



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 29 Sykes Street South, Meaford.

Council approved the application and passed By-law 2022-57 on September 12, 2022.

What was the purpose of the By-law?

The purpose of the zoning by-law amendment is to provide special provisions to the property at 29 Sykes Street South, to facilitate redevelopment of the building for a boutique hotel (former location of Stedmans V&S Department Store). The amendment is to rezone the lands from Downtown Commercial (C1) to Downtown Commercial Exception 293 with a Holding 5 Provision (C1-293-H5). The zoning exception will allow off-site parking, an increase in height to a maximum of 16.5m (four storeys) for an addition to the existing building at the rear, and provides for a community benefit (bonus zoning provision) by requiring a conservation/ restoration plan for the existing façade to be retained and provides for a public pedestrian access along the existing alley. The entire Zoning By-law Amendment with provisions is attached to this notice.

Key Map:



Feedback from the Public

Written comments from agencies and the public were considered by Council prior to making a decision on this application. Most comments received were in support of this zoning by-law amendment.

Rights to Appeal the Decision

If you disagree with this decision you may file an appeal to the Local Planning Appeal 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:

Municipality of Meaford
Attention: Matt Smith, Clerk
21 Trowbridge Street West
Meaford, ON N4L 1A1

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 Ontario Land 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 2022-57

Being a by-law to amend Zoning By-law 60-2009 of the Municipality of Meaford pertaining to 29 Sykes Street North

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 Lots 1134 AND 1135, being 29 Sykes Street North, 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 293 Holding Zone (C1-293 (H5)).
2. Section 9 to By-law 60-2009 is hereby amended by adding the following:

9.293 Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *293 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 293

- 1) Zone Standards:
 - a) Maximum *height*:
 - i) Within 11m of the front lot line: 13.5m
 - ii) Beyond 11m of the front lot line: 16.5 m and not more than 4 storeys
- 2) Special Site Provisions:
 - a) Maximum number of *hotel* units on the *lot*: 20 units
 - b) Maximum permitted capacity of all *restaurant* and *assembly hall* uses on the *lot*: 46 seats
 - c) Where the *main wall* of any *storey* above the first *storey* projects closer to any *lot line* than the *main wall* of the first *storey*, a minimum vertical

clearance of not less than 4.0 m shall be maintained to the *grade* below.

d) A *swimming pool* shall be subject to the following:

- i) May be located within or in line with the finished floor of any *storey* but shall not be located above the ceiling of the top *storey* of the *building*;
- ii) Shall only be accessible from within the building;

e) Parking Area Requirements for land zoned C1-293:

- i) Required *parking spaces* may be provided on the same *lot* that requires the parking or on any *lot* within 800 metres of the C1-293 zone boundary provided that the following are satisfied for the receiving *lot*:

(1) The *parking area* proposed is on a *lot* where:

- (a) A Parking Lot is a permitted use; or
- (b) An industrial or commercial main use legally exists on the *lot* and the *parking area* proposed to be used to satisfy the requirement of the lands zoned C1-293 is not required to satisfy the minimum number of *parking spaces* required for the existing uses on the *lot*;

(2) The *parking spaces* are identified in a related Site Plan Control Agreement and acknowledged through a legal lease or easement agreement registered on title to the satisfaction of the solicitor for the Municipality of Meaford;

(3) Minimum number of *parking spaces* for hotel/motel uses: In accordance with Section 5.10, Table 5.3, and Section

5.11; and,

(4) Not more than 50% of the required number of *parking spaces* may be provided by payment of cash-in-lieu of parking and only where an agreement has been entered into with the municipality in accordance with Section 40 of the Planning Act.

ii) Setback for any *driveway, parking space, parking stall or loading space* on the lot is 0.0m.

3) 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) Preservation and restoration of the existing historical front façade of 29 Sykes Street in accordance with a Conservation Plan approved by Council;

ii) Provision of a public pedestrian and *barrier-free* access in the downtown core to the building and adjacent public parking area on Trowbridge Street. Pedestrian access shall be granted through an easement dedicated to the Municipality and shall provide linkage along the existing alley from the sidewalk on

Sykes Street to the public parking area, and may include provisions of street furniture, public art, and landscaping.

- 4) Removal of the Holding Symbol
 - a) 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 Development Agreement(s) (Site Plan Approval and Agreement) for each property upon which work is proposed, that addresses matters including off-site parking (including any cash-in-lieu), vehicular and pedestrian access, loading areas, Heritage Conservation, easements, accessibility features, and matters under Section 37 of the Planning Act.

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. 2022-57
of the Corporation of the Municipality of Meaford
Amending By-law No. 60-2009
PLAN 309 LOTS 1134 AND 1135



 Lands to be rezoned from the Downtown Core Commercial (C1) Zone to the Downtown Core Commercial Exception 293 Holding Zone (C1-293 (H5)) Zone

This is Schedule A to By-law 2022-57

Passed on the 12th day of September, 2022

Barb Clumpus, Mayor

Matt Smith, Clerk