

The Corporation of the City of Owen Sound

By-law No. 2022-056

A By-law to amend the Comprehensive Zoning By-law,
as amended, to remove the Holding (H) Provision from
lands located municipally at 1144 1st Avenue West (ZBA 36)

WHEREAS section 34 of the *Planning Act*, R.S.O. 1990, c P.13, as amended (the "Planning Act"), permits the council of a local municipality to pass a by-law prohibiting the use of land, buildings or structures within a defined area or areas; and

WHEREAS section 36 of the Planning Act permits a municipality to pass a by-law to specify the use to which lands, buildings or structures may be put at such time in the future as the holding symbol is removed by amendment to the by-law; and

WHEREAS the Comprehensive Zoning By-law No. 2010-078, as amended, of the Council of The Corporation of the City of Owen Sound (the "City") places certain lands in a 'Mixed Use Commercial' (MC) with Special Provision 14.46 and Holding Zone specifying the use to which lands, buildings or structures may be put at such time as the holding symbol is removed pursuant to section 36 of the Planning Act; and

WHEREAS there is a Holding (H) provision on the lands described as: PT WEST ST PL OWEN SOUND CLOSED BY r393549 PT 1, 16R6924; LT 7 S/S PAYNER ST, 8 S/S PAYNTER ST, 9 S/S PAYNTER ST, 10 S/S PAYNTER ST, 11 S/S PAYNTER ST, 12 S/S PAYNTER ST, 13 S/S PAYNTER ST, 14 S/S PAYNTER ST PL 4 OWEN SOUND; LANE PL 54 OWEN SOUND; LT 1-19 PL 54 OWEN SOUND; HOPKINS AV PL 54 OWEN SOUND; 18 INCH RESERVE PL 54 OWEN SOUND 7 6 INCH RESERVE PL 54 OWEN SOUND; LT 6 W/S STEPHEN ST AND N/S FROST ST PL OWEN SOUND; LT 7 W/S STEPHEN ST AND N/S FROST ST PL OWEN SOUND; LT 8 W/S STEPHEN ST AND N/S FROST ST PL OWEN SOUND PT 4, 16r2436; PT BEECH ST PL OWEN SOUND (11TH ST W) CLOSED BY R393550 PT 2, 16R6924; OWEN SOUND being PIN: 37053-0092 (LT) (the "subject lands"); and

WHEREAS notice of intention to pass an amending by-law to remove the Holding provision from the subject lands was provided in accordance with the Planning Act; and

WHEREAS on May 9, 2022 City Council adopted Resolution No. R-220509-005 to direct staff to bring forward a by-law to adopt Amendment No. 36 to the City's Zoning By-law No. 2010-078 to remove the Holding (H) provision from the subject lands;

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

1. Schedule 'A', Map 7 forming part of By-law 2010-078, as amended, is further amended by removing the Holding ("H") symbol from the 'Mixed Use Commercial' (MC) with Special Provision 14.46 Zone that was placed on the subject lands.
2. The lands subject to the removal of the holding provision are legally described as:

PT WEST ST PL OWEN SOUND CLOSED BY r393549 PT 1, 16R6924; LT 7 S/S PAYNER ST, 8 S/S PAYNTER ST, 9 S/S PAYNTER ST, 10 S/S PAYNTER ST, 11 S/S PAYNTER ST, 12 S/S PAYNTER ST, 13 S/S PAYNTER ST, 14 S/S PAYNTER ST PL 4 OWEN SOUND; LANE PL 54 OWEN SOUND; LT 1-19 PL 54 OWEN SOUND; HOPKINS AV PL 54 OWEN SOUND; 18 INCH RESERVE PL 54 OWEN SOUND 7 6 INCH RESERVE PL 54 OWEN SOUND; LT 6 W/S STEPHEN ST AND N/S FROST ST PL OWEN SOUND; LT 7 W/S STEPHEN ST AND N/S FROST ST PL OWEN SOUND; LT 8 W/S STEPHEN ST AND N/S FROST ST PL OWEN SOUND PT 4, 16r2436; PT BEECH ST PL OWEN SOUND (11TH ST W) CLOSED BY R393550 PT 2, 16R6924; OWEN SOUND being PIN: 37053-0092 (LT), being lands municipally known as 1144 1st Avenue West, City of Owen Sound, County of Grey and more particularly described in Appendix 'A' which is attached to and forms part of this by-law.

3. Zoning By-law No. 2010-078 is amended to give effect to the foregoing, but shall in all other respects remain in full force and effect.
4. This by-law shall come into full force and effect on the date it is passed.

FINALLY PASSED AND ENACTED this 30th day of May 2022.



Mayor Ian C. Boddy



Briana M. Bloomfield, City Clerk

By-Law 2022-056

Being a By-Law to adopt Amendment No. 36
to Zoning By-Law 2010-078
for the City of Owen Sound.

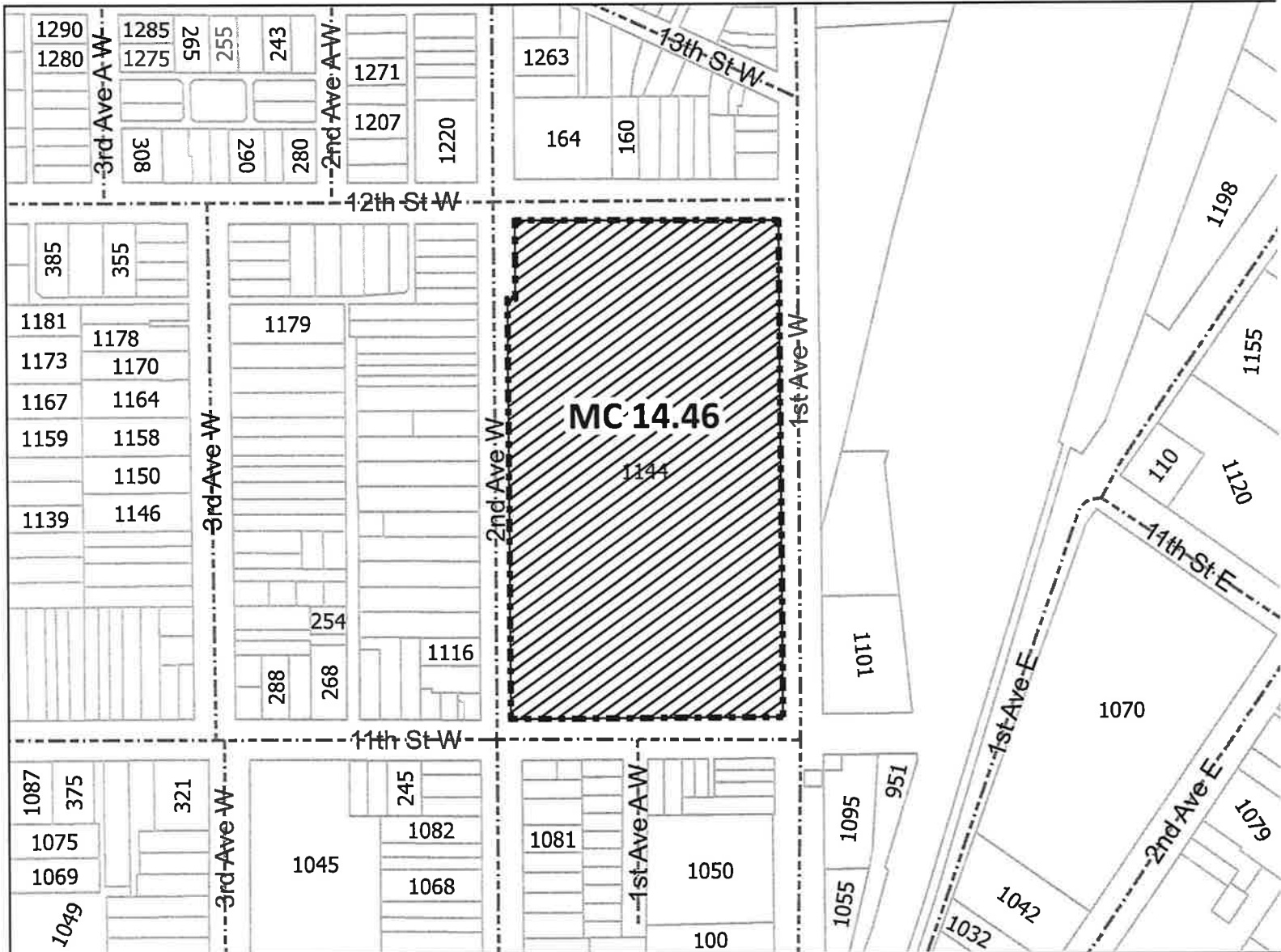
Appendix A

Amendment to Zoning By-Law 2010-078 Zoning Map 7

Passed on this 30th day of May, 2022

Mayor Ian C. Boddy

Briana M. Bloomfield, City Clerk



LEGEND

- Subject Property
- Lands to be rezoned from Mixed Use Commercial' (MC) Holding, Special Provision 14.46 to Mixed Use Commercial' (MC), Special Provision 14.46



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