

Staff Report

Report To: City Council

Report From: Aleah Clarke, BES, MCIP, RPP & Dave Aston, M.SC, MCIP, RPP, MHBC Planning (Consulting Planner for the City)

Meeting Date: May 29, 2023

Report Code: CS-23-064

Subject: Recommendation Report – ZBA No. 46 – 1043 and 1057 3rd Avenue East (St. Clare Place)

Recommendations:

THAT in consideration of Staff Report CS-23-064 respecting the proposed Zoning By-law Amendment No. 46 by Lutheran Outreach Ministries at 1043 and 1057 3rd Avenue East to permit a mixed-use building that includes a ground floor commercial unit and 40 apartment units proposed as affordable housing, City Council:

1. In consideration of the staff reports, recommendations, technical reports, and oral and written submissions including public and agency comments, finds that the application is consistent with the Provincial Policy Statement; conforms to the goals and objectives of the City's Official Plan; and represents good planning; and
2. Directs staff to bring forward a by-law to pass Amendment No. 46 to the City's Zoning By-law No. 2010-078, as amended and provide notice in accordance with Section 34 of the *Planning Act*.

Highlights:

- A complete application for a Zoning By-law Amendment (ZBA 46) has been submitted by Lutheran Outreach Ministries (Sylvia Statham) through Ron Davidson Land Use Planning Consultant Inc. (Ron Davidson).

- The purpose of the application is to permit a mixed-use development consisting of a six-storey, 40-unit apartment building providing purpose-built rental housing for seniors together with a commercial component on the ground floor. The 40 units are proposed as rent-geared-to-income affordable housing. The proposal includes the construction of 23 parking spaces, an internal drive aisle, landscaping, and a stormwater management system. The development is proposed to be accessed via two entrances from 3rd Avenue East, one of which is the existing entrance to St. Frances Place.
- The effect of the Zoning By-law Amendment application is to amend the site-specific Core Commercial with Special Provision 14.90 (C1 14.90) zone to increase the maximum building height and reduce the required minimum interior side yard setback which would be added to the existing Special Provision 14.90.
- This report provides an analysis of the proposed zoning amendment and supporting documents together with staff and agency comments and makes a recommendation to Council regarding the application. Comments from the public and agency partners are also considered.
- Staff recommend approval of the application.

Strategic Plan Alignment:

Legislative review process.

Climate and Environmental Implications:

This supports the objectives of the City's Corporate Climate Change Adaptation Plan by considering climate adaptation in the development of the City's strategies, plans, and policies.

Of special note:

- The development density maximizes the use of land and servicing.
- The development is walkable and transit supportive.

Previous Report/Authority:

[City of Owen Sound Official Plan](#) (2021)

Background & Proposal:

A complete application for a Zoning By-law Amendment (ZBA 46) has been submitted by Lutheran Outreach Ministries (Sylvia Statham) through Ron Davidson Land Use Planning Consultants Inc. (Ron Davidson) for a mixed-use development at 1043 and 1057 3rd Avenue East.

Property Description

The subject lands are comprised of two (2) properties including 1043 and 1057 3rd Avenue East. The lands are located on the east side of 3rd Avenue East, with an area of approximately 1,668 m². 1043 3rd Ave E is currently occupied by a two-storey residential building which will be demolished to facilitate the proposed development. 1057 3rd Ave E is currently vacant and contains a surface parking lot.

The subject lands are designated 'River District Commercial' in accordance with Schedule 'A' of the City's Official Plan (2021).

The lands are zoned 'Core Commercial' with Special Provision 14.90 (C1 14.90) in the City's Zoning By-law (2010-078, as amended). Special provision 14.90 permits a reduced parking rate of 0.5 spaces per dwelling unit, where dwelling units are provided in combination with a non-residential use and are geared towards housing for the elderly. The site-specific provision also permits a revised definition of Landscape Open Space for any dwelling units in combination with a non-residential use, whereby common balconies can be included in the calculation of landscape open space.

Surrounding land uses include:

- North: residential
- East: low-density residential with commercial buildings fronting 10th Street East
- South: commercial, high-density residential (St. Francis Place) and downtown Owen Sound including a mix of commercial and mixed-use buildings

The subject lands are located immediately to the north of St. Francis Place, a 78-unit seniors apartment building located at 350 10th Street East, which is owned by a branch of Lutheran Outreach Ministries, being Lutheran Social Services.

West: Owen Sound transit terminal, commercial and a small municipal parking area

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 Proposal (See Schedule 'C')

The purpose of the application is to permit the development of the property for a six-storey mixed-use building with a commercial unit on the ground floor and supporting residential uses in the remainder of the building.

The building is proposed to contain 40 residential units, including five 2-bedroom units and 35 1-bedroom units. The commercial unit on the ground floor is proposed to be used for community rental. The proposed development results in an overall Floor Space Index of 2.7.

The site plan proposes 23 parking spaces through at-grade surface parking to the south and north of the building as well as partially covered parking on the ground level. At the time of site plan approval, reciprocal access and parking agreements with formal easements will be developed between the subject lands and the existing St. Francis Place development to provide shared parking and access/egress.

Elevation drawings submitted with the application show a six-storey mixed-use building with partially enclosed and surface parking and building entrances at grade. Scooter parking is provided inside the building. The building is located with the west edge at the 3rd Avenue East Street edge. Commercial space is also provided at grade along the 3rd Avenue East Frontage. Landscape and snow storage areas are dispersed throughout the parking area and landscaping provides a buffer between parking areas and 3rd Avenue East. Sidewalks are proposed on the subject lands to provide pedestrian connections between building entrances and the parking areas, and to provide connections to the existing sidewalk on the St. Francis Place site to the south and on 3rd Avenue East. Outdoor amenity areas have yet to be identified on the site plan.

ZBA 46

The effect of the application is to amend the special provisions applying to the subject lands generally in accordance with the following:

Current Zoning	Proposed Zoning
Core Commercial with Special Provision 14.90 (C1-14.90) The current special provisions provide: Reduced parking ratio of 0.5 spaces per unit Modification to the calculation of landscaped open space to include balconies	Core Commercial with revised Special Provision 14.90 (C1-14.90) The current special provisions will continue with the following proposed additions: Proposed maximum height 24.6 m (12 m current max) Proposed south interior side yard abutting St. Francis lot line 0 m (1 m current minimum)

The site-specific special provisions are described more fully under the Zoning By-law section of this report. The draft ZBA provided by the applicant is included as Schedule 'E'.

Submission & Process Details

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

Submission Item Title	Submission Item Detail
Cover Letter	Prepared by Ron Davidson Land Use Planning Consultant Inc. dated March 10, 2023
Servicing Feasibility Study	Prepared by GM BluePlan Engineering dated April 2023
Stormwater Management Report	Prepared by GM BluePlan Engineering dated April 2023

Submission Item Title	Submission Item Detail
Civil Drawings Package (Existing Conditions, Servicing Plan, Grading & Drainage plan, Details & Notes)	Prepared by GM BluePlan Engineering dated April 10, 2023
Stage I Archaeological Assessment	Prepared by TMHC Inc. dated August 25, 2022
Letter Confirming Entry into the Ontario Public Register of Archaeological Reports	Prepared by the Ontario Ministry of Tourism, Culture and Sport dated August 30, 2022
Architectural Drawing Package (Project Lot Identification, Site Plan, Ground Floor Plan, 2nd Floor Plan, Roof Plan, Elevations, Unit Plans, Perspective Renders)	Prepared by G.M. Diemert Architect Inc. dated March 3, 2023
Planning Report	Prepared by Ron Davidson Land Use Planning Consultant Inc. dated March 10, 2023
Legal Survey	Prepared by Hewett and Milne Limited Ontario Land Surveyors dated September 11, 2018
Shadow Study	Prepared by G.M. Diemert Architect Inc. dated May 12, 2022
Urban Design Study	Prepared by G.M. Diemert Architect Inc. dated March 9, 2023

All background information and supporting studies are available on the City's website www.owensound.ca/development.

The applicant engaged the City in the Pre-consultation process in March 2022. Subsequently, the process relating to the formal application has proceeded as follows:

Date	Step	Days
March 10, 2023	Submission of application for ZBLA with supporting materials and fees	1
April 3, 2023	Letter re Notice of Complete Application to the applicant Request for Comments to City staff & external agency	25
April 18, 2023	Notice of Complete Application & Public Meeting mailed to property owners within 120 metres of subject lands and posting sign on property	40
May 8, 2023	Public Meeting & Technical Report to Council	60
May 29, 2023	Recommendation Report & Amending By-laws	81

The Planning Act provides for a total of 90 days to process an application for ZBLA. The timeline provided under the Planning Act has been met.

Technical Review:

The Planning Act and the City's Official Plan establish criteria for evaluating an application to amend the City's Zoning By-law. In making land use planning decisions, Council must consider the matters of Provincial interest as described in Section 2 of the Planning Act. Section 3 of the Planning Act also prescribes that the decision of Council on a planning matter shall be consistent with the policy statements issued under the Act, which includes, among others, the Provincial Policy Statement.

The City's Official Plan (OP 9.1.1.2) provides that the City may amend the Zoning By-law where in the opinion of Council, sufficient justification exists.

Amendments must conform to the policies of the Official Plan. When considering an amendment, the City should consider the goals, objectives, and policies of the Official Plan. Additionally, decisions should consider the compatibility with adjacent uses of land and servicing (transportation, sewer, and water).

The application has been subject to review by the City's Development Team and external commenting agencies. Public notice was given, and public input has been considered in the overall process and included in this report.

All applicable policies, standards, and review comments are fulsomely reviewed in this Staff Recommendation Report.

This report is intended to describe the proposed Zoning By-law Amendment and review the consistency of the application with the key policy considerations relevant to the evaluation of the application and provide a recommendation to Council.

A: Provincial Policy Statement

In making land use planning decisions, Council must consider the matters of Provincial interest as described in Section 2 of the Planning Act.

The matters described include, among others, the protection of natural areas, supply and efficient use of water, adequate provision of transportation, sewage and water services as well as waste management, orderly development and healthy communities, accessibility for persons with disabilities; the adequate provision of a full range of housing, including affordable housing; the protection of public health and safety; appropriate location of growth and development; the promotion of development that is designed to be sustainable, to support public transit and oriented to pedestrians.

The 2020 Provincial Policy Statement (PPS) provides direction on matters of provincial interest. Municipal decisions on planning matters are required to be consistent with the PPS.

The PPS supports a comprehensive, integrated, and long-term approach to planning and recognizes linkages among policy areas. The PPS is to be read in its entirety and relevant policies applied to each situation. When more than one policy is relevant, decision-makers must consider all relevant policies and how they work together.

The following PPS policies are highlighted concerning this application:

1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 Healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
- d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;*
- e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;*
- f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;*
- g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;*
- h) promoting development and land use patterns that conserve biodiversity; and*
- i) preparing for the regional and local impacts of a changing climate.*

1.1.3 Settlement Areas

1.1.3.1 Settlement areas shall be the focus of growth and development.

1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;*

- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;*
- d) prepare for the impacts of a changing climate;*
- e) support active transportation;*
- f) are transit-supportive, where transit is planned, exists or may be developed; and*
- g) are freight-supportive.*

1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

Comment:

The proposal is located within the City's Settlement Area with access to full municipal services. The proposal includes purpose-built rental housing for seniors which will contribute to the range and mix of residential unit types available in the City. The subject lands front 3rd Avenue East which is an existing transit route and the Owen Sound Transit Terminal is located on the west side of 3rd Avenue East, adjacent to the subject lands. The Owen Sound Transit Terminal provides access to the City's five transit routes. 3rd Avenue East also includes an existing sidewalk on both sides of the street which provides a pedestrian connection to the subject lands. The new internal driveway will also include a pedestrian route.

The proposed development represents an appropriate location for intensification and redevelopment and features a mix of uses and compact built form which represents efficient use of land and infrastructure.

1.4 Housing

1.4.3 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:

- a) *establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households and which aligns with applicable housing and homelessness plans. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;*
- b) *permitting and facilitating:*
 - 1. *all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and*
 - 2. *all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;*
- c) *directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*
- d) *promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;*
- e) *requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and*
- f) *establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.*

Comment:

The proposed development includes a multi-unit residential building with purpose-built rental housing for seniors together with a small commercial component on the ground floor. The 40 residential units are proposed as rent-geared to income affordable housing. The proposed development will assist the City in meeting its affordable housing targets. The proposed residential development is located in an appropriate area to utilize existing transit and active transportation infrastructure on 3rd Avenue East. The proposed development is also proposed to take a compact form which will efficiently utilize land and infrastructure, while introducing new affordable purpose-built rental housing units to the City.

1.5 Public Spaces, Recreation, Parks, Trails and Open Space

1.5.1 Healthy, active communities should be promoted by:

- a) planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity;*
- b) planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;*

Comment:

The subject lands front 3rd Avenue East, which has existing sidewalks on both sides of the street. The proposed development has been designed to maintain the existing sidewalk along 3rd Avenue East, and to provide pedestrian connections from the public sidewalk to the building entrances, landscape areas and parking areas. Scooter parking is provided inside the building on the first floor with direct access to the internal sidewalk network. The details related to outdoor amenity areas will be addressed through Site Plan Approval. The site is well located with respect to access to trails and City Parks and Open Spaces.

The proposed rezoning to permit a mixed-use development promotes active communities and creates connections to the surrounding pedestrian network.

1.6 Infrastructure and Public Service Facilities

1.6.6.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.

1.6.6.7 Planning for stormwater management shall:

- a) be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term;*
- b) minimize, or, where possible, prevent increases in contaminant loads;*

- c) minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure;*
- d) mitigate risks to human health, safety, property and the environment;*
- e) maximize the extent and function of vegetative and pervious surfaces;*
and
- f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.*

Comment:

The subject lands are located within the City's urban area and full municipal service infrastructure and capacity are available for the proposed development.

The proposed development meets the City's Stormwater quantity and quality control requirements as identified in the Stormwater Management Report prepared by GM BluePlan and:

The development's peak flow rates for all storm events discharging from the subject lands will be attenuated to less than or equal to existing 5-year design peak flow rates.

An emergency overflow weir will be provided for runoff from storms in excess of a 100-year storm.

An 80% TSS removal rate is expected to be provided achieving an enhanced level of stormwater quality treatment.

A stormwater quality treatment unit will be provided on the subject lands to help prevent oil, debris and trash from draining to the 3rd Avenue East storm sewer.

1.6.7 Transportation Systems

1.6.7.1 Transportation systems should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs.

1.6.7.2 Efficient use should be made of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible.

1.6.7.3 As part of a multimodal transportation system, connectivity within and among transportation systems and modes should be maintained and, where possible, improved including connections which cross jurisdictional boundaries.

1.6.7.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.

Comment:

The proposed development is proposed to be accessed from 3rd Avenue East through a new access, and a shared access and parking area with the existing St. Francis Place development. The applicant will work with the existing St. Francis Place development to secure reciprocal shared access and parking agreements at the time of site plan approval.

The subject lands are located across the street from the Owen Sound Transit Terminal and have direct access to the existing sidewalk on 3rd Avenue East. Sidewalks are also proposed internal to the site to provide connections from the public sidewalk to the building entrances, landscape areas and parking areas, including indoor scooter parking. The proposed development will promote the use of transit and active transportation.

1.7 Long-Term Economic Prosperity

1.7.1 Long-term economic prosperity should be supported by:

- a) promoting opportunities for economic development and community investment-readiness;*
- b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce;*

Comment:

The proposed development is proposed to provide one and two-bedroom rental apartment units for low-income seniors. The proposed development is planned to respond to the needs of the City's residents by providing affordable rental units which is currently in high demand in Grey County.

2.6 Cultural Heritage and Archaeology

2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

2.6.2 Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.

2.6.3 Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

Comment:

A Stage 1 Archaeological Assessment was conducted on the subject lands and found that the entire property was extensively disturbed by previous development activities and the archaeological potential of the property was removed. The assessment concluded that the property does not require any further assessment, subject to the following conditions and MTCS review and acceptance of the report into the provincial register:

- No site alteration is permitted to take place until confirmation is received from the Ministry of Tourism, Culture and Sport that the submitted archaeological assessment has been filed in the Ontario Register of Archaeological Reports.
- Should previously undocumented (i.e., unknown or deeply buried) archaeological resources be discovered, the proponent or person discovering the archaeological resources must cease alteration of the site immediately and engage a licensed consultant archaeologist to carry out archaeological fieldwork, in compliance with Section 48(1) of the Ontario Heritage Act.
- Should human remains be discovered, the proponent or person discovering the remains must notify the police or coroner and Crystal Forrest, A/Registrar of Burial Sites, Ontario Ministry of Government and Consumer Services.

These conditions will be implemented at the time of SPA.

A letter has been received from the Ministry of Tourism, Culture and Sport confirming that the Archaeological Report for 1043-1057 3rd Avenue East has been entered into the Ontario Public Register of Archaeological Reports.

The development has been shown to be consistent with the PPS.

B: County of Grey Official Plan

The subject property is designated 'Primary Settlement Area' in the County of Grey Official Plan (County OP).

Settlement areas with full municipal services are the focus of most of the growth within the County. The County OP promotes a full range of residential, commercial, industrial, recreational, and institutional land uses within the Primary Settlement Area. Land use policies and development standards are in accordance with the local Official Plan.

The County has been consulted on the proposal and County staff have no objection to the application.

The proposal conforms to the policies of the County of Grey Official Plan (2019).

C: City of Owen Sound Official Plan

The subject lands are designated 'River District Commercial' in accordance with Schedule A of the City's Official Plan (2021). The subject property is located in the River District Planning Area according to Schedule B.

River District Commercial

The River District Commercial designation generally applies to lands in the City's downtown surrounding the Sydenham River.

The principle planned function of the River District Commercial designation is to accommodate a mix of commercial, institutional, recreational, and residential uses. The area is planned to function as the City's social, cultural, business, and recreational focal point.

The following policies of the River District Commercial designation are applicable to the application:

3.3.1 Permitted Uses

3.3.1.1 Lands designated River District Commercial may be used for a variety of commercial and non-commercial uses including, but not restricted to the following:

- a) A wide range of small and medium scale retail stores, financial institutions, food services.*
- b) Hotels, motels, visitor accommodations, restaurants, entertainment, bars, nightclubs and theatres.*
- c) Business, professional, government and medical offices, and clinics.*
- d) Personal services, excluding body rub parlours.*
- e) Business services, digital/print media production, and communications services.*
- f) Service uses, repair stores, and parking.*
- g) Community facilities such as day care centres, schools, libraries, galleries, places of worship, recreation facilities, emergency shelters and other institutional uses.*
- h) **Other non-commercial uses such as medium or high-density forms of housing, housing combined with commercial uses, or congregate housing.***

Comment:

The proposed development includes a 6-storey building with housing and commercial uses, and is a permitted use in the River District Commercial designation.

3.3.2 Intensification

3.3.2.1 Increased densities may be permitted in the River District Commercial area, where:

- a) The retail and service component is supported and contributes to a strong and vibrant River District.*
- b) Intensification of land use is consistent with the heritage character of the area.*
- c) Intensification of land use compatible in terms of building mass and scale with adjacent development and a pedestrian focused environment is maintained.*

- d) Adequate parking is available.*
- e) Adequate infrastructure and community services are available.*
- f) A high level of urban design is maintained consistent with Design Guidelines established by the City.*

3.3.1.3 Intensification of office and residential uses may be appropriate in parts of River District Commercial area. Significant retail uses should not extend east of 3rd Avenue East.

3.3.1.4 Redevelopment for office and higher density residential is encouraged within the River District Commercial area.

3.3.1.5 Redevelopment of the lands abutting the inner harbour should be subject to development criteria consistent with development criteria for the West Harbour and East Harbour Area and may include mixed commercial and live-work opportunities being residential uses with commercial uses at the ground level and housing above, provided the mass and scale of buildings is controlled to maintain public access and views.

Comment:

The proposed development is located adjacent to existing commercial and high-density residential developments. The proposed zoning by-law amendment seeks to permit a 6-storey mixed-use building, which is in keeping with the surrounding land uses and the 8-storey St. Francis Place building directly south of the subject lands. The proposed mixed-use building will enforce the existing pedestrian environment on 3rd Avenue East by creating an active street frontage with the proposed ground floor commercial unit. The proposed zoning by-law amendment does not propose any further amendments to the site's existing site-specific parking rate and adequate parking is provided for the proposed development. The proposed development has access to existing servicing infrastructure and is located in close proximity to community services including transit and provides on-site parking, as well, as indoor scooter and mobility parking. The proposed development has been designed in accordance with the City's Official Plan and design guidelines and detailed review of the site finishes and furnishings will be conducted during the future site plan application review.

3.3.3 Retail

3.3.3.1 In order to maintain the River District Commercial as an active, vibrant City centre, the City will promote the planned function of the River

District Commercial area as the primary retail and commercial node in the City.

3.3.3.2 The City will plan and implement appropriate supporting programs to market the River District Commercial area and to promote building and parking improvements. New development should be permitted which supports and contributes to a focused and vibrant commercial area.

3.3.3.3 The River District Commercial area should provide continuous street-front retail shopping and restaurants in a compact pedestrian environment, primarily focused on 2nd Avenue East from 10th Street East to 6th Street East and the adjacent blocks of 8th, 9th and 10th Streets East.

3.3.3.4 The City will encourage the infilling of vacant sites along pedestrian retail frontages and the upgrading of storefronts and signage. The Community Improvement Plan shall continue to provide programs which support these initiatives.

3.3.3.5 The City will encourage the accommodation of uses, such as restaurants, patios and entertainment facilities, to maintain the attraction to both local and tourist business.

Comment:

The proposed development includes a commercial unit at grade along the 3rd Avenue East frontage and satisfies the retail policies of the River District Commercial designation. High density residential uses are a permitted use in the River District subject to the following policies:

3.3.5 Residential Development

3.3.5.1 Residential development is permitted in accordance with the following:

- a) High-density residential development, as defined in Section 3.1.2.2 may be permitted where compatible with adjacent uses, subject to the provisions of Section 3.3.2 of this Plan. Such uses shall be located predominantly above the first storey of buildings located within the River District Commercial area, with the exception of entrances, lobbies, parking or amenity areas at ground level.*
- b) In areas of the River District Commercial adjacent to existing residential areas, medium density residential development, as defined in Section 3.1.2, may be permitted as an appropriate transition to the mixed uses of*

the River District Commercial area subject to the provisions of Section 3.3.

- c) Parking must be adequately provided for all residential uses in accordance with the Zoning By-law.*
- d) Landscaped open space and/or outdoor living areas for higher density residential uses within the River District Commercial area may be provided in rooftop gardens, balconies, patios, interior recreation areas or similar facilities where sufficient space is not available on-site at ground level.*

Comment:

The proposed zoning by-law amendment seeks to permit a 6-storey building with apartment units above the first storey, and a commercial unit, parking, amenity area, entrances and lobby provided on the ground floor. The proposed 6-storey building is oriented towards 3rd Avenue East, away from the adjacent residential area to the east. The proposed building is also two storeys lower than the adjacent St. Francis Place Building and will act as a transition in building heights towards the adjacent low-rise residential buildings to the east.

Sufficient parking to meet the site's zoning requirements has been provided and details related to outdoor living areas will be provided during the site plan application process. Each residential unit features a balcony/patio space to provide for outdoor amenity area.

A reduced interior side yard setback is proposed along the St. Francis Place property from 1 metre to 0 metres. The reduced interior side yard setback is appropriate as the abutting uses are also commercial and high-density residential, and the proposed sites will share a parking area, essentially acting as an interconnected development.

3.3.6 Parking

3.3.6.1 Within the River District Commercial designation, parking uses are permitted in accordance with the following:

- b) Parking in the River District Commercial area should be integrated with development within the blocks in a manner that reduces the street frontage dedicated to parking lots while providing a compatible pedestrian environment, efficient flow of traffic and ease of access.*

- c) Parking areas should maintain distinct street edges through appropriate mix of landscaping, street furniture, and other appropriate structures.*
- d) Pedestrian connections to parking areas should be frequent and easily identified with clear directional signage. They should provide safe, well-lit and comfortable access while also providing intermittent rest areas.*
- e) New development should contribute, where possible, to the consolidation, improvement, and efficient use of private parking areas.*
- f) The City may allow for reduced private parking and loading requirements for the development or redevelopment of any use within the River District Commercial area designation.*
- g) New development is encouraged to provide electric vehicle (EV) charging stations.*

3.3.6.2 New development should not permanently reduce the supply of parking required for the immediate area.

Comment:

The proposed development meets the site-specific parking requirements established through the current site-specific zoning, and the site has been designed to direct parking away from the street frontage where possible. Parking is proposed to the rear of the proposed building, and partially enclosed in the building's first storey. Where parking is proposed adjacent to 3rd Avenue East, landscaping is proposed between the parking area and the street and pedestrian walkways are proposed throughout the parking area.

Reciprocal parking and access agreement will be provided through the Site Plan Approval process with St. Francis Place. Additionally, the River District has significant areas of public parking including a small parking lot adjacent to the Transit station on 3rd Ave. E.

3.3.7 Heritage

3.3.7.1 All development on lands designated River District Commercial shall support and be compatible with the heritage character of the area.

3.3.7.2 The City shall promote and encourage the retention and remediation of heritage features of buildings in the River District Commercial area.

3.3.7.3 The heritage street-front retail area shall be maintained, strengthened and supported.

3.3.7.4 New development shall consider the heritage character of the area and be sympathetic in design. Modern design is encouraged where appropriate.

Comment:

The subject lands do not contain any identified cultural heritage resources and are not located adjacent to any heritage resources. The proposed design is appropriate, given the lack of heritage resources in the area, and the subject land's location on a serviced lot adjacent to an existing high density residential building and transit station.

3.3.8 Urban Design

3.3.8.1 The City will encourage and provide the highest quality of urban design in the River District Commercial area, consistent with the Harbour and Downtown Urban Design/Master Plan Strategy and other applicable design guidelines. Decorative paving, signage, light standards, banners and landscaping all contribute to making this an area of specialized design and visual significance.

3.3.8.2 New development shall be consistent with the scale and height of existing street-front development.

3.3.8.3 Buildings in the River District Commercial area should not exceed eight stories in height. The City shall require that all buildings over four stories in height be subject to rezoning to ensure that issues such as the scale of surrounding buildings and maintaining view corridors are addressed through appropriate study. Development in the River District Commercial area will be subject to the urban design policies identified in Section 8.

3.3.8.7 The pedestrian environment of the area shall be strengthened and supported.

3.3.8.11 All development shall be consistent with the Urban Design policies of Section 8 and all relevant design guidelines.

Comment:

An Urban Design Study was submitted to analyze the proposed development's design. The detailed design of the site related to lighting, landscaping and signage will be reviewed as part of the future site plan application. The proposed building is 6-storeys in height, which is lower than the adjacent St. Francis Place apartment building which is 8-storeys. The

proposed development includes an internal sidewalk network and ground-floor commercial use to strengthen the pedestrian environment on 3rd Avenue East.

3.1.1 Residential Density

3.1.2.1 Lands designated Residential uses shall be developed at the following densities:

<i>Land Use</i>	<i>Permitted Density</i>
<i>Low-Density Residential</i>	<i>Maximum 25 units per net residential hectare</i>
<i>Medium-Density Residential</i>	<i>26 to 60 units per net residential hectare</i>
<i>High-Density Residential</i>	<i>61 to 125 units per net residential hectare</i>

3.1.2.2 High-density Residential may be permitted up to a maximum density of 125 units per net residential hectare subject to the satisfaction of the following criteria:

- i. The proposed density is deemed appropriate and compatible within the neighbourhood and provides an acceptable height and density transition to existing residential uses and lands designated Medium-density or Low-density Residential;*
- ii. Surface parking is minimized in favour of more intensive forms of parking;*
- iii. The proposal demonstrates a high standard of urban design and architectural design;*
- iv. Appropriate consideration has been given to screening, landscaping, over-look, shadow impacts and other conflict mitigation measures;*
- v. The proposal identifies and implements any required transportation improvements;*
- vi. Infrastructure capacity is not exceeded;*
- vii. If applicable, safe access, flood prevention and geotechnical stability is achieved to the satisfaction of the City and the Grey Sauble Conservation Authority; and,*
- viii. The proposal satisfies all other applicable policies of this Official Plan.*

3.1.2.4 Gross residential density is defined as the total number of residential units per hectare of land and shall include all residential land, local roads, school sites, parks, places of worship sites, and neighbourhood commercial

sites, but exclude arterial roads and lands designated Hazard Lands. Net residential density is defined as the total number of residential units per hectare of land excluding roads, school sites, parks, places of worship sites, and neighbourhood commercial sites, and lands designated Hazard Lands.

3.1.2.5 Density shall be allocated in residential areas in accordance with the following:

- a) Lands shall have access to hard services at sufficient capacity for the intended density.*
- b) Adequate soft services such as parks, schools, emergency services, transit and similar shall be available as required to support the intended density.*
- c) Lands intended for medium and high-density uses should have direct access to collector or arterial roads and proximity to compatible land uses including but not limited to local institutional and neighbourhood commercial uses.*

Comment:

The subject lands are zoned Core Commercial (C1-14.90), which measures density as Floor Space Index (FSI), rather than units per hectare. The proposed development has an FSI of 2.7, whereas the zoning by-law permits an FSI of 5.0. As such, the zoning by-law amendment does not propose to amend the permitted density of the subject lands.

The proposed development is an example of a residential infill. The proposed development is consistent with the policies of the River District Commercial designation, the type and size of the development are compatible with the surrounding land uses and built forms, the site has access to existing services to support the use, the site-specific parking requirements are met, and the lands are located on an existing minor arterial road with the capacity to support the development.

5.1 Transportation

The City's transportation network is designed to facilitate the safe, convenient and reliable movement of people, goods and services between within the City and to external destinations. Ensuring the future of the transportation network requires an emphasis on managing travel in order to reduce reliance on the automobile in favour of transit and active transportation.

5.1.1.1 The City shall establish a coordinated transportation system in accordance with Schedule 'C' – Transportation Plan, designed to facilitate the satisfactory movement of both people and goods. The transportation system is intended to facilitate safe and efficient movement of powered vehicles and public transit plus active transport modes between areas within the City as well as to ensure traffic movement through the City and external linkages with the overall transportation system in the regional setting.

5.1.1.11 Where development is proposed the City may require a comprehensive traffic analysis to assess impacts on the area. Costs related to peer review to evaluate the proposal are to be covered by the proponent. The City may require the developer to execute an agreement with the City providing for financial contributions to provide for any improvements to the transportation system necessary to support the development. Transportation improvements required by the City may include but are not limited to intersection improvements, road widening, and integrating the proposed development into the surrounding public access system of roads, walkways, bicycle paths and transit facilities. Development applications, where appropriate, should make provision for pedestrian and cycling facilities in accordance with the Transportation Master Plan.

5.1.3.2 Roads shall be built according to principles of proper engineering design and incorporate tree planting, landscaping, crosswalks, bicycle paths, safe pedestrian interfaces, median strips and boulevards where appropriate as shown in Appendix 'A'

5.1.3.3 The City will endeavour to promote the principles of "Living Streets" by:

- a) Reducing potential pedestrian conflict with vehicles and separating pedestrian paths from roadways where possible;*
- b) Considering the reduction of vehicular speeds on local roads;*
- c) Allowing narrower pavement widths and incorporating boulevard design or other appropriate design measures in subdivision design.*
- d) Enhancing landscaping and landscaped areas.*
- e) Facilitating multi-modal transportation systems.*
- f) Discouraging the use of cul-de-sacs and dead-end public and private roads in favour of grid road networks.*
- g) 5.1.3.7 Minimum right-of-way widths are provided for each classification of road. In certain circumstances the City may consider alternate development standards including reduced right-of-way widths. In*

particular, alternate development standards may be considered in the River District Commercial area to reduce impacts of the transportation system on heritage buildings, open pedestrian areas and the general character of the area, or in other areas in order to facilitate efficient cost effective development in accordance with the policies of this Plan.

- h) 5.1.3.8 Land shall be dedicated to the City where additional land is required for road widening and extension and for intersections in accordance with the minimum right-of-way widths provided for each classification of road.*

5.1.3.12 County Roads

County roads are designed to collect and carry traffic to the Provincial Highways, other arterial roads and collector roads. Existing County roads are shown on Schedule 'C' -Transportation.

- a) The road allowance width for County Arterial and County Collector roads is generally 30 metres.*
- b) New individual lot access onto County roads shall be strictly controlled and limited in number.*
- c) On street parking will also be limited as determined by the City in consultation with the County.*
- d) Access from abutting properties to County roads shall require the approval of the County.*
- e) The City will generally require the design and construction of County Roads within the City to address the approved City standards for an urban road. The City and the County shall collaboratively determine the design and construction standards of County Roads within the City where an alternative to an urban road is being considered.*

5.1.4 Parking

5.1.4.3 All new development and redevelopment including the reuse of existing buildings shall be required to provide adequate off street parking and loading spaces in accordance with the standards established in the Zoning By-law. Access and egress to all off street parking or loading spaces shall be limited in number and designed to minimize danger to vehicular and pedestrian traffic.

5.1.4.5 All new development or redevelopment in the River District Commercial area shall be encouraged to provide sufficient parking on site to accommodate the proposed use. If such parking cannot be provided, the City

may collect cash-in-lieu pursuant to Section 40 of the Planning Act to be used expressly for the provision of additional parking spaces in an appropriately defined area. In addition, the City may choose to require parking be provided at a lower rate within the River District Commercial area.

5.1.4.8 Where off street parking is required, the City may develop and enforce design criteria and guidelines to provide for:

- a) Safe vehicular access.*
- b) Pedestrian safety and convenience.*
- c) Adequate lighting, signage and landscaping.*
- d) Controlled visual impact by appropriate location on the site.*

5.1.4.9 Parking should be located in a manner appropriate to the size of the site, the optimum relationship of the building and the sidewalk to the street and convenient access for users as described in Section 8.6.

5.1.4.10 Access points should be clearly visible and distinguishable, limited in number and designed in a manner that will minimize hazards to pedestrian and motor traffic in the immediate area. The City may require consolidation of adjacent parking areas to provide appropriate spacing of access points on arterial roads.

5.1.4.11 Pedestrians should have a safe, well-lit, clear route from vehicle to building at all times of the year. Pedestrian connections to parking areas should be frequent and easily identified with clear directional signage. They should provide safe, well-lit and comfortable access. Larger developments should provide sitting areas for pedestrians awaiting pick-up.

5.1.4.12 Parking areas are to be adequately landscaped in accordance with urban design guidelines. Parking areas should maintain distinct street edges through appropriate landscaping or structures.

5.1.4.13 Parking areas are to be designed in accordance with the City's Multi-year Accessibility Plan and AODA requirements.

5.1.4.14 Parking and charging stations for electric vehicles is required in new development and redevelopment. The provision for future parking and charging stations is also encouraged and may be considered at the time of site plan review.

5.1.4.15 The City may consider reducing the required number of parking spaces needed for development or redevelopment where the following criteria have been justified:

- a) Demonstration that the proposed use does not require the stated level of parking (e.g., affordable housing whereby car ownership would be low),*
or
- b) An agreement has been registered on title to provide off-street parking.*

5.1.5 Active Transportation

5.1.5.1 New developments will be designed to be walkable and bike friendly by including multi-use trails, sidewalks, and/or paved shoulders where appropriate to integrate with the overall complete transportation system.

5.1.5.4 Accessibility for all people shall be considered in the design of pedestrian links and trails in accordance with the City's Multi-year Accessibility Plan, Transit Accessibility Plan and AODA requirements.

5.1.6 Public Transit

5.1.6.1 Planning for new developments and built-up areas should include consideration for public transit which may include requirements for bus bays, elimination of street parking for bus stops, streets planned and designed to accommodate transit vehicles, installation of bus shelters subject to requirements in Transit Accessibility Plan. The City shall encourage greater population densities along and in the vicinity of transit routes.

5.1.6.2 All major development proposals and changes and additions to the road network will be evaluated with respect to their impact on existing or proposed transit services.

5.1.6.5 The City may undertake a transit study to determine transit routes and transit facility locations. The recommendations of this study provide a framework for consideration of planning applications and transportation planning.

Comment:

The subject lands have a reduced parking rate through the existing site-specific zoning and the proposed development is planned to meet this requirement. The reduced parking rate will help encourage alternative forms of transportation including transit and active transportation among future residents. A traffic analysis was not required to support the proposed

development and no transportation improvements have been identified related to the proposed development. If transportation improvements are identified as being required through the future site plan application, they will be secured through the site plan agreement.

3rd Avenue East is a County Highway through Schedule 'C' of the Official Plan and as such a Commercial Entrance Permit will be required at the site plan stage. The County and City are not requiring a road widening in this location. The site has been designed to include consolidated access with the adjacent St. Francis Place development, which will limit the number of accesses from 3rd Avenue East. Electric Vehicle parking will be reviewed at the site plan stage. The proposed development includes internal pedestrian connections to the existing sidewalk on 3rd Avenue East and provides direct access to a scooter parking room on the first floor to create easy access for residents. The proposed development is located on an existing transit route and adjacent to the Owen Sound Transit Terminal, which will allow future residents easy access to transit services.

6.1 Environmental Management and Sustainability

6.1.7 Soil Contamination

6.1.7.1 The City will require the submission of a Record of Site Condition where development is proposed on, or adjacent to, a known or potentially contaminated site per the Environmental Protection Act.

6.1.7.2 Contaminated sites shall be remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no adverse effect.

6.1.7.3 The City will encourage the environmental clean-up and re-use of contaminated lands where existing infrastructure is underutilized in accordance with the Environmental Protection Act and its regulations.

6.1.7.4 The redevelopment of contaminated industrial sites shall recognize and implement where appropriate the provisions of Provincial Brownfield initiatives and legislation. The City may offer a brownfields tax incentive program to encourage the redevelopment of these sites in accordance with the provisions of the Community Improvement Plan.

6.1.7.5 Former industrial sites in the Harbour and River District Commercial area including former railway corridors may also be considered for

redevelopment in accordance with the City's Community Improvement Plan for the Harbour and River District Commercial area.

6.1.7.6 The City may apply "holding" provisions as provided for in Section 9.1.2 of this Plan to contaminated lands in order to ensure that prior to development of these lands, all requisite studies and works are undertaken in accordance with the policies of this Plan to ensure future land uses are appropriate.

Comment:

A Record of Site Condition is required for the subject lands as a component of the Site Plan Approval Application. Further remediation may be required as a condition of the future site plan approval. An application under the City's Community Improvement Plan (CIP) brownfield program is anticipated.

6.1.12 Source Water Protection Planning

The City shall require that all decisions, including those made under the Planning Act and Condominium Act, conform to the significant drinking water threat policies found in the Grey Sauble Source Protection Plan approved by the MECP on October 16, 2015, as may be amended.

6.1.12.1 The following policies acknowledge and protect municipal drinking water sources:

- a) Municipal Intake Protection Zones (IPZs) as identified through the Drinking Water Source Protection (DWSP) program are shown in the County Official Plan and shall be considered a special protection area within which the requirements of Section 6.1.12b must be fulfilled prior to new development or redevelopment in these areas.*
- b) Municipal IPZ boundaries may be modified by Amendment to the County Official Plan where the geographic extent of the Municipal IPZ is modified through further study. Further it is acknowledged that these boundaries may be subject to change or refinement as part of the DWSP process. The City will endeavor to work with the County to keep the information current and will consult with DWSP staff on an application, or site-specific basis, where required. Establishment of a new Municipal IPZ shall be subject to an amendment concurrently with the Class Environmental Assessment process.*
- c) Any Planning Act applications proposed within IPZs be subject to a review by the City and the City's Risk Management Official to assess the risks of*

such uses to potentially contaminate groundwater or surface water and, based on this assessment, to determine whether or not a Hydrogeological Study or Environmental Impact Study is required to the satisfaction of the City and the City's Risk Management Official. A Hydrogeological Study must be completed by qualified individuals.

- d) Where a Hydrogeological Study is required to identify any impacts or mitigation measures on the Municipal IPZs; the study will be scoped based on the nature of the development being proposed.*

Comment:

The subject lands are identified as Intake Protection Zone 2 by the County of Grey Official Plan Appendix A. The proposed development does not include fuel storage, therefore a Source Water Protection Risk Management Plan is not required.

7.1.6 Archaeological Resources

7.1.6.1 The City will encourage the conservation of archaeological resources as may be identified by the City, the Province, or other group and agency, and will continue to enforce municipal and provincial legislation with respect to lands containing archaeological resources or areas of archaeological potential and/or the discovery of items of archeological or historic interest on a property.

Comment:

A Stage 1 Archaeological Assessment was conducted on the subject lands and concluded that there is no archaeological potential, and no further assessment is recommended.

8. Urban Design

8.1.1.2 The City shall promote a high standard of design in its public works and in the design of private and public development to achieve an appealing, comfortable, accessible, safe living and work environment for the residents and visitors of Owen Sound. Particular attention will be given to development within the River District Commercial area, the harbour area, new residential areas, major commercial areas and gateways to the City.

8.4 Pedestrian Environment

8.4.1.1 The City will seek to secure a safe and accessible pedestrian environment in public and private development through the development and

use of design guidelines which provide standards for clear visibility in public places, appropriate lighting, safe movement around vehicles, barrier free sidewalks and building entrances and such other measures as may be appropriate.

8.4.2.2 The City will promote the principles of "Living Streets" by:

- a) Encouraging walking throughout the City.*
- b) Providing continuous safe and comfortable walking routes.*
- c) Reducing potential pedestrian conflict with vehicles and separating pedestrian paths from roadways where possible.*
- d) Reducing vehicular speeds on local roads.*

8.4.2.4 The City will promote public and private development that provides a comfortable, human-scale environment, supports social interaction and which addresses the issues of year-round use.

8.6.1.1 The City will seek to achieve well-coordinated and designed streetscapes throughout the City, particularly in the commercial areas and along arterial roads. They should provide comfortable pedestrian environments, safe vehicular movement, reinforce the desired or established character of the area and, where appropriate, incorporate trees for shade.

8.6.2.1 In areas of high pedestrian traffic, particularly in the River District Commercial area, the existing form of continuous retail frontage is to be retained and continued through infilling.

Comment:

The proposed development has been designed to achieve a high level of urban design and to enhance the pedestrian environment in the River District Commercial Area. Further details related to building materials, landscaping and detailed design will be provided through the future site plan application.

The proposed development includes pedestrian connections to the existing sidewalk on 3rd Avenue East and has been designed to limit the number of new vehicle accesses to the public street. The ground floor commercial use and proposed landscape areas along the street will activate the street edge and encourage pedestrian activity, and the building has been set towards the front of the site near the street edge. The detailed landscape plan will be reviewed through Site Plan Approval.

8.6.5 Large Lots

8.6.5.1 In order to create an attractive street edge, buildings on large commercial, industrial or institutional lots with sufficient depth to provide internal traffic distribution are encouraged to be located close to the street with parking located further from the street with appropriate landscape treatment as specified in the City's Site Plan Submission and Approval Guidelines.

8.6.5.2 Buildings close to the street could be developed in a form similar to that described in Section 8.6.3.

8.6.5.3 Consideration should be given to continuous pedestrian access along the building fronts near the street and connecting to adjacent development. Safe, comfortable, accessible and barrier- pedestrian points of access from the street should be provided at regular intervals to all buildings on the lot.

8.6.5.4 A connect City sidewalks to main, accessible entrances.

8.6.5.5 In this form of development, parking shall be separated from sidewalks by a landscaped buffer. Sidewalks may also be set back from the road with landscaped boulevards where appropriate. These areas should be landscaped in accordance with applicable design guidelines.

Comment:

The proposed mixed-use building is planned to be constructed near the street edge, and pedestrian connections to the building entrances are provided from the public sidewalk and internal pedestrian walkways. Parking is directed to the rear of the building, and where parking is planned near the street edge, a landscape buffer is proposed.

8.6.6 Parking & Access

8.6.6.1 Where off street parking is required, the City may develop and enforce design criteria and guidelines to provide for:

- a) Safe vehicular access.*
- b) Pedestrian safety, convenience and accessibility.*
- c) Adequate lighting, signage and landscaping.*
- d) Controlled visual impact by appropriate location on the site.*

8.6.6.2 Parking should be located in a manner appropriate to the size of the site, the optimum relationship of the building to the street and convenient access for users as described in Section 8.6.

8.6.6.3 Access points should be clearly visible and distinguishable, limited in number and designed in a manner that will minimize hazards to pedestrian and motor traffic in the immediate area. The City may require consolidation of adjacent parking areas to provide appropriate spacing of access points on arterial roads.

8.6.6.4 Pedestrians should have a safe, well-lit, clear route from vehicle to building at all times of the year. Safe, comfortable, accessible and barrier-free pedestrian points of access should be frequent and easily identified with clear directional signage. Larger developments should provide sitting areas for pedestrians awaiting pick-up.

8.6.6.5 Parking areas are to be adequately landscaped in accordance with urban design guidelines. Parking areas should maintain distinct street edges through appropriate landscaping or structures.

Comment:

The proposed development has been designed to direct parking away from the street by locating parking under the building, at the rear of the building and behind landscape buffers. The proposed parking area is planned to be consolidated with the existing parking area for St. Francis Place, and consolidated site access for the parking area is also proposed. Pedestrian walkways are provided throughout the planned parking area with connections to the sidewalk on 3rd Avenue East, and details related to the lighting of these walkways will be provided as part of the future site plan application.

8.6.7 Adjacent Uses

8.6.7.2 The City shall consider the potential impact of abrupt changes in building height and scale on surrounding uses and protected views when considering zoning by-laws and site plan approvals. Generally, the City will seek compatible building forms.

8.6.7.3 Where the height or mass of a proposed building may significantly shadow or cause increased wind conditions on an adjacent open space or solar collector, the City may require a study be undertaken to assess the

impact and may develop and enforce setback requirements, site plan requirements and design guidelines to ameliorate the problem.

8.6.7.4 Wherever a residential type of use abuts an industrial use, a commercial use, an institutional use, a parking area, a loading area or any other incompatible use, the City may develop and enforce setback requirements, site plan requirements and design guidelines to provide adequate visual and aural separation and privacy for the residential use in accordance with MECC.

8.6.7.5 Generally, where a non-residential site abuts a residential use, the location of access lanes, parking areas, loading areas and waste storage close to the residential use should be avoided. A landscaped buffer and appropriate screening should be required along the adjoining lot lines. Additional screening may be required where noise levels generated by the non-residential use are considered unusually high and would negatively impact the residential use.

Comment:

The proposed zoning by-law amendment seeks to permit a building height of 6-storeys. An existing low-rise residential neighbourhood exists to the east of the subject lands. A Shadow Study was completed in support of the proposed building height, and the study was completed in accordance with the City's Shadow Study Terms of Reference.

In accordance with the C1 zone requirements, the proposed development will be required to provide a solid vegetative screen or privacy fence along the lot lines where parking is proposed within 7.5 metres of the lot line. The details of this screening will be reviewed as part of the future site plan application.

8.6.8 New Residential Development

8.6.8.1 New residential development should be planned in neighbourhoods through Planning Areas, creating identifiable areas of the City with simple street patterns, a coherent built form, a well-connected and safe pedestrian system and accessible local amenities such as a neighbourhood park, convenience shopping and institutional uses.

8.6.8.2 Buildings should be sited to provide relatively consistent streetscapes within an area, with similar setbacks, defining the visual width of the streets. Street trees should be planted in accordance with an appropriate plan.

8.6.8.4 New development should support the maintenance of a continuous open space system and provide appropriate pedestrian access.

Comment:

The subject lands are located in the River District Planning Area which contemplates the creation of medium and high-density residential uses. The proposed Zoning By-law Amendment seeks to permit apartment dwellings and a ground floor commercial use. The proposed development is consistent with the permitted density of the site's zoning and is located in a location with access to existing transit and servicing infrastructure. The building sitting will be finalized through the future site plan application, but is planned to be oriented towards the street, similar to the adjacent buildings. Pedestrian connections to the existing sidewalk on 3rd Avenue East are proposed to provide pedestrian access throughout the site and to the surrounding public sidewalk network.

The proposed Zoning Amendment conforms to the policies of the City of Owen Sound Official Plan (2021).

D: City of Owen Sound Zoning By-law (2010-078, as amended)

The lands are zoned 'Core Commercial' with Special Provision 14.90 (C1 14.90) in the City's Zoning By-law (2010-078, as amended). Special Provision 14.90 relates to Parking and Landscape Open Space and notes the following:

Notwithstanding Section 5.18.3 for any dwelling units in combination with a non-residential use where such dwelling units are geared toward housing for the elderly the minimum required number of vehicle parking stalls shall be 0.5 spaces for each dwelling unit.

Notwithstanding the provisions of the Core Commercial (C1) Zone the definition of Landscaped Open Space for any dwelling units in combination with a non-residential use shall be permitted to include common balconies as landscaped open space.

The purpose of the application is to amend the special provisions applying to the subject lands by adding the additional special provisions as follows:

Current Zoning	Proposed Zoning
<p>Core Commercial with Special Provision 14.90 (C1-14.90)</p> <p>The current special provisions provide:</p> <ul style="list-style-type: none"> • Reduced parking ratio of 0.5 spaces per unit • Modification to the calculation of landscaped open space to include balconies 	<p>Core Commercial with revised Special Provision 14.90 (C1-14.90)</p> <ul style="list-style-type: none"> • Proposed maximum height 24.6 m (12 m current max) • Proposed south interior side yard abutting St. Francis Place lot line 0 m (1 m current minimum). • Modification to the calculation of landscaped open space to include balconies. • Reduced parking ratio of 0.5 spaces per unit

The proposed special provisions will:

- Provide for an increased building height from 12m to 24.6m; and,
- Provide for a reduced south interior side yard setback from 1m to 0m.

Maximum Building Height

The C1 zone permits a maximum building height of 12.0m. A maximum 24.6m building height is proposed. The 12.6m increase to the permitted height is considered appropriate since the subject lands are located in the River District Commercial designation, which is identified as an area to accommodate intensification in appropriate locations. The proposed intensification is compatible in terms of building mass and scale with adjacent development, there are no heritage resources in the surrounding area, and the subject lands have access to adequate infrastructure and community services. The development will also be held to a high standard of urban design and will be required to provide further analysis of shadow impacts through the future site plan application.

Minimum Interior Side Yard Setback

The C1 zone requires a minimum 1.0m interior side yard setback. The proposed zoning by-law amendment seeks to permit a reduced minimum

interior side yard setback of 0m for the southern lot line. The 1m reduction is considered appropriate since the subject lands are only proposing a reduced interior side yard setback along the south property line, which abuts the St. Francis Place development, and the subject lands are proposed to share a parking area with St. Francis Place. The reduced interior side yard will abut a parking area which will be shared between the two properties and is not anticipated to create any access or maintenance issues as a result.

The proposal meets the requirements of the City's Zoning By-law. The proposed zoning By-law Amendment is attached as Schedule 'E'.

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 'G'.

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. The comments are attached and have been referenced within the various policy sections.

The City's Engineering & Public Works Department recommends approval of application ZBA 46, subject to the recommended conditions to be implemented through the site plan approval process.

City of Owen Sound Fire Prevention

Comment has been received from the City's Fire Prevention Division with no objection to the subject proposal. The comments are attached and have been referenced within the various policy sections. The requirements and recommendations will be implemented through the site plan approval process.

Grey Sauble Conservation Authority (GSCA)

Comments have been received from GSCA with no objection to the subject proposal. The subject lands are not regulated under Ontario Regulation 151/06 and there are no identified natural hazards on the subject properties. The subject lands are within an area that is subject to the Source Water Protection Plan.

Historic Saugeen Metis (HSM)

Comments have been received from HSM with no objection to the subject proposal.

Grey County

Comments have been received from the County of Grey with no objection to the proposed zoning by-law amendment. The comments note that the development will provide much-needed affordable housing and is highly supported by the County's Housing Department. The proposed location is well-located to support walkability and there is a significant need for age-friendly housing in Grey County, making the proposal well-aligned with the County's Age-Friendly Action Plan. The location of the subject lands, and proximity to municipal transit service also means that the proposal aligns with the priorities of the County's Climate Change Action Plan.

Grey County Transportation Services note that they have no objection to the zoning by-law amendment, but provided the following comments:

- a) Site Plan required
- b) Post-Development Flows shall not exceed Pre-Development Flows
- c) Commercial Entrance Permit will be required. The applicant should email roads@grey.ca for further information at a Site Plan stage
- d) The County supports the City if widenings are required and/or if the City requires a TIS

Public Meeting

A Public Meeting was held on May 8, 2023. There were no comments received from the public. Comments from Council are summarized below:

- a) Question relating to when confirmation will be received from Canadian Mortgage and Housing Corporation (CMHC) relating to whether the applicant has been successful in securing funding through the Rapid Housing Initiative Program.
- b) Question relating to whether the City has submitted a letter of support to CMHC relating to the application for the Rapid Housing Initiative Program.

Site Plan Control Matters & Future Planning Act Applications

The proposed development is subject to Site Plan Control in accordance with Section 41 of the Planning Act and City By-law 2019-185.

Conditions of approval to be applied through the Site Plan Approval process are discussed above and include, but not limited to:

- In addition to the standard site plan requirements, the following studies and reports must be submitted as part of the future site plan application:
- A Record of Site Condition
- A Zoning conformity check for 350 10th St E (St. Francis Place)
- Floor Plans

The following conditions will also be included:

- That all recommendations of the Record of Site Condition be carried out to the satisfaction of City and/or Ministry of Environment, Conservation and Parks staff.
- That a reciprocal access and parking agreement with formal easements be registered between the subject lands and the existing St. Francis Place development to provide shared parking and access/egress.

That a Commercial Entrance Permit be secured from the County of Grey for the new driveway entrance from 3rd Avenue East.

- Should previously undocumented (i.e., unknown or deeply buried) archaeological resources be discovered, the proponent or person discovering the archaeological resources must cease alteration of the site immediately and engage a licensed consultant archaeologist to carry out archaeological fieldwork, in compliance with Section 48(1) of the Ontario Heritage Act.
- Should human remains be discovered, the proponent or person discovering the remains must notify the police or coroner and Crystal Forrest, A/Registrar of Burial Sites, Ontario Ministry of Government and Consumer Services.

As legislated, site plan approval is now a staff-delegated process.

Financial Implications:

Application fees were collected as part of the ZBA in the amount of \$7,380.00 as well as \$922.00 for GSCA.

The subject lands are already serviced, including hard services (roadway, water, sanitary and storm).

Site plan and servicing agreements will be required at the time of site plan approval.

As an affordable housing project, the City's current Development Charges By-law would provide an exemption.

Communication Strategy:

Notice of Complete Application & Public Meeting was given as required by the Planning Act.

Notice of decision will be given subject to Council's decision and a twenty (20) day appeal period will follow the notice.

Consultation:

The application was circulated to various City Departments and our commenting agencies as part of the consultation process.

Attachments:

Schedule 'A':	Orthophoto
Schedule 'B':	Planning Policy
Schedule 'C':	Site Plan & Elevations
Schedule 'D':	Urban Design Study
Schedule 'E':	Draft Zoning By-law Amendment
Schedule 'F':	Public Meeting Minutes & Public Comments
Schedule 'G':	Agency Comments

Recommended by:

Aleah Clarke, BES, MCIP, RPP, MHBC Planning (Consulting Planner for the City)
Dave Aston, M.SC, MCIP, RPP, MHBC Planning (Consulting Planner for the City)
Sabine Robart, M.SC. (PL), MCIP, RPP, Manager of Planning & Heritage

Submission approved by:

Pam Coulter, BA, RPP, Director of Community Services

For more information on this report, please contact Sabine Robart, Manager of Planning & Heritage at srobart@owensound.ca or 519-376-4440 ext. 1236.