

Take notice that the Council of The Corporation of the City of Owen Sound passed and enacted **By-law No. 2023-132** on December 18, 2023, pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended and Ontario Regulation 545/06 for the purpose of adopting amendments to the City of Owen Sound's Zoning By-law No. 2010-078, as amended.

City Council has considered all written submissions received to date and oral submissions made at the public meeting held on December 4, 2023, the effect of which helped to make an informed recommendation and decision as summarized in Staff Report CS-23-136.

Property Description:

The City-initiated housekeeping amendment is general in nature and impacts several zones. The amendment is considered City-wide, because it does not impact a single or collection of properties specifically. For this reason, no mapping is provided at this time and no description of lands is necessary.

Purpose and Effect:

The purpose of the Zoning By-law Amendment is to implement housekeeping changes to the Zoning By-law (2010-078, as amended), to support the implementation of the Short-Term Rental Licensing By-law by clarifying where in the City short-term rentals are permitted and providing associated definitions.

The effect of the Zoning By-law Amendment is to define and permit short-term rentals where a 'Residential Use' is a permitted use in the Zoning By-law by implementing the following housekeeping amendments:

- Section 4 Definitions
 - Refine the 'Bed & Breakfast' definition.
 - Add a definition for 'Short-Term Rental'.
- Section 5 General Provisions
 - Permit short-term rentals in any zone where 'Residential Use' is a permitted use. Short-term rentals would be permitted in any dwelling type, including single-detached, semi-detached, duplex, townhouses, and apartments.
 - Require that short-term rentals comply with the parking provisions of Section 5.

Appeal Information:

And take notice that within 20 days after the Notice of Passing is given, an appeal to the Ontario Land Tribunal in respect of the decision of the Council of The Corporation of the City of Owen Sound may be made by filing a notice of appeal with Briana Bloomfield, City Clerk of The Corporation of the City of Owen Sound at the address noted below.

A notice of appeal must set out the reasons for the appeal and must be accompanied by the fee required by the Ontario Land Tribunal in the form of a certified cheque or money order payable to the Minister of Finance.

The last date for filing a notice of appeal is **January 8, 2024 by 4:30 p.m.**

Only individuals, corporations, and public bodies may appeal a by-law 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 by-law was passed, 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.

For more information on making an appeal, please visit: <https://olt.gov.on.ca/>.

If no notice of appeal is filed within 20 days after the giving of notice, the by-law shall be deemed to have come into force on the day it was passed.

City of Owen Sound Ontario Land Tribunal Processing Fee: \$500.00 per application

*Please note that all fees are subject to change.

Notice Date: December 19, 2023

Staci Landry

Deputy Clerk

The Corporation of the City of Owen Sound

808 2nd Avenue East

Owen Sound, ON N4K 2H4

Telephone: 519-376-4440 ext. 1235

E-mail: notice@owensound.ca

The Corporation of the City of Owen Sound

By-law No. 2023-132

A By-law to amend Zoning By-law No. 2010-078,
respecting short-term rentals (ZBA No. 51)

WHEREAS section 34(1) of the *Planning Act*, R.S.O. 1990, c. P.13 (the "Planning Act") provides that the council of a local municipality may pass by-laws for prohibiting the use of land and for prohibiting the erection, location or use of buildings and structures for, or except for, such purposes as may be set out in the by-law and for regulating the use of lands and the character, location and use of buildings and structures; and

WHEREAS on April 12, 2010, the Council of The Corporation of the City of Owen Sound (the 'City') passed Zoning By-law No. 2010-078 (the "Zoning By-law") to implement the City's Official Plan and to regulate the use of land in the City; and

WHEREAS City Council is desirous of adopting a zoning by-law amendment, pursuant to section 34 of the Planning Act, for housekeeping purposes; and

WHEREAS such amendment to the Zoning By-law will maintain the terms and intent of the City of Owen Sound Official Plan; and

WHEREAS City Council has carefully considered all public comments throughout the process; and

WHEREAS on December 4, 2023, a public meeting was held under section 34 of the Planning Act to consider the housekeeping updates; and

WHEREAS on December 18, 2023, City Council passed a resolution directing staff to bring forward a by-law to amend the Zoning By-law respecting housekeeping matters, in consideration of staff report CS-23-136;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF OWEN SOUND HEREBY ENACTS AS FOLLOWS:

1. Zoning By-law No. 2010-078 is amended as follows:

a. Section 4.2 – Definitions is amended as follows:

The definition of 'Bed & Breakfast House' is removed and replaced with:

"Bed and Breakfast" means a home business where the resident operator provides short-term lodging for compensation to the travelling and vacationing public. Guest rooms or suites may include a private bath but do not include cooking facilities. Breakfast and other meals, services, facilities or amenities may be offered exclusively to guests. A bed and breakfast does not include a hotel, boarding or lodging house, group home, group residence or any other home licensed, approved or supervised under any general or special Act.

b. Section 4.2 – Definitions is amended by adding the following:

"Short-Term Rental" means all or part of a legally established dwelling that operates or offers a place of temporary residence,

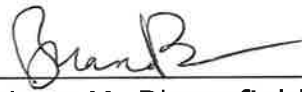
lodging or occupancy by way of a rental agreement or similar commercial transaction for a period of twenty-eight (28) consecutive nights or less and, for greater clarity, includes bed & breakfasts.

- c. Section 5.17.1 is amended to remove "One or more home businesses are permitted within a dwelling unit as accessory uses, subject to the following provisions:" and replace with "One or more home businesses are permitted anywhere a Residential Use is permitted in this By-law, subject to the following provisions".
 - d. Section 5 is amended by adding the following subsection:
Section 5.28 Short-Term Rental Accommodations
Where permitted, a short-term rental shall be subject to the requirements of the zone in which it is located, and it shall:
 - a. Be permitted in any zone where a 'Residential Use' is a permitted use;
 - b. Comply with the parking provisions of Section 5 for the associated residential use in the zone;
 - e. Section 6.1 Permitted Uses in Residential Zones is amended to delete "Home Occupation (see Section 5.17.9)".
2. This by-law shall come into full force and effect on the date it is passed at which time all by-laws, policies and resolutions that are inconsistent with the provisions of this by-law are hereby amended or repealed insofar as it is necessary to give effect to the provisions of this by-law.

FINALLY PASSED AND ENACTED this 18th day of December 2023.



Mayor Ian C. Boddy



Briana M. Bloomfield, City Clerk