blue Mountains is hereby adopted.
2. The Clerk is hereby authorized and directed to submit Amendment Number 3 together with the required record, to the appropriate Approval Authority for approval.

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

Enacted and passed this 28th day of August, 2023



Andrea Matrosovs, Mayor



Corrina Giles, Clerk

I hereby certify that the foregoing is a true copy of By-law No. 2023-58 as enacted by the Council of The Corporation of the Town of The Blue Mountains on the 28th day of August, 2023.

Dated at the Town of The Blue Mountains, this 28th day of August, 2023.



Corrina Giles, Clerk

**AMENDMENT NO. 3
TO THE OFFICIAL PLAN
OF THE
TOWN OF THE BLUE MOUNTAINS**

August 2023

**AMENDMENT NO. 3
TO THE OFFICIAL PLAN OF THE
TOWN OF THE BLUE MOUNTAINS**

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**AMENDMENT NO. 3
TO THE OFFICIAL PLAN OF THE
TOWN OF THE BLUE MOUNTAINS**

THE CONSTITUTIONAL STATEMENT

PART A – THE PREAMBLE does not constitute a part of this Amendment.

PART B – THE AMENDMENT consisting of the following text constitutes Amendment No. 3 to the Official Plan of the Town of The Blue Mountains.

PART C – THE APPENDICES does not constitute part of this Amendment. These Appendices contain background data, planning considerations and public involvement associated with this Amendment.

PART A – THE PREAMBLE

PURPOSE

The purpose of this Amendment is to further restrict the expansion of short-term accommodation uses within the Town of The Blue Mountains.

LOCATION

All lands within the municipality are subject to this Amendment.

BASIS

The Council of the Corporation of the Town of The Blue Mountains directed Town Staff to proceed with the process, based on Planning Staff Report PDS.23.024.

The proposed Official Plan Amendment would limit new short-term accommodation uses to the Exception Area defined under Section B3.7.6.14. The Exception area is proposed to be expanded to include areas that currently permit short-term accommodation uses under Zoning By-law 2018-65, as amended. No modifications to land use designations under the Official Plan are proposed in this Amendment.

No additional planning applications are associated with this Amendment.

PART B – THE AMENDMENT

All of this part of the document entitled “Part B – The Amendment” consisting of the following text constitutes Amendment No. 3 to the Official Plan of the Town of The Blue Mountains.

DETAILS OF THE AMENDMENT

The Official Plan is hereby amended as follows:

Item 1: **Section B2.5 Short-Term Accommodation Uses** is hereby amended by deleting Section B2.5 in its entirety and replacing with the following:

SECTION B2.5 SHORT-TERM ACCOMMODATION USES

a) The Plan recognizes that there are a variety of commercial accommodation uses within the Town. These may include hotel, motel, commercial resort units, village commercial resort units, short-term accommodation units, bed and breakfast establishments, care homes, farm vacation homes, and others. In some cases, such commercial accommodations may be considered appropriate in some residential areas, provided they are adequately regulated to avoid land use conflicts with the surrounding area.

b) Conventional residential rental accommodation in a residential dwelling for periods of thirty (30) days or greater shall not be considered a commercial accommodation use and shall be considered a principal residential use. The provisions of this Plan for short-term accommodation uses do not apply to such conventionally leased residential dwelling units.

c) It is the foundation of this Plan that any building used for short-term accommodation purposes shall be considered a commercial use. Based on the commercial nature of this use and its potential to negatively affect adjacent residential properties, short-term accommodation uses shall not be permitted outside of the Exception Area as identified under Section B3.7.6.

d) Unlike accommodation uses in commercial areas, as described under Section B2.2, residential neighbourhoods require special attention to ensure the quiet and undisturbed enjoyment of residential living that people expect. The location, size, scale, and intensity of any short-term accommodation uses may affect the degree of potential disruption in the surrounding neighbourhood. Such accommodation uses should be regulated to ensure that the principal residential character is generally maintained. As such, all short-term accommodation uses shall:

- i) be prohibited in residential neighbourhoods;
- ii) be directed toward a commercial or other appropriate designation;
- iii) be appropriately zoned for a short-term accommodation use;
- iv) provide mitigation measures through compliance with zoning provisions, site performance standards, operational controls, and site works, including, but not limited to, noise control, waste management, and servicing;
- v) connect to municipal water and sewage services in accordance with Section D1 of this Plan;
- vi) be subject to site plan control in accordance with Section E1.5 of this Plan; and
- vii) require a business license for their operation.

e) The Implementing Zoning By-law shall establish appropriate provisions related to the scale of short-term accommodation uses, parking requirements, separation distances, setbacks, and buffering.

f) In addition to zoning and site plan control by-laws, and associated agreements, short term accommodation uses may be subject to other municipal by-laws including, but not limited to, on-street parking, noise, property standards, licensing, and fire and safety regulations.

g) Certain types of commercial accommodation uses identified under the introductory paragraph shall be distinguished from short-term accommodation uses, and may only be permitted by a site-specific amendment to the Zoning By-law or in zones where they are specifically listed as a permitted use.



Item 2: **Schedule A-4 – Craighleith and Swiss Meadows Land Use Plan and Schedule A-5 – Blue Mountain Village Area Land Use Plan** are hereby amended by deleting and replacing the Exception Areas of B3.7.6.14 as shown on Schedule 'A-1'.

Town of The Blue Mountains

Schedule 'A-1'

To Official Plan Amendment No. 3 to the
Town of The Blue Mountains Official Plan

Legend

-  Subject Lands of this Amendment
-  Area affected by Exception B3.7.6.14



IMPLEMENTATION AND INTERPRETATION

The implementation and interpretation of this Amendment shall be in accordance with the respective policies of the Official Plan.

PART C – THE APPENDICES

The following Appendices do not constitute part of this Amendment. Such are included as information only supporting the Amendment.

1. Town of The Blue Mountains Planning Staff Report PDS.23.024
2. Town of The Blue Mountains Planning Staff Report PDS.23.066