

TAKE NOTICE that the Council of The Corporation of the City of Owen Sound passed **By-law No. 2022-123** on December 12, 2022, under Section 34 of the *Planning Act, R.S.O. 1990, c.P.13* and Ontario Regulation 545/06 for the purpose of adopting amendments to the City of Owen Sound's Zoning By-law No. 2010-078.

City Council has considered written submissions received to date and oral submissions made at the public meeting held on November 7, 2022.

PURPOSE AND EFFECT OF BY-LAW NO. 2022-123:

The purpose of the Zoning By-law Amendment is to permit an eight-unit stacked cluster townhouse development on the subject lands.

The effect of the Zoning By-law Amendment is to add site-specific zone provisions applying to the subject lands in order to add 'Dwelling, Cluster Townhouse' as a permitted use and permit a reduced minimum 'Lot Frontage' of 24 meters and a reduced minimum 'Lot Area' (total development parcel) of 1,347 square meters.

PROPERTY LOCATION:

The Zoning By-law Amendment relates to lands located at 740 10th Street West and legally described as PLAN 34 PT LOT 45 PT LOT 46 in the City of Owen Sound, County of Grey. The lands are shown in the **Key Map** below.

AND TAKE NOTICE that any person or public body under Section 34 of the *Planning Act, R.S.O. 1990, c.P.13* may within 20 days after the Notice of Passing is given, appeal to the Ontario Land Tribunal in respect of the decision of The Corporation of the City of Owen Sound by filing with the Clerk of The Corporation of the City of Owen Sound, a notice of appeal setting out the reasons for the appeal. An appeal must be accompanied by the fee prescribed 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 2, 2023**.

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.

ADDITIONAL INFORMATION related to this Zoning By-law Amendment is available for inspection at the City of Owen Sound in the Planning Office located at 808 2nd Avenue East, Owen Sound, ON N4K 2H4, Monday to Friday between the hours of 8:30 a.m. and 4:30 p.m. and on the City's website at www.owensound.ca/development.

NOTICE DATE: December 13, 2022

Staci Landry, Deputy Clerk
The Corporation of the City of Owen Sound
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Owen Sound, ON N4K 2H4
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Key Map



The Corporation of the City of Owen Sound

By-law No. 2022-123

A By-law to amend Zoning By-law No. 2010-078,
respecting lands located at 740 10th Street West (ZBA No. 40)

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 lands located at 740 10th Street West (the "subject lands"); 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 November 7, 2022, a public meeting was held under section 34 of the Planning Act to consider zoning for the subject lands; and

WHEREAS on December 12, 2022, City Council passed a resolution directing staff to bring forward a by-law to amend the Zoning By-law respecting the subject lands, in consideration of staff report CS-22-158;

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

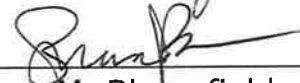
1. That schedule A, Zoning Map 3, forming part of Zoning By-law No. 2010-078, is hereby amended by changing the zoning category on those lands lying and being in the City of Owen Sound, being described generally as 740 10th Street West, PLAN 34, PT LOT 45 PT LOT 46, shown more specifically on Appendix 'A' attached to this by-law from 'Retail Commercial' (C2) to 'Retail Commercial' with Special Provision 14.134 (C2 14.134).
2. That the following provisions be added to Zoning By-law Section 14:
Special Provision 14.134
Notwithstanding the provisions of the Retail Commercial (C2) Zone and for lands shown on Schedule A, Zoning Map 3, the following uses shall be permitted in addition to those permitted in the C2 Zone:
 - a. Dwelling, Stacked Cluster Townhouse

By-law continues on next page...

- b. A 'Dwelling, Stacked Cluster Townhouse' shall mean a residential building divided into three or more dwelling units by common horizontal and vertical walls which prevent internal access between the attached dwelling units. Each dwelling unit is accessed from an individual, exterior entrance.
 - c. Notwithstanding Section 7.3 of the Zoning By-law and for lands shown on Schedule A, Zoning Map 3, the applicable C2 zone provisions shall apply, save and except for the following:
 - Minimum Lot Frontage: 24 metres
 - Minimum Lot Area: 1,347 square metres
3. This by-law shall come into full force and effect on the date it is passed.
FINALLY PASSED AND ENACTED this 12th day of December 2022.



Mayor Ian C. Boddy



Briana M. Bloomfield, City Clerk

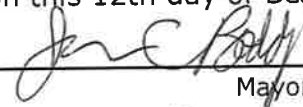
By-Law 2022-123

Being a By-Law to adopt Amendment No. 40 to Zoning By-Law 2010-078 for the City of Owen Sound.

Appendix A

Amendment to Zoning By-Law 2010-078 Zoning Map 3

Passed on this 12th day of December, 2022



Mayor Ian C. Boddy



Briana M. Bloomfield, City Clerk



LEGEND

 Lands to be zoned from C2 to C2 14.134



0 15 30 60 Meters

