

SCHEDULE F

DRAFT ZONING BY-LAW AMENDMENT

The application is requesting to amend the special provisions which currently apply to the subject lands through the 'Retail Commercial' (C2) with Special Provision 14.89 zone and replace the special provisions with new standards (C2.14.139) to permit the construction of additional buildings to complete the buildout of the multi-building commercial development on the subject lands. A new 3,252 square metre grocery store is proposed together with an attached 1,310 square metre retail unit in the northeast quadrant of the site.

City staff are recommending a Holding Provision ("H") for the completion of the Retail Impact Analysis and proof that site access can be designed, constructed, used and maintained to the satisfaction of the City as well as maintaining a minimum planting strip adjacent to 16th Street East at 1.5m.

The subject lands are 2125 16th Street East, P SYDENHAM RANGE 5 EGR PT PARK LOTS 8 AND 9 RP 16R9039 PT PART 1 RP 16R11134 PARTS 1 AND 3.

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 2125 16th Street East, SYDENHAM RANGE 5 EGR PT PARK LOTS 8 AND 9 RP 16R9039 PT PART 1 RP 16R11134 PARTS 1 AND 3, shown more specifically on Appendix 'A' attached to this by-law from 'Retail Commercial' (C2) with Special Provision 14.89 and 'Rural' (RUR) to 'Retail Commercial' Holding (C2(H)) with Special Provision 14.139, and 'Rural' (RUR).
2. That Special Provision 14.89 shall be deleted.
3. That the following provisions be added to Zoning By-law Section 14:

Special Provision 14.139

- a) So long as the "Holding(H)" Symbol is affixed to the C2 (14.139) lands no person shall use any lot or erect, alter or use any building or structure for any purpose except uses existing on June 26, 2023.
- b) The City of Owen Sound shall not remove the "Holding(H)" Symbol until such time as the matters outlined below are satisfied and notwithstanding

the provisions of the 'Retail Commercial' (C2) with Special Provision 14.139, 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.
- c) The City of Owen Sound shall not remove the "Holding(H)" Symbol until such time as the matters outlined below are satisfied and notwithstanding the provisions of the 'Retail Commercial' (C2) with Special Provision 14.139, for those lands shown on Schedule A, Zoning Map 20:
- i. Proof that site access can be designed, constructed, used and maintained to the satisfaction of City of Owen Sound.
- d) At the time when the "Holding(H)" Symbol is removed by the City and for lands shown on Schedule A, Zoning Map 20, no person shall use any lot or erect, alter or any building, or structure save and except for those uses permitted in the Retail Commercial (C2) zone.

The C2 zone provisions shall apply save and except for the following:

- i. Minimum building setback from 16th Street East: 4 m for Building 'H'
- ii. Minimum building setback from any street line: 6 m for all other buildings
- iii. Minimum building setback from any other lot line: 8 m
- iv. Minimum planting strip adjacent to 16th Street East: 1.5 m
- v. Maximum building heights for Hotels, Clinics and Laboratories: 19 m
- vi. Restaurants with a unit size of 325.5 square metres or smaller: Maximum aggregate total of 1,250 square metres.
- vii. Permit one drive-through restaurant, which shall not be subject to the 1,250 square metre restaurant aggregate regardless of size.
- viii. The buildings, structures and uses existing on June 26, 2023 shall be deemed to comply with this By-law.

By-Law 2023-XXX

Being a By-Law to adopt Amendment No. 48
to Zoning By-Law 2010-078
for the City of Owen Sound.

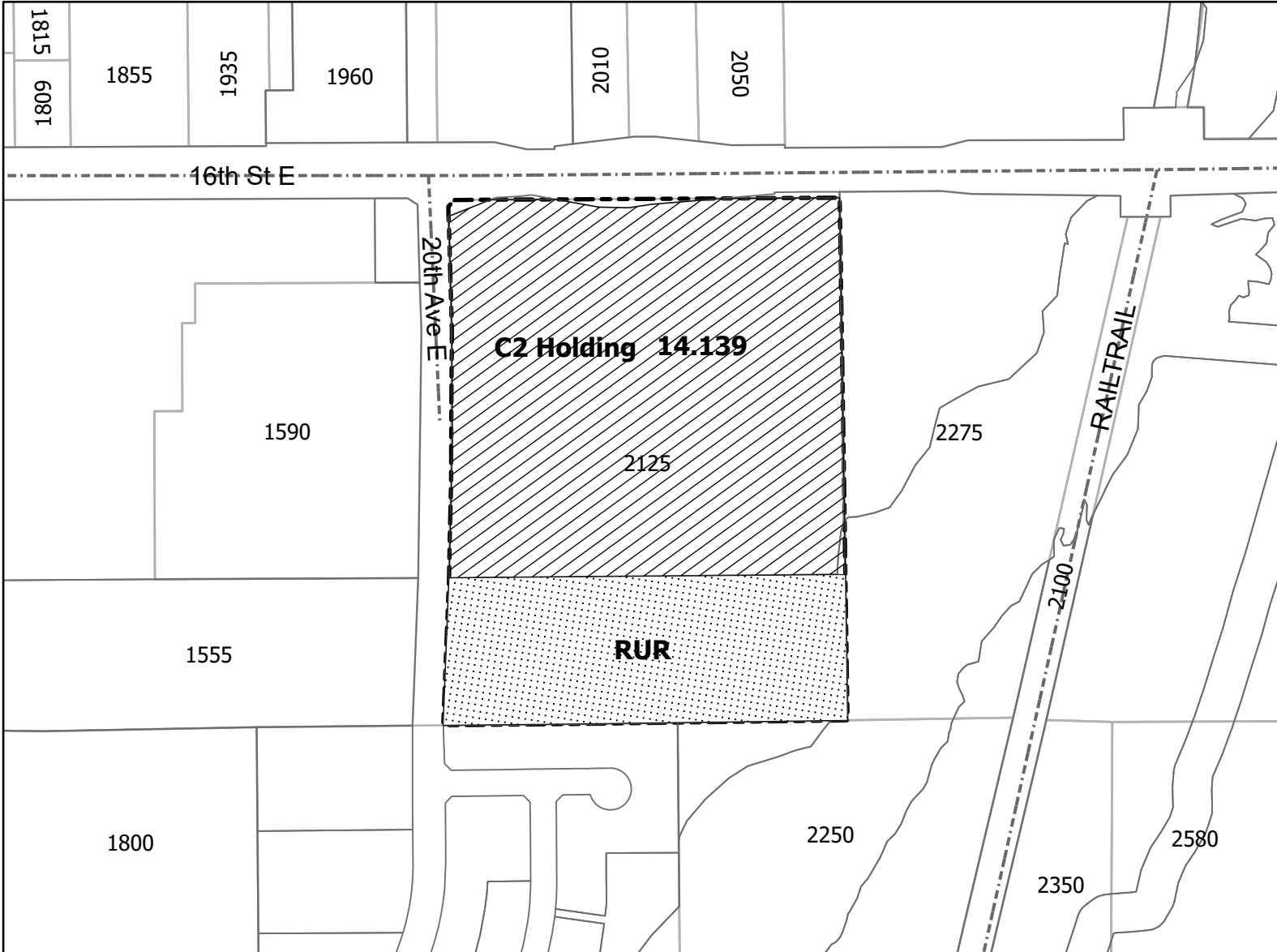
Appendix A

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

Passed on this 26th day of June, 2023

Mayor Ian C. Boddy

Briana M. Bloomfield, City Clerk



LEGEND

 Subject Property

 Lands to be rezoned to C2 Holding (14.139)



0 45 90 180 Meters