



**BEING A BY-LAW TO A BY-LAW TO AMEND ZONING BY-LAW 85-2003 RELATING TO PERMISSIONS FOR SHORT TERM RENTAL ACCOMMODATIONS**

**WHEREAS** the Council of the Corporation of the Town of Cobourg deems it advisable to amend By-law Number 85-2003, as amended; and

**WHEREAS** the Municipal Council of the Corporation of the Town of Cobourg convened a Public Meeting on October 30, 2023 regarding the proposed Zoning By-law Amendment in accordance with the provisions under the *Planning Act*, R.S.O. 1990, C.P. 13, as amended; and

**WHEREAS** the Council of the Corporation of the Town of Cobourg considered a staff report on the proposed Zoning By-law Amendment on February 5, 2025;

**NOW THEREFORE BE IT RESOLVED THAT THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWN OF COBOURG ENACTS AS FOLLOWS:**

1. That By-law No. 85-2003, Section 3: DEFINITIONS is hereby amended by deleting the following definition and replacing as follows:

**“Bed and Breakfast Establishment**

Means a single detached dwelling in which not more than three (3) Guest Rooms are used or maintained for the accommodation of the travelling public, in which the owner of the dwelling unit resides and supplies lodgings with or without meals for hire or pay. Meals shall only be provided to guests lodging at the establishment. A Bed and Breakfast Establishment is considered a Short Term Rental Accommodation, but does not include a hotel, motel, boarding or lodging house or inn”.

2. That By-law No. 85-2003, Section 3: DEFINITIONS is hereby amended by adding the following definitions:

**“Dwelling, Principal Residence**

PRINCIPAL RESIDENCE or PRINCIPAL RESIDENT means the customary or usual place of residence of a person, for which the municipal address of the dwelling unit is most likely to be identified by that person as his or her place of residence for financial, legal and government related purposes including as defined in the Income Tax Act.”

**“Short Term Rental Accommodation”**

Means a dwelling or dwelling unit, or any portion of it, that is rented or available for rent and intended to be provided to the travelling or vacationing public or occupied for a seasonal or temporary period and includes a Bed and Breakfast Establishment, that rents not more than three (3) guest rooms, but does not include a motel, hotel, boarding or lodging house, emergency care establishment, hostel, tourist inn, or accommodations. Short Term Rental Accommodations include the following classes:

- a) **CLASS A** – A dwelling owned by a person, either alone or jointly with others in which the owner occupies it as a Dwelling Principle Residence;
  - b) **CLASS B** - Multi- Unit Dwellings owned by a person, either alone or jointly with others and in which one of the Dwelling Units is owner occupied as a Dwelling Principle Residence located on the same property that accommodates guests.
  - c) **CLASS C** - Individually Owned Dwellings in which owner does not occupy as a Dwelling Principle Residence (Secondary Residence/Vacation Homes) but owner must reside in the County of Northumberland and are subject to the following additional regulations:
    - i. A property that is available for rent in its entirety to provide temporary lodging to a single group of the travelling and vacationing public and is licensed by the Town of Cobourg to carry on business.
    - ii. There shall be a limit of three (3) properties under the same owner that may be permitted to be licenced and operated as a Class C STRA.
    - iii. The maximum number of dwelling units to be operated under a Class C STRA Licensed located on the same property shall be three (3).
    - iv. The maximum number of persons permitted to stay in a dwelling unit used as a Class C Licence shall be in accordance with the requirements of the *Building Code Act, 1992, S.O. 1992, c. 23*, as amended, and the regulations promulgated thereunder.
3. That By-law No. 85-2003 Section 5: GENERAL PROVISIONS is hereby amended by adding the following regulations:

**“5.28 Short Term Rental Accommodations**

5.28.1 A **Class A** Short Term Rental Accommodation use shall be permitted within the following zone categories that permit a residential use, including any exception zones thereto, and include:

- i. Residential 1 (R1), Residential 2 (R2), Residential 3 (R3), Residential (R4), Residential 5 (R5) Cobourg East Low Density Residential (CER1), Cobourg East Medium Density Residential (CER2 ), Cobourg East High Density Residential (CER3), Neighbourhood Residential 1 (NR1), Neighbourhood Residential 2 (NR2), Rural (RU) Zones
- ii. Neighbourhood Mixed Use (NMU) Zone and Cobourg East Mixed Use (CEMU) Zone, and
- iii. Neighbourhood Commercial (NC), District Commercial (DC), and Main Central Commercial (MC) Zone.

5.28.2 A **Class B** Short Term Rental Accommodation use shall be permitted within the following zone categories that permit a residential use, including any exception zones thereto, and include:

- i. Residential 1 (R1), Residential 2 (R2), Residential 3 (R3), Residential (R4), Residential 5 (R5) Cobourg East Low Density Residential (CER1), Cobourg East Medium Density Residential (CER2), Cobourg East High Density Residential (CER3), Neighbourhood Residential 1 (NR1), Neighbourhood Residential 2 (NR2), Rural (RU) Zones
- ii. Neighbourhood Mixed Use (NMU) Zone and Cobourg East Mixed Use (CEMU) Zone, and
- iii. Neighbourhood Commercial (NC), District Commercial (DC), and Main Central Commercial (MC) Zone

5.28.3 A **Class C** Short Term Rental Accommodation use shall be permitted within the following zone categories that permit a residential use, including any exception zones thereto, and include:

- i. Residential 4 (R4), Residential 5 (R5), and Cobourg East High Density Residential (CER3) Zones  
Neighbourhood Commercial (NC), District Commercial (DC), and Main Central Commercial (MC) Zones
- ii. Neighbourhood Mixed Use (NMU) Zone and Cobourg East Mixed Use (CEMU) Zones

5.28.4 A **Class A** and **Class B** Short Term Rental Accommodation use shall only be permitted on a lot where the landowner occupies one (1) of the dwelling units and meets the criteria of a Principal Dwelling Residence.

5.28.5 All Classes of Short Term Rental Accommodation where the entire dwelling unit is rented as a whole to a single housekeeping unit shall not require additional parking spaces however where each guest room is rented individually and under separate contract, one (1) additional parking space is required for each guest room in addition to the zone requirements for the principal dwelling unit.

5.28.6 A Short Term Rental Accommodation shall not change the character of the dwelling as a private residence or create or become a nuisance in regard to noise, traffic or parking.

5.28.7 Notwithstanding anything in this by-law or any other by-law to the contrary, no home occupation, other rental accommodation, group home or lodging house shall be permitted on any lot which contains a Short Term Rental Accommodation.

- 4. That this By-law shall come into effect upon final passing hereof, subject to the provisions of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended.

READ and finally passed in Open Council this 26<sup>th</sup> day of February, 2024.

“Lucas Cleveland”

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Lucas Cleveland, Mayor

“Brent Larmer”

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Brent Larmer, Clerk