

## Staff Report

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**Report To:** City Council  
**Report From:** Jacklyn Iezzi, Junior Planner  
**Meeting Date:** July 19, 2021  
**Report Code:** CS-21-088  
**Subject:** Site Plan Approval (ST2021-007) – 530 28th Street West – Barry’s Construction & Insulation Ltd.

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### Recommendations:

THAT in consideration of Staff Report CS-21-088 respecting Site Plan Approval (ST2021-007) proposing the development of a five-storey, 79-unit apartment building at 530 28<sup>th</sup> Street West, City Council:

1. Approves the Site Plan by GM BluePlan Engineering Limited dated January 2021, subject to the conditions outlined in Schedule ‘H’; and
2. Directs staff to bring forward a by-law to authorize the Mayor and Clerk to execute a Site Plan Agreement, Servicing Agreement, Development Charges Exemption Agreement, and any other items for implementing Site Plan Approval for 530 28th Street West.

### Highlights:

- A Site Plan Approval application has been received by Barry’s Construction and Insulation Ltd for lands municipally known as 530 28<sup>th</sup> St W.
- The subject property is located on the north side of 28<sup>th</sup> St W in the 500 block and is currently vacant.
- The application is proposing to construct a five-storey apartment building with a total of 79 rental dwelling units.
- Staff recommend approval of the application, subject to conditions.

## **Strategic Plan Alignment:**

[Strategic Plan](#) Priority: A City that Grows - KR4 - 95% of site plan applications reviewed within 4 weeks

The subject application also represents a legislated review process.

## **Background & Proposal:**

A Site Plan Approval application (ST2021-007) has been submitted by Barry's Construction and Insulation Ltd. for the construction of a five-storey apartment building containing 79 rental dwelling units.

## **Property Description**

The subject lands are a regularly shaped lot with approximately 70 m of frontage on the north side of 28<sup>th</sup> St W.

Surrounding land uses include:

North: low density residential, Township of Georgian Bluffs

East: low and high density residential, Georgian Bay

South: high density residential, hazard lands

West: high density residential, hazard lands, Township of Georgian Bluffs

The lands are currently vacant and consist of a rectangular shaped parcel with approximately 52 m of frontage on 28<sup>th</sup> St W, plus the southern portion of the unopened road allowance of 5<sup>th</sup> Ave W, which was stopped up and closed and sold to the proponent in 2009 via By-law 2009-082.

The original parcel and southern portion of the 5<sup>th</sup> Ave W road allowance are understood to be under separate ownership and have not merged on title. A condition of approval has been included in Schedule 'H', which will require the owner, under the Site Plan Agreement, to confirm that the lots have merged on title through appropriate means under the Planning Act prior to the completion of the development and issuance of Certificate of Compliance.

The subject lands are designated 'Residential' in the City's Official Plan (2006) and are zoned 'General Residential' (R5) by the City's Zoning By-law (2010-078, as amended).

For location context and surrounding land uses, please see the Orthophoto in Schedule 'A'. For the planning policy context, please see the Official Plan and Zoning Map in Schedule 'B'. The subject lands are fully described in Schedule 'C'.

## **The Proposal**

The subject application is proposing to construct a five-storey apartment building containing a total of 79 rental dwelling units. Of the 79-units, 12 are proposed to be barrier-free in accordance with Ontario Building Code requirements. The proponent is also considering use of one of the affordable housing streams available through the Canada Mortgage and Housing Corporation (CMHC) for the proposed development. If successful in obtaining funding, this would result in a percentage of the units allocated for affordable housing.

The proposal also includes private balconies and at-grade patios serving each unit, the establishment of a parking lot with 77 spaces serving the apartment use, landscaping, connections to municipal servicing, and the construction of a new entrance off 28<sup>th</sup> St W.

As part of a complete application, the applicant has submitted the following materials for consideration:

<b>Submission Item Title</b>	<b>Submission Item Detail</b>
Site Plan (SP1)	Dated January 2021 by GM BluePlan Engineering Ltd.
Servicing & Grading Plan (SP2)	Dated January 2021 by GM BluePlan Engineering Ltd.
Details Plan (SP3 & SP4)	Dated January 2021 by GM BluePlan Engineering Ltd.
Landscape Plan	Dated April 7, 2021, by Shrubbies Landscape and Design Co.
Floor Plans & Elevations	Dated June 15, 2021, by Barry's Construction and Insulation Ltd.

<b>Submission Item Title</b>	<b>Submission Item Detail</b>
Stormwater Management Report	Dated June 2021 by GM BluePlan Engineering Ltd.
Servicing Study	Dated June 2021 by GM BluePlan Engineering Ltd.
Transportation Impact Study	Dated May 2021 by Paradigm Transportation Solutions Ltd.
Shadow Study	Dated June 18, 2021 by Barry's Construction and Insulation Ltd.
Geotechnical Study	Dated June 2021 by GM BluePlan Engineering Ltd.

The applicant engaged the City in the Pre-consultation process in January of 2021. Subsequently, the process relating to the formal application has proceeded as follows:

<b>Date</b>	<b>Step</b>
June 18, 2021	Formal submission of Site Plan Application, Minor Variance Application, and fees.
June 23, 2021	Application circulated to commenting staff and agencies.
July 13, 2021	Minor Variance (A09-2021) approved by the Committee of Adjustment.
July 19, 2021	Recommendation Report to City Council.
August 3, 2021	End of appeal period for Minor Variance A09-2021.

## **Analysis:**

The proposal is required to meet all development standards and policies applicable to projects within the City of Owen Sound. The proposal is

required to be consistent with the Provincial Policy Statement and in conformity with the City Official Plan and Zoning By-law.

The application is subject to review by the City Planning, Engineering, and Building staff as well as external commenting agencies. All applicable policies, standards, and comments received are reviewed below.

### **Provincial Policy Statement**

The Provincial Policy Statement (PPS), 2020 has been reviewed with regard to the proposed application. The PPS promotes a mix of land uses within settlement areas that efficiently use land and resources, infrastructure, and public services, while encouraging intensification and regeneration on lands with existing servicing. Settlement areas shall be the focus for growth and their vitality and regeneration shall be promoted.

The subject lands are within a fully serviced settlement area and are considered an infill lot. The proposal for residential development having access to full municipal services, public transit, parks, and amenities, supports the type of efficient, cost-effective development within an urban municipality that is envisioned by the PPS.

Policy 1.4.3 of the PPS further requires planning authorities to provide an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents. The PPS defines housing options as meaning a range of housing types and tenures including townhouses, multi-unit residential buildings, life lease and land lease communities, and affordable housing.

The proposed development will add 79 rental dwelling units to the City's limited supply of rental housing stock and contribute to providing a range and mix of housing options to meet the needs of current and future residents, as required by the PPS.

The proposal is consistent with the policy direction provided by the PPS.

### **City of Owen Sound Official Plan**

The subject lands are designated 'Residential' in the City's 2006 Official Plan (OP). A range of dwelling types and densities, including apartments, are permitted within the Residential designation.

The policies of the OP are consistent with that of the PPS and generally encourage the provision and maintenance of a full range of housing in terms

of form, tenure, and affordability, across the City's neighbourhoods to meet current and future needs of residents (Sec. 3.5.2.7). The proposed development will increase market-based and affordable rental housing options for current and future residents, in support of the policies of the OP.

As noted, the subject lands are an infill lot. The policies of Section 7.6.2.2 of the OP support intensification and infill development subject to criteria that generally includes land use compatibility, the availability of municipal infrastructure and public service facilities, the provision of appropriate off-street parking facilities, and potential traffic impact.

The proposed development addresses these policies as follows:

- The subject lands are a large, vacant infill lot with frontage along 28<sup>th</sup> St W that is a publicly assumed road maintained on a year road basis.
- The land use designation and zoning of the subject lands permits the proposed apartment use.
- The subject lands are in proximity to other medium and high-density residential uses to the east, south and west.
- Building elevations, attached as Schedule 'E', demonstrate an attractive, mid-rise apartment building with an 'L-shaped' form, at-grade patios and balconies serving each unit, and a large parking area within the front and side yard that is consistent with that of the surrounding area.
- The subject lands are in proximity to parks and amenities, such as Tot Lot Park, Maitland Park, Tom Williams Park, the Georgian Bay Trail, and Keppel Sarawak elementary school within the Township of Georgian Bluffs.
- The subject lands are well-located for access to the City's transit system. A stop for the Brooke transit route exists at the intersection of 5<sup>th</sup> Ave W and 28<sup>th</sup> St W, directly south of the subject lands.
- There are no concerns with local traffic. A Transportation Impact Study (TIS) has been submitted in support of the proposal which demonstrates that there will be no impact to the local road network.

As it relates to the availability of municipal infrastructure (water and sewer), a Servicing Feasibility Study has been submitted in support of the proposed

development. Comments received from the Engineering Services Division note that the study does not address two main issues:

1. The water supply analysis does not state the minimum static water pressure available on the top floor of the apartment complex, and
2. The wastewater analysis does not address available capacity in the receiving branch of the City's wastewater collection system.

To demonstrate conformity with Section 7.6.2.2 of the OP, a condition of approval has been included in Schedule 'H', which requires that the Servicing Feasibility Study be revised to address the above noted issues, to the satisfaction of the Manager of Engineering Services.

The proposed apartment building has an overall height of 17 m whereas 12 m is permitted by the City's Zoning By-law. With respect to the increase on maximum building height, policy 4.1.2.10 of the OP generally requires that lands designated Residential be developed as maximum heights as may be established in the Zoning By-law. Any application to increase the permitted height shall be considered in the context of compatibility with surrounding land uses (i); architectural control and design (ii); building massing, location, and setbacks (iii); and site design and conditions (iv).

As noted above, the proposed development is compatible with surrounding land uses. The building massing and location are consistent with existing medium and high-density residential uses to the east, south and west of the subject lands. The building setbacks satisfy the provisions of the City's Zoning By-law.

Section 7.8.8 of the OP requires consideration for the potential impact of abrupt changes in building height and scale on surrounding uses and protected views. Where the height or mass of a proposed building may significantly shadow adjacent properties, the City is enabled to require a study be undertaken to assess the impact. The applicant has submitted a Shadow Study, attached as Schedule 'F', in support of the proposal to increase the height of the building. The City's Shadow Study Criteria require that the increase in height of the proposed building will not cause 50 percent or more of any adjacent property to be shaded for more than two interval times (a four-hour equivalency). The submitted study demonstrates that the proposed building conforms to the City's Shadow Study Criteria and is not anticipated to have a significant impact on the surrounding land uses.

The applicant has obtained approval of a Minor Variance (A09-2021) from the City's Committee of Adjustment to recognize the increased building height. The final date to approve the decision of the Committee is August 3, 2021. A condition of approval has been included in Schedule 'H' which requires that prior to the issuance of a Building Permit, Minor Variance A09-2021 be confirmed to be in full force and effect.

The proposal conforms to the policies of the City's Official Plan, subject to the conditions outlined in Schedule 'H'.

### **City of Owen Sound Zoning By-law**

The subject property is zoned 'General Residential' (R5) in the City's Zoning By-law (2010-078, as amended). Staff have undertaken a thorough review of the Site Plan relative to the City's Zoning By-law. Based on this review, the following merits note:

<b>Zoning Matter</b>	<b>How is the Requirement Met?</b>
Standard Parking Stalls	<p>The provisions of the City's Zoning By-law require that off-street parking for apartments be provided at a rate of 1.25 spaces per dwelling unit. Accordingly, 99 spaces are required to serve the 79-unit apartment building.</p> <p>The submitted Site Plan, attached as Schedule 'D', proposes 77 off-street parking stalls serving the apartment use.</p> <p>One (1) standard off-street parking stall is proposed within the 5.0 m by 5.0 m sight triangle at the site access point which is not permitted by the Zoning By-law. A condition of approval has been included in Schedule 'H', which requires that this stall be removed and replaced with a landscaped boulevard. This stall has been excluded from the overall parking calculation for the proposed development.</p> <p>A Minor Variance Application (A09-2021) has been approved by the City's Committee of Adjustment to recognize the reduction in required off-street</p>



<b>Zoning Matter</b>	<b>How is the Requirement Met?</b>
	<p>parking. Justification for the reduction was included in <a href="#">Staff Report CS-21-090</a>.</p> <p>The final day to appeal the decision of the Committee is August 3, 2021. A condition of approval has been included in Schedule 'H' which requires that prior to the issuance of a Building Permit, Minor Variance A09-2021 shall be confirmed to be in full force and effect.</p>
Barrier-Free Parking Stalls	<p>Of the 99 required off-street parking stalls, four (4) stalls are required to be barrier-free in accordance with the requirements of the Accessibility for Ontarians with Disabilities Act (AODA) and the City's Zoning By-law.</p> <p>Four (4) barrier-free parking stalls are proposed adjacent to the main entrance of the building which satisfies these requirements.</p> <p>The barrier-free parking stall sizes as proposed do not conform to City standards. A condition of approval has been included in Schedule 'H', which requires that the final Site Plan show barrier-free parking stalls compliant with City standards, AODA and OBC requirements.</p>
Loading Spaces	<p>The provisions of the City's Zoning By-law require one (1) loading space for the proposed development. The submitted Site Plan proposes one loading space that is partially located within the 5.0 m by 5.0 m sight triangle just west of the site access, which is not permitted by the City's Zoning By-law.</p> <p>Planning Staff and Engineering Services Staff have determined that the loading space can be relocated south of the northern entrance of the building while also maintaining the required size (3.5 m by 10 m)</p>

<b>Zoning Matter</b>	<b>How is the Requirement Met?</b>
	<p>and 77 off-street parking stalls to serve the proposed development.</p> <p>A condition of approval has been included in Schedule 'H' which requires that the final Site Plan show the loading space relocated to a suitable location elsewhere on-site and replaced with landscaping and one (1) additional standard parking stall as can be accommodated without obstructing the sight triangle.</p>
Bicycle Parking Spaces	<p>The development requires 10 bicycle parking spaces. A bicycle parking area containing a minimum of 10 spaces is proposed adjacent to the south entrance of the building.</p>
Setbacks	<p>The setback requirements of the Zoning By-law are met or exceeded. The proposed ground floor at-grade patios and balconies located on the upper storeys project 1 m into the required western interior side yard setback and 3 m into the required rear yard setback, which is permitted by Section 5.8.3 of the City's Zoning By-law.</p>
Lot Coverage	<p>The lot coverage maximum is not exceeded.</p>
Building Height	<p>The Zoning By-law permits a maximum building height of 12 m for apartment buildings within the R5 Zone. As noted, the proposed apartment building is five storeys and has an overall height of 17 m. A Minor Variance Application (A09-2021) has been approved by the City's Committee of Adjustment to recognize the increased building height. Minor Variance A09-2021 must be confirmed to be in full force and effect prior to the issuance of a Building Permit in accordance with the conditions of approval outlined in Schedule 'H'. Justification for the increase is laid out in <a href="#">Staff Report CS-21-090</a>.</p>

Zoning Matter	How is the Requirement Met?
Maximum Density	<p>The Zoning By-law permits a maximum density of 1.0 floor space index (FSI) for apartments within the R5 Zone. FSI is defined as an index that, when multiplied by the total area of a lot, indicates the maximum permissible gross floor area for all buildings on the lot.</p> <p>The subject lands have a total area of approximately 5,667 m<sup>2</sup> therefore, a maximum GFA of 5,667 m<sup>2</sup> is permitted (1.0 x the lot area).</p> <p>A total GFA of approximately 7,805 m<sup>2</sup> is proposed for the apartment building, which equals approximately 1.4 times the area of the lot.</p> <p>A Minor Variance Application (A09-2021) has been approved by the City's Committee of Adjustment to recognize the increased density and is discussed at length in <a href="#">Staff Report CS-21-090</a>.</p> <p>The final day to appeal the decision of the Committee is August 3, 2021. A condition of approval has been included in Schedule 'H' which provides that prior to the issuance of a Building Permit, Minor Variance A09-2021 be confirmed to be in full force and effect.</p>
Landscape Buffer Strips	<p>The subject lands are adjacent to an existing parking area to the west, serving a three-storey apartment building. Additionally, the proposed parking area abuts an existing residential use to the east and north, and the City street to the south.</p> <p>In accordance with Section 5.23 of the Zoning By-law, three (3) landscape buffer strips are required along the east, west and south lot lines to buffer the site and proposed parking area from adjacent residential land uses and the City street.</p> <p>A landscape buffer strip has not been provided along the west lot line. A condition of approval has been</p>

Zoning Matter	How is the Requirement Met?
	<p>included in Schedule 'H', which requires that the final Site Plan show a continuous hedgerow of trees to buffer the proposed apartment building from the existing parking area to the west.</p> <p>A retaining wall approximately 1.1 m high is proposed along the east lot line. As the retaining wall does not satisfy the minimum height requirement of 1.5 m, a condition of approval has been included in Schedule 'H', which requires that the final Site Plan show a continuous hedgerow of trees or shrubs planted along the interior face of the retaining wall.</p> <p>A 1.5 m solid board fence, in combination with tree plantings, are proposed along the northern (rear) lot line. The Landscape Plan, attached as Schedule 'G', illustrates the planting of trees along 28<sup>th</sup> St W which are sufficient for buffering the proposed parking area from the street in accordance with Section 5.23 (c) and (f).</p> <p>The submitted landscape plan shows sufficient planting along the front (south) lot line to enhance the streetscape and buffer the parking area from views to/from 28<sup>th</sup> St W.</p>

The proposal meets the requirements of the City's Zoning By-law.

### **Details Respecting Accessibility:**

Section 41 of the *Planning Act*, which legislates Site Plan Control, stipulates that no development shall be undertaken unless the Council has approved plans showing the location of all buildings, facilities, and works forming part of the development, including facilities designed to have regard for accessibility for persons with disabilities.

A recommended condition of Site Plan approval is proposed to ensure that matters of accessibility are addressed and that the final approved site and construction plans reflect the requirements of the *Accessibility for Ontarians*

*with Disabilities Act* and the Ontario Building Code respecting matters of accessibility.

Matters of accessibility as it relates to the proposed development are as follows:

### **Vehicular Access and Paths of Travel**

Vehicular access to the site is provided via a 7.5 m access on the north side of 28<sup>th</sup> St W. 28<sup>th</sup> St W is designated as a local roadway which is designated to provide access to abutting properties and to discourage through traffic.

77 off-street parking stalls are proposed to serve the 79-unit apartment building. Of the 77 stalls provided, four (4) stalls are barrier-free in accordance with the requirements of the AODA.

The barrier-free stalls are located directly adjacent to the main entrance of the building. Two (2) 1.5 m barrier-free pathways of travel, equipped with tactile walking surface indicators (TWSIs), are provided from the barrier-free stalls to the main entrance.

Each of the barrier-free stalls are appropriately signed in accordance with AODA requirements and City standards. Conditions of approval included in Schedule 'H' will ensure that the sizes of the stalls conform to AODA, OBC, City standards.

As noted, the submitted Site Plan proposes one loading space for the proposed apartment. The loading space is located within a sight triangle which is not permitted by the Zoning By-law and must be revised. Planning Staff are recommending that the loading space be relocated south of the northern entrance of the proposed apartment building, adjacent to the 1.5 m concrete sidewalk. A condition of approval has been included in Schedule 'H', which requires that a drop curb be installed adjacent to the revised loading area in accordance with AODA requirements.

From an accessibility perspective, the site is adequately designed for vehicular access and paths of travel subject to the conditions outlined in Schedule 'H'.

### **Exterior Paths of Non-vehicular Travel**

A pedestrian connection into the site is provided by a 1.5 m concrete sidewalk from 28<sup>th</sup> St W to the main entrance/exit of the building. The internal sidewalk extends across the entire front (east) and south (side) of

the proposed apartment building to provide accessible pedestrian access to two secondary building entrances to the north (rear) and south (front) of the site.

The building entrance to the north of the site is equipped with a 1.5 m painted pedestrian pathway from the parking area. A condition of approval has been included in Schedule 'H', which requires that a TWSI be installed at the termination of the pedestrian pathway where it meets the curb, in accordance with AODA requirements.

All building entrances have porticos, which from an accessibility perspective, are ideal for providing shelter from the elements in the winter months as residents and visitors using mobility devices wait for automatic doors to open.

As noted, the subject lands are located on the north side of 28<sup>th</sup> St W, which is designated as a local roadway. Local roads shall generally have sidewalks located on one side of the roadway. Currently, there are no city sidewalks available within this area. The City will collect a capital contribution as a condition of Site Plan Approval for future sidewalk construction across the 28<sup>th</sup> St W frontage of the site.

### **Interior Paths of Travel**

A 1.5 m concrete sidewalk is provided from 28<sup>th</sup> St W to the main entrance/exit of the building centred on the east façade. The main entrance/exit door is approximately 2.4 m wide, which exceeds the requirements of the OBC. The main entrance/exit opens to a common vestibule where a centralized mailbox for the apartment units is proposed. Pedestrians would enter the common vestibule facing west, then travel approximately 9.7 m further west in a straight pedestrian path to access the elevator to the upper storeys.

There are two secondary entrances positioned at the north and south ends of the site which provide access to common stairwells to the upper storeys of the building. The Floor Plans, attached as Schedule 'E', indicate that the stairwells are equipped with tactile warning surfaces at each landing, in accordance with AODA and OBC requirements.

The secondary entrances also provide connectivity to the elevator area through two common corridors. The pedestrian path of travel to the elevator

area is approximately 29 m long from the south entrance of the building and 47.5 m long from the north entrance.

The OBC requires that where a building has one (1) to three (3) entrances, one (1) entrance must be fully accessible. The front entrance centered on the east (front) façade is fully accessible to satisfy this requirement. A condition of approval has been included in Schedule 'H', which recommends that the secondary entrances at the north and south be equipped with accessible push buttons to enhance accessibility at the site.

Lastly, the OBC requires that 15 percent (15%) of units be barrier-free and spread equally throughout the building. To satisfy this requirement, 12 barrier-free units are proposed and are spread equally throughout the five-storeys.

### **Site Design & Functionality**

Overall, the proposed five-storey apartment building has an attractive and functional design and site layout. Parking for the proposed apartment is functional as it relates to matters of accessibility. Conditions of approval will ensure that accessible parking stall sizes satisfy AODA, OBC, and City standards. The overall site is well-located for accessible, well-lit, safe pedestrian pathways of travel. All building entrances provide functional access to the interior of the building and meet or exceed the requirements of the OBC.

### **Access to Transit & Amenities**

The subject lands are well located for access to the City's transit system. A stop for the Core transit route exists at the intersection of 5<sup>th</sup> Ave W and 28<sup>th</sup> St W, directly south of the site. The Core transit route stops at Heritage Place Mall and provides excellent connectivity through the central City over the east and west sides.

The subject lands are also within walking distance to several City parks and trails. Tot Lot Park, Maitland Park and Tom Williams Park are three (3) city parks located within an 800 m radius.

The Georgian Bay Trail exists 100 m west of the subject lands and Keppel Sarawak elementary school within the Township of Georgian Bluffs exists 550 m southwest.

### **City Staff & Agency Comments**

In response to the request for comment from the Planning & Heritage Division, the following comments have been submitted for review pertaining to the subject application. All comments can be found attached hereto as Schedule 'I'.

### **City of Owen Sound Planning & Heritage Division**

The Planning & Heritage Division has undertaken a full review of the application in consideration of the principles of good planning, which ensures a safe, functional, and attractive site layout. The following aspects of the site design merit note in addition to the planning policy analysis outlined above.

<b>Design Aspect</b>	<b>Policy Context/Staff Comments</b>
General Layout	The proposed apartment building is oriented towards the rear (north) and west (side) of the site. While it would be preferable for the building to be located closer to 28 <sup>th</sup> St W to address the street, the 'L-shaped' form of the proposed building with parking areas located within the front and side yard is consistent with other forms of medium and high-density residential uses to the east, south, and west.
Parking Layout	The parking lot layout as proposed maximizes the number of parking stalls that can be achieved on site. 77 off-street parking stalls are proposed to serve the 79-unit apartment building.
Bike & Scooter Parking	<p>As noted, a bicycle parking area is proposed adjacent to the south entrance of the building with a minimum of 10 spaces to satisfy the provisions of the Zoning By-law.</p> <p>The applicant has also indicated that they will provide outdoor scooter parking adjacent to the bike parking area to accommodate the parking needs of a diverse group of tenants.</p> <p>A condition of approval has been included in Schedule 'H' which requires that the final site plan show the scooter parking area.</p>



<b>Design Aspect</b>	<b>Policy Context/Staff Comments</b>
Loading Location	As noted above, the proposed loading space serving the apartment use is within a sight triangle which is not permitted by the Zoning By-law. A condition of approval has been included in Schedule 'H' requiring that the final site plan show the loading space be relocated to a suitable location elsewhere on-site.
Pedestrian Access and Connectivity	<p>A pedestrian connection into the site is provided by a 1.5 m concrete sidewalk from 28<sup>th</sup> St W to the main entrance of the building. The internal sidewalk extends across the east (front) and south (side) façade of the proposed building to provide accessible pedestrian access to two (2) additional building entrances. The proposed 1.5 m concrete sidewalk is accessible, safe, and well-lit.</p> <p>As noted, a pedestrian pathway is proposed on the north side of the site providing access from the parking area to a secondary building entrance. Conditions of approval included in Schedule 'H', will ensure that TWSIs are installed in this location in accordance with AODA requirements.</p>
Lighting	<p>Four (4) exterior light standards are proposed to illuminate the proposed parking area and pedestrian pathway. Wall-mounted exterior lighting is proposed along the building face, in accordance with OBC requirements.</p> <p>Standard provisions within the Site Plan Agreement require that on-site LED lighting shall be specified with a colour temperature (CCT) of 3000K (warm white).</p>
Landscaping	The planting of nine (9) trees is proposed along 28 <sup>th</sup> St W to buffer the site and proposed parking area from the City street. Six (6) additional trees are

Design Aspect	Policy Context/Staff Comments
	<p>proposed to the north (rear) to buffer the site from existing residential land uses.</p> <p>One (1) of the trees is proposed to be planted within the 5.0 m by 5.0 m sight triangle required at the site access which is not permitted by the City's Zoning By-law. A condition of approval has been included in Schedule 'H' requiring that the Landscape Plan be revised to remove this tree planting.</p> <p>The tree plantings are otherwise supported by Planning Staff. To further unify the proposed building, streetscape, and surrounding area, the planting of shrubs and grasses is proposed along the front (east) façade of the building.</p> <p>Comments received from the City's Parks and Open Space Division note that there are existing mature trees at the northern limit of the property, adjacent to the unopened road allowance of 5<sup>th</sup> Ave W and the property at #465 29<sup>th</sup> St W.</p> <p>An individual Tree Survey and Tree Preservation Plan is warranted for the proposed development and have been included as conditions of approval outlined in Schedule 'H'.</p>
Garbage & Recycling	A garbage and recycling area is proposed internally, on the ground floor of the apartment building.
Snow Storage	Snow storage areas are indicated on the submitted Site Plan to the east of the site. Standard provisions within the Site Plan Agreement require that snow storage areas drain into the internal stormwater management system, cannot be located on City-owned property, or be within parking stalls required for zoning compliance.
Building Design	The Building Elevations, attached as Schedule 'E', illustrate an attractive mid-rise apartment building

<b>Design Aspect</b>	<b>Policy Context/Staff Comments</b>
	with at-grade and upper storey balconies positioned on each façade.
Affordability	<p>Through further discussions with the applicant, it has been identified that they are considering utilizing one of the affordable housing funding streams available through the Canada Mortgage and Housing Corporation (CMHC) for the proposed development. This includes the <a href="#">National Housing Co-Investment Fund</a> which requires at least 30 percent (30%) of units to be less than 80 percent (80%) of the Median Market Rent and maintained for a minimum of 20 years.</p> <p>Given the City's low rental vacancy rate and limited supply of rental housing stock, an increase in affordable rental housing supply is highly desirable. While selection to the program is at the discretion of CMHC and not guaranteed, the applicant has been successful in obtaining CMHC financial support for past projects.</p>

The City's Planning & Heritage Division recommends approval of application ST2021-007 subject to the recommended conditions.

### **City of Owen Sound Engineering & Public Works Department**

Comment has been received from the City's Engineering & Public Works Department with no objection to the subject proposal.

<b>Engineering Detail</b>	<b>Staff Comments</b>
Stormwater Management (SWM)	A SWM Report has been submitted in support of the proposed development. The SWM design is acceptable to the City's Engineering Services Division.

<b>Engineering Detail</b>	<b>Staff Comments</b>
Grading & Drainage	The site grading supports the SWM design and conforms to Section 2.2.2 of the City's Property Standards By-law (1990-030).
Site Servicing	<p>A Servicing Feasibility Study has been submitted in support of the proposed development. The submitted study does not address two issues respecting minimum static water pressure and available capacity in the receiving branch of the City's wastewater collection system.</p> <p>A condition of approval has been included in Schedule 'H', which requires that the Servicing Feasibility Study be revised prior to finalization of the Site Plan Agreement, to the satisfaction of the Manager of Engineering Services.</p>
Transportation Impact Study (TIS)	<p>A TIS has been submitted in support of the proposed development which demonstrates that the intersections of 5<sup>th</sup> Ave E and 28<sup>th</sup> St W, 5<sup>th</sup> Ave W and 27<sup>th</sup> St W, and 28<sup>th</sup> St W and 3<sup>rd</sup> Ave W are operating with acceptable levels of service. The proposed development is expected to generate 28 to 36 trips during the AM and PM peak hours respectively, which will not have a negative impact on the local road network. The intersections are forecast to operate with acceptable levels of service to 2026. The TIS is acceptable to the Engineering Services Division.</p>
Parking, Site Access & Traffic Circulation	<p>Vehicular access to the site is from 28<sup>th</sup> St W. The access throat width of 7.5 m is acceptable.</p> <p>One standard parking stall and a proposed loading space are located within the 5.0 m by 5.0 m sight triangles required at the access points.</p> <p>The dimensions of on-site standard parking stalls are to meet City requirements of 2.65 m wide by</p>

<b>Engineering Detail</b>	<b>Staff Comments</b>
	<p>6.0 m long, with a minimum 6.0 m wide service aisle. The size and configuration of the accessible parking stalls as proposed to not satisfy City standards.</p> <p>Conditions of approval have been included in Schedule 'H' which require the proposed loading space and accessible parking stalls to be revised.</p>
Pedestrian Access	<p>Pedestrian walkways, sidewalks, and connections to City streets are provided. Pedestrian access must meet AODA requirements for pedestrian paths of travel. A drop curb is required adjacent to the revised loading space location and an additional tactile walking surface indicator is required at the north entrance of the building where the painted pedestrian pathway meets the curb.</p> <p>Currently, there are no City sidewalks along either side of 28<sup>th</sup> St W. Payment of a capital contribution in the amount of \$5,282.00 as been included as a condition of approval in Schedule 'H' for future sidewalk constructed across the 28<sup>th</sup> St W frontage of the site.</p>
Transit	<p>A City transit stop for the Brooke transit route is located at the intersection of 5<sup>th</sup> Ave W and 28<sup>th</sup> St W.</p>
Fees	<p>Payment of the Engineering Review Fee (estimated at \$9,742.00) has been included as a condition of Site Plan Approval.</p> <p>A Street Occupation Permit and/or Special Services Application, which may include a Servicing Agreement will be required prior to any work commencing on City property.</p>

The City's Engineering & Public Works Department recommends approval of application ST2021-007, subject to the recommended conditions.

### **City of Owen Sound Environmental Services Division**

Comment has been received from the City's Environmental Services Division with no objection to the proposal. An appropriate garbage and recycling area has been provided within the interior of the building in consideration of comments received.

### **City of Owen Sound Fire Prevention Services Division**

Comment has been received from the City's Fire Prevention Services Division with no objection to the proposal subject to two revisions to the submitted Site Plan and Floor Plans:

- Provision of a fire route in accordance with the Ontario Building Code and the City's Fire Route By-law and,
- Provision of an annunciator panel installed in proximity to the main entrance of the building in accordance with the OBC.

Comments received note that a fire hydrant is within 45 m of fire department connections. Standard provisions within the Site Plan Agreement will require that an unobstructed path shall be provided at all times from the hydrant to the fire department connection. The City's Fire Prevention Services Division recommends the installation of a fire department key box (Chubb Box) on the exterior of the building for after hours emergency access.

### **City of Owen Sound Parks & Open Space Division**

Comment has been received from the City's Parks & open Space Division with no objection to the proposal. As noted, comments received indicate that an individual Tree Survey is warranted and has been included as a condition of approval in Schedule 'H'.

### **Bell Canada**

Comment has been received from Bell Canada with no objection to the proposal. Comments received indicate that should any conflict arise with existing Bell Canada facilities or easements; relocation will be at the responsibility and cost of the property owner.

## **Canada Post**

Comment has been received from Canada Post with no objection to the proposal. Comments received indicate that the owner is responsible for providing individual unit numbers for each unit to Canada Post and for the supply and installation of a centralized mailbox. A centralized mailbox area is provided within the front entrance of the building in consideration of comments received.

## **Hydro One**

Comment has been received from Hydro One with no objection to the proposal.

## **County of Grey**

Comment has been received from the County of Grey with no objection to the proposal. Comments received generally support the nature of the proposed development and recognize the addition of 79 rental dwelling units as a positive contribution to the City's limited rental housing supply. The County's Development Charges By-law provides development charge exemptions to eligible purpose-built rental housing development. The owner is responsible for contacting County Finance Staff to enter into the necessary agreements with the County.

Comments received from County Planning Staff encourage reviewing the proposed siting of the subject building closer to 28<sup>th</sup> St W to further activate the street front and suggest formalizing access across the subject lands to align with the abutting portion of the unopened road allowance of 5<sup>th</sup> Ave W. While City Planning Staff agree that it would be preferable for the building to be closer to 28<sup>th</sup> St W to address the street, the form and siting of the proposed building is consistent with that of the surrounding area and is adequately buffered from surrounding land uses.

Consistent with the County's comments, a condition of approval has been included in Schedule 'H' recommending that the owner consider extending the northern limit of the 1.5 m sidewalk across the building face southerly to align with the unopened road allowance of 5<sup>th</sup> Ave W. This would create opportunity for the City to formalize pedestrian access in the future by extending sidewalk from the subject lands across the unopened road allowance, connecting to 29<sup>th</sup> St W.

County Transportation Services has reviewed the TIS submitted in support of the proposed development and accepts the findings and recommendations therein.

### **Grey Sauble Conservation Authority (GSCA)**

Comments have been received from the GSCA with no objection to the proposal. Comments received indicate that there are no regulated areas, natural hazards, or natural heritage features present on the subject lands. A permit from the GSCA is not required for the proposed development.

### **Financial Implications:**

The City will collect a Capital Contribution in the amount of \$5,282.00 for future sidewalk construction along the 28<sup>th</sup> St W frontage of the site and will require that securities in the amount of \$20,000 be provided under the Site Plan Agreement. The proposed development is considered a 'Rental Housing Development' as defined by the City's [Development Charges By-law \(2020-112\)](#) therefore, the owner is exempt from payment of City development charges in the amount of **\$388,601** (based on current development charge rates), upon the issuance of a Building Permit provided a Development Charges Exemption Agreement is executed with the City, to the satisfaction of the Director of Corporate Services.

### **Communication/Consultation:**

The application was circulated to various City Departments and commenting agencies as part of the consultation process. Planning staff have been in communication with the applicant throughout the process.

### **Attachments:**

- Schedule 'A': Orthophoto
- Schedule 'B': Official Plan and Zoning Map
- Schedule 'C': Property Details
- Schedule 'D': Site Plan
- Schedule 'E': Floor Plans & Elevations
- Schedule 'F': Shadow Study
- Schedule 'G': Landscape Plan
- Schedule 'H': Conditions of Approval



Schedule 'I': Agency Comments

**Recommended by:**

Jacklyn Iezzi, BES, Junior Planner

**Reviewed by:**

Amy Cann, M. PL. MCIP, RPP, Manager of Planning & Heritage

**Reviewed by:**

Pam Coulter, BA, RPP, Director of Community Services

**Submission approved by:**

Tim Simmonds, City Manager

For more information on this report, please contact Jacklyn Iezzi, Junior Planner at [planning@owensound.ca](mailto:planning@owensound.ca) or 519-376-4440 ext. 1250.