

Staff Report

Report To: City Council
Report From: Sabine Robart, Manager of Planning & Heritage
Meeting Date: July 7, 2025
Report Code: CS-25-072
Subject: Extension Request for Draft Plan of Subdivision 42T-20501
(1409 8th St E) Greystone Village Flato

Recommendations:

THAT in consideration of Staff Report CS-25-072 respecting a request for extension to the draft plan approval for Draft Plan of Subdivision 42T-20501, known as the Greystone Village (Flato) Subdivision, City Council:

1. Approves the request by Flato Owen Sound Community Inc. (Nazy Majidi), dated May 14, 2025;
2. Grants a two-year extension to the draft plan approval for the first phase, being July 25, 2027, unless further extended by the City, in accordance with Section 51 (33) of the *Planning Act*;
3. Approves that for any subsequent phases, the lapsing date shall be five (5) years after the date of final approval of the preceding phase; and
4. Approves the recommended amendments to the draft plans conditions and directs that the changes in the opinion of Council are minor and written notice under Section 51 (45) of the *Planning Act* is not required.

Highlights:

- Flato Owen Sound Community Inc. (Nazy Majidi) has made an application for an extension to the Draft Plan of Subdivision Approval

(42T-20501), for the Greystone Village (Flato), municipally known as 1409 8th Street East.

- The subject lands received a draft plan of subdivision approval (File No. 42T-20501) from City Council on July 25, 2022 (see Staff Report CS-22-101)
- Since 2022, the developer has, among other matters:
 - Executed a cost-sharing agreement with the draft-approved Redhawk subdivision to address the servicing constraints on the subject lands;
 - Worked with Enbridge to receive approval for the earthworks operations around the existing gas main;
 - Secured the Fisheries and Oceans Canada (DFO) sign-off for proposed channel re-alignment;
 - Provided two (2) detailed engineering submissions for review by City and County staff. City staff have provided the developer with a commenting response matrix for each submission that has resulted in the refinement of the subsequent submission; and,
 - Executed and posted all required securities for the Earthworks Agreement with the City of Owen Sound.
- Staff recommend approval of the extension request.
- Engineering Services Division and County of Grey staff have recommended a number of revisions to the Conditions of Draft Approval as a result of amended regulations (provincial) and expectations.
- The proposed changes to the conditions of draft approval are technical and minor in nature, and the intent and impact of the conditions are not altered. As such, notice of the changes to the conditions of draft plan approval as per Section 51(47) is not required.

Strategic Plan Alignment:

This report supports the delivery of Core Service.

This report represents a legislated review process.

Climate and Environmental Implications:

This supports the objectives of the City's Corporate Climate Change Adaptation Plan by strengthening the resiliency of City infrastructure or services.

Of particular note:

- The development will be serviced by full municipal services, including water and sanitary sewer, and will maximize the use of land and existing municipal services.
- The development has access to active transportation infrastructure and transit.
- The development includes an on-site stormwater management system that will control stormwater quantity and quality.
- The development includes significant tree planting.

Previous Report/Authority:

City of Owen Sound Official Plan (2021)

City of Owen Zoning By-law 2010-078, as amended

[CS-22-101](#) Recommendation Report – Greystone Village (Flato) Subdivision and Zoning Amendment

Background & Proposal

Flato Owen Sound Community Inc. (Nazy Majidi) has made an application for an extension to the Draft Plan of Subdivision Approval (42T-20501), for the Greystone Village (Flato), municipally known as 1409 8th Street East.

Property Description

The 29.6 ha subject property is located at 1409 & 1415 8th St E. The lands are currently used for agricultural purposes (cash cropping) and contain two single-detached dwellings. The lands have 708 m of frontage on 8th Street East (County Road 5). A wet/swampy area located in the southwest corner drains the surrounding area. A drainage channel that crosses the property from the southwest corner to the approximate middle of the eastern property line conveys the water from the wet area to a tributary of Bothwell's Creek on the adjacent lands to the east (draft approved Redhawk subdivision).

Surrounding land uses include:

- North: Institutional (Sydenham Campus, Georgian College, East Ridge Community School, Grey Bruce Health Services – Owen Sound Hospital, Enbridge Union Gas);
- East: Vacant residential (draft approved Redhawk residential subdivision);
- South: Vacant rural (the lands to the south are farms abutting superior – have buildings) subject to Niagara Escarpment Commission as well as a Hydro One network corridor;
- West: Light industrial & commercial (MacLean’s Manufacturing, Bellwyck Packaging, Makwa- Cahill).

The subject lands are designated ‘Residential’, ‘Arterial Commercial’ and ‘Hazard Land’ in Schedule ‘A’ of the City’s 2021 Official Plan. The lands are located within Phase I of the Sydenham Heights Planning Area and are further refined to ‘Low Density Residential’, ‘Medium Density Residential’, ‘High-Density Residential’ and ‘Arterial Commercial’ in Schedule ‘A2’ of the 2021 OP.

The City’s Zoning By-law (2010-078, as amended) zones the subject lands as:

- ‘Arterial Commercial’ (C4);
- ‘Low Density Residential’ (R3) with Special Provision 14.127;
- ‘Multiple Residential’ (MR) with Special Provision 14.128;
- ‘Multi-Residential’ (MR) with Special Provision 14.129;
- ‘Multi-Residential’ (MR) with Special Provision 14.130,
- ‘Arterial Commercial’ (C4) with Special Provision 14.131,
- ‘Open Space’ (OS); and,
- ‘Hazard Land’ (ZH).

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 subject lands are fully described in Schedule ‘C’.

Draft Approved Plan of Subdivision 41T-20501

The subject lands received draft plan of subdivision approval (File No. 42T-20501) from City Council on July 25, 2022 (see Staff Report CS-22-101). At

that time, Council also approved Zoning By-law Amendment (ZBA) No. 34 and 35 to By-law 2010-078. The ZBA rezoned the lands to facilitate the draft plan subdivision and recognize the relocated drainage channel.

The approved draft plan, attached as Schedule 'D', will provide for approximately 716 dwelling units in a variety of residential types and tenures as well as three arterial commercial blocks fronting 8th Street East. The proposal includes the extension of 15th Ave E, 16th Ave E, 6th St E and 7th St E, the construction of local roads, two park blocks, a stormwater management system, and the realignment of an existing drainage channel.

The draft plan conditions are attached as Schedule 'E'. In accordance with draft plan condition A2 draft plan approval was set to lapse as follows:

- For the first phase, three (3) years after the date of Draft Approval (being July 25, 2022), unless extended by the City; and,
- For any subsequent phases, five (5) years after the date of Final Approval of the preceding phase

The owner has submitted a request to extend the draft plan approval relating to the first phase. The formal written request is attached as Schedule 'F'. The applicant is requesting a **two (2) year** extension on the current lapsing date to provide sufficient time to finalize the detailed design with the City and County, address final Draft Plan Approval conditions and obtain formal clearance letters.

The purpose of this report is to consider the implications and appropriateness of the requested extension to the lapsing date of the Greystone Village (Flato) subdivision draft approval from July 25, 2025, to July 25, 2027.

Analysis:

Section 51 (33) of the Planning Act permits Council, as the approval authority, to extend the lapsing date for the draft plan of subdivision. The length of the extension is at the discretion of the approval authority. Section 51 (44) of the Act further allows Council to withdraw the approval of a draft plan of subdivision or change the conditions of such approval at any time before final approval of the plan of subdivision is achieved. Where approval is withdrawn or conditions are modified, notice must be provided in accordance with Section 51 (45) of the Act and Ontario Regulation 544/06, unless, in the opinion of Council, the change to the draft plan conditions is minor (Section 51(47)).

In accordance with Section 51 (33) of the Planning Act, Planning Staff recommended that the requested two-year extension to the draft plan approval be granted for the completion of the first phase, being July 25, 2027, unless further extended by the City. For any subsequent phases, the lapsing date shall remain five (5) years after the date of Final Approval of the preceding phase in accordance with draft approval condition A2.

Section 5.2.3.3 of the City's Official Plan states that where conditions of draft plan approval are not fulfilled within a reasonable time period, the City may not support the extension of development approval and assign the servicing allocation to other developments or areas of the City or hold the capacity in reserve.

Since the granting of draft plan approval in 2022, the applicant has:

- Executed a cost sharing agreement with the draft-approved Redhawk subdivision to address the servicing constraints on the subject lands;.
- The property is subject to an existing gas easement. The owner has worked with Enbridge to receive approval for the earthworks operations around the existing gas main without requiring its relocation. Enbridge has provided agreement to the proposed earthworks approach. Accordingly, the engineering design has been updated, and a revised permit application has been submitted to the Grey Sauble Conservation Authority (GSCA) to reflect these changes. .
- Received the Stage 1 - Site Preparation & Topsoil Stripping GSCA permit for the site.
- Secured the Fisheries and Oceans Canada (DFO) sign-off for proposed channel re-alignment.
- The site is subject to an aerial flight path easement. Flato has worked address pre, post and during construction constraints with Brightshores Health System and Transport Canada .
- Provided two (2) detailed engineering submissions for review by City and County staff. City staff have provided the developer with a commenting response matrix for each submission that has resulted in the refinement of the subsequent submission.
- Executed and posted all required securities for the Earthworks Agreement with the City of Owen Sound.

Planning & Heritage and Engineering Division Staff have reviewed the extension request and the conditions of draft plan approval, noting that

through the work noted above, the applicant has been actively working towards fulfilling the conditions of draft plan approval.

Engineering Services Division has no objection to the extension, and no negative implications for service allocations are anticipated that would impact the granting of an extension to draft plan approval for the subject lands.

Engineering Services Division has recommended a number of minor revisions to the Conditions of Draft Approval as a result of amended regulations (provincial) and expectations. The proposed changes have been incorporated into the conditions of draft approval, as included in Schedule E. The proposed changes are highlighted in grey. The proposed changes relate to:

- Provision of an Operations and Maintenance Manual for the stormwater management system;
- Provision of an Environmental Certificate of Approval (ECA) for the wastewater and storm sewer systems or adherence to the City's Consolidated Linear Infrastructure Environmental Certificate of Approval (CLI_ECA) for the wastewater and stormwater infrastructure.
- Capital contribution by the developer for improvements to 8th Street East in place of the developer being required to provide detailed design for 8th Street East cross-section.

County Planning staff have recommended that conditions related to natural heritage be updated to reflect that County ecology staff, rather than GSCA staff, are now responsible for sign-off on these conditions. These changes have also been incorporated.

Planning staff recommend that the proposed changes to the conditions of draft approval are technical and minor in nature, and that the intent and impact of the conditions remain unchanged. As such, notice of the changes to the conditions of draft plan approval as per Section 51(47) is not required. The remaining conditions continue to be relevant for addressing the needs of the City and other commenting agencies, including the County and the Grey Sauble Conservation Authority.

Financial Implications:

None to the City at this time.

Communication Strategy:

Where an extension to draft plan approval is being granted and the conditions of draft approval remain unchanged, the Planning Act does not require that notice be provided. Planning Staff will notify the applicant of Council's decision via email.

Consultation:

The request for a draft plan extension was circulated to commenting staff and agencies on June 4, 2025.

Attachments:

Schedule 'A': Orthophoto

Schedule 'B': Official Plan and Zoning Map

Schedule 'C': Property Information

Schedule 'D': Draft Plan of Subdivision

Schedule 'E': Conditions of Draft Plan Approval (recommended amendments in grey highlight)

Schedule 'F': Request for Extension of Draft Plan Approval for 42T-20501

Schedule 'G': Staff & Agency Comments

Recommended by:

Sabine Robart, M.Sc. (PL), MCIP, RPP, Manager of Planning & Heritage

Pamela Coulter, BA, RPP, Director of Community Services

Submission approved by:

Tim Simmonds, City Manager

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