

The Corporation of the City of Owen Sound

By-law No. 2023-074

A By-law to amend the Comprehensive Zoning By-law No. 2010-078, as amended, to remove the Holding (H) Provision from lands located municipally at 3195 East Bayshore Road (ZBA No. 42)

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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 'Multiple Residential' (MR) with Special Provision 14.55 with a Holding Provision 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: PART LOTS 53, 54 PLAN 838, AS IN R494589; CITY OF OWEN SOUND and PT LT 7 PL 838 OWEN SOUND AS IN R494589; T/W R231442; OWEN SOUND (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 on December 16, 2022, in accordance with the Planning Act; and

WHEREAS on January 16, 2023 City Council adopted Resolution No. R-230116-011 directing staff to bring forward a by-law to adopt Amendment No. 42 to the City's Zoning By-law No. 2010-078 to remove the Holding (H) provision from the subject lands following the execution of a capital cost recovery agreement; and

WHEREAS on June 12, 2023, a capital cost recovery agreement was executed under the authority of By-law No. 2023-073;

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

1. Schedule 'A', Map 10 forming part of By-law 2010-078, as amended, is further amended by removing the Holding ("H") symbol from the 'Multiple Residential' (MR) with Special Provision 14.55 and Holding Provision, that was placed on the subject lands.

2. The lands subject to the removal of the holding provision are legally described as:

PART LOTS 53, 54 PLAN 838, AS IN R494589; CITY OF OWEN SOUND  
PT LT 7 PL 838 OWEN SOUND AS IN R494589; T/W R231442; OWEN  
SOUND

being PINs: 37060-0123 (LT) & 37060-0113 (LT),

being lands municipally known as 3195 East Bayshore Road, 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 12<sup>th</sup> day of June 2023.

  
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Mayor Ian C. Boddy

  
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Briana M. Bloomfield, City Clerk

# By-Law 2023-074

Being a By-Law to adopt Amendment No. 42 to Zoning By-Law 2010-078 for the City of Owen Sound.

## Appendix A

Amendment to Zoning By-Law 2010-078 Zoning Map 10

Passed on this 12th day of June, 2023




Mayor Ian C. Boddy




Briana M. Bloomfield, City Clerk



### LEGEND

 Lands to be rezoned from 'Multiple Residential' (MR) with Special Provision 14.55 with a Holding Provision to 'Multiple Residential' (MR) with Special Provision 14.55.

 Lands to remain ZH

