

Staff Report

Report To: City Council
Report From: Sabine Robart, Manager of Planning & Heritage
Meeting Date: May 29, 2023
Report Code: CS-23-046
Subject: Recommendation Report – OPA No. 12 and ZBA No. 45 –
1555 18th Avenue East (Calloway REIT)

Recommendations:

THAT in consideration of Staff Report CS-23-046 respecting the proposed Official Plan Amendment No. 12 and Zoning By-law Amendment No. 45 by Calloway Real Estate Investment Trust Inc (Heather Jenkins) through GSP Group (Eric Saulesleja) at 1555 18th Avenue East to permit a two-phased residential development, City Council:

1. In consideration of the staff reports, recommendations, technical reports, and oral and written submissions including public 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;
2. Directs staff to bring forward a by-law to adopt Amendment No. 12 to the City's Official Plan (2021) and give notice in accordance with Section 22 of the *Planning Act*; and
3. Directs staff to bring forward a by-law to pass Amendment No. 45 to the City's Zoning By-law No. 2010-078, as amended and give notice in accordance with Section 34 of the *Planning Act*.

Highlights:

- A complete application for an Official Plan Amendment (OPA 12) and Zoning By-law Amendment (ZBA 45) has been submitted by Calloway Real Estate Investment Trust Inc (Heather Jenkins) through GSP Group

(Eric Saulesleja) for a two-phased residential development at 1555 18th Avenue East

- The purpose of the application is to permit the development of the property for a mix of townhouse dwellings and residential apartments in two phases with a total of 477 residential units.
- The development also includes the extension of 10th Street East as a 20.5-metre collector road from its current terminus at 18th Avenue East to the existing 20th Avenue East terminus. The proposed road cross section includes a 3.0 metre-wide multi-use pathway on the south side of the road.
- The effect of the Official Plan amendment is to redesignate the subject lands from 'Low Density Residential' to 'High Density Residential' within the Sydenham Heights Planning Area – Phase I and to provide for an alternate 20.5-metre-wide collector road configuration for the 10th Street East extension between 18th Avenue East and 20th Avenue East.
- The effect of the application is to amend the zone categories and special provisions from Low Density Residential Holding with Special Provisions 14.5 to General Residential (R5) with Special Provisions. The special provisions are proposing to establish site-specific zone regulations regarding building height, setbacks, parking ratios for the Phase 2 apartment development, floor space index (FSI), temporary uses, and future buildout of the site, among other matters.
- As a result of public input from adjoining property owners, the site plan and landscape plan have been revised.
- Staff recommend approval of Official Plan Amendment No. 12 and Zoning By-law Amendment No. 45

Strategic Plan Alignment:

[Strategic Plan](#) Priority: This report supports the delivery of Core Service.

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; and,
- The development provides for on-site stormwater management.

Previous Report/Authority:

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

[City of Owen Sound Zoning By-law](#) (2010-078, as amended)

Technical Report [CS-23-035](#) – March 27, 2023

[Public Meeting – March 27, 2023](#)

Background & Proposal:

A complete application for an Official Plan Amendment (OPA 12) and Zoning By-law Amendment (ZBA 45) has been submitted by Calloway Real Estate Investment Trust Inc (Heather Jenkins) through GSP Group (Eric Saulesleja) for a two-phased residential development at 1555 18th Avenue East.

Property Description

The subject lands are located at 1555 18th Avenue East and comprise the southern portion of Walmart site which is currently vacant. The property is elevated above the commercial buildings that front on 18th Avenue and 16th Street East. The portion of the property subject to the residential development proposal is approximately 5.5 hectares in area. The western portion of the vacant portion features former agricultural lands that have been left to regenerate and the eastern portion of the site is an open field/grassed area.

Surrounding land uses include:

North: commercial (Walmart & Home Depot Plaza)

East: vacant, future residential & Heritage Grove commercial development

South: Grey Bruce Health Services – Owen Sound Hospital, future Telfer Creek residential subdivision

West: Grey Bruce Hospice, SWM facility, vacant commercial land, Season's retirement home

The subject lands are located on the east side of the City in a mixed-use area that includes residential uses in a variety of forms, institutional uses including health care services, schools, college and other social services as well as commercial and employment uses.

The subject lands are designated 'Residential' in accordance with Schedule 'A' of the City's Official Plan (2021). The subject property is located within Phase I of the Sydenham Heights Planning Area and designated 'Low-Density Residential' according to Schedule 'A2'.

The lands are zoned 'Low-Density Residential' Holding with Special Provision 14.5 (R3 (H) 14.5) in the City's Zoning By-law (2010-078, as amended). Special provision 14.5 permits a Long-Term Care Facility including a residential hospice in addition to all other uses permitted in the R3 zone.

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

The purpose of the application is to permit the development of the property for a mix of townhouse dwellings and residential apartments. Two phases are proposed:

Phase 1 consists of two, four-storey apartment buildings (Buildings A & B) with 78 units per building located on the westerly portion of the site together with 10 townhouse blocks (Blocks 1 -10). The ten blocks contain a total of 87 cluster townhouse dwelling units. Phase 1 has 156 apartment units and 87 townhouse units for a total of 243 dwelling units.

The site plan provides for 195 parking spaces in the parking area located between the apartment buildings. Each cluster townhouse unit is provided with a garage and driveway approximately six (6) metres long which results in two parking spaces per unit and a total of 174 parking spaces for the townhouse blocks.

Elevation drawings submitted with the site plan show three-storey townhouse units with a garage on the ground level of each unit.

Phase 2 consists of three, four-storey apartment buildings (Buildings C, D and E) with 78 dwelling units in each building. A total of 234 apartment dwelling units are proposed in Phase 2.

The site plan provides for two (2) parking areas located between the buildings as well as a row of parking spaces along the west of Building C. A total of 234 parking spaces are proposed in this phase.

Together, both phases propose a total of 477 units, resulting in an overall site density of approximately 95 units per net hectare.

The development also includes the extension of 10th Street East as a 20.5 metre collector road from its current terminus at 18th Avenue East to the existing 20th Avenue East terminus. The proposed road cross section includes a 3.0 metre wide multi-use pathway on the south side of the road.

The Phase 1 apartment and townhouse blocks are proposed to front onto private roads with two points of access/egress to the future 10th Street extension.

The Phase 2 apartment proposal includes two additional access/egress points to the future 10th Street E extension connecting to private on-site parking areas proposed to be developed together with the residential development.

A common outdoor amenity area (POPS -privately owned publicly accessible spaces) is proposed in the southwest corner of the site adjacent to the hospice.

OPA 12

The effect of the Official Plan amendment is to redesignate the subject lands from 'Low Density Residential' to 'High Density Residential' within the Sydenham Heights Planning Area – Phase I and to provide for an alternate 20.5-metre-wide collector road configuration for the 10th Street East extension between 18th Avenue East and 20th Avenue East.

The extension of 10th Street East will connect to the existing terminus of 20th Avenue East to the north. The proposed development also includes the construction of a publicly accessible open space area.

ZBA 45

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

Current Zoning	Proposed Zoning
<ul style="list-style-type: none"> ▪ Low Density Residential Holding with Special Provision 14.5 (R3 (H) 14.5) 	<p>Phase 1</p> <ul style="list-style-type: none"> • General Residential with Special Provision 14.xxx (R5 14.xxx) <p>Phase 2</p> <ul style="list-style-type: none"> • General Residential with Special Provision 14.yyy (R5 14.yyy)

The site-specific zone regulations applying to the entire site propose:

- i A Temporary Sales/Leasing Office defined as “a building or structure, facility or trailer on the lot used for the purpose of the sale or lease of dwelling units to be erected on the lot and/or the administration and management of construction activity related to the construction on the lot.”
- ii The lots subject to this Special Provision shall be regarded as one lot for the purposes of meeting zoning regulations.
- iii Severances and lot divisions by way of consent are permitted without meeting minimum lot frontage, setbacks, lot coverage and area requirements to newly created lot lines and for newly created parcels, as these lands are considered one lot for planning purposes.
- iv Parking, loading, and driveways providing access to parking shall not require a setback from interior property lines shared with properties zoned R5 14.XX or R5 14.YY on By-law 2010-078 Zoning Map 20.

The following proposed site-specific zone regulations apply to Phase 1 through General Residential with Special Provision 14.xxx (R5 14.xxx) in addition to (1) through (4) described above:

1. Permit a maximum height of 15 metres;
2. Permit a minimum exterior side yard of 1.5 metres for the Phase 1 portion of the Subject Site;
3. Permit 0 bicycle parking spaces per cluster townhouse dwelling [where a garage is present]; and,

4. Permit a Maximum Density /Floor Space Index (FSI) of 1.0 across all the Phase 1 lands;

'Floor Space Index (FSI)' means an index that, when multiplied by the total land area of a lot, indicates the maximum permissible gross floor area for all buildings on the lot, excluding underground or covered parking structures and floor space located in the cellar.

The following proposed site-specific zone regulations apply to Phase 2 through General Residential with Special Provision 14.yyy (R5 14.yyy) in addition to (1) through (4) described above:

1. Permit a parking ratio for apartment dwellings of 1.0 spaces per unit where 1.25 spaces per unit is required for the Phase 2 portion of the Subject Site; and,
2. Permit a maximum height of 15 metres;

In addition to the above requested special provisions, Planning staff recommend that the following should also be addressed:

1. relief from Section 5.14 Through Lots to allow a reduced setback from each street/road allowance from 6.5 metres to 1.5 metres; and,
2. Electric Vehicle parking spaces with charging facilities be provided at the following ratios:

Number of Total Required Parking Spaces	Minimum Number of Electric Vehicles Parking Spaces with Charging Facilities
0-150	2
Greater than 150	3% of total required parking

Submission & Process Details

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

Submission Item Title	Submission Item Detail
Master Site Plan & Phasing Plan	Prepared by Chamberlain Architect Services Ltd dated January 01, 2023

Submission Item Title	Submission Item Detail
Transportation Impact Study	Prepared by CGH Transportation dated January 2023
Functional Servicing and Stormwater Management Report	Prepared Stantec dated January 30, 2023
Civil Drawings Package (Servicing Plan, Grading Plan, Details & Notes, Erosion & Sediment Control Plan, Details & Notes)	Prepared by Stantec dated January 2023
Urban Design Report	Prepared by GSP Group Inc. dated January 2023
Planning Justification Report	Prepared by GSP Group Inc. dated January 2023
Noise Impact Study	Prepared by RWDI dated January 16, 2023
Stage 1 & 2 Archaeological Assessment Supplementary Document Indigenous Engagement Document	Prepared by Archoworks dated January 2023
Landscape Plan	Prepared by MHBC dated September 2022
Tree Inventory & Preservation Report & Plan	Prepared by Kuntz Forestry Consulting Inc dated January 19, 2023
Elevations	Prepared by Chamberlain Architect Services Ltd dated January 01, 2023

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

Date	Step	Days
February 03, 2023	Submission of applications for OPA and ZBLA together supporting materials and fees	1
February 17, 2023	Letter re Notice of Complete Application to the applicant Request for Comments to City staff & external agency	15
March 3, 2023	Notice of Complete Application & Public Meeting mailed to property owners within 120 metres of subject lands and posting sign on property	29
March 27, 2023	Public Meeting & Technical Report to Council	53
May 29, 2023	Recommendation Report & Amending By-laws	116

The Planning Act provides for a total of 120 days to process a joint application for OPA and ZBLA. The application has met the timelines prescribed.

Technical Review:

The Planning Act and the City's Official Plan establish criteria for evaluating an application to amend the City's Official Plan and 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.

Further to the Provincial Policy Statement and Planning Act the City's Official Plan (S. 9.3.1.2) provides criteria when reviewing applications to amend the Official Plan including consistency with the Niagara Escarpment Plan; impact on the provision of and demand for municipal services, infrastructure and facilities; adequacy of the proposed hard and soft services in accordance with the servicing policies of this Plan; impact on surrounding land uses, the transportation system, municipal services and community amenities and

services; impact on cultural and/or Natural Heritage features; and, any other information as determined appropriate and applicable by the City or other agency.

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).

This report is intended to describe the proposed Official Plan and Zoning By-law Amendment and review the consistency of the applications with the key policy considerations relevant to the evaluation of the subject application.

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.

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,*
- f) 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;*
- g) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;*
- h) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;*
- i) promoting development and land use patterns that conserve biodiversity; and*
- j) 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.*

1.1.3.6 New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

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 is located within the City's Settlement Area with access to full municipal services. The proposed increased in density efficiently uses the land and infrastructure. The proposal will contribute to the range and mix of residential unit types available in the City by providing apartment and cluster townhouse units. The tenure of the dwelling units is to be determined.

The proposed development will be serviced by the East Bayshore bus route which currently travels along 10th St E / 18th Ave E and connects to the commercial development immediately east of the subject lands and to the River Precinct.

A multi-use pathway along the south side of the future 10th St E extension will provide for active transportation and pedestrian connectivity to City sidewalks and active transportation routes.

The proposed development represents infill within the existing built-up area of the Sydenham Heights Planning Area and features a mix of residential uses in a compact built form. The proposed form and increased density will facilitate the efficient use of land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in the Sydenham Heights Planning Areas.

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 proposed development includes a privately owned, publicly accessible park (POP) space in the southwest corner of the site. The landscaped outdoor amenity space includes a concrete sidewalk which connects to the internal sidewalk system and the multi-use pathway on the south side of the future 10th St E extension. The proposed development promotes active communities and creates pedestrian and active transportation connections to the City's network of trails and park & recreation facilities.

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:

A Functional Servicing & Stormwater Management Report has been submitted in support of this development. Full municipal service

infrastructure and capacity is available for the proposed development and discussed in detail in the Official Plan sections.

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.

1.6.8 Transportation and Infrastructure Corridors

1.6.8.1 Planning authorities shall plan for and protect corridors and rights-of-way for infrastructure, including transportation, transit and electricity generation facilities and transmission systems to meet current and projected needs.

Comment:

The proposed development is to be accessed from an extension of 10th Street East, a collector road as generally described in the City's Official Plan and linked to the existing 20th Ave E to the north. The collector road extension will be constructed by the applicant through the site plan approval process.

As described in detail in other parts of this report the development has access to the City's transit and active transportation network. The proposed development will increase connectivity across the Sydenham Heights Planning Area multimodal transportation system by providing a connecting east west link mid way between 16th St E and 8th St E.

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 and 2 Archaeological Assessment was undertaken by Archeoworks Inc for Phase 1 of the proposed development. Based on the findings of the Stage 2 Archaeological Assessment, a Stage 3 Assessment is recommended. Further assessment with SON was attempted but could not be completed due to weather. SON agreed that the submission can proceed with Stage 3 being a condition of approval.

Planning staff recommend that the Stage 3 assessment for Phase 1 of the development be a condition of site plan approval. As well any future development of Phase 2 will require at minimum a Stage 2 assessment which will be required as part of site plan approval.

The proposed Official Plan and Zoning By-law Amendment are consistent with the direction provided by the PPS.

B: County of Grey Official Plan (2019)

The subject property is designated 'Primary Settlement Area' and 'Hazard Lands' 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 Primary Settlement Areas. 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 'Residential' in accordance with Schedule A of the City's Official Plan (2021). The subject property is located in Phase I of the Sydenham Heights Planning Area and designated 'Low Density Residential' as per to Schedule A2. Schedule A2 Sydenham Heights Planning Area shows a 'Future Collector Road' extending from the current terminus at the 10th St E and 18th Ave E across the subject lands to 20th St E.

The subject lands are also subject to site-specific Official Plan provisions Section 3.5.3.1 which applies mainly to the commercial development on the northern portion of the site and read as follows:

3.5.3.1 Commercial development shall be permitted on the Wal-Mart and Home Depot Lands (Part of Park Lot 7 and 8, Range 5, East of the Garafraxa Road) in accordance with the following conditions:

- a. That the development is not a Regional Shopping Centre as described in Section 3.4;*
- b. The maximum permitted size of the major retail store shall not exceed 9,800 square metres;*
- c. The maximum permitted size of the major home improvement warehouse outlet shall not exceed 12,077 square metres;*
- d. Individual freestanding commercial building totaling 5,500 square metres maximum may be permitted in addition to the major retail store and major home improvement warehouse outlet;*
- e. **The City may use holding provisions to ensure that appropriate arrangements for improvements to the road system are provided for in terms of sufficient access to the subject lands and lands in the vicinity;***
- f. Prior to the approval of development of lands adjoining the lands subject to this Section, the City may require an assessment as to appropriate locations for the open space area.*

Applicable to the southern portion of the property is Section 3.5.3.1 e) which authorized the Holding zone provisions and recognizes the future extensions of 10th Street East across the subject lands, among other matters.

Official Plan Amendment No. 12

As described above the application is proposing the development of the property with a mix of townhouse dwellings and residential apartments in two phases. The proposal will result in a density of 95 units per net hectare (477 units across five (5) hectares of developable land) which falls within the 'High Density Residential' classification of the Official Plan. The OPA proposes to redesignate the subject lands from 'Low Density Residential' to 'High Density Residential' within the Sydenham Heights Planning Area – Phase I.

Schedule 'C' Transportation Plan and Schedule A2 Sydenham Heights Planning Area of the Official Plan identify an extension of 10th Street East across the subject lands as a Future Collector Road. The minimum road allowance width for City collector roads shall generally be 25 metres. The application is proposing the extension of 10th Street East as a 20.5 metre collector road. The proposed road cross section includes a 3.0 metre wide multi use pathway on the south side of the road.

As the subject lands are located within the Sydenham Heights Planning Area, the policies of Section 4.2 Sydenham Heights Planning Area as well as Section 3.1 Residential are applicable to the applications.

4.2.1 Secondary Plan Vision

The Sydenham Heights Planning Area is proposed to be largely a residential mixed-use community. The Planning Area is to be distinguished by its natural environmental features, existing major institutional uses, a mixed use node at 16th Avenue East and 8th Street East and residential development to accommodate future growth in the City.

4.2.2 Permitted Uses

4.2.2.1 The Sydenham Heights Phase I and II Planning Areas shall primarily accommodate residential land uses together with a mix of compatible institutional, commercial and open space uses to support and service the local residential area in accordance with the policies of Section 3.1 (Residential) of this Plan.

4.2.2.3 The distribution of land uses shall generally conform to the plan set out on Schedule 'A2', Sydenham Heights Planning Area.

4.2.2.4 A range of low density, medium density and high density dwelling types are anticipated for the Sydenham Heights Planning Area.

4.2.2.5 The overall density target for the Planning Area is not less than 25 units per net hectare. This target shall be planned for in an equitable manner across the entire secondary plan area.

3.1 Residential

The Residential designation permits the development of lands for residential uses, which shall be the predominant area for housing within the City.

Residential uses may include single detached, semi-detached, various forms of townhouse, and apartment buildings. Residential uses shall be permitted at low, medium and high density. Other uses that are complementary and provide service to residential uses, such as elementary schools, parks, places of worship and convenience commercial type uses are also permitted in this designation, subject to criteria in this Plan.

Comment:

The proposed apartment and townhouse are permitted uses within the Residential designation. The Sydenham Heights Planning Area is anticipated to contain a range of residential densities. The application is proposing an approximate density of 95 units per net hectare (477 units across five (5) hectares of developable land). The proposed density meets and exceeds the density requirement of not less than 25 units per net hectare of the Sydenham Heights Planning Area and falls within the high-density category of 61 to 125 units per net residential hectare.

Schedule A2 of the Official Plan provides detailed land use mapping for the Sydenham Heights Planning Area and currently designates the subject lands as 'Low-Density Residential'. As noted above, the purpose of the application is to redesignate the subject lands to 'High Density Residential'.

3.1.2 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>

Comment:

The City's Official Plan policies generally support residential intensification proposals subject to a number of criteria as laid in Section 3.1.2.5 and 3.1.8 including compatibility with adjacent developments, proximity to compatible land uses, as well as hard and soft infrastructure and transportation capacity. Section 3.1.2.2 specifically addresses high density residential up to 125 units per net residential hectare and requires that high density development may be permitted subject to the satisfaction of a number of criteria:

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;*

Comment:

The Sydenham Heights Planning Area is intended to contain a mix of land uses including residential, institutional, and commercial as well as range of development densities. The site is well located to contain high density residential development given the surrounding supporting commercial and institutional uses, the existing and proposed multi-modal transportation system as well as institutional and recreational service facilities available within the River District, the 8th Street E corridor to the south and other parts of the City.

The application is proposing buildings with a maximum height of approximately four (4) storeys which is generally considered low rise development. The surrounding area includes a range of building size and heights located on a significantly varying topography. The proposed development is not anticipated to disrupt the physical transition from one development to the next but rather provide for an infill transition between the surrounding commercial (Heritage Grove, Home Depot), institutional (hospital, hospice, Seasons Retirement Home & Eastridge Community School) and future residential subdivisions to the east.

Compatibility with the hospice is discussed in detail below.

- ii. Surface parking is minimized in favour of more intensive forms of parking;*

Comment:

The development is proposing to minimize surface parking by providing a reduced parking ratio for the Phase 2 apartment buildings and by incorporating parking into the townhouse units through an attached garage. This is discussed in more detail in the following Official Plan sections.

- iii. The proposal demonstrates a high standard of urban design and architectural design;*

Comment:

See the detailed discussion below – Urban Design.

- iv. Appropriate consideration has been given to screening, landscaping, over-look, shadow impacts and other conflict mitigation measures;*

Comment:

See the detailed discussion below.

- v. The proposal identifies and implements any required transportation improvements;*

Comment:

The Transportation Impact Study (TIS) submitted in support of the application found that, with the addition of the 2032 future total (Phase 1 and Phase 2) site traffic volumes to the Study Area intersections, the intersections are anticipated to operate in a similar manner to the 2032 future background analysis horizon with the exception of the intersection of 10th Street East and 18th Avenue East. At this intersection, a Level of Service (LOS) F (Fail), V/C ratio greater than 1.00, high delays and extended queues were noted in the PM peak period.

The TIS recommends mitigation measures in the form of a separated eastbound left-turn lane on 10th St E and all-way stop-control at the intersection. These required upgrades to the intersection will be completed at the cost of the developer as a condition of site plan approval through a servicing agreement.

The developer will be required to construct the extension of 10th St E from 18th Ave E to 20th Ave E as part of Phase 1 of the development. Comments from the City's Fire Prevention and Engineering Services Divisions require a second/emergency access for developments with more than 80 units. Details regarding the extension of 10th St E across the subject lands are discussed in detail below.

vi. Infrastructure capacity is not exceeded;

Comment:

A Functional Servicing & Stormwater Management Report (FSSMR) has been submitted in support of this development which addresses stormwater management, wastewater and water services. See the detailed discussion below.

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,

Comment:

No hazard lands have been identified on the subject lands.

viii. The proposal satisfies all other applicable policies of this Official Plan.

Comment:

See detailed discussion below.

LAND USE COMPATIBILITY

4.2.3 General Policies

4.2.3.3 To minimize the potential land use conflict between lands designated medium density and medium/high-density residential development should be adequately buffered and/or physically separated. This can be accomplished with screening, fencing, tree buffering and landscaping. The City may require a study to assess any noise impacts.

Comment:

The subject lands are located adjacent to the Grey Bruce Hospice which is located at 1725 10th Street East. The hospice is a unique and sensitive land use that is of significant value to the City and surrounding communities. The

triangular shaped hospice lands are located adjacent to the subject lands with both properties having frontage along 10th St E. The hospice building is also roughly triangular in shape with the access and parking facilities located along the long 10th St E property line and the resident rooms with individual outdoor patios located along the east and south property boundaries. The lands surrounding the rear of the hospice property have until now been relatively undeveloped and the hospice residents have been the beneficiaries of the naturalized lands adjacent to the individual outdoor patios.

The hospice executive director and board members attended the public meeting and expressed concerns regarding:

- Physical/visual privacy for the residents including sight lines from apartment buildings to hospice and people trespassing across the hospice property to access adjoining properties such as the hospital.
- Providing residents private access to the individual outdoor patio space attached to each resident room. Hospice staff suggested mitigation through a fence and a 6 ft berm.
- Stormwater management – water potentially draining from the subject property to the hospice property.
- Traffic backing up in front of the hospice and preventing vehicles from leaving the hospice site efficiently.

The initial OPA/ZBA applications recognized the adjacent sensitive land use and incorporated a number of mitigative measures into the site and building design to provide buffering and screening:

- The outdoor amenity space (POPS) is located in the southwest corner of the subject lands to provide a buffer along portion of the hospice that contains the resident's rooms.
- The proposed building elevations provide for fewer window openings on the shorter side of the building and recessed balconies and screens as well as building orientation to limit overlook and privacy concerns.

In response to the comments raised at the public meeting, the applicant provided a revised noise study and landscape plan and updated urban design study. In addition to the items noted above, the revised plans and studies provide for:

- A 75 metre long, 1.8 metre high timber screen acoustic barrier along the west property line abutting the hospice building in combination with a continuous row of 80 mm columnar oak trees and four (4) metre high coniferous trees along the fence. Trees are shown on the west side of the fence and will primarily benefit hospice residents by softening the fence and providing green scaping.
- 80 mm high branching shade trees along the east side of the timber fence for an extra layer of buffering along this interface.
- A portion of the 1.8 m high fence along the west property will also include an acoustic sound barrier component to buffer the loading areas at Buildings A and B meant for garbage collection and building loading areas.
- Metal fencing on the Smart Centres lands to be provided along the south property line with the hospital to maintain privacy and security.
- Revised apartment building design for Buildings A and B which proposes fewer window openings (on the shorter building side on the third and fourth storey) to address privacy, overlook and noise concerns.

These mitigation measures will be implemented through the site approval process. The proposed development is infill development on a currently vacant/underdeveloped site that is designated for Residential development. The proposal will change how the site and surrounding area feel and function.

Planning Staff support the proposed mitigation measures and conclude that the measures provide enhanced visual and aural screening between the proposed residential use and the hospice and should minimize the potential impact of the proposed increased density.

The Executive Director of the Grey Bruce Hospice in correspondence attached have confirmed their support for and satisfaction with the mitigation measures proposed.

Please see below for a detailed discussion regarding stormwater management and traffic.

4.2.4 Parklands

4.2.4.2 Neighbourhood parks with links to the trail system are to be provided as identified in the Recreation Parks and Facilities Master Plan to provide local parkland needs of residents in the Sydenham Heights Planning Area. The southerly park is adjacent to lands designated Niagara Escarpment Plan Area on Schedule 'A2' and shall be designed and developed for passive recreational activities for the area residents. The City may require the completion of a landscape plan for any park area and may enter into a development or subdivision agreement for the construction of a park.

Comment:

The City's Recreation, Parks and Facilities Master Plan identifies several locations with the Sydenham Heights Planning Area for potential neighbourhood parks including south of 8th St E and east of 20th Avenue East. As the Planning Area is built out the parks and active transportation facilities and connectivity will be developed in conjunction with the plans of subdivision and site developments. To date park facilities have been provided through the East Court Residences subdivision at the intersection of 16th Ave E and 14th St E and are proposed in the Telfer Creek and Greystone Village draft plans as well the as the Telfer Creek Square proposal.

The proposed site plan includes an approximately 873 square meter outdoor amenity area (privately owned park - POP) in the southwest corner of the site adjacent to the rear portion of the hospice building. The amenity area will include shade tree plantings, paved pedestrian walkways, seating and mounded earth forms and provide residents with passive and active outdoor recreational space. OP policies encourage the provision of recreational facilities in large multi-residential development. These facilities should be proportionate in size and nature to the development and appropriate to the future needs of the residents. Planning staff will recommend through the site plan approval process that the developer provide picnic and shelter facilities and /or playground areas including shade plantings/structures sympathetic to the landscape in accordance with the CAN/CSA-Z614-14 Children's Playspaces and Equipment (the standard).

TRANSPORTATION & ROAD POLICIES

4.2.5 Road System (Sydenham Heights Planning Area)

4.2.5.1 All lands shall be developed in general conformity with the schematic road system plan illustrated on Schedule 'A2', subject to the policies contained herein. For local and collector roads, the road system plan may be considered illustrative only and changes to the location and configuration of such streets shall be permitted without amendment to this Plan, provided the planned street does not adversely impact the development ability of adjoining lands or the general traffic flow system provided, and the layout is in accordance with suitable design principles.

4.2.5.3 There are two collector roadways within this Planning Area:

- a. A collector road (20th Avenue East) is proposed from 16th Street (Highway No. 26) extending in a north-south direction to 8th Street East (Grey County Road 5).*
- b. A second collector roadway shall provide an alternative route between 28th Avenue East and 8th Street East.*

These collector roads are conceptual and changes to their alignment are not subject to an official plan amendment. The City or County may request a traffic study to determine the alignment.

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 Roads

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.*

5.1.3.4 Roads within settlement areas and built-up areas should be designed as living streets to support all user groups and a variety of travel modes.

*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.

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.

5.1.3.14 Collector Roads

Collector roads shown on Schedule 'C' – Transportation provide the two functions of carrying moderate levels of traffic between points of origin and the arterial road system and to provide access to abutting properties.

- a. Collector roads are to be designed in accordance with the general design standards in Appendix 'A'.*
- b. Collector roads may be constructed with two to four lanes in width.*
- c. The minimum road allowance width for City collector roads shall generally be 25 metres.*
- d. Collector roads are to ensure that free flow of traffic is provided but with appropriate traffic control measures to ensure such traffic does not impact abutting lands uses to the extent that development opportunity is significantly reduced.*
- e. Direct access to collector roads shall be permitted subject to geometric design considerations.*
- f. On-street parking may be permitted on collector roads where location and time restrictions are enforced in specific instances, for example, adjacent to schools or during peak periods of traffic demand.*
- g. Sidewalks shall generally be constructed on both sides of collector roads.*

5.1.3.17 All new roads should be designed consistent with accepted engineering standards to provide satisfactory road gradients, facilitate the provision of safe vehicle movement, facilitate the provision of in ground and aboveground municipal services, provide proper access to adjacent lands, accommodate emergency and maintenance and transit vehicle access, accommodate pedestrian and bicycle access, provide safe street intersections, and discourage the creation of double fronting lots, and single loaded roads except adjacent to arterial roads where sound planning principles suggest that access to arterial roads should be restricted.

Comment:

Schedule 'C' Transportation Plan and Schedule 'A2' Sydenham Heights Planning Area identifies the future extension of 10th St E as a collector across the subject lands to provide a connection point between 18th Ave and 20th Ave between 16th St to the north and 8th St E to the south.

The application acknowledges the location of the extension across the subject lands in the proposed site plan and provides for the conveyance of the lands to the City through consent application B03-2021. The consent application provided for the severance of the lands containing the residential development from the lands containing the commercial development. The two-year time limit to fulfill the conditions of the consent approval expires July 13, 2023.

The application is requesting that Section 4.2.5 Road System within the Sydenham Heights Planning be amended to add the extension of 10th St E from 18th Ave E to 20th Ave E as a collector road and to specify that the collector road shall be 20.5 metre in width. OP policies generally require that collector roads generally be 25 metres in width. However, the OP provides that in certain situations, the City may consider alternate road standard including reduced right of way widths subject to justification.

The application proposes a custom cross-section for the extension and roadway alignment for the 10th Street East extension as shown in Schedule 'C'. The custom/alternate cross section is the result of the surrounding land uses, the desired roadway alignment, geometric design elements, and existing conditions. The proposed cross section includes a bidirectional pedestrian and cycling facilities on the south side of the cross-section in the form of a multi-use pathway (MUP).

Comments from Engineering Services note:

1. The proposed modified road allowance width of 20.5 metres, for this future Collector Road as designated in the City's Official Plan, is acceptable to Engineering Services. While the Official Plan and City Engineering standard road cross-sections for Collector Roadways would normally require a 25 metres wide road allowance width, the 20.5 m width is acceptable in this instance because the road allowance is providing single sided access for municipal servicing, roadway and sidewalks on the south side of the road. Access to the north side of the road allowance is not anticipated, practical or possible due to the

existing topographical conditions and nature of development on private property to the north (Smart Centres).

2. The intended function of a Collector Roadway does not support the application of traffic calming techniques, including curb bump-outs and speed humps/cushions as shown in the proposed 10th Street East roadway. The application of any traffic calming techniques, if applicable, on 10th Street East will be subject to further review and approval by the Public Works and Engineering Department and subject to conditions of site plan approval and a servicing agreement.
3. The recommended dedicated eastbound left turn lane at the future intersection of 8th Street East/Grey Road 5 and 20th Avenue East for the 2027 planning horizon is noted. Any improvements at this future intersection beyond the construction of the 20th Avenue East legs north and south of 8th Street by the developers of the lands north and south of 8th Street East will be undertaken by the County of Grey at its expense when these improvements are warranted.
4. Engineering Services accepts and agrees that all-way stop control should be implemented at the intersection of 10th Street East and 18th Avenue East upon the first phase of site development. This will also improve pedestrian safety at this intersection with the installation of new pedestrian crosswalks on the north and south side of the intersection.

The construction of an eastbound right turn lane on 10th Street East, noted as being warranted for the 2032 planning horizon, will be required as a condition of approval for the first phase of development. This will alleviate queuing on the eastbound approach of 10th Street East to the intersection and improve the level of service at this intersection.

This requirement coincides with the requirement noted above that the 10th Street East full road construction will have to be extended to 20th Avenue East and 20th Avenue East full road construction will have to be extended north of 10th Street East to the existing terminus of 20th Avenue East as part of Phase 1. It is noted that the City owns the unopened road allowance of 20th Avenue East between the Heritage Grove (shopping) Centre to the north and the future Telfer Creek (residential) Subdivision to the south.

5. The City's Residential Subdivision Policies require an emergency access be built for any development comprising more than 80 units with full road construction for developments exceeding 200 units. The completion of the 10th Street East extension to 20th Avenue East and then to the southern terminus of 20th Avenue East will be required to allow the development of Phase 1.

The required design and construction upgrades of the all-way stop control at the 10th St E and 18th Ave E intersection will be completed at the cost of the developer as a condition of site plan approval through a servicing agreement. The servicing agreement will also detail the requirement that the 10th Street East full road construction will be extended to the existing terminus of 20th Avenue East (approximately 35-40 m north of the site property boundary) as part of Phase 1 of the development to provide appropriate emergency access as required by the City's Residential Subdivision policies and National Fire Protection Agency Regulation 1140.

INFRASTRUCTURE

4.2.6 Services and Infrastructure

4.2.6.1 All development within the Sydenham Heights Planning Area shall proceed on the basis of full municipal wastewater and water services.

4.2.6.2 The East Owen Sound Master Servicing Study serves as a base reference document for the City and property owners wishing to undertake development relative to servicing the remaining land in the eastern part of the City to allow for orderly development.

4.2.6.4 Where an adequate and secure storm water outlet is not available, interim private on-site storm water management will be required.

4.2.6.5 Phasing of developments will be linked to the extension of the sanitary services as identified in the East Owen Sound Master Servicing Study as the introduction of developments proceed.

4.2.8 Implementation

4.2.8.1 It is a policy of this secondary plan that new development shall be responsible for the cost of upgrades to existing infrastructure and new infrastructure that will benefit such new development.

Area Specific Development Charges for the Sydenham Heights Development Area are identified in Schedule C and Schedule D of the City's Development

Charges By-law (By-law No. 2020-112) to recover costs the City incurred to extend water and sanitary to service lands in Phase 1.

4.2.8.2 Where any lands are proposed for development and a significant tree community is located on the same lands, the City may require, as a condition to the approval of development of such land, that a study (i.e., tree inventory and management plan, EIS) be carried out by a qualified professional to ascertain methods of preserving as many trees as possible. Any procedures related thereto may be set out in development or subdivision agreements.

Comment:

The applicant submitted a Functional Servicing & Stormwater Management Report (FSSMR) prepared by Stantec in support of the proposed development.

Stormwater Management (SWM)

A stormwater management plan to the City's standards has been submitted as a component of the Functional Servicing & Stormwater Management Report (FSSMR).

The existing storm sewer on 18th Avenue East, including the SWM pond have sufficient capacity for this development as it was designed originally to accommodate the entire Calloway REIT property.

The highlights of the proposed stormwater design are:

- Stormwater quantity control will be achieved using underground storage chambers and orifice controls to provide lower runoff volumes than the existing conditions for both the 5-year and 100-year design storms.
- The on-site stormwater detention will protect the downstream SWM infrastructure.
- Stormwater quality control to remove >80% TSS will be achieved using OGI units.
- The proposed design will accommodate both Phase 1 and Phase 2 sections of the development.

Wastewater Sewer

The developer is proposing to extend the 375mm Ø 18th Avenue East wastewater sewer via the 10th Street East extension to service this

development. The suitability and capacity of this proposal is to be justified in the SFS but the submitted FSSMR concludes that: *The proposed development can be serviced for sanitary drainage by connecting to the existing 250mm diameter sanitary sewer along 18th Avenue East. A sanitary analysis of the downstream municipal sewer system was completed. The receiving sewer immediately downstream of the development has adequate capacity to accept the increased flows from the development. Although the analysis shows that some isolated, existing downstream sewers may be over capacity. It appears that the municipal sewer network can accommodate the proposed development.*

Engineering Services has reviewed this conclusion with respect to the EOSMSS and the proposed design contradicts the EOSMSS. The major portion of this property is expected to drain to the Sydenham Heights Trunk Sewer (SHTS) located within the Rail Trail via the proposed Telfer Creek Subdivision. The SHTS was constructed with the capacity to service the subject property. The isolated surcharging noted in the submitted FSSMR is not present when the updated model is used. The consultant did not have the current version of the collection system model. Therefore, Engineering Services Engineering Services will allow the wastewater servicing for Phases 1 and 2 of the development to discharge to the 18th Avenue East wastewater sewer but the entire residential portion of the property will remain subject to the Area Specific Development Charge implemented to recover the City's costs to construct the Sydenham Heights Trunk Sewer.

Water Service

The developer is proposing to extend the 250mm Ø 18th Avenue East watermain, within the Industrial Pressure Zone (IPZ) via the 10th Street East extension to service this development.

The submitted FSSMR concludes that: *"A 250mm diameter watermain exists in the corner of 10th Street East and 18th Avenue East right-of-way adjacent to the site. Water supply for the property can be provided by connection to this municipal watermain." Further, "Ten (10) private fire hydrants will be installed within the site as required to provide firefighting coverage for the proposed buildings."*

The submitted FSSMR states that further flow testing is required to confirm that adequate fire flow is available.

The proposed water servicing for the entire residential portion does not conform to the East Owen Sound Master Servicing Study (EOSMSS). The eastern portion of this property is expected to be serviced from the East Hill Pressure Zone (EHPZ) with the IPZ supplying the western portion of the property which contains the proposed Phase 1.

There is insufficient capacity to provide fire flow protection from the Industrial Pressure Zone from the IPZ for the Phase 2 portion.

Engineering Services will allow the entire Phase 1 portion to be serviced from the IPZ but will require that the Phase 2 portion water supply will be from the EHPZ as per the EOSMSS.

The submitted FSSMR shows that the entire residential development has a Maximum Day Demand (MDD) of 11,549l/min. Phase 2 of the property will need to be serviced from the East Hill Pressure Zone (EHPZ) which will require a connection to the future 20th Avenue East watermain, extended through the proposed Telfer Creek Subdivision, which will be connected to the 8th Street East watermain.

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.

5.1.4.14 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.*

Comment:

The development is proposing a reduced parking ratio for the apartment buildings in Phase 2 from 1.25 spaces per dwelling unit to 1.0 spaces per unit. The application notes that given the site location, the existing and planned pedestrian infrastructure and transit facilities on 18th Avenue East, the planned pedestrian and cycling facilities on the extension of 20th Avenue East, and the commercial and institutional developments (hospital, schools, etc.) located in close vicinity to the site, it is anticipated that the number of provided parking spaces for Phase 2 are sufficient as residents' need for cars may be reduced. Development of the site and surrounding residential proposals such as the mixed used Telfer Creek Square and the residential Telfer Creek subdivision) may initiate the extension of transit facilities or more transit routes along the extension of 20th Avenue East and/or 10th St E.

Planning staff recommend that as per the Telfer Creek Square, that the site specific zoning provisions include requirements to provide electric vehicle charging facilities as required by Section 5.1.4.14. The proposed provisions are detailed in the zoning discussion.

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.

5.1.5.2 The City shall promote sustainable, healthy, active living through well-connected and maintained streets, paths and trails that are able to safely accommodate different modes of transportation.

Pedestrian links and bicycle trails may be located on public road allowances, parks, City or government owned lands and rights of-way acquired over or through privately held lands as indicated on Schedule 'D' – Active Transportation and Recreation Trails Master Plan. Consideration should be given to providing connections between pedestrian links/bicycle trails and residential streets and areas of open space, schools and public transit facilities.

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.

5.1.5.6 The City will encourage and facilitate where possible the use of cycling on local and collector roads.

5.1.5.9 The City will support the integration of pedestrian and cycling facilities into existing and new development areas.

5.1.5.11 The City will encourage new development to include accessible, age-friendly and transit supportive design elements such as:

- a. A system of walkways (sidewalks, paved shoulders, and trails) and bicycle paths (paved shoulders and trails) linking the subdivision internally as well as externally to other walkways and bicycle paths, and to other public areas;*
- b. Design that includes living streets, active transportation, and safety.*

Comment:

The proposed site plan shows onsite pedestrian facilities in the form of a sidewalk network that connects to the pedestrian paths in the private park area as well as to the multi-use path along the 10th Street East extension. The multi use path provides connectivity to existing City sidewalk on 18th Avenue East, and future pedestrian and cycling facilities on the extension of 20th Avenue East. The future extension of 20th Ave and the development of adjoining lands will provide an alternate connection to the Rail Trail on 16th St E. Until those development occurs, 16th St E does have a City sidewalk on the south of the street which provides connectivity to the Rail Trail. The Rail Trail is part a City active transportation network of trails and park spaces.

The proposed on-site active transportation facilities are illustrated in the pedestrian and cycling plan in the Transportation Plan to support the site plan submission.

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 are well located with access to the City's transit system. The East Bayshore transit route travels along 10th St E / 18th Ave E with a stop located on the west side of 18th Ave E at the entrance to the Walmart site. The Core transit route travels along 18th Ave E with stops at the Seasons Retirement Home and at Heritage Place Mall. Both routes provide connectivity through the central City over the east and west sides. As noted, as development occurs, the City will review and optimize routes.

7.1.6 Archaeological Resources

Archaeological Resources includes artifact, archaeological sites and marine archaeological sites, as defined under the Ontario Heritage Act.

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.

7.1.6.2 Development and site alteration shall only be permitted on lands containing archaeological resources or areas of archaeological potential if the significant archaeological resources have been conserved by removal and documentation, or by preservation on site. Where significant archaeological resources must be preserved on site, only development and site alteration that maintains the heritage integrity of the site may be permitted.

7.1.6 .3 The City may require studies, such as an Archaeological Assessment Report, prepared by a qualified person, to identify and protect archaeological resources from destruction or alteration through development or public works operations.

Comment:

As discussed in the PPS section, a Stage 1 and 2 Archaeological Assessment was undertaken by Archeoworks Inc for Phase 1 of the proposed development. Based on the findings of the Stage 2 Archaeological Assessment, a Stage 3 Assessment is recommended. Further assessment with SON was attempted but could not be completed due to weather. SON agreed that the submission can proceed with Stage 3 being a condition of approval.

Planning staff recommend that the Stage 3 assessment for Phase 1 of the development be a condition of site plan approval. As well any future development of Phase 2 will require at minimum a Stage 2 assessment which will be required as part of site plan approval. Please see comments above in the Provincial Policy Section.

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.

8.4.2.1 Promote the objective of "Healthy Communities" through program and facility development. New neighbourhood streets should be designed to limit the speed of traffic and to create a continuous pattern of pedestrian connections, consistent with the principles of Living Streets. Sidewalks should, where possible, be separated from the roadway by landscaped boulevards.

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.

8.6.1.3 The City may define, within any development area, building heights and setbacks or, in some cases, 'build to' lines that are consistent with the intended form of development and relevant guidelines. Within a residential area, such heights and setbacks should be consistent with the general form of existing development. Increased setbacks may be required where high buildings are proposed.

8.6 Streetscape

8.6.3.3 Sidewalks may be set back from the road with landscaped boulevards where appropriate.

8.6.3.4 A barrier-free path of travel shall connect City sidewalks to main, accessible entrances.

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.

8.6.5.5 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 development provides for a 1.8-metre-wide internal sidewalk network that meets AODA standards which connects building entrances to the parking areas and to the multi use pathway on the south side of the 10th St E extension. As discussed above the three (3) metre-wide multi use pathway connects to the City-wide active transportation network.

Landscaped boulevards including trees and other plantings are proposed adjacent to the internal sidewalk network, parking areas and buildings. The Urban Design Study submitted in the support of the application notes:

- A detailed landscape design has been prepared for Phase 1 of the Proposed Development.
- The landscape plan incorporates landscaping between the building facades and the streets that is complementary to the streetscape design, including sodded lawns and tree plantings.
- Tree plantings and massed understory plantings will be proposed between the buildings and throughout the surface parking lot to break up the surface parking area and reinforce the pedestrian walkways.
- Tree plantings will provide shade for amenity areas and contribute to softening the interface along property lines. Peripheral landscaping will be included to frame the bounding streets, soften the edges of buildings, and screen undesirable views such as utility equipment.
- Privacy fencing with sound barrier material and high branching shade trees are proposed along the property lines abutting the hospice and the hospital.

The proposed site-specific zoning provisions include increased height and reduced setbacks to facilitate the development on the subject lands given the existing site constraints (topography) and external parameters such as the extension of 10th St E across the property. The proposed site design and layout allows for an appropriately scaled development in the context of a mixed use, higher density urban development scenario.

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.

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.

Comment:

The Urban Design Study submitted in support of the application notes that:

- The subject property has clearly defined points of access for pedestrians, and walkways to facilitate safe circulation.
- The private condominium roads and driveways through surface parking areas in the apartment block will be appropriately landscaped and provide distinct vehicle and pedestrian areas.
- Barrier free spaces are provided in accordance with the Zoning By-law. Planting strips and landscaped edges will frame the surface parking areas and driveways to minimize the aesthetic impact of the surface parking.
- The size and location of driveways for the townhouse blocks will comply with Zoning By-law requirements.
- Driveways and aprons will be paved using coarse asphalt or concrete paver materials. The laying out of driveways will consider optimizing opportunities for front yard landscaping through pairing of driveways.

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.

8.6.8.3 In new comprehensively designed residential development, the City may permit building setbacks and lot sizes which vary from surrounding development where these are determined to be appropriate to the proposed form of development in accordance with accepted design guidelines.

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

Comment:

The Urban Design Study notes:

- The proposed development provides a consistent building setback and maintains an appropriate street width to building height proportion that relates to pedestrian scale.
- The proposed development represents an appropriate design response to the site's emerging context and provides variety of built forms that have regard to the adjacent existing and planned residential developments.

The orientation of the building, removal of the west facing windows and balcony design will also work to ensure appropriate design in relation to the adjacent land use.

The proposal conforms to the policies of the City's Official Plan.

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

The lands are zoned 'Low Density Residential' with Special Provision 14.5 (R3 14.5) and 'Low Density Residential' Holding with Special Provision 14.5 (R3 (H) 14.5) in the City's Zoning By-law (2010-078, as amended).

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

Current Zoning	Proposed Zoning
<ul style="list-style-type: none"> ▪ Low Density Residential Holding with Special Provision 14.5 (R3 (H) 14.5) 	<p>Phase 1</p> <ul style="list-style-type: none"> • General Residential with Special Provision 14.xxx (R5 14.xxx) <p>Phase 2</p> <ul style="list-style-type: none"> • General Residential with Special Provision 14.yyy (R5 14.yyy)

The site-specific zone regulations applying to the entire site propose:

- v A Temporary Sales/Leasing Office defined as “a building or structure, facility or trailer on the lot used for the purpose of the sale or lease of dwelling units to be erected on the lot and/or the administration and management of construction activity related to the construction on the lot.”
- vi The lots subject to this Special Provision shall be regarded as one lot for the purposes of meeting zoning regulations.
- vii Severances and lot divisions by way of consent are permitted without meeting minimum lot frontage, setbacks, lot coverage and area requirements to newly created lot lines and for newly created parcels, as these lands are considered one lot for planning purposes.
- viii Parking, loading, and driveways providing access to parking shall not require a setback from interior property lines shared with properties zoned R5 14.137 or R514.138 on By-law 2010-078 Zoning Map 20.

The following proposed site-specific zone regulations apply to Phase 1 through General Residential with Special Provision 14.137 (R5 14.137) in addition to (1) through (4) described above:

1. Permit a maximum height of 15 metres;
2. Permit a minimum exterior side yard of 1.5 metres for the Phase 1 portion of the Subject Site;

3. Permit 0 bicycle parking spaces per cluster townhouse dwelling [where a garage is present]; and,
4. Permit a Maximum Density /Floor Space Index (FSI) of 1.0 across all the Phase 1 lands;

'Floor Space Index (FSI)' means an index that, when multiplied by the total land area of a lot, indicates the maximum permissible gross floor area for all buildings on the lot, excluding underground or covered parking structures and floor space located in the cellar.

The following proposed site-specific zone regulations apply to Phase 2 through General Residential with Special Provision 14.138 (R5 14.138) in addition to (1) through (4) described above:

1. Permit a parking ratio for apartment dwellings of 1.0 spaces per unit where 1.25 spaces per unit is required for the Phase 2 portion of the Subject Site; and,
2. Permit a maximum height of 15 metres;

In addition to the above requested special provisions, relief from Section 5.14 Through Lots will also be required to allow a reduced setback from each street/road allowance from 6.5 metres to 1.5 metres.

Removal of Holding

As noted above the Holding provisions were authorized through Official Plan Special Provisions Section 3.5.3.1 which authorized the Holding zone provisions on the southern portion of the lands to recognize the future extensions of 10th Street East across the subject lands, among other matters.

The proposed Official Plan Amendment describes the extension of 10th St E from the current 18th Ave E terminus to the terminus of 20th Ave E as a collector road with an alternate 20.5 metre road cross section. The required studies and reports have been submitted to the City and staff and agencies have reviewed and identified that the requirements to lift the "H" symbol have been addressed through the submitted studies and reports.

The proposed Removal of the Holding Zoning Amendment meets the general intent and purpose of the City's Zoning By-law.

Site Specific Amendments

The special provisions are proposing to establish site-specific zone regulations as follows:

4. The lots subject to this Special Provision shall be regarded as one lot for the purposes of meeting zoning regulations;
5. Severances and lot divisions by way of consent are permitted without meeting minimum lot frontage, setbacks, lot coverage and area requirements to newly created lot lines and for newly created parcels, as these lands are considered one lot for planning purposes;
6. Parking, loading and driveways providing access to parking shall not require a setback from interior property lines shared with properties zoned R5 14.xxx (Phase 1) or R5 14.yyy (Phase 2) on By-law 2010-078, as amended, Zoning Map 20; and,
7. Permit a Temporary Sales/Leasing Office defined as “a building or structure, facility or trailer on the lot used for the purpose of the sale or lease of dwelling units to be erected on the lot and/or the administration and management of construction activity related to the construction on the lot.”

Provisions (1) through (3) seek to recognize the proposed residential development as one property for the purposes of zoning conformity in case of future consent applications. Provision (4) Temporary Sales/Leasing Office is a standard a request for larger developments that will require a number of years to build out due to their scale. These provisions are proposed to apply to both Phase 1 and Phase 2 of the development.

Treatment as One Lot

The amendment is requesting that the development as it is proposed will be regarded as one lot for the purposes of zoning regulations if subject to future consent (or possibly plan of condominium application). The developer will possibly propose to sever the parcel into a number of separately conveyable lots in the future for financing purposes.

The request to regard the entire development as one lot will allow the development to build out and function as intended even if the underlying fabric parcel is partitioned into smaller individual parts and potentially sold to

owners other than the applicant/developer and ensure efficient use of the lands.

As with a similar request by the Sky Dev development at 3195 East Bayshore Road, Staff recommend that the proposed “one lot” scenario will require a ‘mutual easement & operating agreement’ between the parcels and be illustrated by a Master Easements and Right-of-Way Plan. This type of agreement details the relationship between owners of the various future lots as well as the City and assigns responsibilities to the signatories of the agreement. The agreement is registered on title and therefore transfers to all future lot owners.

Planning staff recommend that the agreement (and registration on title) be a condition of approval for a future consent application or a condition of Draft Plan of Subdivision/Condominium approval. The Master Easements and Right-of-Way Plan will be required through the Site Plan Approval process to ensure the site design is conducive to future land division as conceived.

Temporary Sales/Leasing Office

The draft amendment is requesting that a Temporary Sales/Leasing Office be added as a site-specific permitted use. The proposed definition for the office is:

“A building or structure, facility or trailer on the lot used for the purpose of the sale or lease of dwelling units to be erected on the lot and/or the administration and management of construction activity related to the construction on the lot.”

Planning staff recommends that the following provisions be applied to the construction/leasing office:

- If the office is to be located outside of the proposed multi-unit buildings, the building/structure/trailer containing the office must be connected to municipal services (water and wastewater services), hydro, etc.;
- The building/structure/trailer containing the office shall not be used for human habitation but may contain kitchen and sanitary facilities;
- Maximum building height of building/structure/trailer containing the office shall be 10 m;

- Section 5.9 Accessory Buildings and Structures does not apply to the location of the building/structure/trailer containing the office and it shall comply with the site and building regulations of Section 6.7 General Residential (R5) zone;
- The building/structure/trailer containing the office shall be shown on the approved Site Plan and integrated into the site design. The Site Plan agreement will include applicable provisions regarding the building construction and use; and
- If the building is to be temporary the building shall be removed within 60 days once occupancy for the last building has been achieved.

Maximum Building Height

The application is requesting to increase the maximum building height to 15 m. The R5 zone maximum building height is 12 m for 'Dwelling, Apartment', and 10 metres for 'Dwelling, Townhouse'. A 15 m building is approximately four (4) storeys in height.

The proposed four-storey apartment buildings are considered a low-rise type of development which is generally defined as up to four (4) storeys in height.

The proposed building height is slightly higher than the traditional low-rise development of single and semi-detached dwellings and townhouses that has been more common in Owen Sound in the past. Changes within the policy environment and housing markets are resulting in an evolution in the types of building forms being built in Owen Sound. The demand for diverse housing types, at a range of price points, are causing an increase in the construction of townhouse and mid-rise building within the City. As various areas of the City develop or redevelop, there is a growing trend in the construction of taller buildings in the City. Taller buildings that contain more units per hectare of developable land provide a more efficient cost ratio for the developer, more efficient use of land, and more dwelling units at a wider range of price points. Surrounding lands contain buildings that are six to eight stories in height including the hospital to the south and the Southbridge Long Term Care Facility and Owen Sound Garden Retirement Residence to the west. The four-storey building is considered to be a low-rise building, and the anticipated impact of the increased height in this context is low. The additional landscape and buffer measures developed through the public participation process ensure the proposed height increase is compatible with the adjacent use.

Parking

The site-specific zone regulations are requesting a reduced parking ratio for the Phase 2 apartment buildings as well as acknowledgment that parking for bicycles in the townhouses will be provided inside the attached garages.

The application is proposing the reduced car parking ratio for the Phase 2 apartment building given the nearby bus routes, active transportation network and commercial and institutional uses within a walking distance of the subject lands. The site design for Phase 2 is preliminary as this time and will be subject to a separate, future site plan approval application from the Phase 1 proposal. Smaller paved, impervious parking areas are beneficial in mitigating the impacts of climate on the City's urban infrastructure including stormwater management systems.

Minimum Electric Vehicle Parking

The Official Plan requires that all new development include electric vehicle parking. Staff recommend that a site-specific provision provide for electric vehicle parking as follows:

Notwithstanding the provisions of Section 5.18 regulating Off-street Parking Requirements:

i. Electric Vehicle parking spaces with charging facilities shall be provided at the following ratios:

Number of Total Required Parking Spaces	Minimum Number of Electric Vehicles Parking Spaces with Charging Facilities
0-150	2
Greater than 150	3% of total required parking

Site & Building Regulation

The proposed site-specific site and building regulations are required to recognize the location of the buildings on the site in the context of the site topography and the lot location in the context of the local road network. The subject lands are considered a through lot because the lot is bounded on opposite sides by 10th St E on the west and the future 20th Ave E on the east. Further the yard adjacent to the 10th St E extension will be considered an exterior side yard. As such, the application is requesting:

- a reduced, minimum exterior side yard of 1.5 metres for the Phase 1 portion of the Subject Site; and,
- a Maximum Density /Floor Space Index (FSI) of 1.0 across all the Phase 1 lands;

'Floor Space Index (FSI)' means an index that, when multiplied by the total land area of a lot, indicates the maximum permissible gross floor area for all buildings on the lot, excluding underground or covered parking structures and floor space located in the cellar.

The proposed exterior side yard setback between the buildings and the 10th St E lot line will vary slightly across Phase 1 due to the curve and location of the road. The reduced setback will occur where the site entrance to Building B is located in at the far reach of the road curve and at the end units of townhouse blocks in the eastern portion of Phase 1.

The R5 provides a FSI of 1.0 for 'Dwelling, Apartment' and a FSI of 0.6 for 'Dwelling, Townhouse'. The development is proposing a combination of apartment and townhouse dwellings in Phase 1 and is therefore requesting a uniform FSI across the entire phase.

As well relief from Section 5.14 Through Lots is required to allow a reduced setback from each street/road allowance from 6.5 metres to 1.5 metres for a through lot.

5.14 THROUGH LOTS

Whether a through lot is a corner lot or an interior lot, notwithstanding that one street line (except the exterior side lot line on a corner lot) is considered a rear lot line, the minimum front yard depth or minimum building setback from a front lot line applicable to the zone in which the lot is situated for the permitted use shall apply on each street or road allowance.

The requested site and building regulations are technical in nature and will not impact the ability of the site to support the proposed development. The proposed development can function as intended, provide an appropriate amount of green space and create an appropriate streetscape.

The proposal maintains the general intent and purpose of the City's Zoning By-law.

City Staff & Agency Comments

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

City of Owen Sound 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 OPA 12 and ZBA 45, subject to the recommended conditions to be implemented through the site plan approval process.

City of Owen Sound Fire Prevention Division

Comment has been received from the City's Fire Prevention Division with no objection to the subject proposal.

Fire Prevention staff does note that the development is required to meet the requirements of NFPA 1140 and provide the required means of access per number of households/residential units:

11.1.4 Number of Means of Access.

11.1.4.1* A land development shall have one or more means of access in accordance with Table 11.1.4.1(a), Table 11.1.4.1(b), or 11.1.4.2, whichever produces the greatest number.

11.1.4.2 Where residential areas are mixed with nonresidential areas, the minimum number of access routes shall be determined by calculating five parking spaces for each dwelling unit, adding that number to the parking spaces count for the nonresidential area, and using Table 11.1.4.1(b).

Table 11.1.4.1(a) Required Number of Access Routes for Residential Areas

Number of Households	Number of Access Routes
0-100	1
101-600	2
>600	3

Table 11.1.4.1(b) Required Number of Access Routes for Nonresidential Areas

Number of Parking Spaces	Number of Access Routes
0-1250	1
1251-3000	2
>3000	3

Grey County

Comment has been received from Grey County with no objection to the subject proposal.

Grey Sauble Conservation Authority (GSCA)

Comment has been received from GSCA with no objection to the subject proposal.

Historic Saugeen Metis (HSM)

Comment has been received from HSM with no objection to the subject proposal.

Public Comments

A Public Meeting was held on March 27, 2023. The hospice executive director and board members attended the public meeting on May and expressed concerns regarding:

- Physical/visual privacy for the residents including sight lines from apartment buildings to hospice and people trespassing across the hospice property to access adjoining properties such as the hospital.
- Providing residents private access to the individual outdoor patio space attached to each resident room. Hospice staff suggested mitigation through a fence and a 6 ft berm.
- Stormwater management – water potentially draining from the subject property to the hospice property.
- Traffic backing up in front of the hospice and preventing traffic from leaving the hospice site efficiently.

Subsequent to the Public Meeting, the applicant and their consulting team, City staff and representatives from the hospice attended a site meeting to further explore the issues raised at the Council meeting. The applicant provided the following in response to the matters discussed at the site meeting:

- A revised Urban Design Report, prepared by GSP Group, dated April 2023. The modifications reflecting the changes to the Site Plan are noted in bold text.

- Modified Landscape Plan Illustration, showing Hospice Screening, prepared by MHBC, dated April 14, 2023;
- An updated Noise Impact Study, Prepared by RWDI, updated April 19, 2023.

The updated noise study recommended the addition of a 1.8 m tall acoustic barrier to help reduce the sound levels to the hospice from the loading and garbage storage area at Building A. The revisions also included enhanced landscaping along the west and east side of the fence.

Additional discussions between the applicant and the hospice resulted in a further refinement of the proposed landscape plan to address concerns raised by the hospice (May 17, 2023) including specifying the size of the trees on either side of the fence as well as upgrading the timber fence along the property boundary to be 75 m long with acoustic barrier features for the length.

The Grey Bruce Hospice has provided written notice that their concerns have been addressed through the revised site plan and landscape plan modifications. The proposed plans will be implemented through the site plan approval process and are noted below.

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:

The following conditions are requested by City Staff:

- Phase 1 - Stage 3 Archaeological Assessment
- Phase 2 - Stage 2 Archaeological Assessment
- Landscape Plan revised May 15, 2023
 - Sound barrier material around loading dock/garbage storage area
 - 75 m long, min 1.8 m high timber screen with acoustic barrier measures
 - 80 mm caliper high branching shade trees on east side of fence
 - Continuous row of 80 mm caliper columnar oak and 4 m high coniferous trees on west side of fence

- Mounded earth forms in POP area
- Metal fence on south side of property boundary
- The entire residential portion of the property is subject to the Area Specific Development Charge implemented to recover the City's costs to construct the Sydenham Heights Trunk Sewer.
- The entire Phase 1 portion to be serviced from the IPZ but will require that the Phase 2 portion water supply will be from the EHPZ as per the EOSMSS.
- That the developer provide picnic and shelter facilities and /or playground areas including shade plantings/structures sympathetic to the landscape in accordance with the CAN/CSA-Z614-14 Children's Playspaces and Equipment (the standard).
- Servicing Agreement as a condition of the site plan agreement
 - 10th Street East and 18th Avenue East intersection improvements - separated eastbound right turn lane on 10th St E and all-way stop-control at the intersection.
 - 10th Street East full road construction from the 18th Ave E terminus to the existing terminus of 20th Avenue East including 3.0 m multi-use pathway.
 - The completion of the 10th Street East extension to 20th Avenue East and then to the southern terminus of 20th Avenue East will be required to allow the development of Phase 1

Financial Implications:

OPA and ZBA application fees were collected in the amount of \$7,380.00 as well as \$922.00 for GSCA.

The developer will be required to pay for servicing, transportation, water, sanitary and stormwater to support the development. As discussed throughout this report, the proposed development will include the construction of 10th St E across the subject lands from 18th Ave E to 20th Ave E. Through the site plan approval process for Phase 1, a servicing agreement will detail the design and construction of 10th St E as a 20.5-metre-wide Collector Road from 18th Ave E to the current terminus of 20th Ave E including, but not limited to:

- Construction of the road to a full urban standard from 18th Ave to the current terminus of 20th Ave E as part of Phase 1 construction;

- A 3.0-metre multi-use pathway on the south side of the roadway;
- Landscaping including boulevard trees;
- Appropriate connections to existing and future multi-modal transportation systems; and,
- Upgrade of the existing 10th St E and 18th Ave E intersection as per the recommendations of the TIS.

Communication Strategy:

A Notice of Complete Application and Public Meeting was given in accordance with 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': Official Plan and Zoning Map

Schedule 'C': Master Site Plan

Schedule 'D': Landscape Plan

Schedule 'E': Revised Landscape Plan – May 15, 2023

Schedule 'F': Draft Official Plan Amendment

Schedule 'G': Draft Zoning By-law Amendment

Schedule 'H': Public Meeting Minutes & Public Comments

Schedule 'I': Agency Comments

Recommended by:

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.