

Agency and Public Comments

- 1) Grey Sauble Conservation Authority – June 2, 2023
- 2) Engineering Services Division Staff Report – June 8, 2023
- 3) Cuesta Planning Consultants Inc. – June 7, 2023

June 2, 2023

GSCA File: P23184

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

Sent via email: osplanning@owensound.ca

Re: Application for rezoning ZBA 48
Address: 2125 16th Street East
Roll No: 4259040060130000000
City of Owen Sound
Applicant: Goyo

Grey Sauble Conservation Authority (GSCA) has reviewed the subject application in accordance with our mandate and policies for Natural Hazards and relative to our policies for the implementation of Ontario Regulation 151/06. We offer the following comments.

Subject Proposal

The purpose of the application is to permit the construction of additional buildings to complete the buildout of the multi-building commercial development on the subject lands. A new 3,252 square metre grocery store is proposed together with an attached 1,310 square metre retail unit in the northeast quadrant of the site.

GSCA Regulations

A portion of the subject property is regulated under Ontario Regulation 151/06: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses. The regulated area is associated with the unnamed tributary of Bothwell's creek which flows on the parcel to the east. The regulated area is generally indicated on the attached map.

Under this regulation a permit is required from this office prior to the construction, reconstruction, erection or placing of a building or structure of any kind; any change to a building or structure that would have the effect of altering the use or potential use of the building or structures, increasing the size of the building or structure, or increasing the number of dwelling units in the building or structure; site grading; or, the temporary or permanent placing, dumping or removal of any material originating on the site or elsewhere, if occurring within the regulated area. Also, a permit is required for interference with a wetland, and/or the straightening, changing, diverting or in any way interfering with an existing channel of a river, lake, creek stream or watercourse.

Provincial Policy Statement 2020

Member Municipalities

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

3.1 Natural Hazards

Natural Hazards on the subject property include the flooding and erosion potential of the unamended tributary of Bothwell's creek which flows on the adjacent parcel to the east. Given that the rezoning is proposed in the north east quadrant, the areas mapped natural hazard are not anticipated to be impacted. We note that while the City's zoning captures the existing floodplain mapping as ZH, engineered assessments for developments on neighbouring properties have demonstrated the extent of the floodplain to be larger than historical mapping. As such should any development be proposed within the south east portion of the property in the future our office would recommend an engineered flood plain assessment be completed.


Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Plan

The subject property is not located within an area that is subject to the Source Protection Plan.

Recommendations

We generally have no objections to the proposed rezoning.

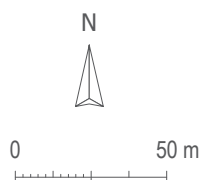
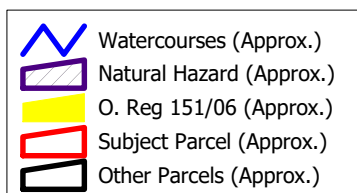
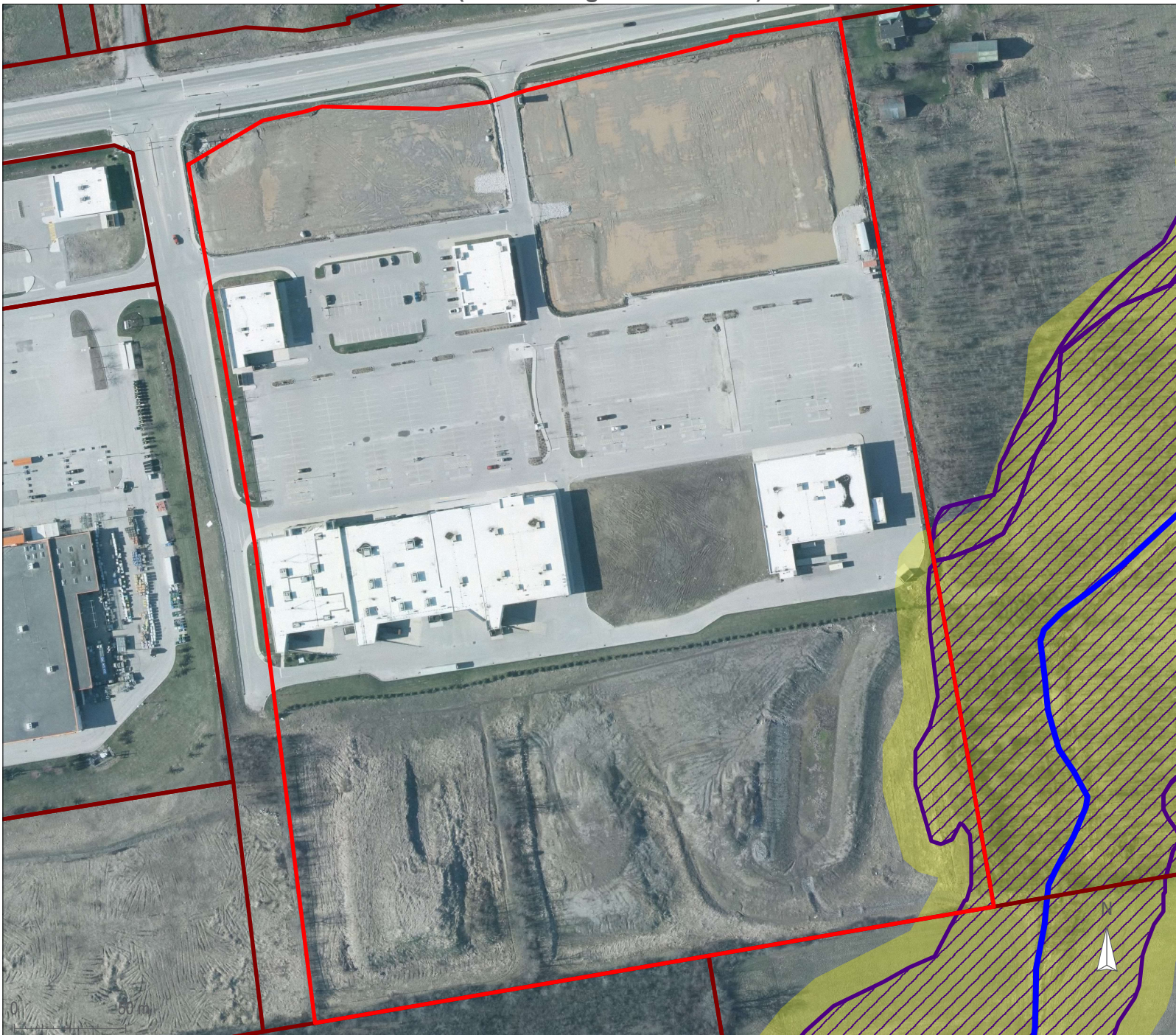
Regards,

A handwritten signature in black ink, appearing to read 'jlb Bf Bto', is written over a faint, circular official stamp.

Jake Bousfield-Bastedo, Watershed Planner, RPP

c.c. Scott Greig, GSCA Director, City of Owen Sound
Jon Farmer, GSCA Director, City of Owen Sound

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



GSCA Regulations Map
ZBA 48
City of Owen Sound
Roll No: 425904006013000
GSCA File: P23184

June 2, 2023

The included mapping has been compiled from various sources and is for information purposes only. By accepting this map you agree not to edit the map or disclaimer without the exclusive written permission of Grey Sauble Conservation. Produced by GSC with Data supplied under Licence by Members of the Ontario Geospatial Data Exchange. © King's Printer for Ontario and its licensors. [2021] May Not be Reproduced without Permission. THIS IS NOT A PLAN OF SURVEY. This mapping contains products of the South Western Ontario Orthophotography Project (SWOOP). They are the property of Grey Sauble Conservation Authority © 2021.

Projection: Universal Transverse Mercator - Zone 17 (N)
Datum: North American 1983 (mean for Canada)

Staff Report

Engineering Services Division

DATE: 2023 June 8

ENG. FILE: 2125 16th Street East
4259 04006 013000

TO: Sabine Robart, Manager of Planning & Heritage
Pam Coulter, Director of Community Services
Lara Widdifield, Director of Public Works & Engineering

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

SUBJECT: ZONING BY-LAW AMENDMENT ENGINEERING REVIEW

Applicant: Heritage Grove Centre Inc.

PLANNING FILES: ZBA48

LEGAL DESCRIPTION: SYDENHAM RANGE 5 EGR Pt Park Lots 8, 9; RP 16R-9039
Pt. Pt. 1 RP 16R-11134 Pts 1, 3

RECOMMENDATIONS: Further to our review of the above noted application, the
Public Works & Engineering Department has no objection
to this application.

BACKGROUND:

The applicant, Heritage Grove Centre Inc. (Guery Goyo), has submitted an application for a Zoning By-law Amendment to the City's Zoning By-law 2010-078, as amended for 2125 16th Street East.

The purpose of the application is to permit the construction of additional buildings to complete the buildout of the multi-building commercial development on the subject lands. A new 3,252 square metre grocery store is proposed together with an attached 1,310 square metre retail unit in the northeast quadrant of the site.

The proposal includes the construction of parking areas, an internal road system, landscaping, and a stormwater management system.

The effect of the application is to amend the current zone categories and special provisions applying to the subject lands consistent with the Official Plan for the East City Commercial area generally in accordance with the following:

Current Zone: Retail Commercial with Special Provision 14.89 (C2 14.89)

Proposed Zone: Retail Commercial with Special Provisions 14.XX (C2 14.XX)

That Special Provision 14.89 shall be deleted.

The following NEW provisions are proposed: Special Provision 14.XX:

Permitted Uses

All uses in the C2 Zone are permitted to lands shown on Schedule A, Zoning Map 20, subject to Official Plan conformity including policy 3.5.2.5, to the satisfaction of the City.

Notwithstanding the C2 (14.XX) Zone, all legally existing uses on the date of passing of this By-law, may continue on the lands and are deemed to conform with this By-law.

The site and building requirements of the C2 zone shall apply to lands shown on Schedule A, Zoning Map 20, save and except for the following:

- i. Building Setbacks: 4 m minimum setback from 16th St E for Building 'H'; 6.0 m minimum from any street line for all other buildings and 8 m minimum from any other lot line
- ii. A minimum landscape buffer - Adjacent to 16th Street East – a minimum of 0.25 metres.
- iii. Maximum Building Height – 19 m for Hotels, Clinics and Laboratories
- iv. Restaurants
 - a) Restaurants smaller than 325.2 m² GFA shall be permitted provided that they do not exceed 1,250 m² GFA in aggregate.
 - b) One drive-through restaurant is permitted, which shall not be subject to the 1,250 m² restaurant aggregate regardless of size.

ANALYSIS:

This document incorporates comments from all divisions of the Public Works & Engineering Department.

The following comments reflect the results of this review:

DETAILED REVIEW:

Documents reviewed in conjunction with this application are:

- *City of Owen Sound Site Development Engineering Standards, 1st Edition*
- *City of Owen Sound Official Plan adopted by City Council March 20, 2006*
- *Stormwater Management Planning and Design Manual, March 2003;*
Province of Ontario Ministry of the Environment – published by: Queen's Printer for Ontario
- *Greystone Project no. 23231 dwg. No. SP1.0 "Site Plan" dated 2023.03.10 Rev.3*
- *Preliminary Servicing Review prepared by WSP Canada Inc. dated 2023.03.03*

- *Traffic Opinion Letter prepared by Crozier & Associates, dated December 7, 2022;*

STORMWATER MANAGEMENT (SWM):

The Stormwater Management approach will meet the criteria outlined in the 2020 Functional Servicing Report Update. All storm flows will be collected by on-site catch basins and directed to respective stormwater quantity control tanks and controlled to the allowable release rate. Details of the stormwater management system will be provided on the forthcoming site engineering plans. At this time, WSP does not anticipate any issues achieving the stormwater management objectives outlined in the 2020 FSR Update.

GRADING & DRAINAGE:

The site grading and drainage shall conform to Section 2.2.2 of the City's Property Standards By-law 1999-030 and the approved design of the SWM system.

SITE SERVICING:

SERVICING FEASIBILITY STUDY (SFS): A Functional Servicing Report Update was submitted in support of this development in 2020. The report, based on the approved Functional Servicing Report for the development, dated 2011, concluded that sufficient servicing capacity was available for this development.

These conclusions were verified by a Preliminary Servicing Review submitted by WSP and dated March 3, 2023 in support of this application.

Engineering Services agrees with the conclusions of the Preliminary Servicing Review.

WASTEWATER SEWER: The post-development wastewater flows from the site have been calculated taking into consideration the proposed development and the existing Heritage Grove buildings. The estimated wastewater flows were calculated in accordance with the design criteria outlined in the 2020 FSR Update.

Based on the revised development proposal gross floor areas, the total estimated population for the commercial complex, including the existing buildings, is 200 people. This results in an estimated peak wastewater flow of 5.37 L/s. As this is below the estimated flow for the previous approved development proposal of 6.40 L/s, the wastewater sewage capacity is available to service the revised development proposal.

WATER SERVICE: The 2020 FSR Update had concluded that a sufficient domestic water supply was available to service the previous development proposal. The anticipated domestic water demands for the revised development proposal are less than the previously approved development proposal. As such, the existing water supply infrastructure has adequate capacity to service the proposed development.

WSP also reviewed the fire fighting water supply requirements. A hydrant flow test was completed for the existing water supply system as part of the Servicing Design Report Heritage Grove Centre, dated August 2011. Based on this test, it was found that the existing water supply system could supply a fire flow of 2,166 USGPM (137 L/s). Based on the largest building floor area, building K1, a fire flow of 1,583 USGPM (100 L/s) is required. We can confirm that the existing water system has sufficient capacity to provide fire fighting water supply volumes for the proposed development as the required fire flow is less than the available flow rate.

PARKING, SITE ACCESS & ROADWAYS:

TRAFFIC IMPACT STUDY (TIS): A Traffic Opinion Letter has been submitted with the application. The TOL forecasts the trip generation characteristics of the proposed development with the updated land uses, assess intersection operations and recommend improvements, if required, to determine if the approved lane configuration is adequate to support the grocery store.

The TOL identifies any required changes to the road improvements identified in the Traffic Impact Study submission prepared by Crozier, dated April 2019 (2019 Heritage Grove TIS).

The most recent concept plan replaces the hotel land uses identified in the 2019 Heritage Grove TIS with a proposed grocery store and generic retail land uses. This is estimated to increase the trip generation of the site and is forecast to result in poor operations on the minor approaches at the 20th Avenue East and Site Access / Smart Centres Access intersection.

Based on the updated land uses included in the most recent site plan, the left-turn lane recommendations at the study area intersections are consistent with the 2019 Heritage Grove TIS. A westbound left-turn lane with 15 metres of storage is warranted on 16th Street East at 22nd Avenue East under 2024 total conditions without the abutting "Sydenham Square" property to the east and 25 metres of storage is warranted with anticipated traffic from the "Sydenham Square" property.

It is recommended to implement all-way stop control at the 20th Avenue East and Site Access / Smart Centres Access intersection based on a sensitivity analysis to improve operations.

SITE ACCESS: The site access is provided by two entrances to the development from 20th Avenue East and a right in/right out access, east of 20th Avenue East, from 16th Street East. The proposal shows a future, private, all moves intersection at a future 22nd Avenue East location, east of the current right in/right out access.

As this private access road on the east boundary of the Heritage Grove site must share property access with "Sydenham Square", a submitted site plan must accommodate this use.

TRANSIT ACCESS: The City's transit system is accessible on the Heritage Grove site.

TRANSPORTATION PLAN: A Transportation Plan is not required.

ROAD WIDENING: A road widening is not required.

ENVIRONMENTAL:

There are no known environmental concerns associated with this property.

SOURCE WATER PROTECTION (SWP): The Drinking Water Source Protection Plan, approved under Part IV of The Clean Water Act, 2006, indicates that this property is not within "Intake Protection Zone 2" (IPZ-2), an Events Based Threat area.

A SWP Risk Management Plan is not required.

GARBAGE AND RECYCLING COLLECTION SERVICES: As this is a commercial development, the City will not collect garbage from individual units. The Developer must make arrangements with a private waste management contractor for the on-site deposition, collection, and disposal of these materials. Circular Materials Ontario, a producer responsibility organization, will be assuming residential blue box collection services in Owen Sound as of July 1 2023.

Please be advised that the Province is transitioning to a producer responsibility funded **blue box** collection program to be fully implemented by January 1, 2026. Who is eligible under this program may change after the program is fully implemented. Further information can be found at Blue Box Regulation - RPRA.


Waste management contracts should be negotiated accordingly.

OTHER:

A Site Plan Agreement between the City and the Developer will be required for the development of these lands.

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

Reviewed By: Chris Webb, P.Eng.

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

From: [Cuesta Cuesta Planning](#)
To: [Public Notices](#); [Sabine Robart](#); [OS Planning](#)
Cc: [Lou Meandro](#); [Stephanie Hill](#)
Subject: Zoning By-law Amendment No. 48 (2125 16th Street East)
Date: June 7, 2023 5:50:29 PM

Dear Sabine:

As you are aware, Cuesta Planning Consultants Inc., were the project planners for the recently approved Thompson Centres commercial plaza located at 1960 16th Street East, Owen Sound. The Thompson Centres lands are located kitty corner from the subject lands-municipally described as 2125 16th Street East.

Mr. Lou Meandro of Thompson Centres has an interest in the subject re-zoning application. Our office therefore respectfully requests notice of any further public meetings or Council meetings related to the subject application.

Notice can be provided to our office at this email address as well as directly to Mr. Meandro (copied herein).

As you know, our client was required to retroactively contribute to intersection upgrades at the intersection of 16th Street East and 20th Street East as part of the approval process for his development. This financial contribution was significant.

Unfortunately, during the later stage of review and approval of Mr. Meandro's development, it was confirmed that the intersection, in fact, had been underbuilt and Mr. Meandro was required to rebuild the intersection in order for it to function adequately and accommodate his and future development at this location.

It is our opinion that there is an opportunity for the City of Owen Sound to review this matter during the approval process of the subject application and require the developer of 2125 16th Street East to contribute an appropriate amount toward the recent upgrades to the 16th St./20th Ave. intersection as a party who will directly benefit from the recent upgrades.

While we have not had a chance to review the Market Study completed for the proposed development at 2125 16th Street East, we are concerned with some of the proposed restaurant uses on the subject lands. During development of the Thompson Centres plaza, planning staff had indicated to our office that only large scale restaurants would be considered at 2125 16th Street, given the significant size of the parcel and the fact that large scale restaurants cannot be easily located in the downtown area. We would like an opportunity to further discuss this matter with planning staff prior to approval of the subject application.

Thank you for your consideration of the above noted comments. We hope to have an opportunity to further review the application materials and provide additional comments prior to Monday's public meeting.

Sincerely,

Genevieve Scott

Cuesta Planning Consultants Inc.

978 First Avenue West

Owen Sound, ON N4K 4K5

Phone: [519-372-9790](tel:519-372-9790)

Fax: [519-372-9953](tel:519-372-9953)

www.cuestaplanning.com