

## SCHEDULE F

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### DRAFT ZONING BY-LAW AMENDMENT

The application is requesting that the intended development lands be rezoned to 'C2' (Retail Commercial) with site specific provisions to permit a reduced exterior side yard setback. A Holding provision is proposed to implement the policies of the City's Official Plan with respect to the East City Commercial policies, specifically Section 3.5.2.5 and site access. The C2 zone allows for a variety of commercial uses including, but not limited to; shopping centres, retail stores, restaurants, drive-thru restaurants and offices, as well as residential apartments.

The amendment also seeks to make minor adjustments to the limits of the Hazard Zone (ZH) to follow the limits of the post development floodline and proposes to rezone a portion of the Rural Zone (RUR) to Open Space (OS), to allow future use of the lands as a municipal park.

The subject lands are 2275 16<sup>th</sup> Street East, Part Park Lots 9 and 10, Range 5 EGR.

1. That schedule A, Zoning Map 20 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 2275 16<sup>th</sup> Street East, Part Park Lots 9 and 10, Range 5 EGR, shown more specifically on Appendix 'A' attached to this by-law from 'Rural' (RUR) and 'Hazard Lands' (ZH) to 'Retail Commercial' Holding (C2(H)) with Special Provision 14.136, Hazard Lands (ZH) and 'Open Space' (OS).
2. That the following provisions be added to Zoning By-law Section 14:

#### **Special Provision 14.136**

- a) So long as the "Holding" symbol is affixed to the C2 (14.136) lands no person shall use any lot or erect, alter or use any building or structure for any purpose except uses existing on March 27, 2023.
- b) 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 14.136, for those lands shown on Schedule A, Zoning Map 20:

- i. The completion of a retail market analysis to the satisfaction the City of Owen Sound staff. The analysis must satisfy section 3.5.2.5 of the Official Plan.
  - ii. Proof that site access can be designed and established to the satisfaction of City of Owen Sound staff.
- c) At the time when the "Holding(H)" Symbol is removed by the City and notwithstanding the provisions of the Retail Commercial (C2) Zone and for lands shown on Schedule A, Zoning Map 20 the Retail Commercial (C2) zone provisions shall apply save and except for the following:
- i. Minimum Exterior Side Yard Setback: 2.0 metres
  - ii. Notwithstanding the provisions of Section 5.18 regulating Off-street Parking Requirements:

- i. Electric Vehicle parking spaces with charging facilities shall be provided at the following ratios:

Number of Total Required Parking Spaces	Minimum Number of Electric Vehicles Parking Spaces with Charging Facilities
0-150	2
Greater than 150	3% of total required parking

- ii. 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.

# By-Law 2023-XXX

Being a By-Law to adopt Amendment No.44 to  
Zoning By-Law 2010-078  
for the City of Owen Sound.

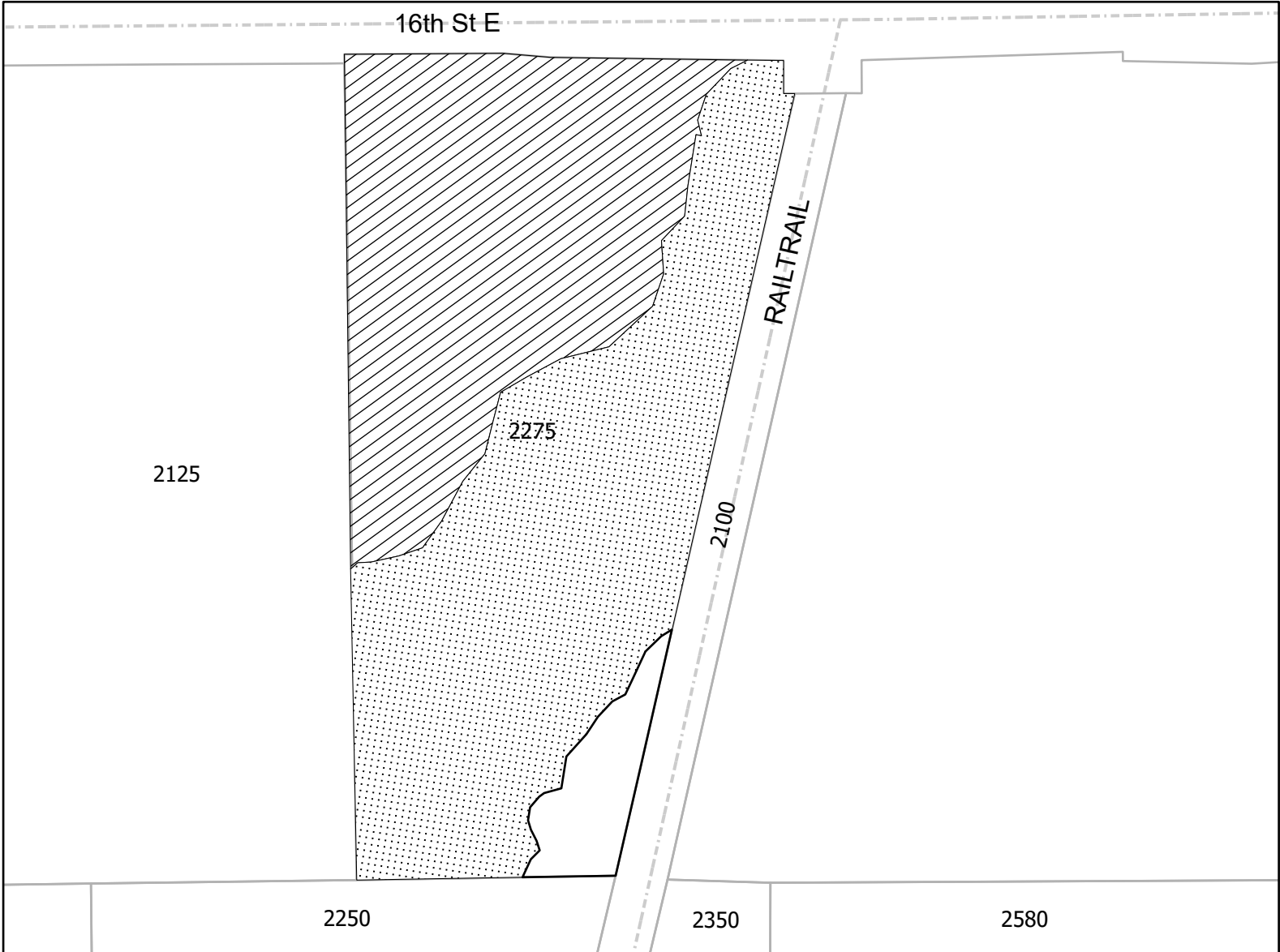
## Appendix A

Amendment to Zoning By-Law 2010-078 Zoning Map 20


Passed on this 17th day of April, 2023


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Mayor Ian C. Boddy


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Briana M. Bloomfield, City Clerk



### LEGEND

 Lands to be zoned from RUR to C2 (H) 14.136

 Lands zoned ZH

 Lands to be zoned from RUR to OS



0 30 60 120 Meters