

TAKE NOTICE that the Council of The Corporation of the City of Owen Sound passed **By-law No. 2020-051** on May 11, 2020, 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 August 12, 2019.

PURPOSE AND EFFECT OF BY-LAW NO. 2020-051:

The purpose of the Zoning By-law Amendment is to permit the construction of a hotel and four commercial buildings on the northern portion of the site. The four commercial buildings are proposed to have a total of nine units, six of which are proposed to contain restaurants and three of which are to contain unassigned retail-type space.

The lands are zoned 'Retail Commercial' (C2) with Special Provision 14.89 in the City of Owen Sound Zoning By-law 2010-078, as amended. The application is requesting the following amendments to Special Provision 14.89:

- The addition of 'Gas Bar (including accessory convenience store)' and 'Hotel' to the list of permitted uses.
- Proposed amendment to various site and building regulations, including:
 - Building Setbacks,
 - Building Height,
 - Maximum Gross Floor Area for restaurants having a minimum unit size of 325.5 square meters; and,
 - Permissions for one drive-through restaurant on site.

PROPERTY LOCATION:

The Zoning By-law Amendment relates to lands is located 2125 16th Street East and legally described as Range 5 EGR Park Part Lots 8 and 9; RP 16R9039 Part 1 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 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 **June 9, 2020**.

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.

This Notice is being provided in accordance with O. Reg. 149/20. This regulation provides for continued processing and rendering of decisions on

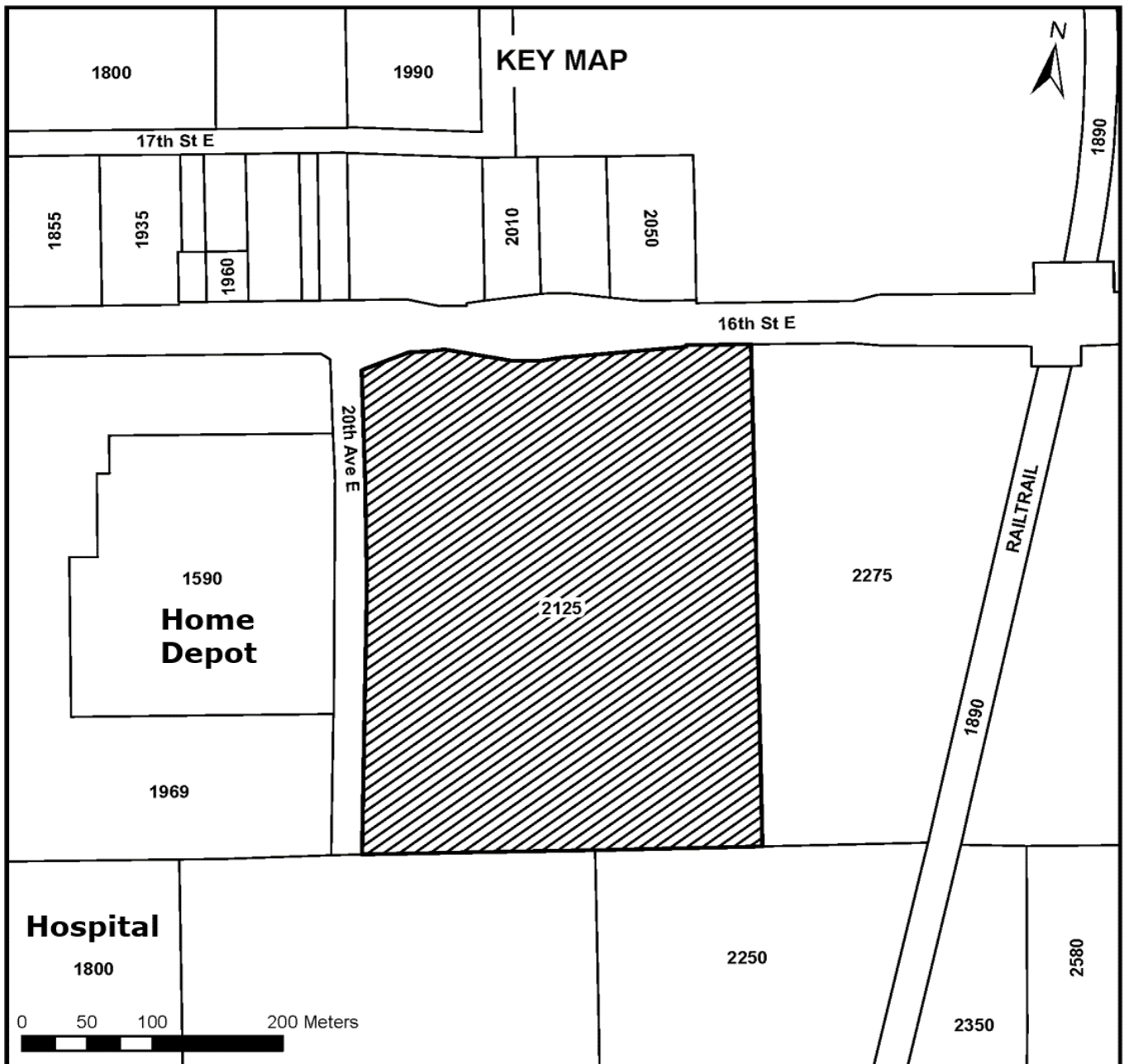
development applications as per the usual notice obligations and appeal timelines of the Planning Act during the period of the COVID-19 emergency declaration under the Emergency Management and Civil Protection Act.

ADDITIONAL INFORMATION related to this Zoning By-law Amendment has been available for inspection at the City of Owen Sound in the Planning Office located at 808 2nd Avenue East, Owen Sound ON N4K 2H4. Note that due to the declared emergency, City Hall is closed to the public as of this notice date. In consideration of current social distancing requirements relative to COVID-19, please contact Sabine Robart, Planner at srobart@owensound.ca or 519 376 4440 x. 1236 to arrange to receive additional information. Information regarding the Zoning By-law Amendment is also available at <http://www.owensound.ca/planning/whats-new>.

NOTICE DATE: May 20, 2020

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



The Corporation of the City of Owen Sound

By-law No. 2020-051

A By-law to amend Zoning By-law No. 2010-078, respecting Heritage Grove Centre Inc. lands located at 2125 16th Street East (ZBA No. 29)

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 2125 16th 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 August 12, 2020, a public meeting was held under section 34 of the Planning Act to consider zoning for the subject lands; and

WHEREAS on April 27, 2020, City Council passed Resolution No. R-200427-005 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-20-035;

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

1. That 'Schedule A, Zoning Map 20' forming part of Zoning By-law No. 2010-078, being in the City of Owen Sound, described generally as 2125 16th Street East, Range 5 EGR Park Part Lots 8 and 9 RP 16R-9039 Part 1, shown more specifically on Appendix 'A' attached to this by-law are the lands subject to amended Special Provision 14.89.
2. That By-law No. 2010-078 be amended as follows:
 - a. Amend Section 14.89 1)(b) by adding:
"vi. Gas Bar (including accessory convenience)" ;
 - b. Amend Section 14.89 1) by adding:
"(f) Hotel";
 - c. Amend Section 14.89 2) by deleting 14.89 2)iv. and replacing with:
"Building Setbacks: 4 m minimum setback from 16th St E for Building 'H'; 6 m minimum from any street line for all other buildings and 8 m minimum from any other lot line";
 - d. Amend Section 14.89 2)v. by adding the text "hotels" to the list of buildings subject to a 19 m maximum building height;

- e. Amend Section 14.89 2)5.e. by:
 - i. adding sub numbering (i) after the word 'Restaurants'; and
 - ii. deleting the text "464 m²" and replacing with the text "520 m²";
 - f. Amend Section 14.89 2)5.e. by adding:
 - "(ii) One drive through restaurant is permitted, which shall not be subject to the small restaurant aggregate maximum in 14.89 2)5.e.(i) regardless of the size."
3. This by-law shall come into full force and effect upon the final passing thereof.

FINALLY PASSED AND ENACTED this 11th day of May, 2020.



Mayor Ian C. Boddy



Briana M. Bloomfield, City Clerk

By-law 2020-051

Being a By-law to adopt
Amendment No. 29
to Zoning By-law 2010-078 for the
City of Owen Sound.

Appendix A

Amending Zoning By-law 2010-078, Map 20.

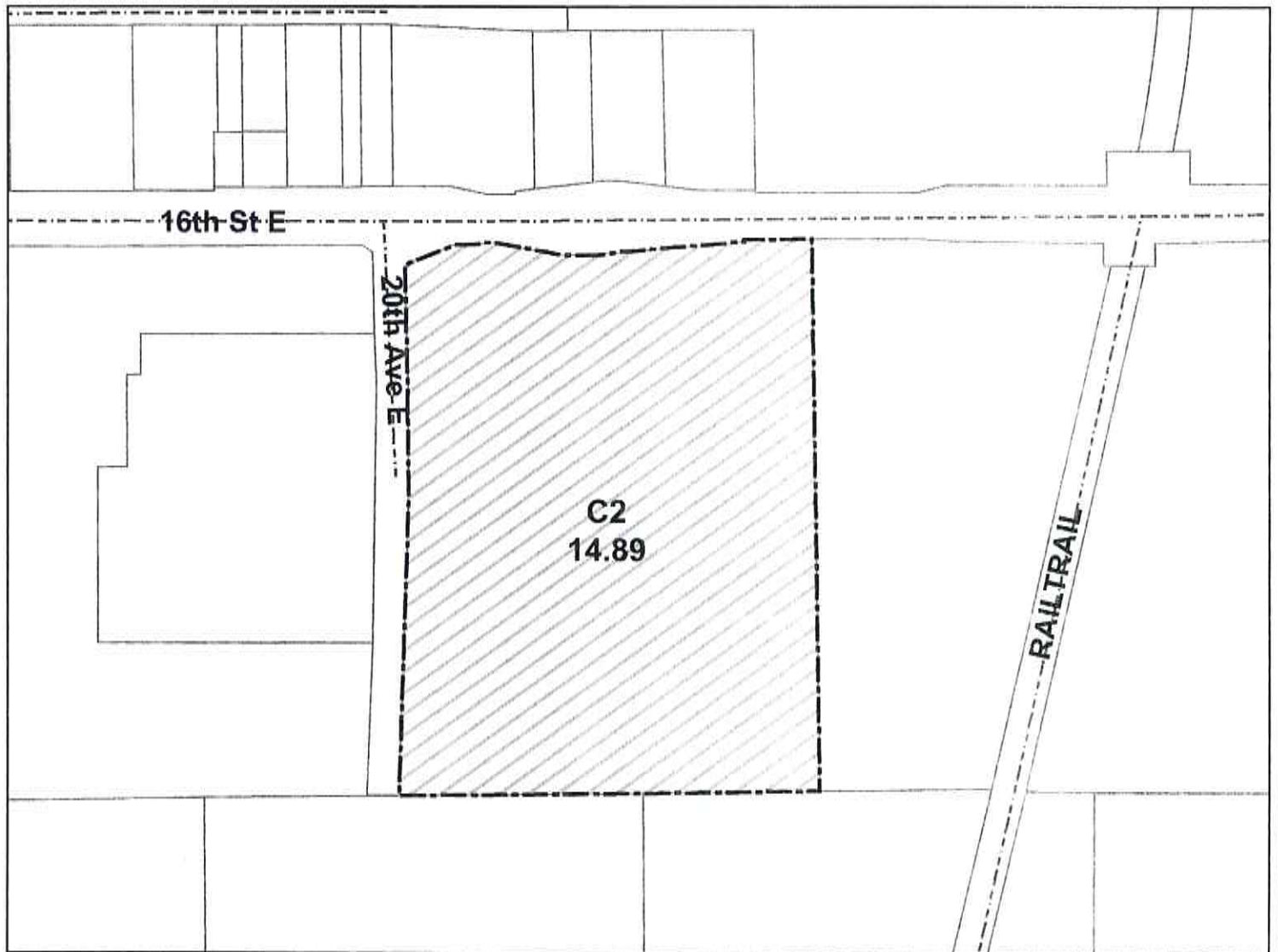
Passed on this 11th day of May, 2020.



Mayor Ian C. Boddy




Briana M. Bloomfield, City Clerk



LEGEND

 Subject Property

 Lands subject to amended Special Provision 14.89



0 10 20 40 Meters

