

**TAKE NOTICE** that the Council of The Corporation of the City of Owen Sound passed **By-law No. 2021-037** on March 29, 2021, 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 February 8, 2021.

**PURPOSE AND EFFECT OF BY-LAW NO. 2021-037:**

The purpose of the application is to permit a County managed research and development facility (innovation centre) in the former Sydenham School.

The effect of the Zoning By-Law Amendment is to establish site specific zone provisions that will:

1. Add and define a 'research and development facility' as a permitted use on the subject property; and
2. Provide for a site-specific off-street parking requirement that will apply to any mix or combination of users within the building that form the research and development facility use.

**PROPERTY LOCATION:**

The subject lands are legally described as Range 4 EGR Part Lot 3. The lands are located at 1130 8<sup>th</sup> Street East and are shown more particularly on 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 Local Planning Appeal 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 Local Planning Appeal 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 April 20, 2021.

Only individuals, corporations and public bodies may appeal a by-law to the Local Planning Appeal 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 Local Planning Appeal Tribunal, there are reasonable grounds to add the person or public body as a party.

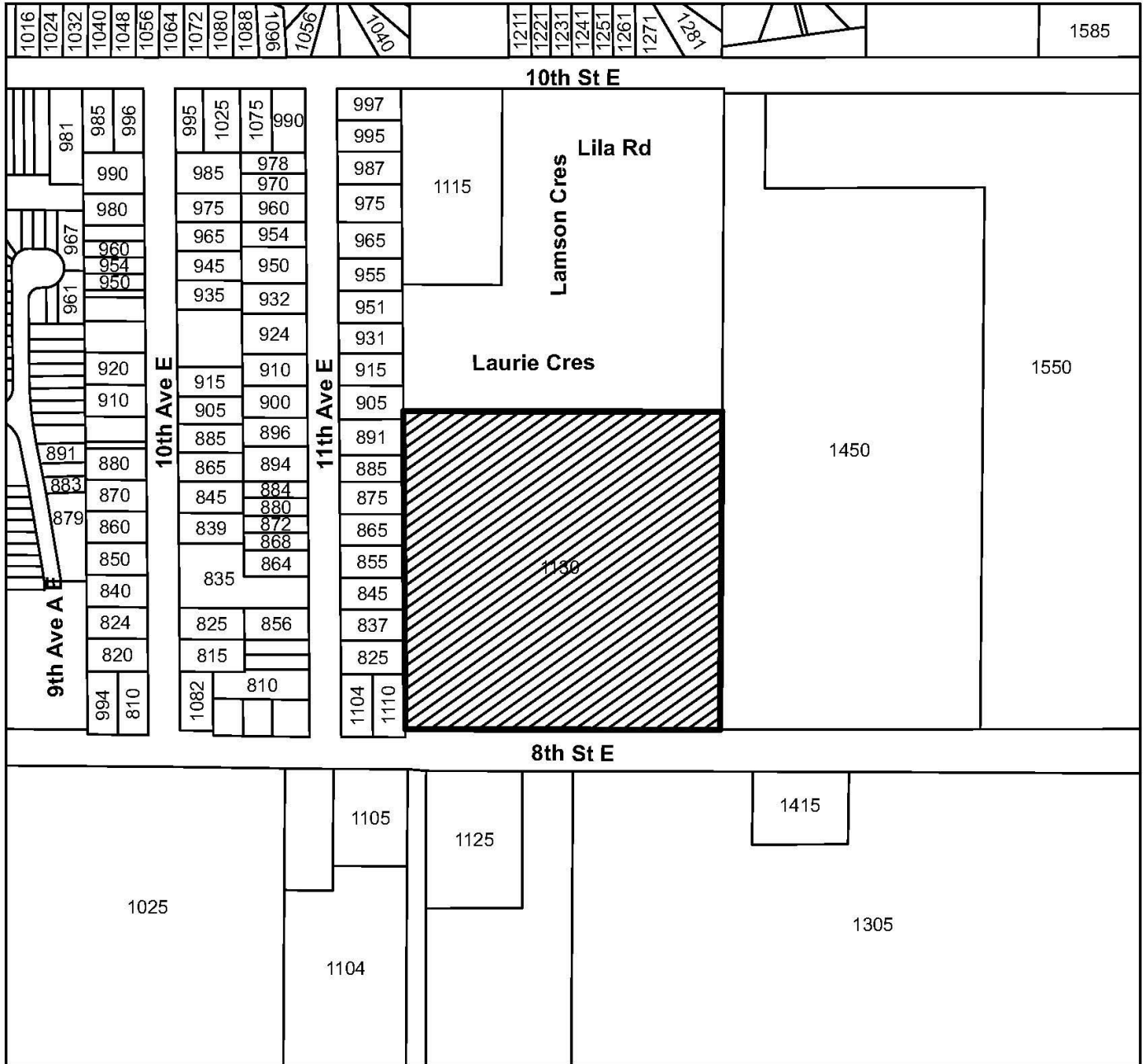
**ADDITIONAL INFORMATION** related to this Zoning By-law Amendment is available for inspection at the City of Owen Sound in the Planning Office located at 808 2nd Avenue East, Owen Sound ON N4K 2H4, Monday to Friday between the hours of 8:30 a.m. and 4:30 p.m. and on the City's website at [www.owensound.ca/development](http://www.owensound.ca/development)

**NOTICE DATE: March 31, 2021**

Jamie Eckenswiller, AMP  
Deputy Clerk

The Corporation of the City of Owen Sound 808 2nd Avenue East  
 OWEN SOUND ON N4K 2H4  
 Telephone: (519) 376-4440  
 Facsimile: (519) 371-0511  
 E-mail: [jeckenswiller@owensound.ca](mailto:jeckenswiller@owensound.ca)

### Key Map



# The Corporation of the City of Owen Sound

## By-law No. 2021-037

### A By-law to amend Zoning By-law No. 2010-078 respecting lands located at 1130 8<sup>th</sup> Street East (ZBA No. 32 Sydenham Campus)

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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 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 1130 8<sup>th</sup> Street East (the "subject lands"); and

WHEREAS such amendment to Zoning By-law No. 2010-078 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 February 8, 2021 a public meeting was held under section 34 of the Planning Act to consider zoning for the subject lands; and

WHEREAS on March 15, 2021, City Council passed a resolution directing staff to bring forward a by-law to amend Zoning By-law No. 2010-078 respecting the subject lands, in consideration of staff report CS-21-015;

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

1. That 'Schedule A, Zoning Map 13' 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 1130 8<sup>th</sup> Street East, Range 4 EGR Part Lot 3, shown more specifically on Appendix 'A' attached to this by-law from 'Institutional' (I) to 'Institutional' (I) with 'Special Provision 14.124'.

2. That the following provision be added to Zoning By-law Sec. 14:

**Special Provision 14.124**

Notwithstanding the provisions of the Institutional Zone (I) and for lands shown on Schedule A, Zoning Map 13, a "Public Use" may include:

a. Research and Development Facility

The following provisions shall apply to a research and development facility.

- i. Research and Development Facility may include a business incubator establishment and accessory prototype manufacturing.
- ii. Research and Development means the use of land, building or structure, or part thereof, for the purpose of conducting pure and applied research, analysis and experimentation, and development and creation, in any field of science, medicine,

technology and manufacturing and includes accessory prototype manufacturing.

- iii. A Research and Development Facility use may include but not be limited to facilities such as lecture rooms, administrative offices, laboratories, training facilities, display rooms, pilot plants, accessory prototypical manufacturing, simulating equipment and the like, and service and machine shops to serve the Research and Development Facility.

A Research and Development Facility use shall:

- Not create or become a nuisance in regard to noise, odour, vibration, traffic generated or parking/loading.
- Not create or become a fire, health or building hazard.
- No outdoor storage of materials or goods associated with the Accessory Industrial Use.

- iv. Prototypical manufacturing may be conducted as accessory and incidental to the Research and Development Facility use subject to the provisions of Section 5.17.13 regarding 'Accessory Industrial Use', with the following exception:

- a. That notwithstanding Sec. 5.17.13 c), the 100 m<sup>2</sup> maximum cumulative gross floor area cap shall not apply to dedicated prototypical manufacturing.

- v. Business Incubator means an establishment that provides incubator services such as management training, networking facilities, programming, mentorship programs, business assistance services, and office space including 'hot desk' services and is dedicated to nurturing the development and commercialization of start-ups, early-stage companies, and established companies (enterprises).

- vi. Notwithstanding Sec. 5.18 of the Zoning By-law, the following parking ratio shall apply:

- One (1) parking space is required per 33 square meters of 'Area, Gross Floor' of the building existing as of the passing of this amendment.
- For any new buildings or additions to the existing building, parking for a "Research and Development Facility" shall be calculated at one (1) space per 33 square meters of 'Area, Gross Floor' as defined in Sec. 4 of this By-law.
- For any new buildings or additions to the existing building, parking for uses, other than a "Research and Development Facility", permitted in the Institutional (I) zone shall be calculated as per Section 5.18.2 of the Zoning By-law.

- vii. Notwithstanding Sec. 5.18 and Special Provision 14.124 (vi) the minimum number of parking stalls required to serve a "Research and Development Facility" in building existing as of the passing of this amendment is:

- a. A minimum of 82 parking stalls shall be provided where 2385 m<sup>2</sup> or less of the existing building is used for a "Research and Development Facility".
- b. A minimum of 98 parking stalls shall be provided where more than 2385 m<sup>2</sup> of the existing building is used for a "Research and Development Facility".

viii. Notwithstanding the definition of 'Area, Gross Floor' in Sec. 4 of this By-law, for the purposes of this Special Provision and for buildings existing as of the passing of this amendment:

- Hallways shall not be included in the calculation of 'Area, Gross Floor'."

3. This by-law shall come into full force and effect on the date it is passed at which time all by-laws, policies and resolutions that are inconsistent with the provisions of this by-law are hereby amended or repealed insofar as it is necessary to give effect to the provisions of this by-law.

FINALLY PASSED AND ENACTED this 29<sup>th</sup> day of March, 2021.



Mayor Ian C. Boddy



Briana M. Bloomfield, City Clerk

**By-Law 2021-037**

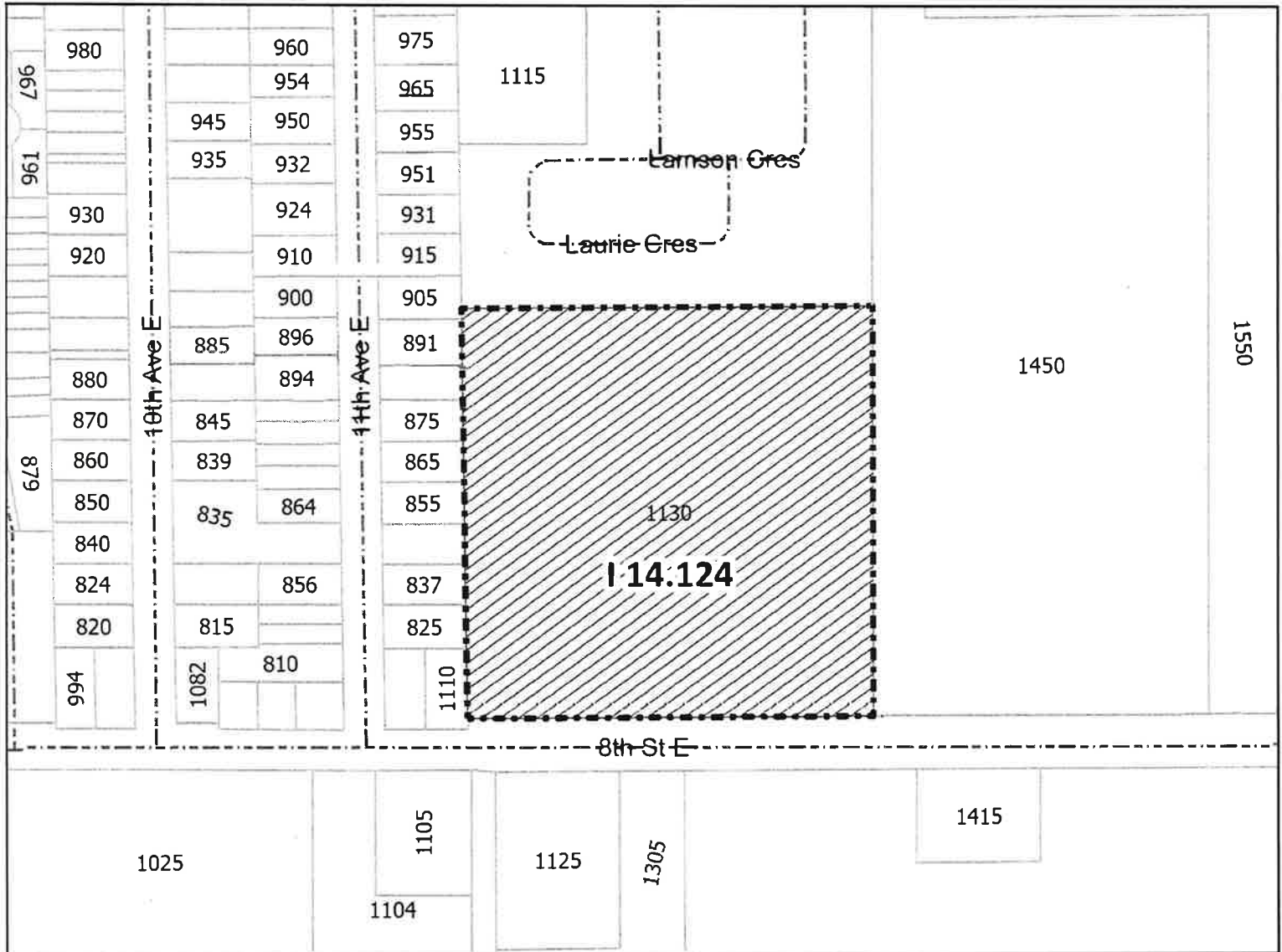
Being a By-Law to adopt Amendment No. 32  
to Zoning By-Law 2010-078  
for the City of Owen Sound.

**Appendix A**

Amendment Zoning By-Law 2010-078 Zoning Map 13  
Passed on this 29th day of March, 2021

*[Signature]*  
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Mayor Ian C. Boddy

*[Signature]*  
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Briana M. Bloomfield, City Clerk



**LEGEND**

- Subject Property
- Lands to be rezoned from I to I 14.124

