

SCHEDULE A

DRAFT BY-LAW NO. 2022-0XX – Zoning By-law Amendment

WHEREAS 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 Section 34 of the Planning Act permits the council of a local municipality to pass a by-law to specify the use to which lands, buildings or structures in the City; and

WHEREAS on April 12, 2010 the Council of The Corporation of the City of Owen Sound (the “City”) passed the Comprehensive Zoning By-law No. 2010-078 to Implement the Official Plan and to Regulate The Use Of Land in the City; and

WHEREAS the Council of the City is desirous of adopting a Zoning By-law Amendment pursuant to Section 34 of the Planning Act; and

WHEREAS such amendment to the Zoning By-law No. 2010-078, as amended, will maintain the terms and intent of the City of Owen Sound Official Plan; and

WHEREAS the Council of the City has carefully considered all public comments throughout the process; and

WHEREAS on January 16, 2023, a public meeting was held under Section 34 to the Planning Act, R.S.O 1990, to consider rezoning; and

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

1) Section 5 is hereby amended by adding after 5.26 the following:

5.27 ADDITIONAL RESIDENTIAL UNITS

An Additional Residential Unit may be permitted in any Zone where a Single Detached Dwelling, Semi-detached Dwelling or Townhouse is permitted as of right in accordance with the following:

1. A maximum of two (2) additional dwelling units is permitted per lot;
2. One (1) additional on-site parking space shall be provided for each additional residential unit;
3. All regulations of the zone must be complied with;
4. A maximum of one (1) additional dwelling unit is permitted to be located in an accessory building per lot and must comply with the provisions of section 5.9;

- 5. Any additional residential unit shall be required to obtain a Building Permit from the City;
- 6. For lots that are partially or not connected to municipal services, well water records or approval from the designated authority for sewage systems is required prior to granting a building permit;
- 7. Additional residential units in the Agricultural zone must be located in the existing single detached dwelling, or in a non-agricultural accessory structure in the existing farm cluster;
- 8. Additional residential units in the flood fringe overlay require conservation authority approval.

2) Section 4 is hereby amended by adding the definition as follows:

'Additional Residential Unit' means a separate dwelling unit containing a bathroom and separate cooking facilities and contained within the structure of a single detached, semi-detached or Street Fronting Townhouse dwelling or in a building or structure ancillary to a single detached, semi-detached or Street Fronting Townhouse dwelling

3) Section 6 is hereby amended by removing section 6.1.i) regarding Accessory Apartment.

4) Section 5 is hereby amended by revising section 5.19.1.b) as follows:

- b) Notwithstanding Table 5.19.1, where a lot contains a single detached dwelling, semi-detached dwelling, duplex, additional residential units, or street-fronting townhouse where parking stalls are accessed directly from a driveway, no accessible stalls are required.

This By-law shall come into full force and effect upon the final passing thereof.

FINALLY PASSED AND ENACTED this ____ day of _____, 2022.

Mayor

City Clerk