

SCHEDULE E



DRAFT ZONING BY-LAW AMENDMENTS

The Corporation of the City of Owen Sound

By-law No. 2026-0

A By-law to amend Zoning By-law No. 2010-078, respecting lands located at 1038 6th Avenue West and land legally described as Part 1, Plan 16R-12308 (ZBA No. 59)

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 1038 6th Avenue West and lands legally described as Part 1, Plan 16R-12308 (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 July 27, 2026, a public meeting was held under section 34 of the Planning Act to consider zoning for the subject lands; and

WHEREAS on September 14, 2026, 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-26-077;

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

1. That Schedule A, Zoning Map 3 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 PIN 37050-0027 (LT) described generally as PLAN 34 N PT LOT 63 and part of PIN 37050-0026 (LT), described generally as Part 1, Plan 16R-12308, shown more specifically on Appendix 'A' attached to this by-law from 'Retail Commercial' (C2) Zone to 'Retail Commercial' (C2) with Special Provision 14.145 Zone;
2. That Special Provision 14.145 is hereby added as follows:

Special Provision 14.145

1. Notwithstanding the provisions of the 'Retail Commercial' (C2) Zone and for lands shown on Schedule A, Zoning Map 3:

- a) A Dwelling, Semi-Detached, is permitted in accordance with the 'General Residential' (R5) Zone provisions, excepting that:
 - i) The Minimum Lot Area shall be 230 m² per unit.
 - ii) The Maximum Lot Coverage shall be 47%.
 - iii) The Minimum Front Yard setback shall be 6 m.
 - iv) The Minimum Rear Yard setback shall be 4 m.
 - b) A Dwelling, Single Detached is permitted in accordance with the 'General Residential' (R5) Zone provisions, excepting that:
 - i) The Minimum Lot Area shall be 379 m².
 - c) For all other uses permitted in the C2 Zone, the C2 regulations shall apply.
2. Notwithstanding any other provisions of this By-law to the contrary, the existing buildings and structures on lands municipally known as 1038 6th Avenue West and legally described as North Part Lot 63, Plan 34, City of Owen Sound, shall be deemed to comply with the provisions of this By-law as they existed on the date of passing of this by-law.
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 14th day of September 2026.

Mayor Ian C. Boddy

Briana M. Bloomfield, City Clerk

The Corporation of the City of Owen Sound

By-law No. 2026-0

A By-law to amend Zoning By-law No. 2010-078, respecting lands located at 1038 6th Avenue West and land legally described as Part 1, Plan 16R-12308 (ZBA No. 59)

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, on April 13, 2026, the Council of The Corporation of the City of Owen Sound (the "City") passed By-law No. 2026-030 for the purpose of adopting Zoning By-law Amendment No. 57 to implement updates to 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 1038 6th Avenue West and lands legally described as Part 1, Plan 16R-12308 (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 July 27, 2026, a public meeting was held under section 34 of the Planning Act to consider zoning for the subject lands; and

WHEREAS on September 14, 2026, 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-26-077;

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

1. That Schedule A, Zoning Map 3 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 PIN 37050-0027 (LT) described generally as PLAN 34 N PT LOT 63 and part of PIN 37050-0026 (LT), described generally as Part 1, Plan 16R-12308, shown more specifically on Appendix 'A' attached to this by-law from 'Retail Commercial' (C2) Zone to 'Retail Commercial' (C2) with Special Provision 14.145 Zone;
2. That Special Provision 14.145 is hereby added as follows:

Special Provision 14.145

1. Notwithstanding the provisions of the 'Retail Commercial' (C2) Zone and for lands shown on Schedule A, Zoning Map 3:
 - a) a Dwelling, Semi-Detached is permitted in accordance with the 'Medium Density Residential' (R2) Zone provisions, excepting that:
 - i) The Minimum Lot Area shall be 230 m² per unit.
 - ii) The Maximum Lot Coverage shall be 47%.
 - iii) The Minimum Front Yard Setback shall be 6 m.
 - iv) The Minimum Rear Yard Setback shall be 4 m.
 - b) A Dwelling, Single Detached is permitted in accordance with the 'Medium Density Residential' (R2) Zone provisions, excepting that:
 - i) The Minimum Lot Area shall be 379 m².
 - c) For all other uses permitted in the C2 Zone, the C2 regulations shall apply.
 - d) Notwithstanding any other provisions of this By-law to the contrary, the existing buildings and structures on lands municipally known as 1038 6th Avenue West and legally described as North Part Lot 63, Plan 34, City of Owen Sound, shall be deemed to comply with the provisions of this By-law as they existed on the date of passing of this by-law.
3. This by-law shall come into force and effect on the day that By-law 2026-030 comes into full force and effect 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 this 14th day of September 2026.

Mayor Ian C. Boddy

Briana M. Bloomfield, City Clerk

