

Take notice that the Council of The Corporation of the City of Owen Sound passed and enacted **By-law No. 2023-095** on September 11, 2023, pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended and Ontario Regulation 545/06 for the purpose of adopting amendments to the City of Owen Sound's Zoning By-law No. 2010-078, as amended.

City Council has considered all written submissions received to date and oral submissions made at the public meeting held on July 24, 2023, the effect of which helped to make an informed recommendation and decision as summarized in Staff Report CS-23-092.

Property Description:

The Zoning By-law Amendment relates to lands located at 1580 20th Street East and legally described as RANGE 8 EGR PT PARK PT LOT 5; RP 16R3041 PARTS 1 & 2; RP 16R6691 PARTS 4 5 & 6 SUBJ TO EASEMENT & ROW in the City of Owen Sound, County of Grey. The lands are shown more particularly on the Key Map below.

Purpose and Effect:

The purpose of the Zoning By-law Amendment is to permit a rock-climbing bouldering gym, having approximately 569 m² of gross floor area, to be located within the existing Industrial Mall.

The effect of the Zoning By-law Amendment is to amend the zone category applying to the subject lands from 'Heavy Industrial' (M2) and 'Hazard Lands' (ZH) to 'General Industrial' (M1) and 'Hazard Lands' (ZH) to permit the proposed use and to apply a site-specific zoning provision (14.140) pertaining to required off-street parking for the existing Industrial Mall.

And take notice that within 20 days after the Notice of Passing is given, an appeal to the Ontario Land Tribunal in respect of the decision of the Council of The Corporation of the City of Owen Sound may be made by filing a notice of appeal with Briana Bloomfield, City Clerk of The Corporation of the City of Owen Sound at the address noted below.

A notice of appeal must set out the reasons for the appeal and must be accompanied by the fee required by the Ontario Land 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 **October 2, 2023 by 4:30 p.m.**

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

For more information on making an appeal, please visit: <https://olt.gov.on.ca/>.

Notice Date: September 12, 2023

Staci Landry
Deputy Clerk
The Corporation of the City of Owen Sound
808 2nd Avenue East
Owen Sound, ON N4K 2H4
Telephone: 519-376-4440 ext. 1235
E-mail: notice@owensound.ca



The Corporation of the City of Owen Sound

By-law No. 2023-095

A By-law to amend Zoning By-law No. 2010-078,
respecting lands located at 1580 20th Street East
(ZBA No. 50 – Wakeford)

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 (the "Zoning By-law") 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 1580 20th Street East (the "subject lands"); and

WHEREAS such amendment to the Zoning By-law 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 July 24, 2023, a public meeting was held under section 34 of the Planning Act to consider zoning for the subject lands; and

WHEREAS on September 11, 2023, City Council passed a resolution directing staff to bring forward a by-law to amend the Zoning By-law respecting the subject lands, in consideration of staff report CS-23-092;

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

1. That schedule A, Zoning Map 17 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 1580 20th Street East, RANGE 8 EGR PT PARK PT LOT 5; RP 16R3041 PARTS 1 & 2 RP; 16R6691 PARTS 4 5 & 6 SUBJ; TO EASEMENT & ROW shown more specifically on Appendix 'A' attached to this by-law from 'Heavy Industrial' (M2) and 'Hazard Lands' (ZH) to 'General Industrial' (M1) with Special Provision 14.140 and 'Hazard Lands (ZH)'.
2. That the following provisions be added to Zoning By-law Section 14:
Special Provision 14.140
 - a. Notwithstanding Section 5.18 of this By-law, off-street parking for an Industrial Mall shall be provided at a rate of one (1) space per 50 square metres of gross floor area.

3. This by-law shall come into full force and effect on the date it is passed.

FINALLY PASSED AND ENACTED this 11th day of September 2023.



Mayor Ian Boddy



Briana M. Bloomfield, City Clerk


By-Law 2023-095

Being a By-Law to adopt Amendment No. 50
to Zoning By-Law 2010-078
for the City of Owen Sound.


Appendix A

Amendment to Zoning By-Law 2010-078 Zoning Map 17

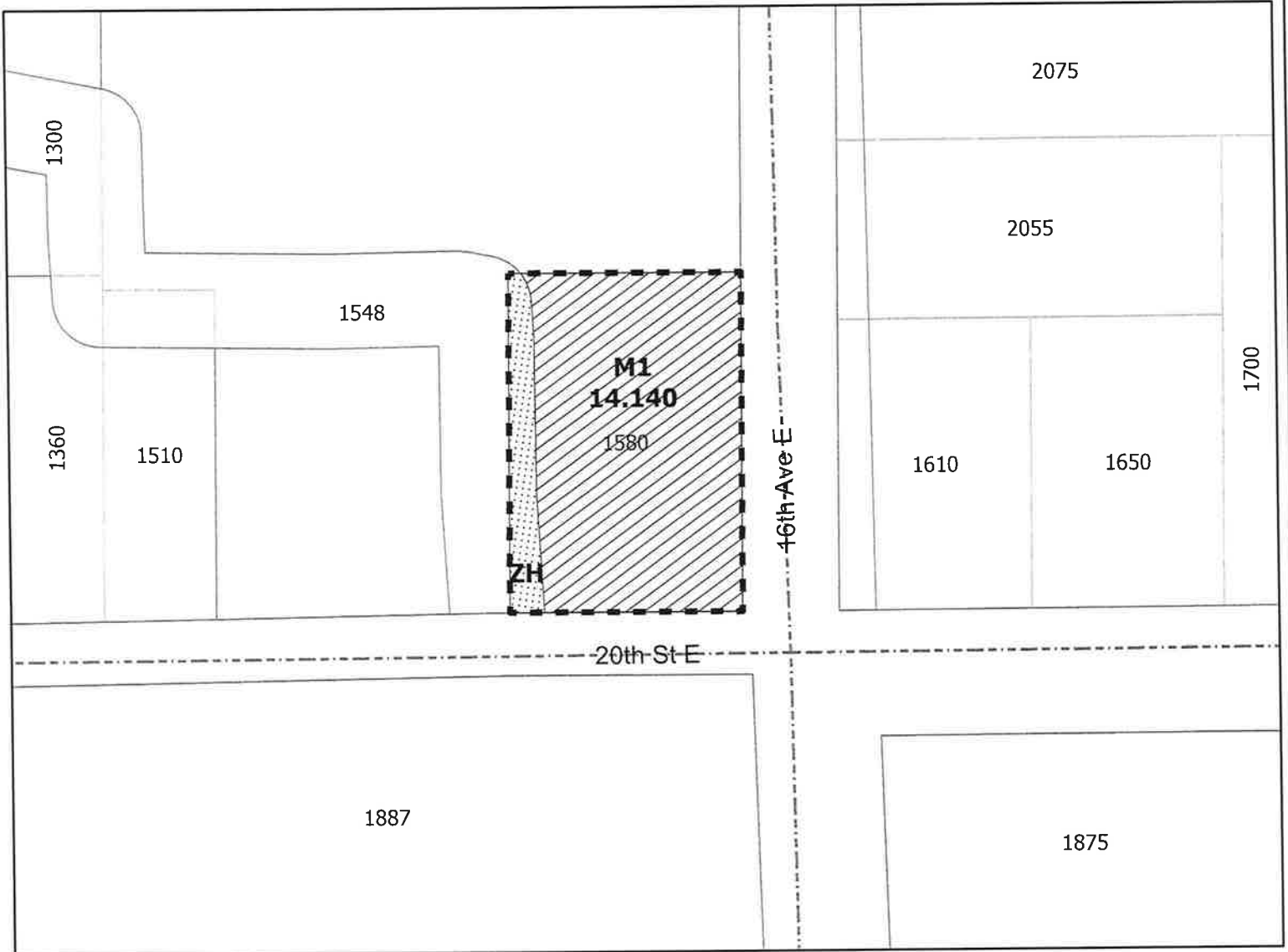
Passed on this 11th day of September, 2023






Mayor Ian C. Boddy



Briana M. Bloomfield, City Clerk



LEGEND

-  Subject Property
-  Lands to be rezoned from M2 to M1 14.140
-  Lands to remain ZH

