

Staff Report

Report To: Community Services Committee
Report From: Dave Aston and Aleah Clarke, MHBC Planning
Meeting Date: November 20, 2024
Report Code: CS-24-104
Subject: Update of City Official Plan and Zoning By-law and Development of Urban Design Guidelines

Recommendations:

THAT in consideration of Staff Report CS-24-104 respecting a comprehensive update of the City's Official Plan 2021 and Zoning By-law No. 2010-078, as amended, and preparation of the City's Urban Design Guidelines, the Community Services Committee recommends that City Council direct staff to: Undertake the next steps as identified in the report and in accordance with the requirements of the Planning Act;

Highlights:

- The Official Plan is a planning document that provides a long-term vision for all lands in the City of Owen Sound. The Official Plan implements the policies of the Provincial Planning Statement and Provincial Plans.
- The *Planning Act* requires that municipalities amend their Official Plan to ensure that it conforms or does not conflict with provincial plans, has regard to matters of provincial interest in section 2 of the *Planning Act*, and is consistent with the policy statement issued under subsection 3 (1) of the *Planning Act*. The City of Owen Sound has initiated a scoped review to meet this requirement in light of the approval of the new Provincial Planning Statement, 2024. The review may result in other housekeeping or minor amendments.

- The Zoning By-law is a planning document that manages how land can be used and the required standards for that use in the City. The Zoning By-law implements the policies of the Official Plan and establishes a more detailed land-use framework for the City.
- The *Planning Act* requires that municipalities amend all zoning by-laws that are in effect within three (3) years of a revision to their Official Plan, and the City of Owen Sound has initiated the current review to meet this requirement. The review will also include other housekeeping matters to reflect common variances or amendments that are considered by the City and/or requested by landowners.
- Section 8.1 of the City’s Official Plan provides for the development of Urban Design Guidelines to create design standards for development and redevelopment in the City, and the City of Owen Sound has initiated the preparation of Urban Design Guidelines in accordance with these policies.
- The public engagement component of the Official Plan review, Zoning By-law review and Urban Design Guidelines preparation is planned to begin in January 2025. The public engagement will focus on receiving feedback on the existing policies and proposed amendments to the Official Plan and Zoning By-law, and the new policies of the Urban Design Guidelines. Public engagement will be conducted through the Our City platform and an in-person open house and statutory public meeting.
- The Official Plan review, Zoning By-law review and Preparation of the Urban Design Guidelines is proposed to be completed in September 2025.

Strategic Plan Alignment:

This report supports the delivery of Core Service.

Previous Report/Authority:

[Provincial Planning Statement](#)

[Grey County Official Plan](#)

[City of Owen Sound Official Plan](#)

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

Background & Proposal:

In 2023, Committee and Council considered a report (CS-23-032) on the approach to update the City’s Comprehensive Zoning Bylaw. The City had recently adopted a new Official Plan and was required to undertake an update to the Comprehensive Zoning Bylaw within 3 years of the adopting the new Official Plan. In 2023, the Province initiated a number of changes to the Planning Act and also started consultation on proposed changes to the Provincial Planning Statement (PPS).

Acknowledging that a new PPS would trigger a conformity exercise for the City’s new Official Plan, the process to update the City’s Zoning Bylaw was paused so that updates to both planning documents could be done following the approval of the PPS.

As Committee was advised at their meeting in October, the Provincial Planning Statement, 2024 came into effect on October 20, 2024. The new Provincial Planning Statement replaces the Provincial Policy Statement, 2020. The Planning Act requires that municipalities amend their Official Plan to ensure that it conforms or does not conflict with provincial plans, has regard to matters of provincial interest in section 2 of the Planning Act, and is consistent with the policy statement issued under subsection 3 (1) of the Planning Act.

The City of Owen Sound has initiated the current scoped review of the Official Plan to meet this requirement in light of the approval of the new Provincial Planning Statement, 2024.

The scoped review is proposed given that in 2021, the City of Owen Sound adopted a new Official Plan, which was subsequently approved by the County of Grey on February 15, 2022. This process included significant public consultation and the completion of background studies to develop the policy framework.

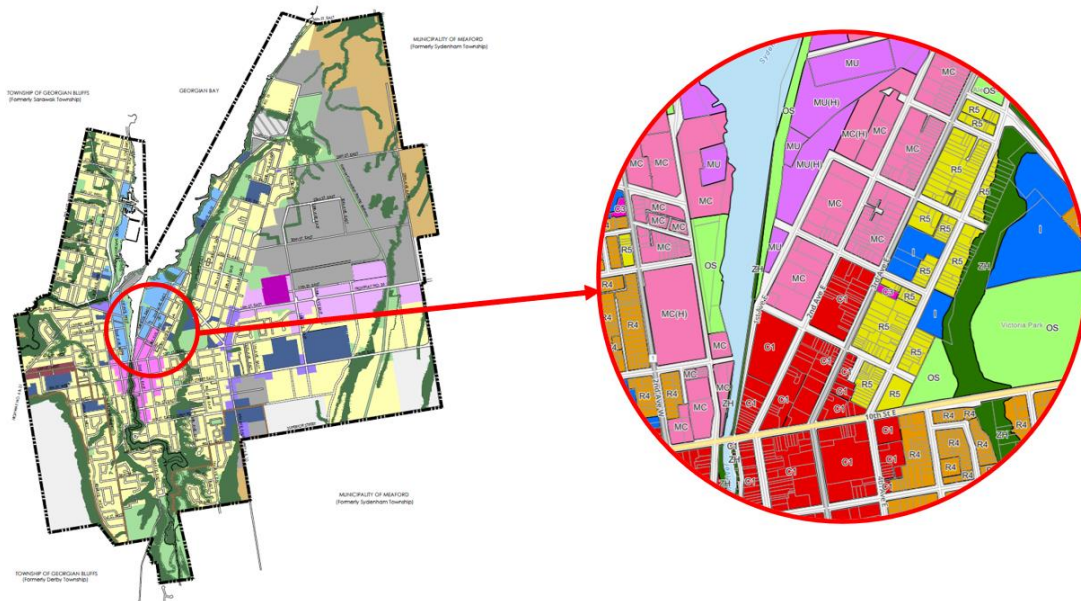
The update to the Zoning By-law is also being completed to address other housekeeping matters and to reflect common variances or amendments that are considered by the City and/or requested by landowners.

With the new PPS in effect, municipalities are required to update their Official Plans to ensure that the Plan is consistent with the newly approved Provincial Policy Statement.

The Purpose of this report is to:

- 1) Summarize what an Official Plan and Comprehensive Zoning Bylaw and Urban Design Guidelines do;
 - 2) Review the methodology proposed for the review (OP, Zoning and Urban Design);
 - 3) Review the public consultation and engagement proposed; and
1. Outline the process timing and next steps.

What is an Official Plan and Zoning Bylaw and Urban Design Guidelines?



Official Plan – Schedule ‘A’

Zoning Map

Official Plan

The Official Plan is a planning document that provides a long-term vision for all lands within the City of Owen Sound and has status in law pursuant to the provisions of the Planning Act. The Official Plan contains the vision, goals, objectives, and policies to manage and direct physical change and the effects on the social, economic, built, and natural environment of the City. The Official Plan has the effect of requiring that the City conform to the Official

Plan when undertaking public works or passing by-laws. The Official Plan designates lands by broad land use categories with policies relating to these designations. There are also broad policies on matters such as infrastructure, the environment, culture and community, parks, and urban design.

Comprehensive Zoning Bylaw

The Zoning By-law is a planning document that manages how land can be used and the required standards for that use in the City. The Zoning By-Law functions as a legal document under the Ontario Planning Act, as amended, for managing the area of land and guiding future development in the City of Owen Sound. The Zoning By-Law is also intended to protect property owners from the development of conflicting land uses. Any use of land or the construction or use of any building or structure not specifically authorized by the By-Law is prohibited.

The City of Owen Sound Zoning By-Law states exactly what land uses will be permitted in the City in certain areas and provides other detailed information such as:

- 1) Where buildings or structures may be located in the City;
- 2) Types of land uses within the City; and,
- 3) Standards for lot sizes, location requirements, parking requirements, building heights, and required yard setbacks.

The Zoning By-law implements the policies of the Official Plan and establishes a more detailed land use framework for the City.

Urban Design Guidelines

The 2022 Official Plan includes policy which states that the City will develop urban design guidelines. The preparation of the urban design guidelines document is being proposed to be undertaken to implement this policy at the same time as the review and update of the Official Plan and Comprehensive Zoning Bylaw.

The urban design guidelines document will be a guiding document which provides expectations and vision for design within an area. The City's urban design guidelines document is intended to provide urban design standards for the development and redevelopment of areas or properties within the City. This will be particularly important where we are seeing redevelopment and intensification within existing neighbourhoods. The urban design

guidelines will apply citywide, with specific sections for the River District Commercial Area, East City Commercial Area, and West Harbour Planning Area.

Methodology

The Official Plan Review Methodology:

The Official Plan review will assess the required updates to the Official Plan to ensure:

- Consistency with the Provincial Planning Statement (2024);
- Conformity with the Niagara Escarpment Plan (2017); and,
- Conformity with the County of Grey Official Plan (2019).

Several changes to provincial legislation and the Provincial Planning Statement have occurred since the approval of the City's new Official Plan. The County of Grey also completed Official Plan amendment No.11 (OPA 11) in 2022, of which policy conformity is required.

This review process will identify relevant changes to the City's Official Plan and Zoning By-law policies. Planning legislation and policy to be reviewed through the Official Plan and Zoning By-law update include the Planning Act, Provincial Planning Statement, Niagara Escarpment Plan, County of Grey Official Plan and City of Owen Sound Official Plan.

Through the Official Plan review process, the following updates will be assessed:

- Definitions to be revised in accordance with new PPS definitions;
- Settlement Area policies will be reviewed in accordance with the new policies of the PPS;
- Employment policies will be reviewed in accordance with the new policies of the PPS;
- Land Use Compatibility policies will be reviewed in accordance with the new policies of the PPS;
- Agricultural policies will be reviewed in accordance with the new policies of the PPS;
- Housing policies will be reviewed in accordance with the new policies of the PPS;
- Municipal services policies will be reviewed in accordance with the new policies of the PPS;

- Cultural Heritage policies will be reviewed in accordance with the new policies of the PPS; and,
- Various sections will be reviewed in accordance with OPA 11 to the County of Grey Official Plan.

Through the preparation of the City's 2022 Official Plan, four policy papers were prepared to inform and engage with Owen Sound's stakeholders. The discussions papers were completed for the following topics:

- Sustainability & Climate Change
- Housing & Affordability
- Transportation & Infrastructure
- Land Use & Design

Comprehensive Zoning Bylaw Methodology:

The Zoning By-law review will assess the required updates to the Zoning By-law to ensure:

- Conformity with the new City Official Plan (2022) and proposed amendments;
- Conformity with the County Official Plan (2019);
- Consistency with Provincial Policy and implementation of any recent legislative changes; and,
- General updates for effective implementation of the Zoning By-law.

Through the Zoning By-law review process, the following updates will be assessed:

- By-law definitions to remove outdated uses and introduce new definitions for new uses introduced through the City's Official Plan;
- General Provisions Section (Section 5) and Special Provisions Section (Section 14); and,
- Zones will be reviewed to ensure that uses and regulations are appropriately applied throughout the City in conformity with the new Official Plan.
- Zones will be reviewed to allow a broader range of uses, with built form acting as the main distinguishing factor between zones.
- The changes to the Official Plan that permit commercial uses within a prescribed gross floor area will be implemented for the Commercial (C2) Zone.

Urban Design Methodology:

The Urban Design Guidelines preparation will assess best practices and policies to ensure conformity with the City Official Plan (2022) direction.

Through the Urban Design Guideline preparation process, the following documents will be assessed:

- City of Owen Sound Urban Design policies; and,
- Examples of Best Practices from similar sized municipalities.

The public consultation process will identify additional policy and by-law updates to review and consider.

A recommendation report will be prepared to identify the areas for update and amendment to the Official Plan and Zoning By-law for public, agency and Council consideration. The report will include a discussion and analysis of the proposed updates, provide potential options and recommendations to be considered for the updated Official Plan and Zoning By-law. A section of the report will also provide a recommended outline for the Urban Design Guidelines document, and potential options and recommendations to be considered in the Urban Design Guidelines document.

1. Public Consultation and Engagement:

The Zoning By-law affects everyone in Owen Sound, and the involvement of all community members will be encouraged.

Opportunities for public engagement will be available throughout the review process. The public engagement component of the Official Plan review, Zoning By-law review and Urban Design Guidelines preparation is planned to begin in spring 2025, focusing on receiving feedback on the existing Official Plan, existing Zoning By-law and proposed amendments, as well as the proposed Urban Design Guidelines document.

The following consultation and engagement opportunities are proposed:

- A project page will be created on the City's Our City platform to share and collect information including public comments on questions posted on the project page about the Official Plan Review, Comprehensive Zoning By-law Review and Urban Design Guidelines preparation.
- Any member of the public who visits the Our City page or attends the public meeting will be given the opportunity to share their

comments regarding the need for amendment to the Official Plan and Zoning By-law, or suggestions for the new Urban Design Guidelines document. Any verbal or written submissions received from the public on or before the public meeting will be provided to Council.

- Section 17(15) and 34(12) of the Planning Act requires that the Council of the municipality that is passing an Official Plan amendment or Zoning By-law amendment must hold a public meeting that is open to the public to discuss the revisions to the Official Plan or By-law that may be required. Notice of such a meeting is to be given not less than 20 days in advance of the meeting. A public open house will also be held in advance of the formal public meeting.

All comments received through the process will be documented, reviewed and considered in preparing the update.

City Staff and Agency Input

City staff will have an opportunity to submit comments through a process coordinated with Division Managers by the City's Community Services Department. The Development Team will also provide critical feedback in this process.

The draft Official Plan, Zoning By-law and Urban Design Guidelines will be circulated to the City's partner agencies and prescribed bodies for input.

Proposed Process Timing and Next Steps:

The Comprehensive Official Plan review, Zoning By-law review and Urban Design Guidelines preparation is proposed to be completed in Fall 2025.

The Planning Act provides the legislated framework for the update to an Official Plan and comprehensive Zoning By-law. The following steps in the Official Plan and Comprehensive Zoning By-law review, Urban Design Guidelines preparation and public consultation process are anticipated to be as follows:

Anticipated Date	Step
January 2025	<p>Give public notice of initiation of Official Plan review, Zoning By-law review and preparation of Urban Design Guidelines.</p> <p>Launch Our City page specific to the Official Plan and Zoning By-law update and Urban Design Guidelines preparation.</p>
March 2025	<p>March Community Services Committee meeting:</p> <ul style="list-style-type: none"> • Present preliminary consultation findings. • Present Technical Report and Draft Official Plan Update, Zoning By-law Update and Draft Urban Design Guidelines document.
April 2025	<p>Open House</p> <p>With the draft Official Plan amendment, Zoning By-law amendment and Urban Design Guidelines, have an informal open house where staff and the consultant can interact with the public and answer questions on a more informal basis.</p> <p>Feedback would be included in an updated Official Plan amendment, Zoning By-law amendment and Urban Design Guidelines document for the legislated public meeting in June.</p>
June 2025	<p>Public Meeting to present draft Official Plan amendment, Zoning By-law amendment and Urban Design Guidelines, and received public input.</p>
Summer 2025	<p>Community Services Committee meeting to present recommendation report and final Official Plan amendment, Zoning By-law amendment and Urban Design Guidelines.</p>
September 2025	<p>Council Meeting to present final Official Plan amendment, Zoning By-law amendment and Urban Design Guidelines.</p>

Financial:

Official Plan Update - \$10,000 (Capital Budget, 2023)

Zoning By-law Update - \$35,000 (Capital Budget, 2022)

Urban Design Guidelines - \$20,000 (Capital Budget 2023)

Consultation:

There will be significant opportunities for consultation and engagement with the public, city staff, committee, council and agency partners through this process.

Communication:

The Planning Act prescribes the required communication and public engagement process relating to these updates.

Additional engagement is proposed, including the use of the Our City platform.

Attachments:

None.

Recommended by:

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