



Notice of Public Meeting (Online)

Application for Zoning Amendment

Property Location: Municipal Wide
(A key map is not provided)

Public Meeting: May 3, 2021 at 5:00 PM
(Virtual - Online format using Microsoft Teams)

What is being proposed?

Town of The Blue Mountains is undertaking a Zoning By-law review to consider new Short Term Accommodation, Commercial Resort Unit and Bed and Breakfast provisions for the Blue Mountains Comprehensive Zoning By-law 2018-65. The Draft Zoning By-law Amendment proposes to insert a new "Resort Residential 'RR'" Zone in the Commercial section of the By-law. The Resort Residential 'RR' Zone proposes to recognize those properties that can be used for a Short Term Accommodation use (and may include other uses). New general provisions to regulate Short Term Accommodation uses, and Bed and Breakfast Establishments are proposed along with new and/or modified definitions, parking requirements, and site specific exceptions. This By-law also considers expanding the permitted uses at Grey Condominium No. 37 (North Creek Resort) to also include Short Term Accommodation and Residential Dwelling units. This By-law also considers modifying the permitted uses at Grey Condominium No. 24 (Cachet Crossing) by removing the development from the area of non-decision in the Blue Mountain Village Resort Core Area and including Commercial Resort Units, Short Term Accommodation and Residential Dwelling units as a permitted uses.

Key Map

A Key Map is not provided as this amendment applies to the entire Municipality.

Virtual Public Meeting Information

To help limit the spread of COVID-19, this Public Meeting will be held in a virtual (online) format. You are encouraged to provide your comments or questions in writing using email or regular letter mail to the Town Clerk in advance of the Public Meeting. Written comments will be circulated to Council. Comments received at least one (1) business day in advance of the Public Meeting (by April 30 by 10am) will be read by the Town Clerk at the Public Meeting.

Anyone wishing to speak on this matter at the Virtual Public Meeting is encouraged to pre-register early, and no later than five (5) business days in advance of the Meeting (by April 26 by 10am). For those without a computer, a dial-in number is available.

Contact the Town Clerk to pre-register or submit comments to townclerk@thebluemountains.ca or by calling the Town at 519-599-3131 extension 232 or Fax: (519) 599-7723

Comments by mail: Town Clerk, Town Hall, 32 Mill St. Box 310, Thornbury ON, N0H 2P0

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 Virtual 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 about the proposal?

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

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. (continues on reverse)

Questions? Want more information? Ask the Planner!

Shawn Postma, Senior Policy Planner

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

Your rights to appeal a decision:

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

If a person or public body does not make oral submissions at a public meeting, or make written submissions to Council 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.

The Corporation of the Town of The Blue Mountains

By-Law Number 2021 –

Being a By-law to amend Zoning By-law No. 2018-65 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 and Commercial Resort Unit 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 1.5(f) to the Blue Mountains Zoning By-law 2018-65 is amended by deleting only those lands legally described as Grey County Condominium Plan 24 (Cachet Crossing) from this Section.
- 3. 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)
Commercial Resort Unit	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	Where the Parking Spaces are located in a <i>parking area</i> : 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. Or Where the Parking Spaces are located in a private driveway, carport or garage: 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.

- 4. That Section 4.32 to the Blue Mountains Zoning By-law 2018-65 is amended by deleting and replacing Section 4.32 with the following:

“4.32 SHORT TERM ACCOMMODATION USES

- a) No person shall use any land or erect, alter or use any building or structure for the purpose of one (1) short term accommodation use within any Residential Zone unless otherwise permitted by this By-law.

- 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 from another short term accommodation use or bed and breakfast establishment. For the purposes of this section, 120 metres shall be measured from the property line for a single detached building and from the main wall for a multiple unit building.
 - d) Short term accommodation uses shall be subject to site plan control.
 - e) Where a short term accommodation use abuts a Residential R1, R2 or R3 zone, the following Planting Strip requirements shall be provided in accordance with Section 4.27.2 and 4.27.3 of this By-law:
 - a. A minimum 3.0 metre wide planting strip adjacent to the full length of the rear lot line shall be provided.
 - b. A minimum 3.0 metre wide planting strip adjacent to the full length of the exterior side lot line shall be provided, save and except within a sight triangle.
 - c. A minimum 1.0 metre wide planting strip adjacent to the full length of 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 parking spaces permitted on a private driveway for single detached buildings and multiple unit buildings.
 - b. A surface Parking Area located in the rear yard shall be setback the same distance from the rear lot line as required for the main building.
5. That Section 2.1 – Zones is amended by adding a new ‘Resort Residential’ RR Zone to the list of Commercial Zones.
6. That Table 7.1 –Commercial and Employment Zone Use Permissions under Section 7.1 to the Blue Mountains Zoning By-law 2018-65 is amended by inserting a new ‘Resort Residential RR’ column and ‘Short Term Accommodation’ and ‘Single Detached Dwelling’ row as follows:

Permitted Use	RR
Short Term Accommodation	X
Single Detached Dwelling	X

7. That Table 7.2 – Commercial Zone Standards is amended by adding a new Resort Residential Column as follows:

Zone Standard	RR
Minimum Lot Area (ha)	550
Minimum Lot Frontage (m)	18(1)
Minimum Front Yard (m)	7.5
Minimum Exterior Side Yard (m)	6
Minimum Interior Side Yard (m)	2
Minimum Rear Yard (m)	9
Maximum Height (m)	9.5
Maximum Lot Coverage (%)	30

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

8. Schedule ‘A’ to The Blue Mountains Zoning By-law 2018-65 is hereby amended by rezoning certain lands to the Resort Residential ‘RR’ Zone, Resort Residential ‘RR-Exception’ Exception Zone, and Open Space ‘OS’ Zone in accordance with Schedule ‘A-1’ to this By-law.
9. That Table 9.1 – Exceptions is amended by adding the following Exceptions as follows:

Exception Number	Zone	Special Provisions
127	RR-127	A Single Detached Dwelling or a Short Term Accommodation as well as uses, buildings and structures accessory thereto shall be permitted. A Short Term Accommodation shall be excluded from: a) The maximum number of occupants permitted within a short term accommodation use under Section 4.32(b) b) The minimum distance separation of 120 metres from another short term accommodation use or bed and breakfast establishment under Section 4.32(c).
128	RR-128	A Semi-Detached Dwelling, Duplex Dwelling or a maximum of two (2) Short Term Accommodation units as well as uses, buildings and structures accessory thereto shall be permitted. A Short Term Accommodation shall be excluded from: a) The maximum number of occupants permitted within a short term accommodation use under Section 4.32(b) b) The minimum distance separation of 120 metres from another short term accommodation use or bed and breakfast establishment under Section 4.32(c)

Exception Number	Zone	Special Provisions
129	RR-129	<p>A Triplex Dwelling or a maximum of three (3) Short Term Accommodation units as well as uses, buildings and structures accessory thereto shall be permitted. A Short Term Accommodation shall be excluded from:</p> <ul style="list-style-type: none">a) The maximum number of occupants permitted within a short term accommodation use under Section 4.32(b)b) The minimum distance separation of 120 metres short term accommodation use or bed and breakfast establishment under Section 4.32(c) <p>Notwithstanding the requirements of Table 7.2 “Commercial and Employment Zone Standards” for the Resort Residential ‘RR’ Zone, the following provisions shall apply:</p> <p>Minimum Lot Area - 650 square metres</p> <p>Minimum Lot Frontage – 25 metres</p> <p>Minimum Interior Side Yard – 5 metres</p> <p>Maximum Lot Coverage – 35%</p> <p>Maximum Height – 11 metres</p>
130	RR-130	<p>These lands may only be used for a commercial resort unit, a short term accommodation unit, or residential dwelling unit within those buildings and structures that existed on the date of passing of this By-law.</p> <p>A short term accommodation shall also be permitted with such use being excluded from:</p> <ul style="list-style-type: none">a) The maximum number of occupants permitted within a short term accommodation use under Section 4.32(b)b) The minimum distance separation of 120 metres from another short term accommodation use or bed an breakfast establishment under Section 4.32(c) <p>Notwithstanding the requirements of Table 7.2 “Commercial and Employment Zone Standards” for the Resort Residential ‘RR’ Zone, the following provisions shall apply:</p> <p>Minimum Lot Area - 650 square metres</p> <p>Minimum Lot Frontage – 25 metres</p> <p>Minimum Interior Side Yard – 5 metres</p> <p>Maximum Lot Coverage – 35%</p> <p>Maximum Height – 11 metres</p>

Exception Number	Zone	Special Provisions
131	RR-131	<p>These lands may only be used for a short term accommodation unit or residential dwelling unit within those buildings and structures that existed on the date of passing of this By-law.</p> <p>A short term accommodation shall also be permitted with such use being excluded from:</p> <ul style="list-style-type: none">a) The maximum number of occupants permitted within a short term accommodation use under Section 4.32(b)b) The minimum distance separation of 120 metres short term accommodation use or bed an breakfast establishment under Section 4.32(c)

10. That Table 9.1 – Exceptions is amended by deleting Exception 93 and replacing Exception 93 with the following:

Exception Number	Zone	Special Provisions
93	RR-93	<p>This land may only be used for a Commercial Resort Unit Complex, Commercial Resort Unit, Short Term Accommodation, Residential Dwelling Unit, and an Administration/Recreation Building containing an eating establishment and a check-in desk for the administration of off-site Short Term Accommodation and Commercial Resort Units subject to the provisions of this exception. In addition, and further to the regulations of the Resort Residential ‘RR’ Zone, the following regulations shall also apply:</p> <ul style="list-style-type: none">• Maximum number of on-site Commercial Resort Units or Short Term Accommodation Units 144;• Minimum number of parking spaces 241;• Maximum floor area for on-site Commercial Resort Units or Short Term Accommodation Units 81 square metres;• Maximum floor area for the Administration/Recreation Building 635 square metres;• Minimum Lot Area and Lot Frontage shall be as existing on the date of passing of this By-law;• Minimum yard setback from the westerly lot line 70 metres;• Maximum number of beds 504;• Maximum floor area for an eating establishment 130 square metres;• Maximum floor area for meeting rooms 187 square metres; and,• Maximum floor area for a Laundry Facility 140 square metres

		<ul style="list-style-type: none">• A short term accommodation use shall be excluded from the minimum distance separation of 120 metres short term accommodation use or bed and breakfast establishment under Section 4.32(c) <p>The following definitions shall apply to this land only:</p> <p>"Administration/Recreation Building" may include administration offices and facilities, meeting rooms, an eating establishment, and a check-in desk for the administration of off-site Short Term Accommodation and off-site Commercial Resort Units or the use of the general public. The Administration/Recreation Building may also include indoor and outdoor recreational facilities and maintenance facilities for the use of the Patrons and Guests only.</p> <p>"Bed" is defined as a bed capable of accommodating one (1) person. As an example, a double, queen or king size bed is counted as two beds.</p> <p>"Building Area" shall mean the area comprised of buildings and structures.</p> <p>"Patrons and Guests" shall mean the owners of the Commercial Resort Units or Short Term Accommodation Units and registered guests residing on this land.</p> <p>"Landscaped Open Space" shall mean open space comprised of lawn and ornamental shrubs, flowers and trees and may include space occupied by paths, walks, pedestrian bridges, signs, unenclosed wheelchair lifts or ramps, courts, patios, decks and swimming pools and associated pumphouse facilities, but shall not include parking areas, traffic aisles, driveways or vehicular ramps. All buildings and structures within the Landscape Open Space areas shall comply with applicable yard setback requirements, except that the required setback from a watercourse shall not apply, subject to any required site plan, construction or engineering design approvals in accordance with any other applicable statute, by-law or regulation.</p> <p>"Laundry Facility" shall include the launder and the transfer of on-site laundry materials as well as the storage and sorting of laundry generated at off-site Short Term Accommodation and Commercial Resort Units. For greater certainty, the Laundry Facility will not be used for the cleaning of laundry generated off-site.</p> <p>"Parking Area" means an area provided for the parking of motor vehicles and may include aisles, parking spaces, and related ingress and egress lanes but shall not include any part of a highway, street, road or lane. Parking Area may include a tennis court structure and garbage collection receptacles which do not obstruct aisles, parking spaces and ingress and egress lanes.</p> <p>No enlargement of the existing buildings and structures are permitted without an amendment to this By-law.</p>
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11. That Section 3 – Definitions to the Blue Mountains Zoning By-law 2018-65 is amended by deleting and replacing the definition of Rental or Lease Management Program with the following:

“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 a company that shall be 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.” Under full centralized management it would be required that any reservations/booking within a Commercial Resort Unit (CRU), being brokered, for any monetary gain or profit, be managed exclusively by the CRU Rental Lease Management Program Manager and not by the CRU unit owner, independent of the CRU Rental or Lease Management Company.”

12. That Section 4.8 to the Blue Mountains Zoning By-law 2018-65 is amended by deleting and replacing Section 4.8 with the following:

“4.8 Bed and Breakfast Establishments

- i) No person shall use any land or erect, alter or use any building or structure for the purpose of a Bed and Breakfast Establishment use within any Residential Zone unless otherwise permitted by this By-law.
- j) A Bed and Breakfast Establishment shall only be permitted in a single detached dwelling and shall not contain more than three (3) guest rooms.
- k) No Bed and Breakfast Establishment shall be located closer than 120 metres from another Bed and Breakfast Establishment or Short Term Accommodation Use. For the purposes of this section, 120 metres shall be measured from the property line of a single detached dwelling and from the main wall for a multiple unit building.
- l) A Bed and Breakfast Establishment shall have the owner/operator and host or principal shareholder of a corporation where the building owner is a corporation, residing on the premises.
- m) On-site parking for a Bed and Breakfast Establishment shall be provided in accordance with Section 5 to this By-law.
- n) A minimum two (2) metres of *landscaping* shall be provided adjacent to parking areas where 4 or more cars are parked.
- o) A minimum of 50% of a rear yard shall be maintained as *landscaping*.
- p) Bed and Breakfast Establishments shall be subject to site plan control.
- q) Bed and Breakfast Establishments shall be subject to licensing.

13. That Schedule ‘A-1’ is 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 _____, 2021.

Alar Soever, Mayor

DRAFT -- Short Term Accommodation, Commercial Resort Unit, and
Bed and Breakfast Establishment Zoning By-law Amendment –DRAFT

Corrina Giles, Clerk

I hereby certify that the foregoing is a true copy of By-law No. 2021-_____ as enacted by the Council of The Corporation of the Town of The Blue Mountains on this _____ day of _____, 2021.

Dated at the Town of The Blue Mountains, this _____ day of _____, 2021.

Corrina Giles, Clerk

DRAFT

Town of The Blue Mountains

Schedule 'A-1'

By-Law No. _____

