



EXPLANATORY NOTE
TO THE CORPORATION OF THE TOWN OF COLLINGWOOD
BY-LAW No. 2024-64

By-law No. 2024-64 (“the Zoning By-law Amendment”) is a By-law under the provisions of Section 34 of the Planning Act, as amended prohibiting the use of land, buildings or structures for or except for such purposes as may be set out in the by-law within the municipality or within any defined area or areas or abutting on any defined highway or part of a highway. The purpose and effect of the proposed Zoning By-law Amendment is to amend the zoning provisions Town-wide to permit short-term accommodation uses subject to the terms and provisions outlined herein.

This By-law will be in conformity with the adopted 2023 Official Plan of the Town of Collingwood, once the Plan is approved by the County of Simcoe and comes into effect and may be passed in accordance with Section 24 (2) and (2.1) of the Planning Act.

**BY-LAW NO. 2024-64
OF THE
CORPORATION OF THE TOWN OF COLLINGWOOD**



BEING A BY-LAW UNDER THE PROVISIONS OF SECTIONS 24(2) AND 34 OF
THE *PLANNING ACT*, R.S.O. 1990, C. P.13, AS AMENDED

WHEREAS Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, permits a Council to pass a by-law prohibiting the use of land, buildings or structures for or except for such purposes as may be set out in the by-law within the municipality or within any defined area or areas or abutting on any defined highway or part of a highway;

AND WHEREAS Section 24(2) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, permits a Council to pass a by-law that does not conform with the Official Plan but will conform with it when an amendment to the Official Plan comes into effect, in this case a newly adopted Official Plan;

AND WHEREAS Collingwood Zoning By-law No. 2010-040 is the governing By-law of the Corporation of the Town of Collingwood and such was finally passed by the Council of the Town of Collingwood on April 12, 2010;

AND WHEREAS the Council of the Corporation of the Town of Collingwood adopted a new 2023 Official Plan on December 11, 2023;

AND WHEREAS the Council of the Corporation of the Town of Collingwood has deemed it advisable to amend Collingwood Zoning By-law No. 2010-040, and thus implement the adopted 2023 Official Plan of the Town of Collingwood;

AND WHEREAS this by-law will come into effect once the adopted 2023 Official Plan of the Town of Collingwood comes into effect;

AND WHEREAS Council deems that adequate public notice of the public meeting was provided and adequate information regarding this Amendment was presented at the public meeting held on May 22, 2024, and that a further meeting is not considered necessary in order to proceed with this Amendment;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF COLLINGWOOD ENACTS AS FOLLOWS:

1. **THAT** Section 3.0 titled "Defined Terms" of the Collingwood Zoning By-law No. 2010-040, as amended, is hereby amended in part as follows:
 - i. Amending the definition of "Short Term Accommodation" by:
 - a. Adding a hyphen so that it reads "Short-Term Accommodation";
 - b. Replacing the phrase "The use of dwelling unit, or any part thereof," in the first sentence, with the following phrase: "The use of a dwelling unit, or any part thereof, as a home occupation";
 - c. Replacing the phrase "30 consecutive calendar days" with the phrase "28 consecutive calendar days";
 - d. Adding the following sentence to the definition of "Short-Term Accommodation" as the last sentence:

“For greater certainty, Short-Term Accommodation shall not mean or include a Hotel, Motel, Tourist Camp or similar commercial accommodation use, but shall include a Bed and Breakfast.”;

- ii. Amending the definition of “Business Type Hotel or Motel” by deleting the word “accommodation” and replacing it with the word “lodging”;
- iii. Amending the newly created definition of “Additional Residential Unit” through recent By-law 2024-053 by adding the phrase “and may include a short-term accommodation that is a home occupation,” following the words “sleeping and sanitary facilities,” and by deleting the phrase “a tent, or a short-term accommodation.” and replacing it with “or a tent.”;
- iv. Amending the definition of “Dwelling Unit” by adding the phrase “and may include a short-term accommodation that is a home occupation,” following the words “sleeping and sanitary facilities,” and by deleting the phrase “a tent or short term accommodation.” and replacing it with “or a tent.”;

2. THAT Section 4.0 titled “General Provisions” of the Collingwood Zoning By-law No. 2010-040, as amended, is hereby amended in part as follows:

- i. Delete Section 4.22.2 (Dwelling Units) in its entirety;
- ii. Delete Section 4.25 (Bed and Breakfast) in its entirety and replace with the following provisions:

“4.25 Short-Term Accommodation

- 4.25.1 A short-term accommodation shall be permitted subject to compliance with the following provisions:
- 4.25.2 A short-term accommodation shall be carried out as a home occupation which is accessory to the primary residential use on a lot.
- 4.25.3 A maximum of one (1) short-term accommodation shall be located on a lot, and must be located in:
 - a. An existing or proposed single detached dwelling;
 - b. an additional residential unit that is within a single detached dwelling; or
 - c. an additional residential unit within a detached building accessory to a single-detached dwelling. .
- 4.25.4 A short-term accommodation may be permitted on a lot where a municipal water supply system and/or a municipal sanitary sewer are unavailable, provided that it can be demonstrated to the satisfaction of the Town that the applicable provisions of the Ontario Building Code for private individual onsite services are met.
- 4.25.5 The maximum number of guest rooms permitted in a short-term accommodation shall be regulated in the Town’s Short-Term Accommodation Licensing By-law.”

- iii. Delete the second sentence of Section 4.39.1 (Home Occupation) and replace with the following sentence:

“Where the home occupation is a short-term accommodation the provisions of Section 4.25 shall also apply.”;

- iv. Delete the phrase “or pet grooming.” in Section 4.39.2 and replace with the phrase “, pet grooming or a short-term accommodation.”;
- v. Delete the word “dwelling unit” in Section 4.39.4 and replace it with the word “lot” and replace the reference to “one (1)” and replace it with a reference to “two (2)”;
- vi. Delete Sections 4.39.5, 4.39.6, and 4.39.7 in their entirety;
- vii. Delete the final phrase of Section 4.39.10 (Home Occupation) starting at “, but may” to the end of the sentence, and replace the phrase “within any part of the dwelling unit” with the phrase “within any part of a dwelling unit”; and
- viii. Add the following phrase to the end of the existing sentence in Sections 4.39.11 and 4.39.12 (Home Occupation):

“, except where the home occupation is a short-term accommodation”.

3. **THAT** Section 5.0 titled “Parking and Loading Provisions” of the Collingwood Zoning By-law No. 2010-040, as amended, is hereby amended in by deleting the row of Table 5.15.1.1 Required Parking Spaces entitled “Home Occupation” and replacing it with the following row:

Home Occupation	<p>1 space per home occupation in addition to spaces required for the primary dwelling unit; or</p> <p>For a home occupation that is a short-term accommodation:</p> <ul style="list-style-type: none"> • where there are 2 or fewer guest rooms, 1 space per guest room in addition to the spaces required for the primary dwelling unit; • where there are 3 or more guest rooms, a minimum of 2 parking spaces in addition to the spaces required for the primary dwelling unit
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4. **THAT** the Table of Contents of the Zoning By-law be updated and the provisions of Section 4.39 be renumbered in sequential order to align with the changes in Section 2 of this By-law;
5. **THAT** Collingwood Zoning By-law No. 2010-040 is hereby amended to give effect to the foregoing, but Collingwood Zoning By-law No. 2010-040 shall in all other respects remain in full force and effect.
6. **THAT** this By-law shall come into force and effect on the date it is enacted and passed by the Council of the Corporation of the Town of Collingwood, subject to adopted 2023 Official Plan for the Town of Collingwood coming into force pursuant to Section 24(2) of the Planning Act, R.S.O. 1990, c. P.13, as amended, and subject to notice hereof being circulated in accordance with the provisions of the Planning Act and Ontario Regulation 543/06 and 545/06, and if required as a result of such circulation, the obtaining of the approval of the Ontario Land Tribunal or its successor.

ENACTED AND PASSED this 23rd day of September, 2024.

MAYOR

CLERK