

**Take notice** that the Council of The Corporation of the City of Owen Sound passed and enacted **By-law No. 2025-018** on February 24, 2025, 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 January 27, 2025, the effect of which helped to make an informed recommendation and decision as summarized in Staff Report CS-25-016.

**Property Description:**

The Zoning By-law Amendment relates to lands located at 1750 16<sup>th</sup> Avenue East and legally described as RANGE 6 EGR PT LOT 5 RP 16R327 PART 1 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 the construction of a 120-room, six-storey hotel on the northern portion of the property. The existing buildings and uses on the southern portion of the property are to remain at this time. It is anticipated that the property will be subject to a future consent (severance) application.

The effect of the Zoning By-law Amendment is to amend the current zone categories applying to the subject lands consistent with the East City Commercial designation of the City's Official Plan generally in accordance with the following:

Current Zone	Proposed Zone (North – Hotel)	Proposed Zone (South – Existing Commercial)
General Industrial (M1)	Retail Commercial with Special Provision 14.141 (C2 14.141)	Retail Commercial Holding (C2-H)

The special provisions for the northern portion (hotel) propose to establish site-specific zoning regulations regarding building height, among other matters.

The Holding provisions on the southern portion will require the completion of a retail market analysis, in accordance with Section 3.5.2.5 of the Official Plan, to the satisfaction of the City of Owen Sound prior to the establishment of any retail or commercial use that is less than 465 square metres or greater than 1,400 square metres.

**Appeal Information:**

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 **March 17, 2025 by 4:30 p.m.**

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/>.

If no notice of appeal is filed within 20 days after the giving of notice, the by-law shall be deemed to have come into force on the day it was passed and notice to that effect will be issued to the applicant by the Deputy Clerk.

**City of Owen Sound Ontario Land Tribunal Processing Fee:** \$500.00 per application

\*Please note that all fees are subject to change.

**Notice Date: February 25, 2025**

Allison Penner

Deputy Clerk

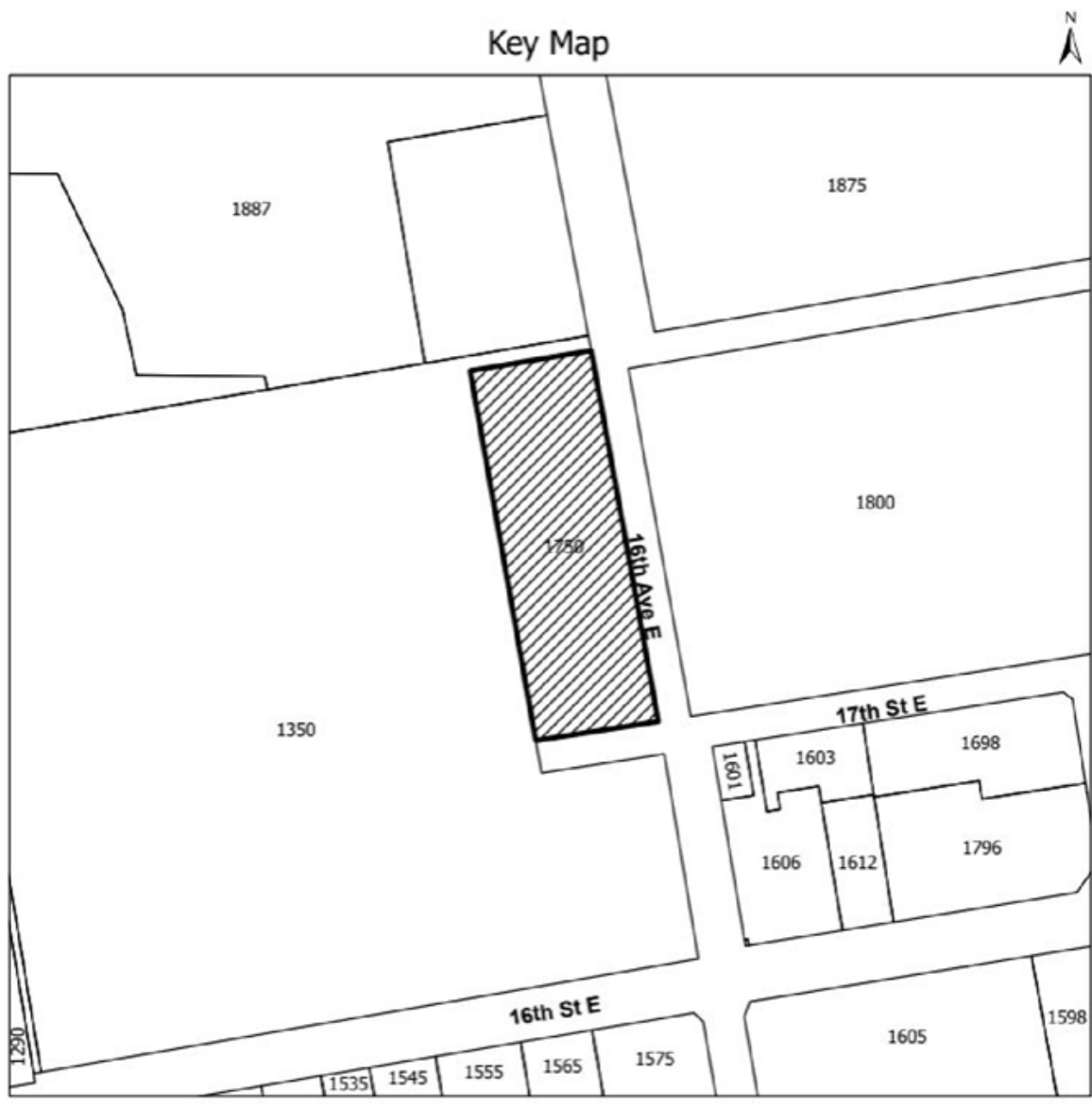
The Corporation of the City of Owen Sound

808 2<sup>nd</sup> Avenue East

Owen Sound, ON N4K 2H4

Telephone: 519-376-4440 ext. 1235

E-mail: [notice@owensound.ca](mailto:notice@owensound.ca)



The Corporation of the City of Owen Sound

By-law No. 2025-018

A By-law to amend Zoning By-law No. 2010-078,  
respecting lands located at 1750 16<sup>th</sup> Avenue East  
(ZBA No. 54 – Hampton Inn)

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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 (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 1750 16<sup>th</sup> Avenue 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 January 27, 2025, a public meeting was held under section 34 of the Planning Act to consider zoning for the subject lands; and

WHEREAS on February 24, 2025, 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-25-016;

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

1. That Schedule A, Zoning Map 12 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 all of 37062-0050 (LT) described generally as RANGE 6 EGR PT LOT 5 RP 16R327 PART 1, shown more specifically on Appendix 'A' attached to this by-law from 'General Industrial (M1) to 'Retail Commercial' (C2), with Special Provision 14.141 (C2 14.141) and 'Retail Commercial' Holding (C2-H), with Special Provision 14.142 (C2 (H) 14.142).
2. That Special Provisions 14.141 and 14.142 are hereby added as follows:  
**Special Provision 14.141**
  1. Notwithstanding the provisions of the Retail Commercial (C2) Zone and for lands on Schedule A, Zoning Map 12:
    - a. The maximum building height shall be 20.0 m.

- b. Notwithstanding the requirements of Section 5.18, General Parking Regulations, electric vehicle parking spaces shall be provided at the following ratios:

Number of Total Required Parking Spaces	Minimum Number of Electric Vehicle Parking Spaces with Charging Facilities
0-150	2
Greater than 150	Three per cent (3%) of total required parking

- c. The provisions of Section 5.22. Loading Space Regulations shall apply, save and except for the following:
  - The number of loading spaces required is reduced from two (2) loading spaces for the Hotel, which is larger than 3000 m<sup>2</sup> to one (1) loading space for the Hotel.

**Special Provision 14.142**

1. So long as the "Holding" symbol is affixed to the C2 (14.142) lands no person shall use any lot or erect, alter or use any building or structure for any purpose except uses existing on February 24, 2025.

2. The City of Owen Sound shall not remove the "Holding" provision until such time as the matters outlined below are satisfied and notwithstanding the provisions of the 'Retail Commercial' (C2) with special provision 14.142, for those lands shown on Schedule A, Zoning Map 20:

- a. The completion of a retail market analysis to the satisfaction of City of Owen Sound. The analysis must satisfy section 3.5.2.5 (retail market analysis) of the Official Plan (2021).


3. At the time when the "Holding (H)" Symbol is removed by the City and notwithstanding the provisions of Section 5.18 regulating Off-street Parking Requirements:

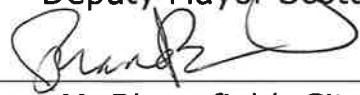
- a. Electric Vehicle Parking Spaces with Charging Facilities shall be counted towards and included within the minimum number of off-street parking stalls required by Section 5.18 of this By-law.

Number of Total Required Parking Spaces	Minimum Number of Electric Vehicle Parking Spaces with Charging Facilities
0-150	2
Greater than 150	Three per cent (3%) of total required parking

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 24<sup>th</sup> day of February 2025.

  
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Deputy Mayor Scott Greig

  
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Briana M. Bloomfield, City Clerk

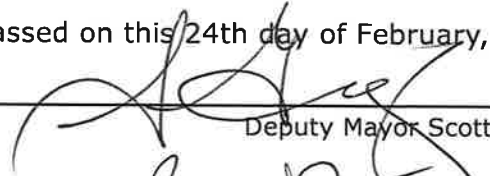
# By-Law 2025-018


Being a By-Law to adopt Amendment No. 54  
to Zoning By-Law 2010-078  
for the City of Owen Sound.

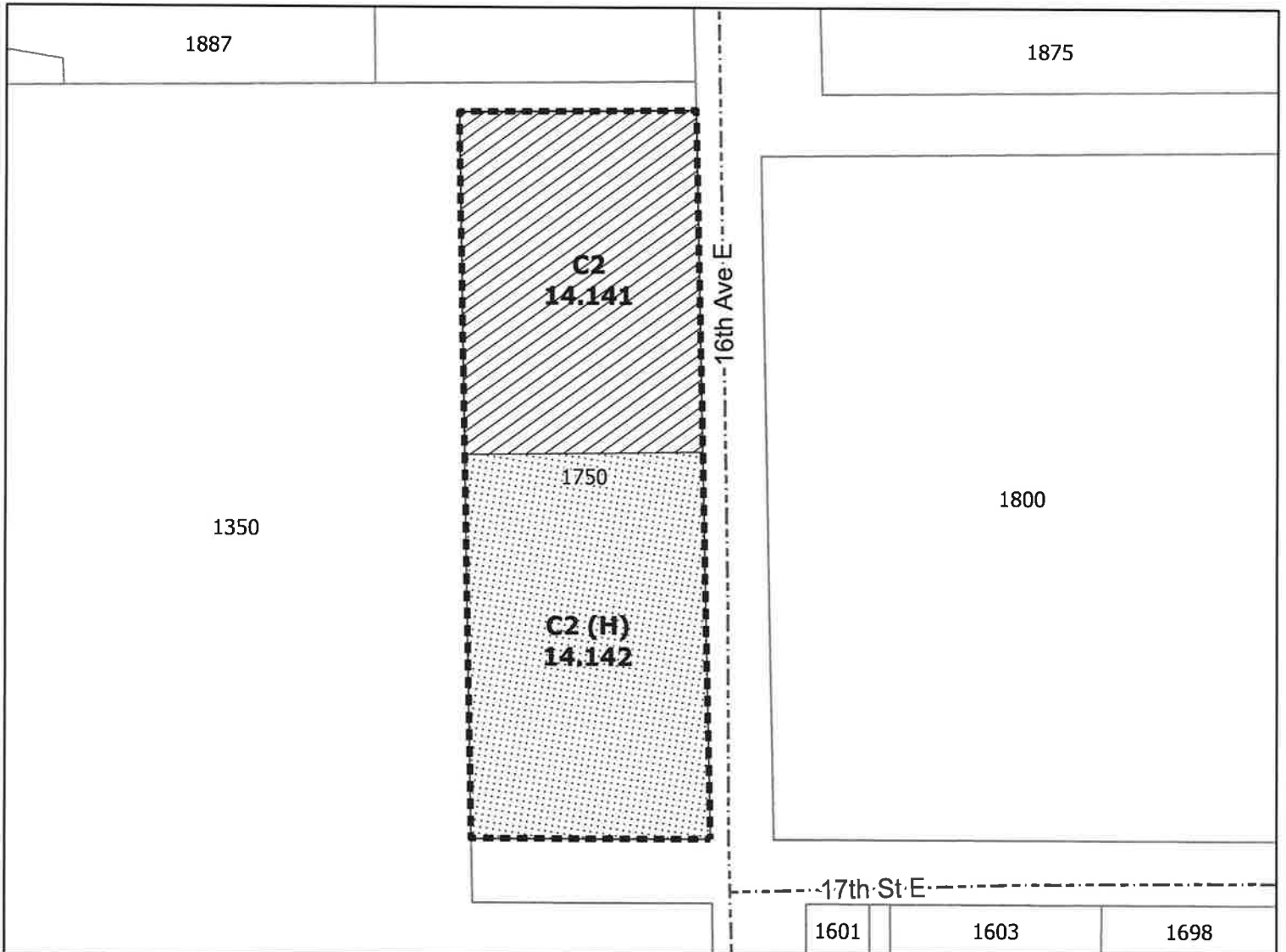
## Appendix A

Amendment to Zoning By-Law 2010-078, Zoning Map 12

Passed on this 24th day of February, 2025


  
Deputy Mayor Scott Greig

  
Briana M. Bloomfield, City Clerk



## LEGEND

 Subject Property

 Lands to be rezoned from 'General Industrial' (M1) to 'Retail Commercial (Holding)' (C2 (H)) Special Provision 14.142

 Lands to be rezoned from 'General Industrial' (M1) to 'Retail Commercial' (C2) Special Provision 14.141



0 15 30 60 Meters

