

NOTICE OF COMPLETE APPLICATION & PUBLIC MEETING

Zoning By-law Amendment No. 46
1043 and 1057 3rd Avenue East

TAKE NOTICE that the City of Owen Sound has received an application for a Zoning By-law Amendment being an application to amend Comprehensive Zoning By-law 2010-078 under Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended for lands located at 1043 and 1057 3rd Avenue East.

TAKE NOTICE that the Council of The Corporation of the City of Owen Sound has deemed this Zoning By-law Amendment No. 46 (ZBA 46) application complete and will hold a Public Meeting to consider ZBA 46 on May 8, 2023 at 5:30 PM, in the Council Chambers of the City of Owen Sound, in accordance with Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended.

PURPOSE AND EFFECT:

The purpose of the application is to permit a mixed-use development consisting of a six storey, 40-unit apartment building providing purpose built rental housing for seniors together with a commercial component on the ground floor. The proposal also includes the construction of a parking area with 23 spaces, an internal drive aisle, landscaping, and a stormwater management system. The development is proposed to be accessed via two entrances from 3rd Avenue East, one of which is the entrance for St. Francis' Place.

The effect of the application is to amend the site-specific Core Commercial (C1) with Special Provision 14.90 (C1 14.90) to permit a reduced side yard setback to 0 m and an increased maximum height to 24.6 m in addition to the existing special provisions which permits a reduced parking ratio of 0.5 parking spaces per dwelling unit and an amended definition of Landscape Open Space to permit common balconies to count toward landscape open space.

PROPERTY DESCRIPTION:

The subject lands are legally described as Part Lots 3 and 4, Bay Street E/S. The lands are located at 1043 and 1057 3rd Avenue East and are shown more particularly on the Key Map below.

PUBLIC MEETING:

Date: Monday, May 8, 2023
Time: 5:30 p.m.
Location: City Hall, Council Chambers
808 2nd Avenue East, Owen Sound

PUBLIC COMMENTS:

Oral and written comments will be considered at the Public Meeting. Written comments will be accepted until Monday, May 8, 2023, and may be submitted to Briana Bloomfield, City Clerk as follows:

Electronic Mail: notice@owensound.ca

Regular Mail: 808 2nd Avenue East, Owen Sound, ON N4K 2H4

Written comments received by May 3, 2023 will appear on the Council Meeting agenda which will be available for review on May 4, 2023, on the [Council and Committees webpage](#).

If you wish to participate in the Public Meeting electronically, you must contact the City Clerk by Friday, May 5, 2023, at 4:30 p.m. at bbloomfield@owensound.ca or 519-376-4440 ext. 1247 to be registered to participate in the Public Meeting.

To ensure that your comments are clearly understood and received prior to Council making a decision, you are strongly encouraged to submit written comments prior to the Public Meeting even if you intend to attend the Public Meeting.

PUBLIC RECORD:

Any person may participate in the public meeting and make oral and/or written submissions either in support of or in opposition to the proposed application. All submissions will form part of the public record.

Personal information is collected under the authority of the *Planning Act* and the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended. The information collected will be used to complete the Zoning By-law Amendment process and will form part of the public record. Questions about this collection should be addressed to Briana Bloomfield, City Clerk.

ADDITIONAL INFORMATION:

For more information about this matter, including information about appeal rights, please contact **Sabine Robart**, Planning Division by email at planning@owensound.ca or telephone at 519-376-4440 ext. 1236 during regular business hours (8:30 a.m. – 4:30 p.m.), or by visiting www.owensound.ca/development.

A copy of the proposed Zoning By-law Amendment is available on the website together with additional plans, background studies and reports submitted with the application.

The public meeting and all Council proceedings can be viewed live on Rogers Cable TV or the [Rogers TV Website](#) or viewed during and after the meeting on the City’s [Council and Committee webpage](#).

If you are the owner of a building that contains 7 or more residential units, please post this notice in a location that is visible to all the residents.

If you wish to be notified of the decision of The Corporation of the City of Owen Sound on the proposed Zoning By-law Amendment, you must make a written request to The Corporation of the City of Owen Sound at the address listed below.

If a person or public body would otherwise have an ability to appeal the decision of The Corporation of the City of Owen Sound to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to The Corporation of the City of Owen Sound before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to The Corporation of the City of Owen Sound before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

DATED AT the City of Owen Sound this 18th day of April 2023

Staci Landry
Deputy Clerk
City of Owen Sound
808 2nd Avenue East
Owen Sound, ON N4K 2H4
Telephone: 519-376-4440 ext. 1235
Facsimile: 519-371-0511
Email: notice@owensound.ca



Key Map



6. CITY OF OWEN SOUND ZONING BY-LAW

6.1 Current Zoning

According to Schedule A of the City's Comprehensive Zoning By-law, the subject property is zoned 'C1 - 14.90' (Core Commercial special) as illustrated on Figure 3 of this Planning Report. The following applies:

14.90

Notwithstanding Section 5.18.3 for any dwelling units in combination with a non-residential use where such dwelling units are geared toward housing for the elderly the minimum required number of vehicle parking stalls shall be 0.5 spaces for each dwelling unit. Notwithstanding the provisions of the Core Commercial (C1) Zone the definition of Landscaped Open Space for any dwelling units in combination with a non-residential use shall be permitted to include common balconies as landscaped open space.

Permitted in the 'C1' zone is a variety of commercial and institutional uses typically found within a downtown as well as apartment units, subject to certain zoning provisions.

According to the special provision stated above, lands zoned 'C1-14.90' are required to provide onsite parking at a ratio of 0.5 spaces per 1.0 apartment unit where a permitted non-residential use is included in the development and the apartment units are geared for housing of the elderly. Apartment buildings are typically required to provide 1.25 parking spaces per unit. In this regard, the proposed development will include a commercial unit and the apartments will be leased to the elderly. (By definition, an elderly person is anyone 65 years of age or older.) As such, the proposed development will comply with the minimum parking standards.

The 'C1' zone provisions also limit the height of building to 12.0 metres, whereas the proposed structure will achieve a height of 24.6 metres. The requested Zoning By-law Amendment will provide the necessary relief from this provision.

The proposed development will comply with all other relevant provisions of the City's Zoning By-law.

6.2 Proposed Zoning

The proposed Zoning By-law Amendment will alter the text of the current, site-specific 'C1-14.90' zoning by adding a reference to an increased building height. The following wording is suggested:

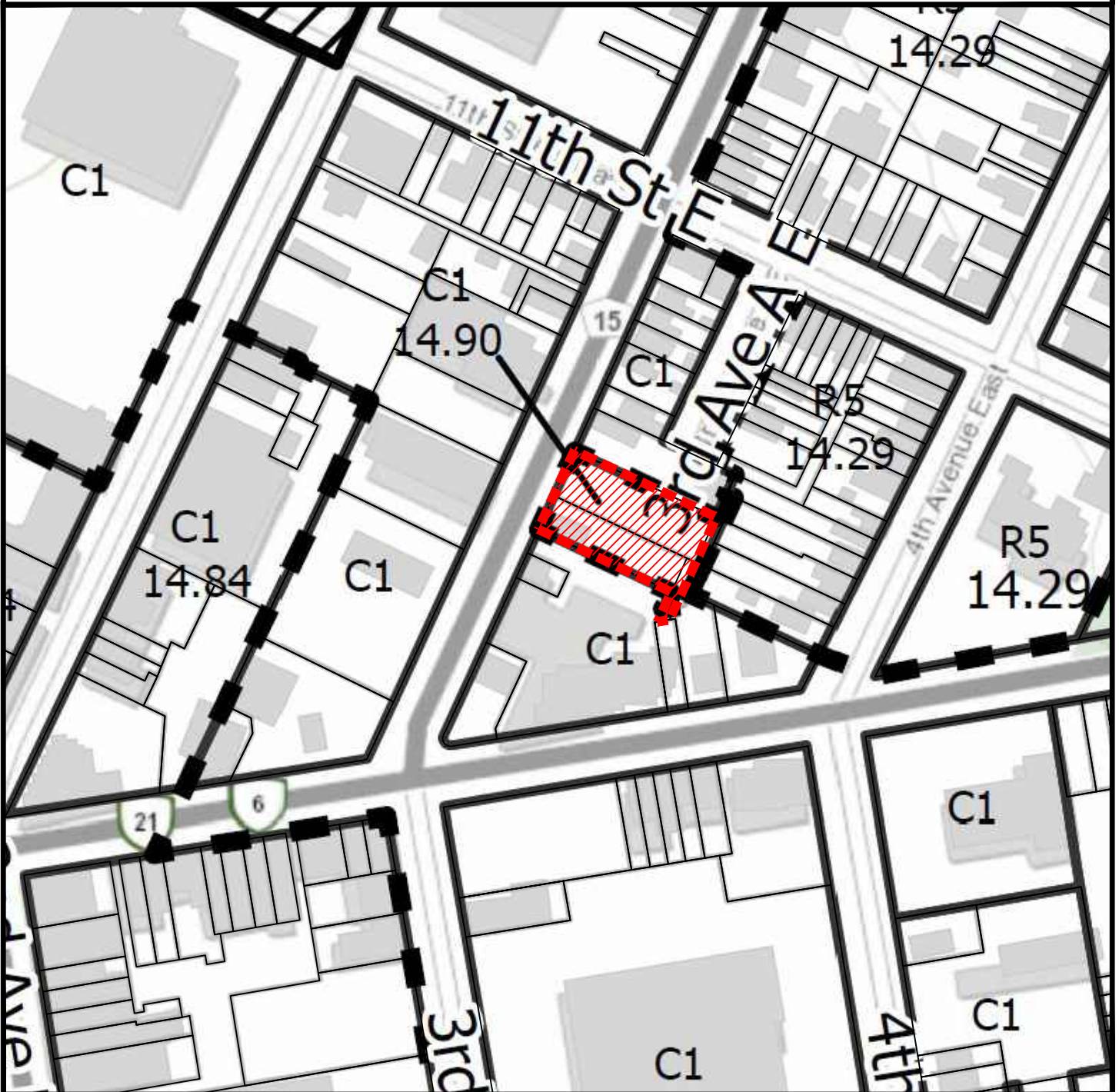
Notwithstanding Section 5.18.3, for any dwelling units in combination with a non-residential use where such dwelling units are geared toward housing for the elderly the minimum required number of vehicle parking stalls shall be 0.5 spaces for each dwelling unit. Notwithstanding the provisions of the Core Commercial (C1) Zone the definition of Landscaped Open Space, for any dwelling units in combination with a non-residential use shall be permitted to include common balconies as landscaped open space. Notwithstanding the provisions of the Commercial Core (C1) zone for Building Height, a building shall be permitted to have a height of 24.6metres.

Figure 3 of this Planning Report provides a recommended zoning schedule.

Figure 4: Proposed Zoning



Lands to be rezoned from C1 14.90 to C1 special



Lutheran Outreach Ministries
"St. Clare Place"
1035 3rd Avenue East
Owen Sound



RON DAVIDSON
LAND USE PLANNING CONSULTANT INC
OWEN SOUND, ONTARIO
SCALE 1:2000