

File Number: Z06-2022 (Collingwood Street) **Date of this Notice:** September 23, 2022

Tax Rolls: 42-10-493-002- 13500, 13501, 13300, 13200, 13100, 13000



Notice of Passing of a Zoning By-law

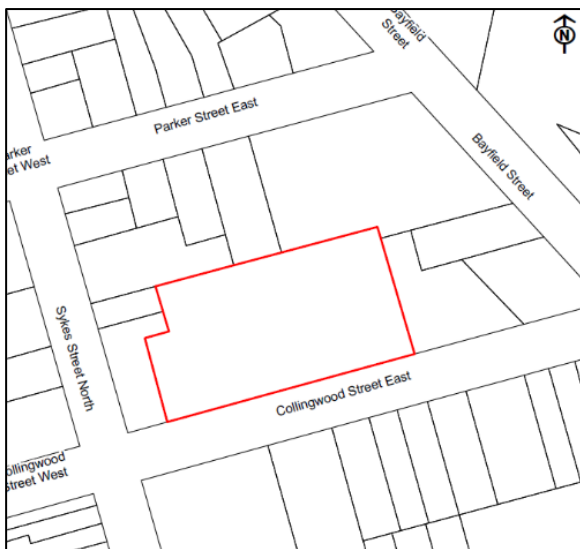
This is a notice about a decision of Council on a Zoning Amendment Application for the lands known as 12-24 Collingwood Street East, Meaford

Council approved the application and passed By-law 2022-58 on September 12, 2022.

What was the purpose of the By-law?

The purpose of the zoning by-law amendment is to rezone the lands from Downtown Core Commercial (C1) to Downtown Core Commercial Exception 294 with a Holding 5 Provision (**C1-294-H5**). This amendment will provide for the development of a traditional mixed-use building with ground floor commercial and apartments above and two multiple-unit dwelling townhome type buildings, each with purpose-built commercial space facing a central pedestrian mews. The site-specific exception will allow multiple-unit and townhouse dwelling types with provisions for non-residential uses, building heights of 13.5 m (four storeys) and 15.5 m (five storeys) in specified envelopes, location and amount of parking, and provides for community benefit (bonus zoning provision) by requiring public access through the site between Collingwood Street and McCarroll Park, among other matters. The entire Zoning By-law Amendment 2022-58 with provisions is attached to this notice.

Key Map:



Feedback from the Public

Written and oral comments from agencies and the public were considered by Council prior to making a decision on this application.

Rights to Appeal the Decision

If you disagree with this decision you may file an appeal to the Ontario Land Tribunal. An appeal must include the required Appellant Form and Fees in the form of a Certified Cheque or Money order, made out to the Minister of Finance. The Appellant Form must state the reasons for the appeal. The Appellant Form and fees must be delivered in person or by registered mail to the Clerk of the Municipality of Meaford:

The last date for filing an appeal is October 13th, 2022. More information about how to file an appeal, including the forms and fees, is available on the Ontario Land Tribunal website at <https://olt.gov.on.ca/>

Only individuals, corporations and public bodies may appeal a Zoning By-law to the Ontario Land Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

The Corporation of the Municipality of Meaford

By-law Number 2022-58

Being a by-law to amend Zoning By-law 60-2009 of the Municipality of Meaford pertaining to 12-34 Collingwood Street East

Whereas, the Council of the Corporation of the Municipality of Meaford deems it in the public interest to pass a by-law to amend By-law 60-2009; and

Whereas, pursuant to the provisions of Sections 34, 36, 37 and 37.1 of the Planning Act R.S.O. 1990, as amended, By-laws may be amended by Councils of Municipalities; and

Whereas, the transition provisions set out in Section 37.1 of the Planning Act provided that Subsections 37(1) to (4) as they read on the day before the effective date continue to apply to a local municipality until the municipality passes a community benefits charge by-law or September 18, 2022, whichever is earlier; and

Whereas, pursuant to Section 37 of the Planning Act effective on September 17, 2020:

- a) Subsection 37(1) provides that, the Council of a Municipality may, in a By-law passed under Section 34 of the Act, authorize increases in height of development otherwise permitted by the By-law, that will be permitted in return of the provision of such facilities, services and matters as are set out in the By-law; and
- b) Subsection 37(3) provides that, where an owner of land elects to provide facilities, services or matters in return for an increase in the height of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services or matters; and

Whereas, prior to commencement of any redevelopment of the lands, the municipality requires the owner of the subject lands to enter into one or more agreements dealing with certain facilities, services, and matters in return for the increase in height as permitted by this By-law; and

Whereas, Council of the Municipality of Meaford deems it expedient and necessary to pass a zoning by-law amendment related to the subject

properties.

The Council of The Corporation of the Municipality of Meaford enacts as follows:

1. Map 9 of Schedule B to By-law 60-2009 is hereby amended by rezoning those lands described as Plan 309 Part Lots 1091 & 1092, Registered Plan 16R-2512 and Lots 1093-1097 Registered Plan 16R-5778, in the geographic Town of Meaford, now incorporated as part of the Municipality of Meaford and shown on Schedule A, affixed hereto, as follows:
 - a. From Downtown Core Commercial (C1) Zone to Downtown Core Commercial Exception 294 Holding Zone (C1-294 (H5)) Zone.
2. Section 9 to By-law 60-2009 is hereby amended by adding the following:

9.294 Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *294 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

9.190.1 Lands Subject to Exception 294

- 1) Additional Permitted Uses:
 - a) *Dwelling, Multiple Unit*
 - b) *Dwelling, Townhouse*
- 2) Zone Standards:
 - a) The following site specific Zone standards apply to any use on the lands:
 - i) *Maximum height:*
 - (1) *Within 25m of any easterly side lot line and within 40 metres of the westerly side lot line: 13.5m and not more than 4 storeys*
 - (2) *25 m or more from any easterly side lot*

line and 35m or more from the westerly side lot line: 15.5 m and not more than 5 storeys.

- ii) Unless specifically modified/amended above, the provisions of Table 7.2 Zone Standards which would be applicable to any permitted use in the Downtown Commercial (C1) Zone shall apply.

3) Special Site Provisions:

- a) Lands zoned C1-294 shall be regarded as one *lot* for the purposes of meeting zoning regulations;
- b) *Apartment dwelling units* shall be located above the first *storey*;
- c) Notwithstanding b) above, entrances and lobbies associated with *apartment dwelling units* may be located at *grade* provided no more than 30% of the *main wall* facing the *street line* is occupied by entrances or lobbies;
- d) Non-residential uses in combination with any *multiple unit dwelling* or any *townhouse dwelling* shall be located at *grade* with not less than 70% of the *main wall* at *grade* level facing another *multiple unit dwelling or townhouse building* comprising non-residential *premises*;
- e) Notwithstanding Section 4.5.1 and the definition of *townhouse dwelling*, more than one *dwelling unit* is permitted on a *lot*;
- f) Collingwood Street shall be considered the *front lot line* for the whole of the lands zoned C1-294;
- g) Notwithstanding any other provision of this by-law, a retaining wall may be permitted in any required *yard* regardless of its *height*;
- h) Notwithstanding any other provisions of the by-law, a garbage enclosure may be permitted in the interior side or rear yard provided that:

- i) It is located no closer than 3m to any Residential or Open Space zone;
 - ii) The enclosure provides an opaque screen not less than 1.5m in *height*;
- i) Parking Area Requirements:
- i) Notwithstanding Section 5.5, for lands zoned C1-294 uncovered surface *parking areas* and *driveways* shall be permitted in any required *side* or *rear yard* provided that:
 - (1) No *parking space* or *driveway* shall be permitted on a *lot* closer to any *lot line* than 0.5 m. Such setback shall be the location of *landscaped open space*. This shall not apply to prevent the establishment of abutting *driveways* along a common *lot line*;
 - (2) A continuous and opaque screen not less than 1.5m high consisting of a hedgerow of evergreens or shrubs, a wall, or a privacy fence shall be provided and maintained where any surface *parking space* or *driveway* is located within 3.0 metres of the boundary of a Residential Zone or within 1.0 metre of any other *lot line*.
 - ii) Notwithstanding Section 5.8 and Table 5.2 the minimum required number of *parking spaces* required for those lands zoned C1-294 – 1.25 *parking spaces* per *dwelling unit*;
 - iii) Notwithstanding Section 5.1 of the Zoning By-law and 294.1.3).j)ii), 0.25 of the 1.25 *parking spaces* required per *dwelling unit* may be shared amongst any and all permitted uses on the lands zoned C1-294 if provided in an uncovered surface *parking area*;
 - iv) *Barrier-free parking spaces* shall be provided as stipulated in Section 5.12 save and except

that no *barrier-free parking spaces* shall be required for any *multiple unit dwelling* or *townhouse dwelling unit* that provides a minimum of two (2) *parking spaces* for said *dwelling unit* in a *private garage*.

- 4) Bonus Zoning – Section 37 of the Planning Act (in effect September 17, 2020)
 - a) The owner of the lands affected by this exception shall enter into one or more agreements with the Municipality of Meaford pursuant to Section 37 of the Planning Act (in effect September 17, 2020) to secure the facilities and matters below, which agreement or agreements may be registered against the title of the lands to which this by-law applies in the manner and to the extent specified in the agreements. The Owner of the subject lands, at the Owner's expense, and in accordance with the agreements noted above, shall provide or fund the following services, facilities or matters on terms satisfactory to the Municipality in order to permit an increase in permitted height on the lands:
 - i) The applicant agrees to provide an easement extending from Collingwood Street to the *rear lot line* of the subject lands abutting McCarroll Park in favour of, and to the satisfaction of, the Municipality of Meaford to create a publicly accessible access;
 - ii) The applicant agrees to enter into an agreement with and to the satisfaction of the Municipality of Meaford that provides for the construction, long term maintenance and repair, including restoration, rights and responsibilities of all parties. The construction of the publicly accessible access shall have a minimum cost of \$300,000 as confirmed under the agreement. This could be an easement agreement or included in a future site plan agreement.
- 5) Removal of the Holding Symbol

- a) In accordance with the provisions of Section 36 of the Planning Act R.S.O. 1990, Chapter P.13, as amended, and in addition to the requirements of section 2.6.2.5, the Holding (H5) symbol shall not be removed from the whole or part of the lands until such time as the following have been completed:
- i) Execution of a Development Agreement (Site Plan Approval and Agreement);
 - ii) Satisfaction of the Environmental Protection Act regarding change of use which may include a Record of Site Condition;
 - iii) That all parcels comprising the development site, as existing on September 12, 2022, be merged together and consolidated on title, prior to the registration of any site plan agreement;
 - iv) That an easement be provided to the satisfaction of, and in favour of, the Municipality of Meaford through the subject lands from Collingwood Street to McCarroll Park for the purposes of public pedestrian access;
 - v) Confirmation of available servicing capacity and allocation;
 - vi) Execution of an Agreement approved by Council in accordance with Section 37 of the Planning Act (in effect on September 17, 2020) that addresses those matters set out in Section 9.190.4;
 - vii) Issuance of a Heritage Permit by Council for the redevelopment of the land;

3. This by-law shall come into force and take effect upon being passed by Council, pursuant to the Planning Act, R.S.O. 1990, as amended.

Read a first, second and third time and finally passed this 12th day of September, 2022.

Barb Clumpus, Mayor

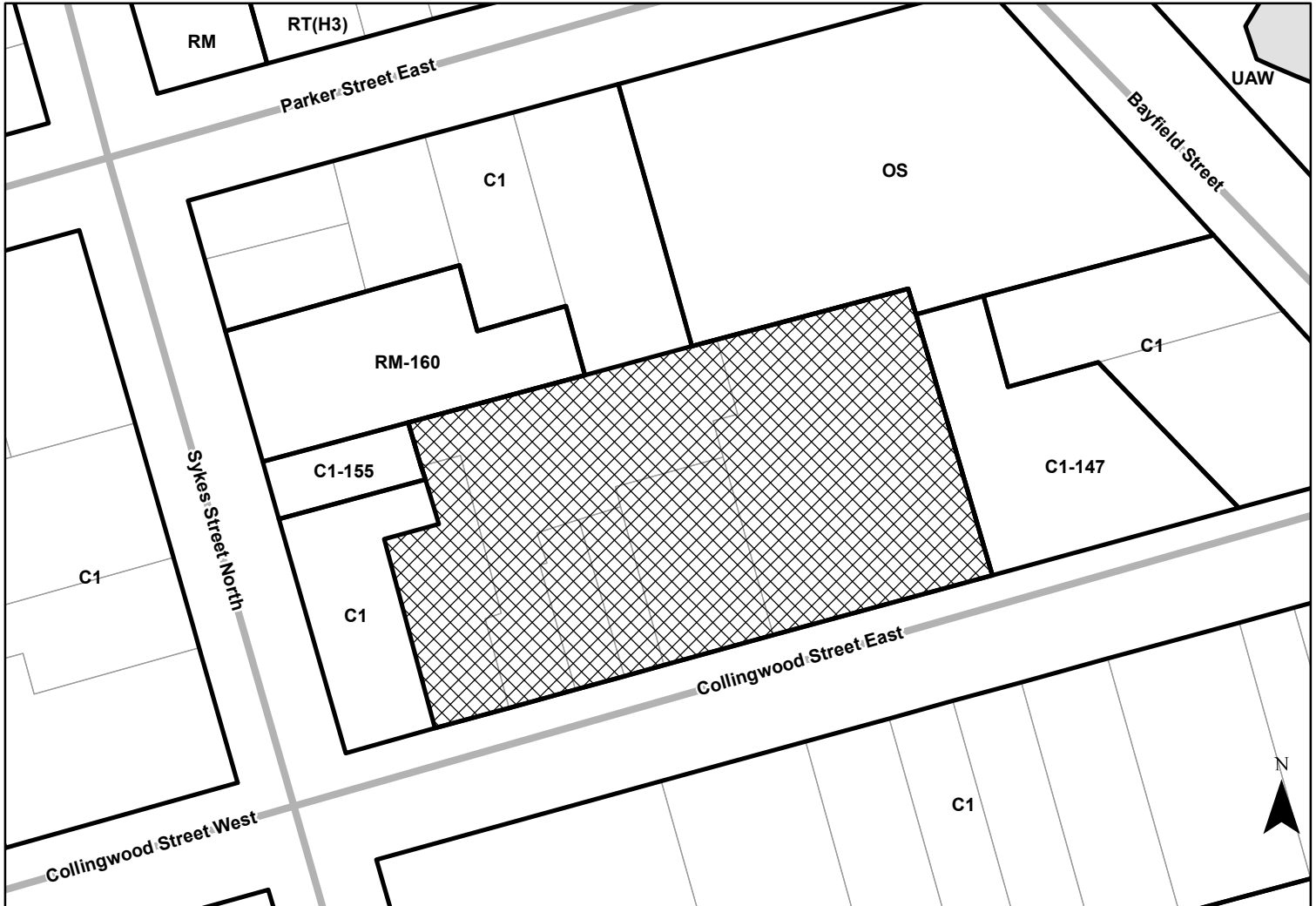
Matt Smith, Clerk


**Schedule A
To By-law No. 2022-58**

of the Corporation of the Municipality of Meaford

Amending By-law No. 60-2009

309 Part Lots 1091 & 1092, Registered Plan 16R-2512 and Lots 1093-1097 Registered Plan 16R-5778



 Lands to be rezoned from the Downtown Core Commercial (C1) Zone to the Downtown Core Commercial Exception 294 Holding Zone (C1-294 (H5)) Zone

This is Schedule A to By-law 2022-58

Passed on the 12th day of September, 2022

Barb Clumpus, Mayor

Matt Smith, Clerk