

The Corporation of the City of North Bay

By-Law No. 2022-76

A By-Law to Amend Zoning By-Law No. 2015-30 for the Purpose of Defining and Regulating Short-Term Rentals

Whereas Section 34 of the Planning Act, R.S.O. 1990, c. P.13 provides that the councils of local municipalities may pass by-laws to regulate the use of land and the erecting, location and use of buildings and structures;

And Whereas the Council of the City of North Bay has deemed it desirable to regulate Short-Term Rentals as defined in this By-law;

And Whereas the Council of the Corporation of the City of North Bay has ensured that adequate information has been made available to the public, and held at least one public meeting after due notice for the purpose of informing the public of this by-law;

And Whereas Council passed Community Services Committee Report 2022-16 adopted by Council on June 28, 2022 by Resolution No. 2022-228 to approve proposed amendment to Zoning By-Law No. 2015-30.

Now therefore the Council of The Corporation of the City of North Bay hereby enacts as follows:

Definitions

- 1) 'Section 2 – Definitions' of Zoning By-Law No. 2015-30 is amended by adding the following definitions, in alphabetical order, within the existing definitions:
 - a. **Short-Term Rental** – means all or part of a dwelling unit used to provide sleeping accommodations for any rental period that is less than 28 days in exchange for payment. Short-term rental uses shall not mean or include a bed and breakfast establishment, institutional tourist establishment, tourist establishment, tourist camping establishment, motel, resort, or similar commercial or institutional use.
 - b. **Principal Dwelling Unit Short-Term Rental** – means a short-term rental which is also someone's principal dwelling unit (where they live primarily).
 - c. **Non-Principal Dwelling Unit Short-Term Rental** - means a short-term rental that is not someone's principal dwelling unit (where they do not live primarily).

Section 5: Residential Zones

- 2) ‘Table 5A – Permitted Low Density Residential Uses’ of Zoning By-law 2015-30 is amended by adding the following permitted use, in alphabetical order;

USE	R1	R2	R3	R4	R5	R6
Principal Dwelling Unit Short-Term Rental	X	X	X		X	X

- 3) ‘Table 5C – Permitted High Density Residential Uses’ of Zoning By-law 2015-30 is amended by adding the following permitted use, in alphabetical order;

USE	RM1	RM2	RM3
Principal Dwelling Unit Short-Term Rental	X	X	X

Section 6 – Commercial Zones

- 4) ‘Table 6A – Permitted Non- Residential Uses’ of Zoning By-law 2015-30 is amended by adding the following permitted use, in alphabetical order;

Use	C1	C2	C3	C4	C5	C6	C6F	C6L	C7
Non Principal Dwelling Unit Short Term Rental	X (5)								X

- 5) ‘Special Provisions for Table 6A (Permitted Non-Residential Uses)’ is amended by adding the following special provision in numerical order;

(5) No *non-principal dwelling unit short-term rental* shall be permitted on the ground floor within buildings fronting on Main Street between Wyld Street and Algonquin Avenue or on Oak Street between Wyld Street and Algonquin Avenue.

- 6) 'Table 6B – Permitted Residential Uses' is amended by adding the following permitted uses, in alphabetical order:

Use	C1	C2	C3	C4	C5	C6	C6F	C6L	C7
Principal Dwelling Unit Short Term Rental	X (1)	X		X (2)	X (3)	X (3)	X (3)	X (3)	X (4) (6)

- 7) 'Special Provisions for Table 6B (Permitted Residential Uses)' is amended by modifying existing special provisions numbers 1,2 and 3 to include references to **principal dwelling unit short-term rentals** and add a new provision in the form of special provision number 6 to reflect the numerical order of the existing special provisions;

(1) No **dwelling units** or **principal dwelling unit short-term rentals** shall be permitted on the ground floor within **buildings** fronting on Main **Street** between Wyld **Street** and Fraser **Street**.

(2) **Dwelling units**, or any residential **use**, including **principal dwelling unit short-term rentals** connected to and forming an integral part of the commercial **building** shall be permitted, provided that access to the **dwelling units** or residential **use**, including **principal dwelling unit short-term rental** is separate from the access to the commercial portion of the **building**, and no **dwelling units**, residential **use**, or **principal dwelling unit short-term rentals** shall be permitted on the ground floor.

(3) **Dwelling units**, or any residential **use**, including **principal dwelling unit short-term rentals** connected to and forming an integral part of the commercial building shall be permitted, provided that the **floor area** does not exceed that of the commercial portion of the **building**, and that the **dwelling units**, or any residential **use**, including **principal dwelling unit short-term rentals** are located above or at the rear of the building.

(4) A residential **building** may be established and occupied provided it is **accessory** to the main use. Only one single residential unit will be permitted; it may be a **single detached dwelling** or connected to and part of the primary **building**. A **principal dwelling unit short-term rental** shall be permitted within the one established residential unit under this provision.

(6) **Principal dwelling unit short-term rentals** are only permitted when the existing applicable **dwelling unit** has a **non-conforming, legal** status under the City’s Zoning By-law.

Section 10 – Rural Zones

8) 'Table 10C – Permitted Residential Uses and Regulations' of Zoning By-law 2015-30 amended by adding the following permitted use, in alphabetical order;

Zone	Use	Minimum Lot Area (ha)	Maximum Lot Coverage	Frontage (m)	Front Yard Setback (m)	Side Yard Setback (m)	Rear Yard Setback (m)	Maximum Building Height (m)	Other Provisions
A	Principal Dwelling Unit, Short-Term Rental	2	30%	60 (1)	15	7.5	15	10.5	(9)
RRL	Principal Dwelling Unit, Short-Term Rental	0.4	10% (2)	60 (1)	30	6 (4)	12 (4)	10.5	(9)
RRE	Principal Dwelling Unit, Short-Term Rental	1.2	5%	60	15	15	15	10.5	(9)
RC	Principal Dwelling Unit, Short-Term Rental	0.8	15%	75	15	15	15	10.5	(9)

- 9) 'Special Provisions for Table 10C (Residential Uses and Regulations)' is amended by adding the following special provision in numerical order:

(6) ***Principal Dwelling Unit Short-Term Rentals*** must provide a valid permit of record from the North Bay- Mattawa Conservation Authority for septic systems, if applicable and that will support the short-term rental premises.

Read a First Time in Open Council the 9th Day of August 2022.

Read a Second Time in Open Council the 9th Day of August 2022.

Read a Third Time in Open Council and Passed this 9th Day of August 2022.

Mayor Allan McDonald

City Clerk Karen McIsaac