

THE CORPORATION OF THE
T O W N O F P E L H A M
BY-LAW NO. 4256 (2020)

Being a by-law to amend Zoning By-law 1136 (1987), as amended, with respect to Short Term Accommodation in the Town of Pelham

Town of Pelham

File No. AM-12-18

WHEREAS, Section 34 of the Planning Act. RSO 1990, as amended provides that the governing body of a municipal corporation may pass by-laws to regulate the use of lands and the character, location and use of buildings and structures;

WHEREAS, the Council of the Town of Pelham considers it to desirable to amend Zoning By-law 1136 (1987) to implement the policies of Official Plan Amendment No. 10 with respect to short term accommodations in the Town of Pelham;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF PELHAM ENACTS AS FOLLOWS:

1. THAT By-law 1136 (1987), as amended, is hereby amended by the addition of Section 6.2 as follows, and renumbering the remaining Sections accordingly:

6.2 Bed and Breakfast Establishments

A Bed and Breakfast Establishment shall be permitted in any principal residence dwelling in a specific zone subject to the following provisions:

 - a) one (1) off-street parking space per guest room shall be provided in addition to the required parking for the principal residence dwelling;
 - b) all relevant requirements of the Ontario Building Code and Ontario Fire Code shall be complied with; and
 - c) licensing in accordance with the Town's Licencing By-law.
2. THAT By-law 1136 (1987), as amended, is hereby amended by the addition of Section 7.1(i) and (j) to Section 7.1 as follows:
 - (i) Short Term Accommodations, subject to licencing in accordance with the Town's Licencing By-law; and
 - (j) Bed and Breakfast Establishments, subject to licencing in accordance with the Town's Licencing By-law.
3. THAT By-law 1136 (1987), as amended, is hereby amended by the addition of Section 8.1(f) and (g) to Section 8.1 as follows:
 - (f) Short Term Accommodations, subject to licencing in accordance with the Town's Licensing By-law; and
 - (g) Bed and Breakfast Establishments, subject to licencing in accordance with the Town's Licencing By-law.

4. THAT By-law 1136 (1987), as amended, is hereby amended by deleting Section 19.1(c) and replacing it with the following as well as the addition of 19.1(d) as follows:
 - (c) Dwelling units and Short Term Accommodations, in accordance with the Town's Licencing By-law above the ground floor; and
 - (d) Bed and Breakfast Establishments, subject to licencing in accordance with the Town's Licencing By-law.
5. THAT By-law 1136 (1987), as amended, is hereby amended by deleting Section 20.1 (c) and replacing it with the following, as well as the addition of 20.1(d) as follows:
 - (c) Dwelling units and Short Term Accommodations, in accordance with the Town's Licensing By-law above the ground floor; and
 - (d) Bed and Breakfast Establishments, subject to licencing in accordance with the Town's Licencing By-law.
6. THAT By-law 1136 (1987), as amended, is hereby amended by deleting Section 21.1 (c) and replacing it with the following, as well as the addition of 21.1(d) as follows:
 - (c) Accessory residential uses to any of the foregoing permitted uses and Short Term Accommodations in accordance with the Town's Licensing By-law, except automobile service station; and
 - (d) Bed and Breakfast Establishments, subject to licencing in accordance with the Town's Licencing By-law.
7. THAT By-law 1136 (1987), as amended, is hereby amended by adding and alphabetically inserting new definitions into Section 5 as follows:

"Bed and Breakfast Establishment" means a principal residence Dwelling in which the owner and operator provides guest rooms for the temporary accommodation for twenty-eight (28) consecutive days or less to the travelling public and may offer meals to the registered guests but does not include a hotel, motel, inn, tavern or any other use governed by the *Innkeepers Act*, R.S.O. 1990, c.I.7, as amended.

"Dwelling, Principal Residence" means a Dwelling unit owned or rented by a person, alone or jointly with another person, which is their principal place of residency.

"Short Term Accommodation (STA)" means a Dwelling or Dwelling unit, that in whole or part, is rented or available for rent with the intention of financial compensation for an occupancy period of less than twenty-eight (28) consecutive days and includes a Bed and Breakfast Establishment, but does not include a motel, hotel, inn, tavern or any other use governed by the *Innkeepers Act*, R.S.O. 1990, c.I.7, as amended.

8. **THAT** this Bylaw shall come into effect and force from and after the date of passing thereof, pursuant to Section 34(21) and 34(30) of the Planning Act, RSO 1990, as amended.

ENACTED, SIGNED AND SEALED THIS

13th day of JULY, 2020 A.D.

MAYOR MARVIN JUNKIN

CLERK NANCY J. BOZZATO