

THE CORPORATION OF THE CITY OF OWEN SOUND

HOW TO USE THE ZONING BY-LAW

What is Zoning?

Zoning provides regulations for lot size, setbacks, coverage and building height, so that new development will fit within the context of its location.

Using the Zoning By-law:

For each zone, there is a list of permitted uses and a number of standards or regulations such as lot size, frontage, required yards, building height, etc.

The location of each of these zones is shown on Schedule 'A' (Zoning Maps 1 to 21) and Schedule 'B' (Hazard Zone Map). The specific uses and regulations applicable to each zone are found in the relevant section(s) of the By-Law which bears the same zone name(s). In order to determine the provisions of the By-Law that affect your property, it is suggested that you use the following technique:

- 1) Locate your property on a Zoning Schedule, which are the zoning maps immediately following the last page of Section 14. If your land contains part of a Hazard Zone (ZH) and further clarification is required to determine the location of the Hazard Zone refer to Schedule 'B'.
- 2) Identify the zone that has been applied to your land (e.g., R1 for Single Detached Residential or C1 for Core Commercial).
- 3) Once you have identified the zone, turn to the appropriate Zone which outlines permitted uses and regulations. For example, if your property is zoned C1, you would turn to the appropriate zone section to determine the specific permitted uses and regulations affecting your property. The Table of Contents will assist you in locating the appropriate page number. Appendix 'A' is also provided to assist with understanding the terminology of the By-law.
- 4) If a zone symbol is followed by reference to Section 14 (e.g. 14.20) then special provisions apply to the lands. The details of the special provisions are found in the referenced provision in Section 14.
- 5) Please note that most of the general provisions contained under Section 5 also affect your property. Care should be taken to review these general provisions as well as the applicable definitions outlined in Section 4.

The Zoning By-Law is only one of many planning tools used to implement the Official Plan. If it is intended to alter the use of a property, alter or erect a building or structure, or alter a lot, you should be aware that it may be necessary to consult other additional legislation or City By-Laws or other agencies.

The following applications, legislation or processes are outlined simply to assist in understanding the scope of potential requirements:

1. Building Permit (Building Code and Zoning By-Law compliance);

2. Site Plan Control Approval (detailed plans showing the building envelope and illustrating building massing, height, floor space, yard setbacks, parking, loading, landscaping, etc., which may be implemented through a Site Plan Control Agreement);
3. Consent Approval (alteration of a lot configuration, easement, right-of-way, creation of a single lot, etc.);
4. Subdivision or Condominium Approval (to create multiple lots, to establish new roads or to divide a building into multiple ownerships);
5. Minor Variance (to vary a zone regulation, a general provision or to extend or change a non-conforming use);
6. Zoning Amendment (to amend sections of the Zoning By-Law as it relates to a specific property);
7. Official Plan Amendment (to amend the Official Plan as it relates to a specific property or a general policy consideration);
8. Heritage Permission (required if alterations are contemplated for a property designated under Part IV or Part V of the *Ontario Heritage Act*);
9. Other City Permits or Licenses; and,
10. Permits, licenses of other agencies.

The Zoning By-Law should be considered in conjunction with all other relevant legislative and City By-Laws.

For further information, the City of Owen Sound Planning Department and/or Building Department should be consulted.

It is the landowner's responsibility to ensure that their actions are in compliance with all federal, provincial, and City legislation and by-laws as well as other agency requirements.

In addition to the requirements of this Zoning By-law certain lands within the City of Owen Sound are regulated by Ontario Regulation 151/06. If a permit is required from the Grey Sauble Conservation Authority for any work within a 'regulated area' it must be obtained prior to obtaining a building permit from the City.

There are certain lands the Niagara Escarpment Development Control Area. Any land, building or structure identified within the Niagara Escarpment Development Control Area are subject to the Niagara Escarpment Plan and any permit requirements of the Niagara Escarpment Commission."