

SCHEDULE G

AGENCY COMMENTS

Building Division Staff Report – July 04, 2022

Grey County Planning & Development – July 19, 2022

Grey Sauble Conservation – July 19, 2022

Engineering Services Division Staff Report – August 26, 2022

Staff Report

Building Division

DATE: JULY 4, 2022 **ROLL NO.:** 42 59 010 005 10300

TO: SABINE ROBART, PLANNER

FROM: NIELS JENSEN, BUILDING OFFICIAL

SUBJECT: ZONING BY-LAW AMENDMENT APPLICATION FOR 3195 EAST BAYSHORE ROAD

PLANNING FILE: ZBA 38

MUNICIPAL ADDRESS: 3195 EAST BAYSHORE ROAD

LEGAL DESCRIPTION: PLAN 838 LOT 53 & 57 PT LOT 7

APPLICANT: SKYDEV BAYSHORE OWEN SOUND LP

BACKGROUND: The applicant, SkyDev Bayshore Owen Sound LP (Brandon Almeida), has submitted a Zoning By-law Amendment application proposing a residential development consisting of eight (8), six-storey apartment buildings with 89 dwelling units in each building for a total of 712 units. The proposal also includes the construction of three surface parking areas, two amenity buildings, an internal road system, on-site recreational facilities, and landscaping.

ANALYSIS: This document incorporates comments from the Building Division of the Community Service Department.

The above noted site plan has been reviewed using the requirements from the Ontario Building Code and related City and County By-laws. The following comments reflect the results of the review:

- All construction to be in accordance with either the Ontario Building Code or successor legislation in place at the time of building permit application.
- The payment of permit fees, City, County and site specific Development Charges will be due upon the issuance of a building permit.

DETAILED REVIEW: Documents reviewed in conjunction with this application are:

- *Ontario Building Code 2012*
 - *C & D/E*
- *City of Owen Sound Development Charges By-law*
- *County of Grey Development Charges By-laws*
- Buildings designed by an Architect and Professional Engineer
- Provide detailed plans showing fire separation construction between units and floors of all buildings meeting the requirements of the OBC
- Design to meet the requirements of Barrier Free Design as per 3.8 OBC including 15% Barrier Free units in each apartment building
- Remove existing building foundations and debris under open demolition permit 16-100014
- Provide back-flow prevention in accordance with the City's Backflow By-law
- Sanitary sewers to be protected by back water valves
- Ensure adequate provisions are provided for firefighting including access routes
- Ensure adequate parking, with barrier free access as required, for all apartments and commercial units as per the OBC and City's By-laws
- Provide sufficient snow storage to ensure parking and fire access routes are not impeded during winter months
- Fees and charges are to be paid at the rate current at time of building permit issuance. The following estimated rates would apply if permit applied for in **2022**.
 - Construction permit based on unit size \$10.00 per sq/m of residential space and \$17.00 per sq/m of commercial space plus Occupancy charge of \$30.00 to close file for each unit

- City of Owen Sound Development Charges of \$4919.00 per apartment unit and \$31.04 per sq/m for non residential units unless agreement has been completed with the City
- County of Grey Development Charges of \$5157.00 per apartment unit and no fee for non-residential units unless agreement has been completed with the County.

Submitted by: Niels Jensen

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Reviewed by: Kevin Linthorne, CBO

A handwritten signature in black ink, appearing to read 'Kevin Linthorne', enclosed in a light gray rectangular box.



Planning and Development

595 9th Avenue East, Owen Sound Ontario N4K 3E3
519-372-0219 / 1-800-567-GREY / Fax: 519-376-7970

July 19th, 2022

Sabine Robart
Community Planner
City of Owen Sound
808 2nd Ave East
Owen Sound ON N4K 2H4

RE: ZBA 38 – East Bayshore Road (712 apartment units)
3195 East Bayshore Road
City of Owen Sound

Dear Ms. Robart,

This correspondence is in response to the above noted application. We have had an opportunity to review the proposed application in relation to the Provincial Policy Statement (PPS) and the County of Grey Official Plan (OP). We offer the following comments.

The applicant, SkyDev Bayshore Owen Sound LP (Brandon Almeida), has submitted a Zoning By-law Amendment application proposing a residential development consisting of eight (8), six-storey apartment buildings with 89 dwelling units in each building for a total of 712 units. The proposal also includes the construction of three surface parking areas, two amenity buildings, an internal road system, on-site recreational facilities, and landscaping.

The application also proposes to amend the Zoning on the subject lands to permit additional accessory uses and to establish site and building regulations including to:

1. Permit accessory solar collector installations, accessory beehives and a sales/leasing office.
2. Permit an increased maximum building height
3. Recognize that the development will be regarded as one lot for the purposes of zoning regulations if subject to future consent or plan of condominium applications.

The proposed development also includes site servicing, landscaping, and an internal drive aisle and sidewalk network.

Schedule A of the County OP designates the subject lands as 'Primary Settlement Area' and 'Hazard Lands'. Primary Settlement Areas are intended for a full range of residential, commercial, industrial, recreational, and institutional land uses. These areas are suitable for high intensification targets, public transit services, and have full municipal services. The development of high-quality urban form and open public spaces within these areas is also encouraged through site design, and urban design standards, to create attractive and vibrant places that support walking and cycling for everyday activities and are transit supportive. As per section 3.5(6) of the OP, intensification efforts are strongly encouraged within Primary Settlement Areas.

Staff would note that at this time, information has not been provided to demonstrate that sufficient servicing would be available to accommodate the proposed development. Staff recognize that studies may have been undertaken through the previous application for a Plan of Subdivision submitted on the subject lands in 2015, but it is recommended that any previously completed studies be updated and reviewed in relation to the current proposal, to ensure that sufficient servicing would be available for the proposed 712 residential units.

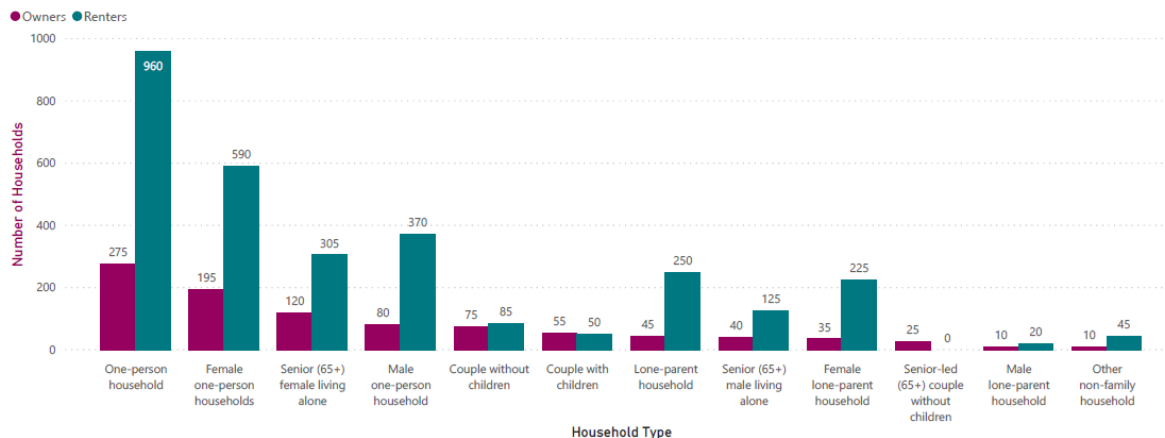
Section 1.4.1 of the PPS speaks to the provision of an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area. As indicated within the submitted Planning Justification Report prepared for this application, the County has recently undertaken a Growth Management Study, which projects that 1,130 new households will be required to accommodate growth in the City, between 2021 and 2046. The proposed development would position the City to be well on target towards achieving this goal, and staff would recommend that a diversity of units be offered: from studios through to three-bedroom units, to accommodate a range of demographics and lifestyles.

It is understood that the proposal does not seek to offer affordable units (ie: units that would be sold or rented for less than a standard market rate). The County's Housing Department remains open to discussions regarding partnership opportunities to rent some units below market rate, to accommodate lower-income residents in need of housing. Staff would note that robust and cohesive communities cater to the affordability constraints of a wide array of residents. County housing data demonstrates that amongst those identified to be in 'Core Housing Need,' there is particular demand for accommodation for single-family households (particularly female seniors), as well as female, lone-parent households.

Grey County Affordable Housing Owen Sound Core Housing Need



Owen Sound Core Housing Need By Household Type, 2016



Source: Canada Mortgage and Housing Corporation, Housing Market Information Portal, 2020

Section 4.2(f) of the County's OP supports:

The goal of providing housing opportunities to moderate and lower income households. The County would like to achieve a minimum target of 30% of new housing, or units created by conversion, to be affordable in each local municipality. Local municipalities are encouraged to have regard for the Grey County Housing and Homelessness Plan (2014-2024) when setting targets in their local official plan. Local municipalities will be encouraged to set a minimum target similar to the County for affordable units;

By this target, 213 units (30%) of the proposed 712 would ideally be geared towards moderate and lower-income households. The County would encourage the applicant to have further conversation with City and County staff to brainstorm creative ways to develop units that cater to a wider variety of resident affordability. For instance, developing smaller or more compact units, units without designated parking spaces, etc. may be some options to explore.

Grey County planning recently completed 'Grey County's Healthy Community and Residential Subdivision Guidelines' document to use as a reference manual for larger-scale developments. This can be accessed through the following link, 2nd from the bottom - <https://www.grey.ca/planning-development/planning-application-forms>. As noted in previous comments, there are a number of key areas that would be important

to explore regarding an application of this scale, and County staff would encourage the City to pass these guidelines onto the Developer for further review and consideration.

Staff are generally pleased to see an array of social and recreational amenities proposed across the property, as well as the proposed addition of accessory 'beehives' and 'solar collector installations.' From an Age-Friendly Community perspective, staff wonder if there might be opportunity to offer playground facilities on the property, to provide recreational opportunities for families with younger children. While significant detail has not been provided regarding the proposed beehives and solar collector installations, these proposals may fit into some of the proposed action items within the County's Climate Change Action Plan. County staff particularly support opportunities for the installation of electricity infrastructure that support long-term cost-saving and affordability measures for residents, while reducing greenhouse gas emissions. At a Site Plan stage, staff would further encourage the placement of electric-car charging stations, green roofs, semi-permeable pavement, and shade structures to reduce the urban 'heat island,' effect. Regarding the placement of beehives, staff would encourage City staff to review the Bees Act (R.S.O. 1990, c. B.6), particularly Section 19 (1) regarding the location of hives from neighboring property lines.

Appendix A of the County OP identifies the subject lands within an IPZ-2 zone. Policy 8.11.2(1)(a) states,

Intake protection zones (IPZ's) are areas of land and water where run-off from streams or drainage systems, in conjunction with currents in lakes and rivers, could directly impact on the source water at the municipal drinking water intakes. Within the context of Grey County, vulnerability scores for IPZ's range from 4 to 7. IPZ's are shown on Appendix A of this Plan and further information can be found in the local source protection plans.

The subject property is also within an 'Events-based Area'. These areas are predominantly concerned with fuel storage typically found in commercial/industrial operations. Because the proposed development is residential in nature, County planning staff have no concerns.

Appendix B of the County OP identifies Georgian Bay in proximity to the subject property. Section 7.9(2) states,

No development will be permitted within 30 metres of the banks of a stream, river, or lake unless an environmental impact study prepared in accordance with Section 7.11 of this Plan concludes setbacks may be reduced and/or where it has been determined by the appropriate conservation authority these setbacks may be reduced.

County planning staff recommend comments are received from the local conservation authority.

County Transportation Services have reviewed the submitted Traffic Impact and Parking Study, and accept the findings of the report. It is noted that:

- The proposed access from Bayshore Road does not meet the County's Entrance Procedure Policy and will require an exemption from the Director;
 - To apply for an exemption, please email roads@grey.ca, requesting that the proposal be reviewed by the Director of Transportation Services, Pat Hoy, with justification provided.
- The proposed entrance would be classed as a 'Road' or 'Commercial' entrance, and would require an entrance permit;
- Should the exemption be granted by the Director, the right-turn lane as determined by the TIS shall be installed at the time of the development or as deemed by the Director;
- There is the potential for further daylighting at the proposed entrance to the site, if a 'Road' entrance permit is deemed to be required by the Director;
- Grey County's storm water policy is that post-development flows shall not exceed pre-development flows to the County Road allowance. In the pre-circulation comments, staff requested a Stormwater Management Study. This study has not been provided at this time but should be provided in advance of any approval of a Site Plan application.
- The required setback for structures is 75 feet or 22.86 m from the existing centreline of the road. If this cannot be achieved, an exemption from the Director is required.
- Road widening (17 foot or 5.18m road), a daylight triangle at 32nd Street East, and a one-foot reserve along East Bayshore Road will all be required to be transferred to the County.

There are several steps that would need to be taken to formalize the transfer of land to the County, for road-widening purposes. The County would encourage landowners to work with legal professionals to navigate this process. There is also a Technical Guide available on the County's website, [here](#). For any questions, please reach out to Lacey Thompson, Contract and Real Estate Coordinator, by phone: at +1 519-372-0219 ext. 1390, or by email at lacey.thompson@grey.ca

In addition to the above comments, County Planning staff also acknowledge that there is a City-owned boat launch directly west of the subject lands, on the west side of East Bayshore Road. As the proposed new residential development will likely result in the increased use of this facility by new residents in the area, County staff wonder if there

would be merit in examining opportunities to ensure safe crossing facilities and/or upgrading of the boat launch area to facilitate active engagement with the City's waterfront.

Regarding parking, the current proposal indicates a surplus of 188 parking spaces (1078 proposed, whereas 890 are required by the Zoning By-Law). The submitted Traffic Impact and Parking Study provides an overview of comparative smaller urban area apartment developments, suggesting that an average demand for parking for a development of this size would be 584 spaces. The parking study recommends that the City consider reducing the number of parking spaces on the site, noting that too much parking can encourage traffic congestion, increase the costs of the project, and impact site design and aesthetics. The report further recommends that parking spaces be rented separately from the units, so that non-driving tenants would not subsidize the cost of surplus parking space. County staff would generally echo the recommendations of the Parking Study, and would suggest that a reduction in parking could lead to cost-savings that might permit the installation of more climate-friendly infrastructure (such as additional solar panels, semi-permeable paving, shade structures, additional tree planting, etc.) that could lead to overall improvement for climate-change mitigation measures, and/or long-term affordability for future residents. Reduced parking and/or paid-parking mechanisms may also increase the likelihood that future residents may consider public and/or active transportation options, resulting in more sustainable urban development.

Finally, noting that there are few "walkable" amenities around the subject property, County staff wonder if there could be merit in exploring mixed commercial space on the subject property. This may include opportunities for a café, offices, etc. that would primarily cater to residents of the development. Mixed development lessens the overall frequency of vehicle-related trips taken from the site, and provides opportunities for more complete communities, and aging-in-place amenities for older residents.

In summary, County staff would recommend that:

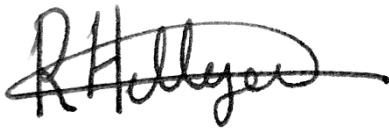
- A fulsome review of site servicing be undertaken to ensure that sufficient servicing is available for the proposed development;
- That a Stormwater Management Study be undertaken prior to approval of a Site Plan Application;
- That the Applicant consider opportunities to collaborate with the County, to develop some affordable rental units;
- That the above comments from Transportation Services be considered, and that the applicant apply for an Exemption from the Director prior to approval of the proposed entrance from East Bayshore Road;

- That *the healthy development* checklist and Grey County's Healthy Community and Residential Subdivision Guidelines be reviewed;
- That the City and Applicant consider climate-friendly and age-friendly amendments to the proposal – such as a reduction in proposed parking, the addition of playground facilities, the potential for some mixed-use development, the installation of climate-friendly infrastructure, etc.

Staff have no further comments at this time.

If you wish to discuss this matter further, please contact me.

Yours truly,

A handwritten signature in black ink, appearing to read 'R. Hillyer', with a large, sweeping flourish at the end.

Becky Hillyer
Intermediate Planner
(519) 372-0219 ext. 1231
becky.hillyer@grey.ca
www.grey.ca

July 19, 2022
GSCA File: P22-212

City of Owen Sound
808 2nd Ave E
Owen Sound, ON
N4K 2H4

Sent via email: osplanning@owensound.ca

Re: Zoning By-law Amendment Z38
Address: 3185 East Bayshore Road
Roll No: 425901000510300
City of Owen Sound
Applicant: SkyDev Bayshore Owen Sound LP

Grey Sauble Conservation Authority (GSCA) has reviewed the subject application in accordance with our mandate and policies for Natural Hazards, and our advisory comments related to Natural Heritage and Water policies as per the Memorandum of Agreement with the City of Owen Sound and relative to our policies for the implementation of Ontario Regulation 151/06. We offer the following comments.

Subject Proposal

The subject proposal is for a zoning by-law amendment to facilitate a residential development consisting of 8, six-storey apartment buildings with 89 dwelling units in each building for a total of 712 units. The proposal also includes the construction of three surface parking areas, two amenity buildings, an internal road system, on-site recreational facilities, and landscaping.

Site Description

The subject property is located on the east side of the 3100 Block of East Bayshore Road adjacent to the Owen Sound Kiwanis Soccer Complex in the east. The property gently slopes from east to west towards Owen Sound Bay and features mixed grassland and sparse tree and shrub regeneration. A sharp drop in topography occurs in the southwest corner of the property. A mixed swamp feature occurs in this low-lying corner of the property. The property featured the former RCA industrial building and several impervious parking areas. The southern boundary of the property of the property is substantially higher than the original main floor of the RCA building. This rise and land separates the property from the Kenny Drain feature to the south.

GSCA Regulations

The subject property is partially regulated under Ontario Regulation 151/06: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses. The regulated areas are associated with the Kenny Drain, an unnamed watercourse along the east and north property boundaries, a portion of the shoreline erosion hazard and a small wetland feature in the southwest portion of the property.

Member Municipalities

Municipality of Arran-Elderslie, Town of the Blue Mountains, Township of Chatsworth, Township of Georgian Bluffs, Municipality of Grey Highlands, Municipality of Meaford, City of Owen Sound, Town of South Bruce Peninsula

Permits will be required from the GSCA prior to any development and site alteration within these areas.

Provincial Policy Statement 2020

3.1 Natural Hazards

Natural hazards on the subject property include the flood and erosion potential of the Kenny Drain and the small wetland feature to the southwest. Development is to be directed away from these areas. We have enclosed a map that indicates the natural hazard areas. We recommend these areas be zoned 'ZH – Hazard' in the City of Owen Sound Comprehensive Zoning By-law.

2.1 Natural Heritage

Natural heritage features include fish habitat adjacent to the subject property associated with Owen Sound Bay and indirect fish habitat associated with the Kenny Drain. We anticipate information coming forward with the application for plan of subdivision submission to address water quality matters.

2.2 Water

The subject proposal will require a detailed stormwater management plan with the plan of subdivision submission to address potential water quality impacts with the proposed development.

Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Plan

The subject property is located within an area that is subject to the Source Protection Plan.

Recommendations

GSCA has no objections in principle to the subject zoning by-law amendment provided the hazard areas represented on the enclosed map are included in the site specific ZH – Hazard Lands zone. Further information related to protection of water quality and stormwater management will need to be provided with the anticipated application for plan of subdivision.

Regards,

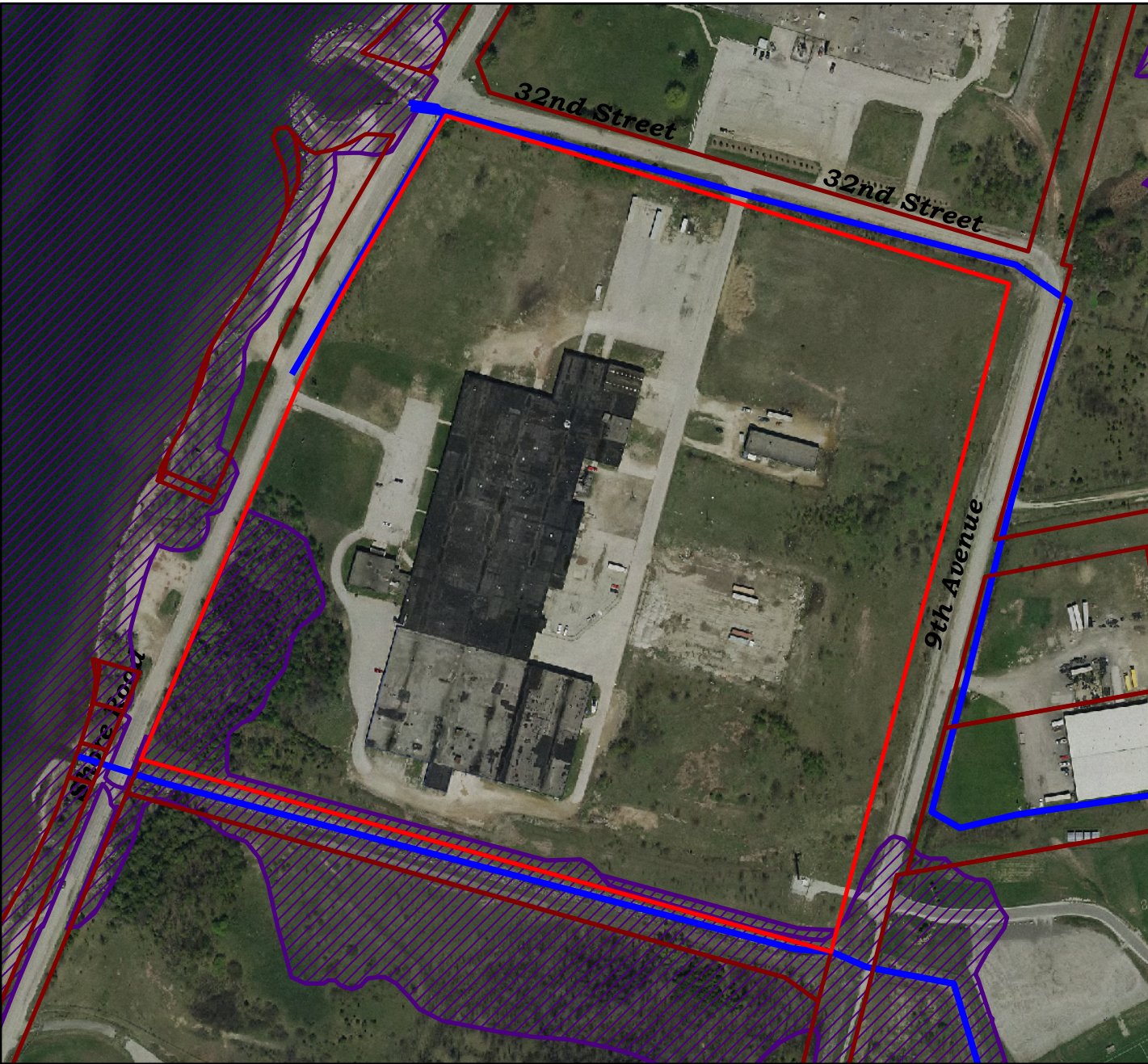



Mac Plewes
Manager of Environmental Planning


Encl. GSCA Map


c.c. Scott Greig, GSCA Director, City of Owen Sound
Marion Koepke, GSCA Director, City of Owen Sound


GSCA: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourse (Ontario Regulation 151/06)



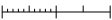
 Subject Property (Approx.)

 Natural Hazard Area

 Watercourses

N


Scale = 1:3500

0 50 m


3185 East Bayshore Road
City of Owen Sound

Friday, June 10, 2022

The included mapping has been compiled from various sources and is for information purposes only. Grey Sauble Conservation is not responsible for, and cannot guarantee, the accuracy of all the information contained within the map. Regulation lines were created by Grey Sauble Conservation (GSC) using 1 metre contours interpolated from the Provincial (30 metre) Digital Elevation Model Versions 1 & 2 & 1:10000 scale mapping.

By accepting this map you agree not to rely on the map or disclaimer without the exclusive written permission of Grey Sauble Conservation. You also acknowledge that the information on this map is relevant only to the subject property and may be subject to change.

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Staff Report

Engineering Services Division

DATE: 2022 August 26

ENG. FILE: 3195 East Bayshore Rd

4259 01000 510300

TO: Sabine Robart, Planner
Amy Cann, Manager of Planning and Heritage
Pam Coulter, Director of Community Services
Mike Crone, Director of Public Works & Engineering

FROM: Dana Goetz, C.E.T., Engineering Technologist

SUBJECT: ZONING BY-LAW AMENDMENT ENGINEERING REVIEW

Applicant: SkyDev Bayshore Owen Sound LP

PLANNING FILES: ZBA 38

LEGAL DESCRIPTION: Plan 838 Lot 53, 57, Pt. Lot 7

BACKGROUND:

The applicant, SkyDev Bayshore Owen Sound LP (Brandon Almeida), has submitted a Zoning By-law Amendment application proposing a residential development consisting of eight (8), six-storey apartment buildings with 89 dwelling units in each building for a total of 712 units. The proposal also includes the construction of three surface parking areas, two amenity buildings, an internal road system, on-site recreational facilities, and landscaping.

ANALYSIS:

The City has the service capacity available in this area to support the ZBA. However, the physical services will require some system upgrades.

A Servicing Feasibility Study, Transportation Plan, Traffic Impact Study and Stormwater Management Report will all be required to allow development of the site.

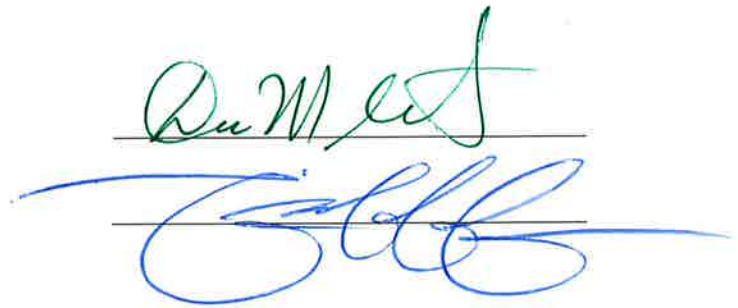
- The Servicing Feasibility Study & Stormwater Management Report will identify Servicing capacity upgrades required. Capital Contributions, service upgrade cost sharing or private construction of services will be required from the Developer as conditions of site plan approval.
- Wastewater collection in this area of the City is serviced by a Sewage Pumping Station (SPS) which discharges to the existing wastewater sewer located on East Bayshore Road. The recent upgrade to the SPS may require further

improvements, at the expense of the Developer to accommodate this development.

- The existing watermain is located on East Bayshore Road (MPZ), 9th Avenue East (IPZ) and 32nd Street East (MPZ & IPZ). Improvements to these watermain will be required to ensure a stable water supply to the development.
- Multi-modal transportation requirements will be identified in the Transportation Impact and Traffic Impact Studies. The City will require that 9th Avenue East and 32nd Street East be upgraded to urban standard cross-sections and a pedestrian sidewalk be provided by the Developer on East Bayshore Road to link this development with the City's sidewalk on 3rd Avenue East. Other upgrades may be required as identified by the studies.
- A Servicing Agreement between the City and the Developer will be required for the development of these lands which will describe future capital contributions and cost sharing.

Prepared By: Dana Goetz, C.E.T.

Reviewed By: Chris Webb, P.Eng.

The image shows two handwritten signatures. The top signature is in green ink and appears to be 'Dana Goetz'. The bottom signature is in blue ink and appears to be 'Chris Webb'. Both signatures are written over horizontal lines.