

Staff Report

Report To: City Council
Report From: Sabine Robart, Intermediate Planner &
Amy Cann, Community Planner
Meeting Date: June 24, 2019
Report Code: CS-19-088
Subject: Recommendation Report re Official Plan Amendment No. 6,
Zoning By-law Amendment No. 18, Draft Plan of Subdivision
42T-15501

Recommendation:

That in consideration of Staff Report CS-19-088 respecting Official Plan Amendment No. 6, Zoning By-law Amendment No. 18, Draft Plan of Subdivision 42T-15501 for a Plan of Subdivision at 1905 8th Street East, City of Owen Sound Council:

1. Receives Staff Report CS-19-088;
2. In consideration of the staff report and recommendations and written and oral submissions, Council finds that the applications are consistent with the Provincial Policy Statement and the goals and objectives and intent of the City Official Plan; and,
3. Directs Staff to bring forward a by-law to adopt Amendment No. 6 to the Official Plan for the City of Owen Sound and give notice in accordance with Sec. 22 of the Planning Act;
4. Directs Staff to bring forward a by-law to adopt Amendment No. 18 to the City's Zoning By-law No. 2010-078 and give notice in accordance with Sec. 34 of the Planning Act;
5. Approve Draft Plan of Subdivision 42T-15501 by Crozier & Associates Consulting Engineers dated July 27, 2015, attached in Appendix 'B' subject to the conditions outlined in Appendix 'I', and to give notice in accordance with Sec. 51 of the Planning Act.

Strategic Initiative:

4. Encourage residential and mixed-use development

Action 4.1 Grow the tax base by attracting a broad range of new housing types (singles, semis, etc.) and tenure (rental units and condominiums).

Background & Proposal:

An application for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision Approval has been submitted by Redhawk Construction Ltd (co/ Roger Howard).

Property Description

The subject property is located on the south side of 8th Street East between 16th Avenue East and the future extension of 20th Avenue East. The Grey Bruce Health Services Owen Sound Hospital is located directly north of the parcel. The 25 ha (62 acre) property has 605 m of frontage on 8th Street East., which is a County Road. The lands are vacant and include fields, meadows and hedgerows and a wide shallow tributary of Bothwell's Creek. Historic driveway accesses remain, both of which are on the west side of the creek. The Bothwell's Creek tributary divides the property diagonally from approximately the centre of the south boundary to the northeast corner where it passes under 8th Street East through a culvert.

Surrounding land uses include (see Orthophoto in Schedule 'A'):

North: Grey Bruce Health Services Hospital, proposed Bremont (Telfer Creek) residential subdivision

East: vacant, rural

South: vacant, rural

West: vacant, rural

The parcel does not contain any buildings or structures and has historically been used for agricultural purposes.

The subject property is designated 'Residential-Low Density' and 'Hazard Lands' in the Owen Sound Official Plan (OP), and is zoned 'Rural' (RUR) and 'Hazard Land' (ZH) in the City's Zoning By-law (2010-078, as amended) (see Schedule 'B').

The Proposal

The applicant is proposing the development of a 366-unit residential subdivision. The Draft Plan of Subdivision (Schedule 'B') lays out the lots, blocks and streets proposed to be registered. The Concept Plan builds upon the Draft Plan and provides additional details such as phasing and detailed block design. The Concept Plan may change prior to final approval; however, it provides more details of what the actual development may look like. As illustrated in the Concept Plan (Schedule 'C'), the project includes:

- i. Construction of 36 single detached lots (Blocks 1-36)
 - The single detached lots will have frontage onto Street 'A' and Street 'B'.
- ii. Construction of 12 street fronting townhouses on 4 blocks (Block 37-40)
 - The lots will have frontage onto Street 'A', each blocks will contain 3 dwelling units.
- iii. Construction of 54 cluster townhouse units (Blocks 42)
 - The townhouse units will be located on a private internal road which will be accessed via Street 'A' after final construction.
 - The units will be clustered in 3-4 unit buildings.
 - The development is proposing a driveway and garage for each unit.
 - Additional visitor parking is proposed in three locations in the block.
 - At this time tenure within the Block has not been determined. Possible tenure types include condominium, leasehold or rental.
- iv. Construction of 3 multi-unit residential building including 264 dwelling unit (Block 41)
 - The block will be accessed via a private internal road from 8th Street East.
 - The block is proposed to be developed in two phases and includes three separate parking areas connected by an internal private road network.
 - The block may contain a senior's residence / long term care facility.
- v. The construction of internal roads
 - Street 'A' is a north/south extension of the future 20th Avenue East and will intersect with 8th Street East. Street 'A' will terminate in a

cul-de-sac at the southern end of the proposed development. Street 'B' is an east/west road which will also terminate in a cul-de-sac. Street 'B' will likely connect with a future road once the adjoining lands to the west are developed (extension of 6th Street East). Street 'A' and Street 'B' will be assumed by the City after construction as part of the subdivision process.

- The development is also proposing two internal private roads. Block 41 (apartments) and Block 42 (cluster townhouses) will be serviced by private internal roads. The private internal road for Block 41 (apartments) will access onto 8th Street East and the road for Block 42 (cluster townhouses) will access onto Street 'A' after the completion of Phase 3.

vi. A stormwater management system and pond (Block 43, 44 & 45)

- The surface runoff will be collected from the development areas by a system of underground pipes and surface swales and subsequently directed to a stormwater management pond located in the northeast corner of the site. A number of measures are employed in a treatment train arrangement to provide enhanced water quality controls. The outlet from the SWM pond will be controlled and the discharge channelled through a subsurface rock gallery to provide temperature equalization prior to release to the East Bothwell's Branch of Bothwell's Creek.
- The existing surface drainage channel located in the southwest area of the site serves as a discharge route for surface drainage from the abutting Millman lands to the west. The channel will be relocated to a naturalized drainage channel which will drain into the Bothwell's Creek tributary.

vii. Extension of water and wastewater services into the development along Street 'A' and Street 'B'.

viii. Creation of Block 48.

- Block 48 encompasses the hazard lands associated with Bothwell's Creek tributary watercourse and its floodplain. The lands will contain a portion of the habitat compensation area as described in further detail below. The City may assume the hazard lands as part of the Subdivision process.

ix. Retained lands (Block 53)

- Vacant agricultural lands on the east side of the Bothwell's Creek tributary. The lands will contain a portion of the habitat compensation area as described in further detail below.

Submission & Process Details

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

Submission Item Title	Submission Item Detail
Traffic Impact Study	Crozier & Associates – June 2015
Functional Servicing & Stormwater Management Report	Crozier & Associates – July 2015
Land Use Planning Rationale & Justification Report	Monteith Brown Planning Consultants – October 2015, Revised December 1, 2015
Scoped Environmental Impact Study for 8 th Street East	Azimuth Environmental Consulting Inc – July 2015
Development Plan	Azimuth Environmental Consulting Inc – May 4, 2017
8 th Street East Development – Auxiliary Lane Analysis Memo – Supplementary Analysis	Crozier & Associates - March 16, 2017
Geotechnical Investigation	Peto MacCallum Ltd – November 9, 2017
Phase 2 Environmental Site Assessment	Peto MacCallum Ltd – October 2016
Phase 1 Environmental Site Assessment	Peto MacCallum Ltd – November 2017
Functional Servicing & Stormwater Management Report	Crozier & Associates – July 2015, updated September 2017
Helicopter Flight Path Study	WSP Canada Inc. - March 2016
Stage 1 Archaeological Background Study (Revised)	Amick Consultants Ltd - January 25, 2017
Stage 2 Archaeological Assessment	Amick Consultants Ltd – November 10, 2016

Submission Item Title	Submission Item Detail
Draft Plan of Subdivision	Figure 3 Crozier & Associates – March 7, 2017
Concept Plan – Phasing	Figure 2 Crozier & Associates - November 24, 2016
Servicing Phasing Plan	Figure 9 Crozier & Associates – March 31, 2015

The applicant engaged the City in the Pre-consultation process in March 2014. Subsequently, the process relating to the formal application as proceeded as follows:

Date	Step
Submission of Application No. 1	October 21, 2015
Complete Application Notice to Applicant	November 20, 2015
Notice of Complete Application and Notice of Public Meeting	December 4, 2015
Agency Circulation I	December 10, 2015
Technical Report	January 25, 2016
Public Meeting	February 8, 2016
Submission No. 2	March 2016
Submission No. 3	October 2017
Submission No. 4	November 2017
Agency Circulation II	November 21, 2017
Submission No. 5	May 2018
Submission No. 6	April 2019
Agency Circulation III	May 24, 2019
Review by the Accessibility Advisory Committee	May 27, 2019
Recommendation Report to Council	June 24, 2019

As shown in the table above, there were a number of submissions made to the City throughout the review process. It merits clarification that these submissions were not complete submissions, but rather remittance of one or two individual items intended to reflect comments received throughout the process.

Analysis:

The subject proposal is required to meet all development standards and policies applicable to projects within the City of Owen Sound. The Planning Act stipulates that, in consideration of a draft plan of subdivision regard shall be had to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the City. The review criteria outlined in the Act (Sec. 51), and examined herein, are thorough enough to also encompass the analysis of the proposed Official Plan Amendment and Zoning By-law Amendment pertaining to the lands.

The applications are subject to review by City Planning, Engineering and Building Staff, as well as external commenting partners. All applicable criteria, policies, standards, and comments are analyzed below in the context of the subject applications and are organized thematically.

A: Matters of Provincial Interest

The Provincial Policy Statement (PPS) specifies those items deemed to be of provincial interest and implements Sec. 2 of the Planning Act. Sec. 51 of the Planning Act requires that all decisions respecting subdivision of land be consistent with the PPS. The PPS has been reviewed with regard to the subject applications. Municipal decisions on planning matters are required to be consistent with the PPS.

As one of its primary tenets, the PPS directs development to full serviced, designated settlement areas and required contiguous development that minimizes land consumption and servicing costs. The proposed development achieves these requirements by virtue of being within a designated growth area in the City, having access to full municipal services, and being contiguous to existing development. The PPS also stipulates that healthy, liveable, and safe communities are sustained by incorporation of a range and mix of uses. The subject development proposes a well integrated mixture of residential, institutional and open space uses for the benefit of residents. The PPS also calls for the avoidance of development that may pose environmental concern and by encouraging biodiversity conservation and mitigation of the impacts of climate

change. The layout and policy restrictions imposed on the lands facilitate avoidance of natural heritage and hazard areas and work to appropriately account for species at risk and flooding potential.

The following sections of this report will assess these matters of Provincial interest relative to the subject applications in more depth. In consideration of this fulsome analysis, the proposal is consistent with the direction provided by the PPS, subject to the recommended conditions.

B: Timing & Public Interest

The Planning Act and its implementing documents, including the PPS and City OP, require that plans of subdivision not be premature and that growth and development be located appropriately. The timing of the application is appropriate by virtue of the fact that the lands are: located within the Sydenham Heights Planning Area; fronting on a County Road (8th St. E.) slated to be upgraded; having access to full services with appropriate cost recovery mechanisms in place.

The Sydenham Heights Planning Area is a designated growth area in the City's Official Plan (OP). The Official Plan for the City of Owen Sound was approved in 2006. A five-year review was undertaken (OPA 4). As part of the five year review the secondary plan for the Sydenham Heights Phase I & II Planning Area was entirely updated to provide the basis for development of a diverse community contemplated to be the focus of residential greenfield growth in the City.

The subject lands are located in the Phase I area of the Sydenham Heights Planning Area which is intended to satisfy the City's growth needs to the year 2026. Up to 1,350 units are permitted before further assessment and approval is required.

This is the first significant development proposed since the Sydenham Heights Planning Area policies were updated as part of OPA 4. However, other parcels in the Plan Area are also starting to be developed. The adjacent parcel to the north (east of the hospital) has been subject to an approved Official Plan and Zoning By-law amendment in 2018/2019 to permit mixed-use residential development together with some convenience commercial uses. The lands are adjacent to existing development, primarily the institutional uses along 8th Street East, and is considered contiguous development.

The East Owen Sound Master Servicing Study (2007) provided a framework for the water and sanitary servicing and stormwater management of the Sydenham

Heights Planning Area. In 2015 the City passed Development Charges By-law 2015-080, which included an area specific development charge for the Sydenham Heights Planning Area to cover the growth related capital costs associated with new development in this area, in particular water and sanitary services.

8th Street East is a Grey County Road 5 and is therefore subject to County authority. Entrance permits and road and intersection design are the responsibility of Grey County Transportation. The applications and submitted studies were circulated to Grey County. Grey County Transportation Services has provided comments and continues to be closely involved in the process. Grey County Transportation Services will manage the design and construction of the 8th Street East and 20th Avenue East intersection and determine the appropriate design for the intersection (i.e., signalized intersection vs roundabout).

Phasing of the Plan

The Concept Plan is proposing four phases for the development (Schedule 'C').

PHASE 1 (yellow): development of the 54-unit condominium townhouses (Block 42) with access to 8th Street East via the private condominium road, services to the condominium block, the SWM pond (Block 43) and the realigned drainage channel (Blocks 44 & 45). There will be no public access to Street 'A'.

PHASE 2 (green): development of the two multi storey units located east of the private condominium road (Block 41) and construction of the northern portion of Street 'A' (future 20th Avenue East extension) including the intersection at 8th Street East.

PHASE 3 (pink): Development of the multi storey unit west of the condominium access (Block 41), Lots 9-22 (single detached), 39 & 40 (semi-detached), and construction of the middle portion of Street 'A' (future 20th Avenue East).

PHASE 4: Development of the remaining lots (single detached 1-8, 23-36 and semi-detached 37-38), construction of Street 'B' (future 6th Street East extension) and completion of the south portion of Street 'A' to the south property boundary, including extension of water and sanitary.

Consideration of the Public Interest

The public interest has been invited and considered fully throughout this approvals process. In accordance with the Planning Act, the applications have been circulated and made available for comment by the public and by all prescribed bodies. The purpose of this is to solicit public input in support of advocating the interests of the public. Furthermore, Professional Planners are obligated to consider and uphold the public interest.

Through the consultation process the following public comments were received:

- a) Ray Botten, Owen Sound Resident, commented that while he is in favour of the development in general, he opposed the development going forward without supporting the homeless.

In response to this comment, Staff note that it is beyond the scope of this particular Official Plan Amendment and Zoning By-law Amendment to specifically require affordable housing or an emergency shelter. Social housing is within the purview of the County of Grey.

- b) Mary Francis Majury, Owen Sound Resident, asked whether the fence row will be taken down and whether storm water will back up on her property. She also inquired whether the 6th Street road allowance was on the other side of the fence or her property.

In response to this comment, Staff note that a condition of Draft Approval of the Plan of Subdivision states that a Tree Preservation and Planting Plan be provided for the blocks containing single detached dwellings. The Tree Preservation and Planting Plan will include the hedge/line of trees on the property boundary between the subject property and the Majury parcel to the south.

The City's Property Standards By-law prohibits stormwater from one property draining onto any adjacent property. Stormwater must be managed on the subject property and will not be permitted to drain onto adjacent parcels.

Courtesy notice of this recommendation report has been supplied to all those persons who signed in at the Public Meeting via email or regular mail.

The proposal is not premature and is in the public interest, subject to the recommended conditions.

C: Conformity with the County & City Official Plans

The Grey County Official Plan (County OP) designates Owen Sound and the subject property as a 'Primary Settlement Area' and 'Hazard Lands'. In areas designated as 'Primary Settlement Area' the County OP defers to the local Official Plan for detailed development policies. The County OP does speak to an average development density of 25 units per hectare to be achieved for Owen Sound. As described below, the proposed development does maintain this density requirement. The 'Hazard Land' designation in the County OP reflects the hazard designation of the City's OP in both location and polices. The County Planning

Department was consulted on the subject applications, and indicated no concern or objection.

The subject property is designated as 'Residential' and 'Hazard Lands' in the Owen Sound Official Plan (OP), and are located within Phase I of the Sydenham Heights Planning Area (OP Schedule A2). See Schedule 'D' for the Official Plan Map.

The applicant is proposing to amend Schedule A2 (Sydenham Heights Planning Area) of the OP to re-designate a portion of the lands from 'Residential – Low Density' to 'Residential – Medium Density' and from 'Residential – Medium Density' to 'Residential High Density' to permit the apartment buildings (high density) on the northern portion of the parcel and to permit the street fronting and cluster townhouses (medium density) in the middle portion of the development. The draft Official Plan Amendment submitted by the applicant is attached in Schedule 'E'.

Residential Use (Sections 4.1 & 5.2.1)

Permitted uses in the Residential designation include residential uses in a variety of forms and tenures as well as other complementary neighbourhood commercial and compatible institutional uses (such as long term care facilities).

The Residential policies examine residential density via two approaches:

1. Units per net residential acre allows the OP to differentiate between various levels of density and to locate those densities appropriately in various parts of the city.
2. Units per gross developable land area is used to ensure that residential development occurs at a level that uses municipal infrastructure effectively and efficiently.

Net Residential Density

The City's OP describes low, medium and high density residential uses in terms of the net residential density and further how low, medium, and high density residential uses are to be developed in the Sydenham Heights Planning Area. Specifically,

- a) Low-density Residential shall consist of single detached, semi-detached and link homes at a density not exceeding 25 units per net residential hectare.
- b) Medium-density Residential shall consist of row houses, stacked townhomes/duplexes and low profile multiple dwellings at densities of 26 to 50 units per net residential hectare.

- c) High-density Residential shall consist of non-ground oriented multiple dwelling units at densities of 51 to 100 units per net residential hectare.

The low density residential designation limits the permitted types of dwellings to dwellings that contain a maximum of two units (i.e., semi-detached and link dwellings). The medium density designation includes multi-unit dwellings that are generally ground oriented or low profile. The high density designation focuses on multi-unit dwellings that are non-ground oriented (i.e., dwelling units within the building open onto a common corridor or stairway, all the dwelling units share a common lobby/entrance to the building).

The application is proposing the following residential types and densities based on the Concept Plan:

	Block 1-36	Block 37-40	Block 42	Block 41
Residential Type	Single Detached	Street Fronting Townhouse	Cluster Townhouses	Apartment Dwellings
Number of Units Proposed	36	12	54	264
Net Area (ha)	2.07	0.53	3.49	3.13
Density (Units per net residential hectare)	18 units/ha	23 units/ha	16 units/ha	85 units/ha
Proposed Designation	Low-Density	Medium-Density	Medium Density	High-Density
Current Designation	Low-Density	Low Density	Low Density	Medium Density

The blocks containing the townhouses (both street-fronting and cluster) fall into the medium density designation due to the type of dwelling units being proposed.

The change from low density to medium density will not significantly affect how the development looks. The townhouses, whether cluster or street fronting, will 'look' like low density housing (i.e. single detached dwellings) in that the units are one to two storey ground oriented dwellings with garages and driveways. The

proposed density is also within the low density range. The change in designation is required because the low density definition limits the number of dwelling units permitted per lot to two. The cluster and street fronting townhouses blocks are proposing 3-4 dwelling units per building.

The conversion from medium to high density residential development will allow the change from a low profile ground oriented building type to a non-ground oriented multi-unit type of building. The OP requires that lands intended for medium or high-density uses should have access to collector or arterial roads and proximity to compatible land uses such as local institutional and neighbourhood commercial uses. The lands to be designated as high density will have direct access to 8th Street East which is classified as County Road and acts as an arterial road. The entire proposed neighbourhood will have access to the existing local institutional uses such as schools and more city-wide institutional uses such as the hospital, other health care services, churches, etc. As the Sydenham Heights Plan Area develops, neighbourhood commercial uses will become available as the demand reaches levels where local commercial business become viable. The neighbourhood is in close proximity to the 'East City Commercial' area which provides a wide array of commercial uses. The amendment to re-designate a portion of the lands from medium to high density for the northern portion of the parcel conforms to the intent and purpose of the Official Plan.

Gross Residential Density

In order to ensure that a wide range of housing types are available and that infrastructure is used effectively, Sec. 5.2.1.4 of the City OP and the County OP require that the overall density target for the Sydenham Planning Area is not less than 25 units per net hectare.

The density is calculated on the Gross Developable Land Area which is the total area less the area of protected natural heritage features and approved buffers.

The proposed Gross Developable Land Area not including additional lands owned by the applicant is estimated at 29.9 units per net hectare, which achieves the target of Section 5.2.1.4.

Institutional Uses

Section 4.1.2.5 of the OP permits local institutional uses on lands designated 'Residential' subject to a site specific rezoning provided that:

- a) The local institutional use does not introduce unwanted and inappropriate impacts in the residential area on residential uses in terms of noise, odour, dust, storage, and traffic.

In response to this, staff note that the applicant has requested that the lands along 8th Street East which are to be designated as high-density residential be placed in a Multiple Residential (MR) Zone. The MR Zone permits apartment dwellings and a number of institutional uses including clinics, long term care facilities, places of worship, public parks and schools. These institutional uses mesh well with residential neighbourhoods and are not anticipated to pose a nuisance due to the type of uses permitted and the limitation on scale due to parcel size. Through the site plan approval process, the applicant will be required to provide studies/report that will further address potential noise issues if there is any concern upon pre-consultation.

- b) The outward appearance, scale and design of the local institution use shall be compatible with the character of the residential area and appropriate buffering shall be included to minimize negative impacts on abutting residential uses.

In response to this, staff note that any development on the blocks proposed to be designated high density residential would require site plan approval. Future site plan approvals can address the outward appearance, scale and design (Sec. 4.1.2.5) of the proposed development.

- c) The local institutional uses are generally to be located along arterial roads with access to public transit and full municipal services.

In response to this, staff note that the block proposed for institutional uses are located adjacent to and with direct access to 8th Street East. It is assumed that the City transit system will be extended along 8th Street East as the development on the subject property and surrounding parcels builds out and transit services will become available.

The following sections of this report will assess these matters of OP conformity relative to the subject applications in more depth. In consideration of this fulsome analysis, the proposed draft plan of subdivision conforms to the policies of the City Official Plan, subject to the recommended conditions. The proposed OP amendment conforms with the County Official Plan and is consistent with the PPS.

D: Suitability of Lands for Residential Subdivision

In order to evaluate the appropriateness of lands for residential uses, the PPS and OP require the applicant to establish the historic uses of the lands to ensure that the site is not impacted by past activities and that archaeological potential is

appropriately examined. The proposal represents greenfield development and was submitted with appropriate supporting documentation as such.

The subject lands have historically been vacant of structures and have been used partially for crops and livestock pasturing. A significant portion of the property contains the Bothwell's Creek tributary and remains in its natural state. The hazard lands are regulated by the Grey Sauble Conservation Authority and are subject to an Environmental Impact Assessment, which was received by the Ministry of Natural Resources for protection of Species at Risk (SAR). SAR oversight has now transitioned to the Ministry of Environment, Conservation and Parks (MECP).

In accordance with Sec. 7.2.5 of the City OP, the applicant provided a Stage I and II Archaeological Assessment of the property as part of the application. The Ministry of Tourism, Culture and Sport on March 21, 2017 noted that the Provincial interest in archaeological resources with respect to the proposed undertaking have been addressed and the proposed undertaking is clear of any archaeological concern.

The applicant has undertaken a Phase One Environmental Site Assessment as part of their own due diligence. One was not required by pre-consultation process as the lands were previously agricultural in use. The consulting engineer recommended a Phase Two Environmental Site Assessment be completed. Phase Two identified two exceedances that are associated with winter de-icing operations on the adjacent roadway (8th Street East). Under O. Reg. 153/04, as amended, where a Site Condition Standard is exceeded solely because a substance has been used on a highway for purposes of keeping traffic safe under conditions of snow and ice, the applicable Site Condition Standard is deemed not to be exceeded. This finding does not necessitate site remediation and does not represent a barrier to development of the lands.

For these and the cumulative reasons outlined in the balance of this report, the subject lands are suitable for residential subdivision of land, subject to the recommended conditions.

E: Adequacy & Design of Streets

New land development is required to have appropriate connectivity to existing streets. A subdivision itself is also required to contain an appropriate number of streets having adequate design characteristics.

The subdivision will include two different types of roads: municipal roads and private internal roads. The municipal roads will be constructed by the developer to appropriate City standards and then assumed by the City. The municipal roads will connect the subdivision to other municipal roads within the City and will be used by all residents of the City. The private roads will not be assumed by the City and will generally only provide access within the 'block' in which they are located. Construction of the road network is subject to the phasing plan as proposed by the applicant and described below. All the roads within the subdivision will exit onto 8th Street East which is a County road (Grey County Road 5). Consequently, approvals are required from Grey County Transportation Services for all access points onto 8th Street East. The following discussion will focus on each road in turn.

Private Internal Road for Block 41 (Apartment Buildings)

As per the Phasing Plan, the applicant is proposing to develop Block 42 (cluster townhouses) first. Block 42 will access 8th Street East via the private road through Block 41 (apartments) until the construction of the northern portion of Street 'A' (future 20th Avenue East extension), including the intersection at 8th Street East. Once Street 'A' has been constructed, the access between Block 41 and Block 42 will be closed off to regular traffic.

The applicant provided an Auxiliary Lane Analysis Memo in support of the access onto 8th Street East and the delay of the full Street 'A' / 8th Street East intersection until Phase 3. Grey County Council has approved the entrance in principle on May 25, 2017 via Report TR-CW-15-17. The intersection at 8th Street East and the private road will be a full stop intersection and no turning lanes will be required. The private road allowance is 9 metres wide.

Private Internal Road for Block 42 (Cluster Townhouses)

The road within Block 42 will be a private internal road that will only be used by the residents and visitors of the dwelling units in Block 42. Once Street 'A' is fully built and assumed by the City the access to the internal road in the apartment complex (Block 41) will be closed off. The residents will then use Street 'A' to access 8th Street East or Street 'B'. The road will be 16 m wide. Detailed design for the block including street design, sidewalks and internal intersections will occur at the site plan approval stage.

Street 'A' & Street 'B'

The proposed configuration of Streets A and B on the draft plan generally follow the Secondary Plan schematic and consider adjacent lands. The intersection of

Street 'A' and 8th Street East has been placed as far east as possible to facilitate alignment with the future 20th Avenue to the north. Once development proceeds on the adjacent lands to the west (Millman) the cul-de-sac at the end of the Street 'B' can be removed and the Street 'B' connected to the extension of 6th Street East.

The internal road network includes a 25 metres wide road allowance designated as Street 'A', which is a designated Local Road. Street 'A' will be an extension of 20th Avenue East that intersects with 8th Street East. 20th Avenue East will be extended south from its current terminus through the proposed Bremont Subdivision on the lands to the north and intersect with 8th Street East where it will continue through the proposed development via Street 'A'. Street 'A' is approximately 500 metres long with a stub end. A cul-de-sac will be required at the southern terminus of this street. Street 'A' will be designated as a Local Road. Local Roads are to generally have a right-of-way width of 20 metres and sidewalks are generally required on side of local roads.

A signalized intersection or roundabout will be required at the intersection of Street 'A' and 8th Street East when Phase 3 is developed. Until Phase 3, the intersection of 8th Street East and Street 'A' will be stop controlled (i.e. stop signs on Street 'A'). Since 8th Street East is a County Road the intersection design, timing and construction is under the authority of Grey County.

Street 'B' (future 6th Street East) will be a 25 metres wide road allowance and approximately 120 metres long with a cul-de-sac at the end. The proposed Street 'B' will designated and designed as a future Collector Road. Collector roads are to have a minimum right-of-way width of 25 metres, sidewalks shall generally be constructed on both sides and direct access shall be permitted subject to geometric design considerations. Street 'B' will be designated as a collector road because it will connect to 6th Street East. 6th Street East east of the 9th Avenue East is designated as a (proposed) collector road.

A Traffic Impact Study (TIS) has been submitted with the application. The TIS was undertaken with reference to a scope of study provided by the City and Grey County. The City's Engineering Services Division has noted that the TIS demonstrates that:

1. The existing roadway system operates at acceptable levels of service under current conditions.
2. The traffic generated from the proposed development can be accommodated by the boundary road network with the existing intersection configurations,

signal timing plans and the construction of the private condominium access road.

3. The future 20th Avenue East intersection with 8th Street East will be a required improvement for Phase 3 of this project to accommodate the total traffic volumes anticipated.

The future 20th Avenue East and 8th Street East intersection will need to accommodate traffic from this (Redhawk) development and the proposed Bremont development on the north side of 8th Street East. As well, in the future, 20th Avenue East will be a significant traffic connection corridor between the 16th Street East commercial corridor and the Sydenham Heights residential developments.

Summary of Access Phasing

PHASE 1: The Developer is proposing to develop the private road through Block 41 (apartment) leading to the cluster townhouses only. This road would have an entrance leg of 125 metres and access 54 units. The length of the entrance leg and the number of units are less than the maximum allowed for a single access point.

PHASE 2: This phase will comprise the construction of approximately 174 units in the two multi storey buildings on the east side of Block 41. The main access for these buildings will be from the northern section of Street 'A'. Phase 2 will require the construction of Street 'A' from 8th Street East to the entrance of Block 41 just north of the stormwater management pond. The secondary access will be from the private internal road. The Street 'A' and 8th Street East intersection will be controlled by stop signs on Street 'A'.

PHASE 3: The Developer will construct the middle portion of Street 'A' fronting Lots 9-22, 39 & 40, construct a temporary cul-de-sac at the south terminus of Street 'A', extend the private internal road from Block 42 to intersect with Street 'A' between Lots 38 and 39 and construct the intersection improvements required for the Street 'A' / 8th Street East intersection. The portion of the private internal road leading to the cluster townhouse complex through the apartment block will be restricted to an emergency access only with all traffic from the cluster townhouse block being directed to Street 'A'. The secondary access will be via the private internal road through Block 41.

PHASE 4: The final portion of Street 'A' with a cul-de-sac at the south terminus and all of Street 'B', including the cul-de-sac will be constructed. The secondary access will be via the restricted internal road through Block 41.

The phased access plan is acceptable to the Engineering Services Division. The City's Engineering Services Division will require that the configuration of the access points from 8th Street East be acceptable to the City and the County as a condition of draft plan approval.

The proposed subdivision has adequate connectivity to existing streets and the internal road system is properly designed to facilitate the residential development. The proposed street design is adequate, subject to the recommended conditions.

F: Subdivision Lot Design & Zoning

The subject property is zoned 'Rural' (RUR) and 'Hazard Land' (ZH) in the City's Zoning By-law (2010-078, as amended). The zoning by-law map is attached in Schedule 'F'. The zoning amendment is proposing a specific zone for each block /type of residential dwelling proposed in the development as described in the draft Zoning By-law Amendment submitted by the applicant (Schedule 'G').

Single Detached Dwellings

Blocks 1-36 will contain single detached dwellings. The application is proposing that these blocks be zoned as Single Residential (R1) Special. Permitted uses in the R1 zone are essentially limited to single detached dwellings. As of right, the zone also permits places of worship subject to Institutional zone provisions and Public Parks subject to the Open Space zone provisions. The size of the proposed lots will restrict the potential uses to single detached dwellings. The special provisions requested by the applicant for these lots are as follows:

Single Detached Dwellings – Single Residential Special (R1, 14.XX)		
Zone Regulation	Required	Proposed
Minimum Lot Area	550 m ²	400 m ²
Minimum Front Yard	7.5 m	6.5 m
Maximum Lot Coverage	35 %	45 %

Street Fronting Townhouses

Blocks 37-40 will contain street fronting townhouses. The application is proposing that these blocks be zoned as Medium Density Residential (R4) Special. Permitted uses in the R4 zone include single and semi-detached, duplex and

townhouse dwellings. The street fronting townhouses will be freehold, that is the house and lot will be owned by the same person.

As with the R1 zone, places of worship subject to Institutional zone and Public Parks subject to the Open Space zone provisions are also permitted.

The special provisions requested by the applicant for these lots are as follows:

Street Fronting Townhouses – Medium Density Residential Special (R4, 14.XX)		
Zone Regulation	Required	Proposed
Maximum Lot Coverage	40 %	53 %
Minimum Interior Side Yard	1.2 m on one side and 3.0 m on the other side	1.2 m *
Maximum Density	1 unit/ 300 m ² total development parcel	1 unit / 275 m ² of lot area for total development parcel

While a reduced interior side yard setback is proposed, Staff would recommend that the minimum interior side yard setback provisions for the R4 zone be maintained to ensure that access to the rear can be maintained. The requirement for one side yard setback of 3.0 m is indented to ensure that can access the rear of the buildings is possible without trespassing on adjacent properties, given that there is zero setback between dwelling units.

Cluster Townhouses

The cluster townhouses on Block 42 will be accessed by a private internal road. The City will not be assuming this road and consequently all future development in this block will either be by way of leasehold, condominium or rental tenure. The Draft Plan is proposing 54 units on a curvilinear road pattern. The townhouses are clustered in 3-4 unit buildings.

Cluster Townhouses– Medium Density Residential Special (R4, 14.XX)		
Zone Regulation	Required	Proposed
Minimum Lot Frontage	25 m total development parcel, and for any street fronting	15 m total development. Notwithstanding the provisions of this section or Section 5.12.2 of this Zoning By-law, a

Cluster Townhouses– Medium Density Residential Special (R4, 14.XX)		
Zone Regulation	Required	Proposed
	townhouse 5.5 m per unit	minimum lot frontage of 15 m shall be provided via an easement to 8 th Street East until such time as Street 'A' is upgraded to an improved street.
Maximum Density	1 unit/ 300m ² total development parcel	1 unit / 250 m ² of lot area for total development parcel

The proposed amendment provided by the applicant also requests a number of site specific regulations that would 'locate' buildings on the site. However, because the Draft Plan will create one block and not a number of individual lots the zoning by-law cannot implement the requested setbacks through the site specific zoning. The requested setbacks, encroachments and dwelling unit widths will need to be realized through site design at the site plan approval stage.

R1 and R4 Summary

As compared to the as-of-right R1 and R4 permitted densities, the development is proposing to increase the density in regard to the requested zones and applicable zone provisions. That is, the requested site specific zone provisions are proposing more compact development in the form of smaller lots, increased lot coverage, and reduced yard setbacks. Development (i.e., buildings and structures) on the individual lots will be required to maintain all other provisions of the respective zones.

The increased density created through the requested special zone provisions will create a neighbourhood that is slightly more compact than other neighbourhoods within in the City. However, the increased density will ensure that municipal infrastructure such as water and wastewater services, and roads are used efficiently while creating a neighbourhood dominated by low profile houses with the feel of a "traditional" suburban neighbourhood, typical in Owen Sound.

The proposed naturalized drainage channel on the western boundary and the hazard land associated with the Bothwell's Creek tributary on the eastern boundary of the development will provide for a sense of open/green space. All of the single detached lots will have direct sight lines and/or access to the green space. The cluster townhouse will have common green spaces within Block 42.

The landscaping and planting plan for Blocks 41 and 42 will be determined through the site plan approval process.

Apartment/Multi-Unit Dwellings

The application is proposing that Block 41 will contain three apartment buildings encompassing 264 residential units. The zoning amendment provided by the applicant is requesting that Block 41 be zoned as Multiple Residential Special (MR, 14.XX). The focus for permitted uses in the MR zone are high(er) density residential uses and institutional uses. Permitted uses in the MR zone include: apartment dwellings, clinics, day nurseries, and long term care facilities. The Planning Justification report provided by the applicant notes that the apartment dwellings proposed for Block 41 may include a senior’s residence, which will be permitted under the proposed zoning. The proposed uses conform to the applicable OP policies.

The site specific provisions requested for Block 41 are as follows:

Apartment Dwelling – Multiple Residential Special (MR, 14.XX)		
Zone Regulation	Required	Proposed
Lot Line, Front	Front Lot Line is a defined term in Sec. 4.2	Notwithstanding the definitions in Section 4.2 of the Zoning By-law, the lot line adjacent to 8 th Street East is considered as the Front Lot Line for the purposes of Section 14.XX.
Minimum Front Yard Setback	10 m for Dwelling, Apartment 10 m for Institutional Uses	9 m for Dwelling, Apartment 9 m for Institutional Uses
Maximum Height (m)	15 m for Dwelling, Apartment 15 m for Institutional Uses	13.12 m on lands within the Flight Path Limit overlay shown as hatched area on Schedule ‘E’.

Apartment Dwelling – Multiple Residential Special (MR, 14.XX)		
Zone Regulation	Required	Proposed
Maximum Height (m)	15 m for Dwelling, Apartment 15 m for Institutional Uses	16.2 m on lands outside the Flight Path Limit overlay shown as hatched area on Schedule 'E'.

The special zoning provisions proposed for the MR zone implement the recommendations of the Flight Path Study by limiting the height of the buildings within the Flight Path. The proposed height increase outside of the Flight Path is minor and will not significantly increase the number of stories for each dwelling. A building 16 m high will be approximately 5 stories high. The reduced front yard setback is also minor and Grey County Transportation does not have any objections to the reduced setback.

Other site specific zoning matters such as parking, loading spaces, landscape buffer strips will be addressed at the site plan approval stage. Any buildings and structures proposed will have to comply with all the applicable zoning provisions in effect at the time as well as all other applicable laws.

The proposal and requested Zoning By-law Amendments meet the general intent and purpose of the City's Zoning By-law and conforms with the City OP and the PPS, subject to the recommended conditions.

G: Restrictions on the Proposed Subdivision and Buildings

The appropriateness of land development is always contingent on land use constraints impacting the subject lands.

Hazard Lands

The PPS and County and OP all address hazard lands. As noted above, both the County and City OP identify 'Hazard Lands' on the subject property. The hazard land designation in both instances identify lands that present a risk to human safety, potential for property damage, or present physical limitations to development. This designation includes lands that are susceptible to flooding, wave uprush, erosion or instability and in many cases are characterized by steep slopes, organic soils or poor drainage. Permitted uses in the Hazard Lands designation are generally limited and building and structures are prohibited.

In this case the Hazard Lands identify a Bothwell's Creek tributary watercourse and the associated riparian wetland feature. The hazards on the property include the potential flood and erosion hazards associated with the watercourse. The hazard zone as shown as Block 48 on the Concept Plan includes the watercourse, the regional storm flood plain and an additional 6 m access allowance.

Comments from the Grey Sauble Conservation Authority note that the Ontario 151/06 regulated area includes the watercourse, the regional storm flood plan and an additional 15 metre regulated allowance. The CA's regulated area will extend into all the lots that are adjacent to a hazard zone. Most development on those lots will require a permit from the GSCA.

Within in the Sydenham Heights Planning Areas, Section 5.2.3.3 of the Official Plan notes that some of the lands designated as Hazard Lands within the Planning Area form part of the flood plain of a Bothwell's Creek tributary. The intention is that these lands are maintained to manage regional storm events and therefore appropriate setbacks are required from the hazard lands.

The applicant has included a Flood Hazards Study as part of the Functional Servicing and Stormwater Management Report which is also considered by the Environmental Impact Study. Based on these studies no development is proposed within the regional storm event and development controls are proposed to reduce impact and control erosion during construction. The GSCA has reviewed the floodplain modelling and planning provided by the applicant and is satisfied that the revised flood lines represent the extend of the hazard lands associated with the tributary.

The application is also proposing the realignment of existing smaller drainage channel on the west portion of the parcel. The existing watercourse is not designated as 'Hazard Lands' in the OP but is zoned as Hazard (ZH) in the Zoning Bylaw. The development is proposing to reroute the drainage channel to the south in a 30-metre-wide contained corridor. The zoning amendment is requesting that the new location of the drainage channel be zoned as 'Hazard' (ZH). The OP is not proposed to change in this regard. The current location of the drainage channel is requested to be zoned as Medium Density Residential (R4). The Draft Conditions contain clauses that require the developer to provide appropriate geotechnical studies to ensure that the lots which are in the former location of the drainage channel are suitable for development/construction. The relocation of the drainage course will require permits from the Grey Sauble Conservation Authority and possibly the Department of Fisheries and Oceans. The relocation of the drainage channel will result in a portion of the adjoining lands to the west (Millman) becoming subject to Ontario Regulation 151/06. The

Planning and Heritage Division has received written acknowledgement from the affected landowner consenting to the change.

Due to scale of schedules to the Zoning By-law, the detailed design of the proposed subdivision may result in refinement and more accurate delineation of the Hazard Lands designation at the scale of the plans provided. Section 2.3 of the Official Plan provides for minor changes to the designation boundaries without amendment to the Official Plan as long as the intent of the plan is maintained.

Flight Path – Grey Bruce Regional Health Centre

Section 5.2.2.1 and Section 6.1.8.3 of the City OP recognize that the Grey Bruce Regional Health Centre includes a helicopter landing pad. The policies require that the flight paths to the Grey Bruce Regional Health Centre heliport be protected and that a flight path study may be required to assess the impact of development on the heliport's flight path. The applicant has provided a flight path study in support of the applications. The major recommendation of the study is that a maximum allowable height be established for the northwestern corner of 13 m and that red obstruction lights be installed on the corners of the proposed apartment in the northwest corner. These recommendations have been implemented in the proposed zoning amendment and the conditions of draft plan of subdivision approval.

H: Conservation of Natural Resources & Flood Control

As discussed, there are a number of natural heritage constraints impacting the lands. The PPS and OP contain include policies that address protecting natural heritage features and functions for their economic, environmental and social benefits. The PPS requires that:

- Development and site alteration shall not be permitted in fish habitat and habitat of endangered species and threatened species except in accordance with provincial and federal requirements.
- Development and site alteration shall not be permitted within significant wildlife habitat until it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.
- Development and site alteration on lands adjacent to natural heritage features and areas shall not be permitted unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

Section 7.1.4 of the OP requires that where significant development is proposed adjacent to Hazard Lands an Environmental Impact Study (EIS) be provided. The Environmental Impact Study provided by the applicant identified:

1. Significant Wildlife Habitat, specifically habitat for species of Special Concern (Milksnake) and Raptor Winter Foraging Habitat
2. Fish Habitat
3. Habitat for Endangered or Threatened Species, specifically Bobolink, Eastern Meadowlark, Barn Swallow

The EIS concluded that the development will result in the removal of candidate Significant Wildlife Habitat, however, the development is not expected to negatively impact the habitat function of the larger area. The development can occur without negatively impacting habitat for species of Special Concern and raptor foraging habitat. The EIS provided mitigation measures to minimize indirect human influences on habitat which have been incorporated into the recommended draft conditions.

In regard to fish habitat no development is proposed within the Bothwell's Creek tributary. The proposed setbacks from the Bothwell's Creek tributary and the design details of the Stormwater Management Plan will be sufficient to protect the creek against any potential impacts that may occur as a result of the proposed development. See the Stormwater Management Plan discussion below.

The Endangered Species Act and Ontario Regulation 242/08 provides for development in an area that is grassland habitat, suitable for Bobolink or Eastern Meadowlark provided certain conditions are followed. In accordance with the Act, development of the property can occur if all of the following are met:

1. If the development proposed is located within in 'an area of settlement' in an official plan of a municipality approved under the Planning Act before January 1, 2013.

In response to this, Staff would reiterate that the City's OP was approved in 2006. A five-year review was undertaken (OPA 4) and approved by the County of Grey on December 18, 2012. The development is located within the Sydenham Heights Planning Area and is designated as 'Residential', thus, this provision is met.

2. Provided that the activity is registered with the MNRF prior to site alteration.

In response to this, Staff note that the applicant's consultant has prepared a 'Development Plan' (Schedule H) (habitat compensation plan) that has been registered with and accepted by the MNRF (October, 2015).

3. That habitat compensation occurs. The area for habitat compensation must be monitored for five years and maintained as habitat for the species for a maximum of 20 years.

In response to this, Staff can confirm that the 'Development Plan' (habitat compensation plan) provides a habitat compensation area on the eastern portion of the property. Throughout this process the responsibility for Species at Risk (SAR) has been transferred from the Ministry of Natural Resources and Forestry (MNRF) to the Ministry of Environment, Conservation and Parks (MECP).

Specifically, the habitat compensation area is 4.19 ha in size and is located within the northern portion of the floodplain and the northern portion of Block 53. The habitat compensation area will compensate for the 3.45 ha of habitat that will be removed as a result of the proposed development.

The Development Plan notes that habitat enhancement work was started in the April 2016. The plan anticipates the completion of the habitat management commitment in October 2020.

The habitat compensation area will be located in two separate parcels after Final Approval. The portion of the habitat compensation area located in Block 48 will likely be owned by the City as the intend is that Block 48 will be conveyed to the City for environmental protection purposes.

The Conservation Authority has noted that the habitat management activities as proposed in the Development Plan will not have a negative impact on the regulated area and they have no objection to the management plan (please note that the GSCA is not commenting on Section 2.1 Natural Heritage in this regard but only on Ontario Regulation 151/06).

The other portion of the habitat compensation area will be located in Block 53 which is the 'retained' block. Block 53 will most likely remain in private ownership.

The designation for Block 53 is to remain as is, that is it will continue be to be designated as 'Residential – Low Density'. The applicant is requesting that the zoning amendment rezone the property from Rural (RU) to Rural Special with a Holding (RUR(H), 14.XX). The special provisions would limit the permitted uses

on the property to agricultural uses and habitat maintenance until such time as the holding is lifted. The holding on the parcel will require that:

1. The required habitat maintenance and enhancement consistent with the Development Plan is completed.

The Development Plan requires that compensation habitat management occur for five years. Habitat enhancement activities began in April, 2016. The management commitment within the habitat compensation area is expected to finish in October 2020.

2. It is demonstrated through an Environmental Impact Study that any future development will not negatively impact the significant natural environment features.
3. It is demonstrated that the lot can be provided with adequate servicing and access to a public road.

The proposed Draft Conditions include:

- specific conditions that address the Development Plan and requirements for its fulfillment, and;
- conditions that address recommendations of the Environmental Impact Study.

Stormwater Management (Sections 6.2.4 & 5.2.5.2)

In accordance with the OP, the City shall apply best management practices in dealing with stormwater management. Facilities shall be designed to manage stormwater quality and quantity and the integration of natural vegetative features is encouraged. Long-term maintenance and safety requirements are to be considered in design. New developments shall be required to have a stormwater management plan in place prior to construction to address:

- a) The physical characteristics of the site including slope gradient, slope length, soil texture, soil drainage and vegetative cover.
- b) Pre- and post-development runoff expected based on guidelines provided by the City and/or Grey Sauble Conservation Authority.
- c) Quantity and quality control in conformity with sub watershed plans.
- d) Methods to be used to control runoff and erosion both during and after construction, emphasizing at-source measures

A Stormwater Management Strategy for the Sydenham Heights Planning Area was developed as part of the East Owen Sound Master Servicing Study. As development occurs, the City shall ensure that measures to reduce the impact of runoff and manage storm water quality are undertaken. The plan provides for a combination of private and municipal stormwater management facilities. The Plan also notes that the proponent shall be responsible for the design of a stormwater management facility.

The applicant has provided a Functional Servicing and Stormwater Management Report (SWM) which proposes a stormwater management pond draining to the West Bothwell's Creek tributary through a pipe under Street 'A' and as well as replacing the shallow field drain with a relocated and naturalized drainage channel. The SWM plan will provide for:

- Water quality will be controlled to an "enhanced protection" level.
- Water quantity will be controlled for all storm events up to and including the Timmins Regional storm to target limits based on the "Unit Flow Rate" approach as per the East Owen Sound Master Servicing Study (EOSMSS).
- Extended detention, controlled release and velocity mitigation will be employed to provide erosion control.
- Stormwater thermal mitigation will be utilized to protect the down stream cold water fishery.

Grey Sauble Conservation Authority and City Engineering Services have reviewed the proposed SWM plan and are satisfied, subject to the proposed draft conditions of subdivision approval.

I: Adequacy of Utilities & Municipal Services

The PPS states that municipal sewage services and municipal water services are the preferred form of servicing for settlement areas.

Servicing (Sections 5.2 & 6.2)

The City OP notes that development will be permitted in areas that can be adequately serviced, based on orderly patterns of development, and priority shall be given to development of land that is presently serviced by municipal water and sewer or those areas that can most easily be serviced. The timing of development shall be based on logical extension of services; compact form and

development pattern; provision of services in an economically viable manner; priority for reserving capacity for infill, intensification and redevelopment.

OP Sec. 6.2.3 discusses servicing capacity and indicates that draft approved plans of subdivision may only proceed to registration if sufficient servicing capacity exists. The servicing policies of the Sydenham Heights Planning Area (Sec. 5.2.5) require all development to proceed on the basis of full municipal sewage and water services and will require a functional servicing report to address system capacity, preliminary grading and stormwater management.

The applicant provided a Functional Servicing and Stormwater Management Report in July 2015 which was updated in September 2017. The Servicing Study demonstrates that the proposed subdivision can be supported by existing service capacity if the water distribution and sanitary sewer trunks are extended into the subject lands.

SANITARY SEWER: This area of the City is largely undeveloped hazard and agricultural land. The trunk sanitary sewer intended to service this area has been extended south of 16th Street East into the Sydenham Heights Phase I planning area to 8th Street East and west along 8th Street East to the future 20th Avenue East. The benefitting landowners will fund the cost of the extension through the approved Area Specific Development Charges for the Sydenham Heights Phase I Secondary Plan Area.

Sanitary sewer oversizing is required to service the adjoining lands to the south and west of the subject lands. Oversizing is to be paid (front ended) by the Developer with the City using best efforts to recover these funds when the adjoining lands are developed.

The Functional Servicing Study submitted by Crozier & Associates concludes that the sanitary sewer system capacity is sufficient to support the additional load on this system imposed by adding this subdivision assuming that the necessary upgrade to the 3rd Avenue East trunk has been completed. The upgrade to the 3rd Avenue East trunk was completed in 2018.

WATER SERVICE: The existing watermain, located on 8th Street East, is a component of the East Hill Pressure Zone. It has been extended east to the future 20th Avenue East to allow water service to the subject property.

The Functional Servicing submitted by Crozier & Associates concludes that the existing water supply will be adequate to service this subdivision. The Public Works & Engineering Department concurs with this conclusion.

The City's Engineering Services have reviewed the Functional Servicing Study and are satisfied subject to the proposed Draft Conditions.

TRANSIT ACCESS: The City's transit system is accessible on 8th Street East. There is no requirement to provide transit service routes through the proposed development. However, the proposed road allowance widths for Street 'A' and Street 'B' would allow for future transit stops.

The municipal services and utilities available to serve the development are adequate, subject to the recommended conditions.

J: Adequacy of School Sites

The school boards were circulated on the subject applications. No comment was provided. It is assumed that the ongoing attendance planning undertaken by the applicable School Boards will recognize and account for the proposed development and additional residential units proposed.

K: Lands for Public Purposes

A residential development of this scale must consider access to open space and recreational amenities in accordance with the City OP and principles of good Planning.

Parkland Dedication / Cash-In-Lieu

The owner is required to convey 5 percent of the land for parks or other recreational purposes in accordance with Section 51.1 of the Planning Act. Alternatively, the City may require cash-in-lieu of all or a portion of the conveyance. The proposed development does not include any blocks for the purpose of parkland dedication. As such the City will require a cash-in-lieu payment for the conveyance. The applicant will be required to provide an appraisal to determine the parkland valuation. In accordance with the Planning Act, the appraisal will assess the value of lands on the day before the approval of the draft plan of subdivision.

Hazard Land Conveyance to the City

Hazard lands policies encourage that lands designated as Hazard Lands be set aside for environmental protection purposes. The City will encourage public conveyance of these lands through the development approval process. This land is not considered part of the required parkland dedication. The Hazard Lands are identified as Blocks 44, 45 and 48 on the Draft Plan of Subdivision and the Land

Use Planning Rationale and Justification Report indicates the owners are willing to discuss the conveyance of these lands to the City through the development process. Block 43, which contains the stormwater management pond will also be deeded to the City as part of the Plan of Subdivision approval process.

Block 53

The Draft Plan is proposing the creation of Block 53, which are the lands on the east side of the Bothwell's Creek tributary. Block 53 will contain a portion of the Development Plan (habitat compensation) lands as discussed above. At this time Block 53 will not have frontage onto a municipal road or other means of legal access.

Prior to final approval, access to Block 53 will need to be established via means to the satisfaction of the City in order to provide a legal means of permanent access for the owner of Block 53. Staff note that access to Block 53 is preferred to be established over lands to the east (2251 8th St. E.; 425904007512000), as opposed to through Block 48 given the inherent troubles with encroachment into the natural hazard feature. However, it is noted that this may not be the preferred option for the developer at this time. The applicant is proposing an easement over Block 48 (Bothwell's Creek tributary hazard lands). However, the access would be limited to maintenance of the parcel, non-livestock farming, and emergency purposes. The easement agreement will be required to identify that non-emergency access shall be carried out at times of low flow/dry conditions and that any alterations to the floodplain require permit from GSCA.

Planning and Heritage Division staff recommend that access to Block 53 in a manner acceptable to all parties be included as a condition of draft approval.

L: Energy Conservation & Efficiency

The proposed development achieves efficiency by virtue of its compact design and increased density. By managing stormwater on site for quality and quantity the development reduces the need for physical infrastructure to handle increased capacity. Low Impact Development is encouraged in all developments within the City, and will be encouraged in the Site Plan Approvals for Blocks 37-40, 41 and 42. Any lighting implemented in the proposed development will be required to be efficient (LED) and dark sky compliant.

M: Site Plan Control Matters

The City's Site Plan Control By-law (2011-034) establishes those classes of development subject to Site Plan Approval in accordance with Sec. 34 of the Planning Act. Single, Semi, Duplex and Converted Dwellings having two or fewer units are not subject to Site Plan Control. With regard to the subject development, lots 1-36 are exempt from the Site Planning requirement.

The remainder of the development blocks, including 37-40, 41 and 42, will all be subject to Site Plan Control prior to issuance of a Building Permit and development of the lands. Site Planning ensures sites are designed to be safe, functional and attractive for current and future users. These processes will be subject to approval by Council and will be accompanied by an agreement registered on title of the lands.

Financial/Budget Implications:

There are no negative budget implications directly resulting from the subject applications at this time. A development of this size will increase the tax base for the City. The roads and natural heritage blocks slated to be dedicated/conveyed to the City will have an associated maintenance costs calculated in perpetuity.

The East Owen Sound Master Servicing Study provided the basis for servicing the Sydenham Heights Planning Area and OPA 4 provided the policy framework for development within the Planning Area. It is a policy of the Official Plan that new development in the Sydenham Heights Planning Area be responsible for the cost of infrastructure improvements that benefit the new development (Section 5.2.7.2).

In 2015 the City passed Development Charges By-law 2015-080, which included an area specific development charge for the Sydenham Heights Planning Area to cover the growth related capital costs associated with new development in this area, in particular water and sanitary services.

Communication Strategy:

A Notice of Complete Application and Public Meeting for the proposed Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision was published in the Owen Sound Sun Times newspaper.

Notice was also circulated to persons, departments and agencies likely to have an interest in the applications, as legislated. As a courtesy, the notice was also sent via mail to the assessed owners within 120m of the subject properties.

Notice was provided well over 20 days in advance of the Public Meeting in accordance with the provisions of the Planning Act, R.S.O. 1990, Chapter P.13, as amended.

In addition to the statutory requirements for giving notice in advance of the public meeting, a courtesy email notice was sent on June 21, 2019 to all those who participated in the process to date to advise that Council would be considering a staff recommendation report on Monday June 24, 2019 during the regular meeting of Council.

Following a decision on the matter, notice of decision will be given in accordance with the requirements of the Planning Act.

Consultation:

The public meeting was held on February 8, 2016. In addition to the public notice, the Planning Division also sent a request for comments to the development team and other agencies based on the nature of the applications (Schedule I Summary of relevant agency comments). Due to the substantial content of the submission items some key agencies requested additional time to review the applications.

Members of the public were welcomed to attend and make oral submissions at the public meeting, or submit comments in writing prior to the public meeting either in support or against the application. Two members of the public spoke at the public meeting, and the meeting minutes can be found attached (Schedule J).

There was a stay in the processing of the applications, initiated by the developer, between May 2018 and April 2019. Because of this, the City Development Team initiated an interdepartmental, interagency meeting to facilitate relaunch of the approvals process. The draft recommended conditions have been discussed, circulated and agreed upon in principle by all commenting partners and the applicant (Schedule K).

Attachments:

- Schedule A – Ortho
- Schedule B – Draft Plan of Subdivision
- Schedule C – Concept Plan
- Schedule D – Official Plan map
- Schedule E - Applicant’s Submission – Draft Official Plan Amendment
- Schedule F – Zoning Map
- Schedule G - Applicant’s Submission – Draft Zoning By-law Amendment
- Schedule H – Development Plan
- Schedule I - Agency Comments
- Schedule J – Public Comments
- Schedule K – Proposed Draft Plan Conditions

Prepared by: Sabine Robart, MSC (PLAN) _____

Prepared by: Amy Cann, M. PL. MCIP, RPP _____

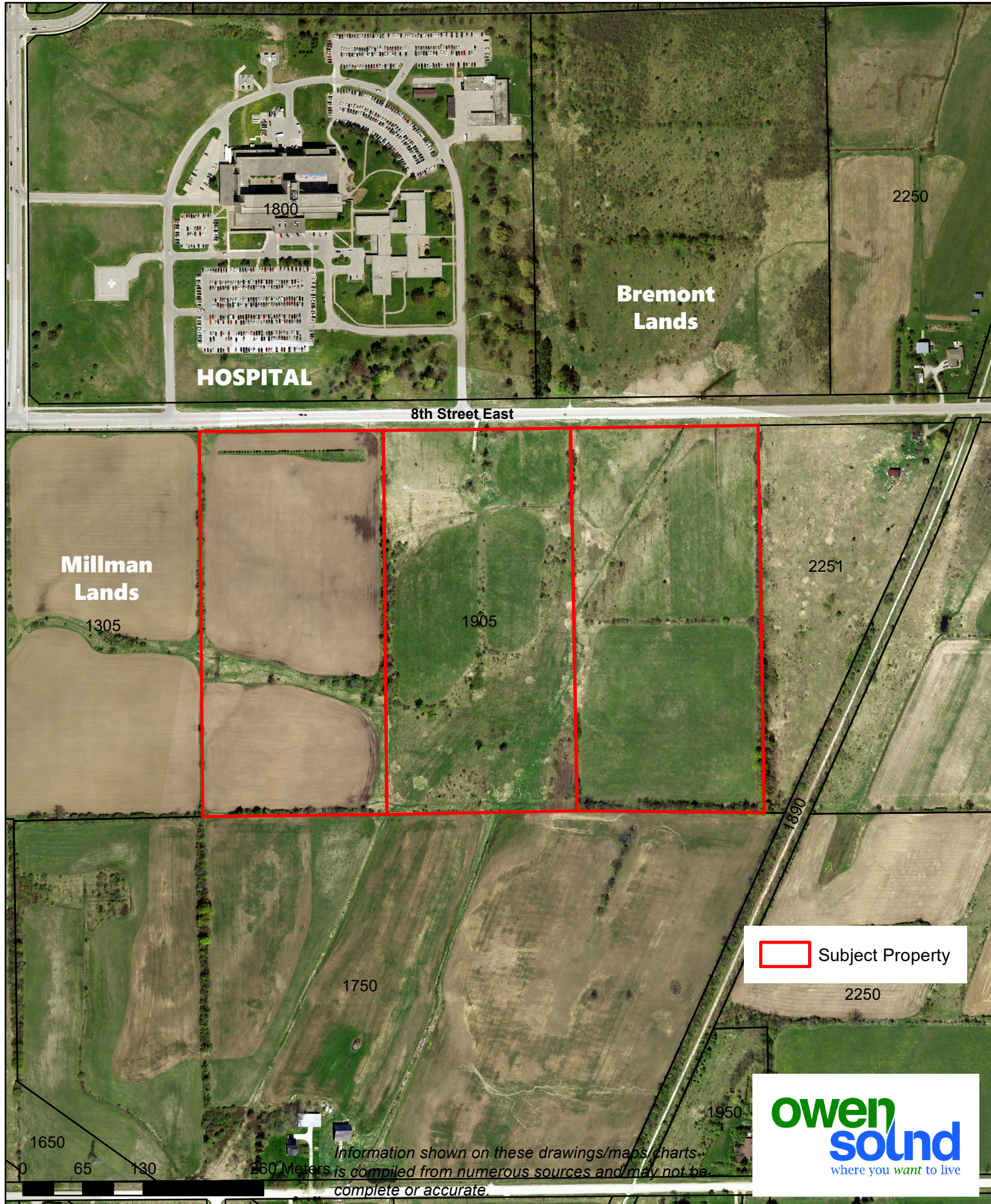
Reviewed by: Pam Coulter, BA, MCIP, RPP _____

Submitted by: Wayne Ritchie _____

SCHEDULE 'A'

Orthophoto

Schedule 'A': Orthophoto



1800

2250

HOSPITAL

**Bremont
Lands**

8th Street East


**Millman
Lands**

1305

1905

2251

1890

 Subject Property

2250

1750

1950

1650

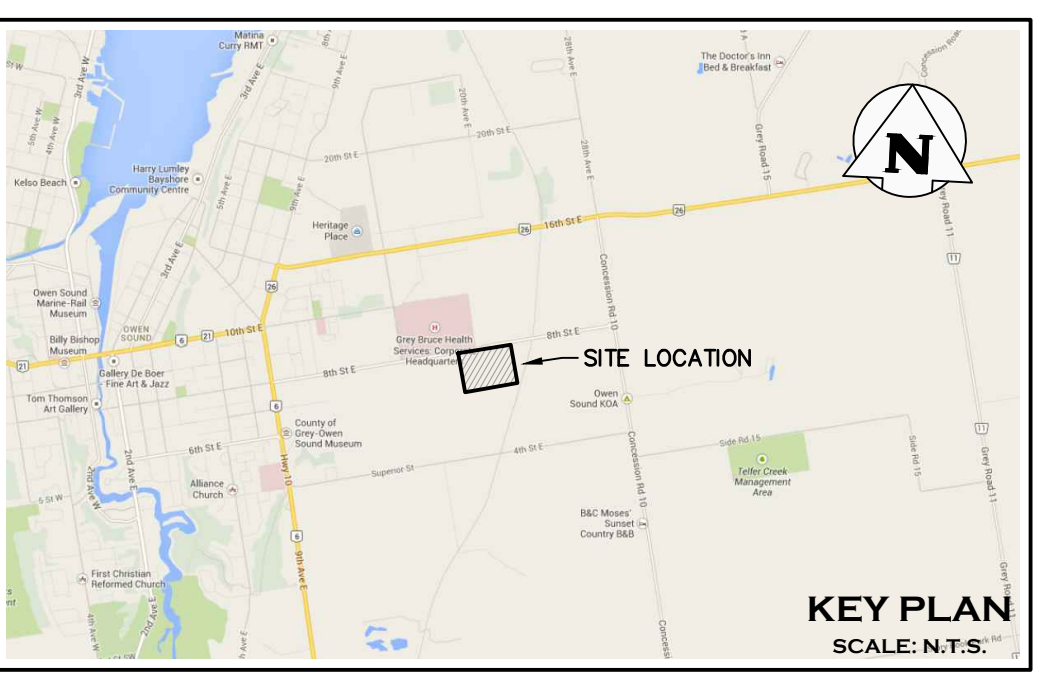
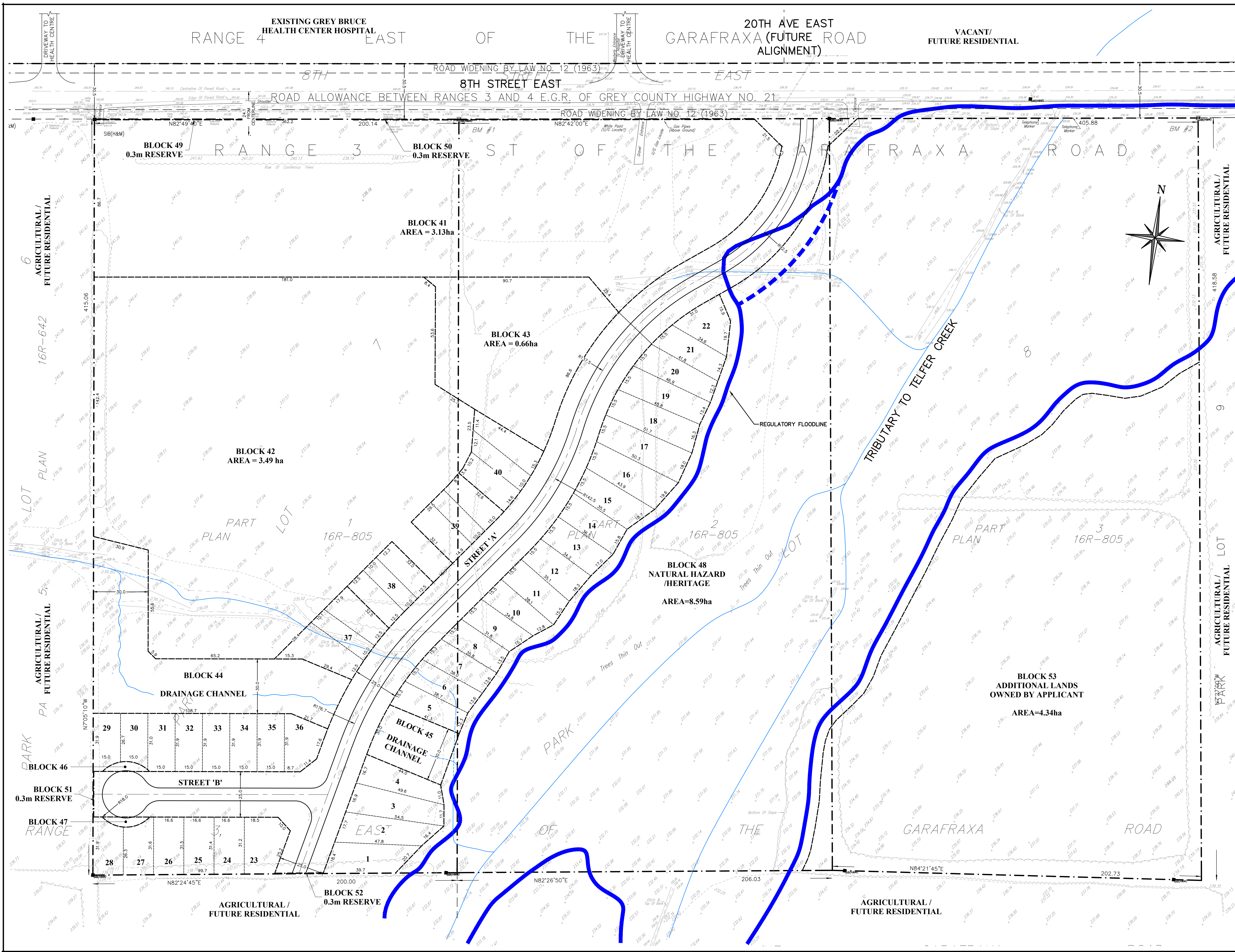
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260 Meters is compiled from numerous sources and may not be
complete or accurate.

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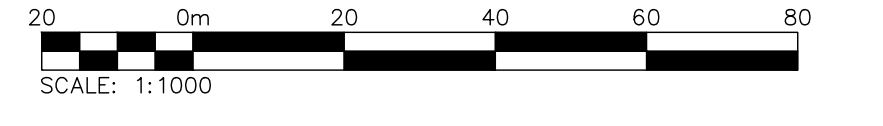
SCHEDULE 'B'

Draft Plan of Subdivision



DRAFT PLAN OF SUBDIVISION

PARTS OF PARK LOTS 7 AND 8
 RANGE 3 EAST OF THE GARAFRAXA ROAD
 CITY OF OWEN SOUND (FORMERLY TOWNSHIP
 OF SYDENHAM)
 COUNTY OF GREY
 MARCH 7, 2017



LAND USE	BLOCKS	AREA (ha)	UNITS
SINGLE FAMILY RESIDENTIAL	1 TO 36	2.07	36
FREEHOLD TOWNHOUSE	37 TO 40	0.53	12
MULTIPLE RESIDENTIAL	41	3.13	264
TOWNHOUSE	42	3.49	54
STORMWATER MANAGEMENT	43	0.66	
DRAINAGE CHANNEL	44 & 45	0.73	
ROADS	STREET A & B BLOCK 46 & 47	1.62	
NATURAL HAZARD / HERITAGE	48	8.59	
0.3m RESERVE	49 TO 52	0.01	
ADDITIONAL LANDS	53	4.34	
TOTAL		25.17	366

ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51 (17) OF THE PLANNING ACT, R.S.O., 1990

- (a) AS SHOWN ON DRAFT PLAN
- (b) AS SHOWN ON DRAFT AND KEY PLANS
- (c) NO ADJACENT LANDS OWNED BY THE APPLICANT
- (d) THE LAND IS TO BE USED ACCORDING TO THE SCHEDULE OF LAND USE
- (e) AS SHOWN ON DRAFT AND KEY PLANS
- (f) AS SHOWN ON DRAFT PLAN
- (g) AS SHOWN ON DRAFT AND KEY PLANS
- (h) MUNICIPAL WATER SUPPLY TO BE MADE AVAILABLE
- (i) SOIL IS SILT TILL TO CLAYEY SILT TILL
- (j) AS SHOWN ON DRAFT PLAN
- (k) FULL MUNICIPAL SERVICES TO BE MADE AVAILABLE
- (l) SUBJECT TO EASEMENTS AS SHOWN ON THE DRAFT PLAN

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE SUBDIVIDED AS SHOWN ON THIS PLAN AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE CORRECTLY SHOWN.

J BRENT ENGLAND, O.L.S.
 DINSMORE & ENGLAND LTD
 ONTARIO LAND SURVEYORS

OWNER'S AUTHORIZATION

WE, THE UNDERSIGNED BEING THE REGISTERED OWNERS OF THE SUBJECT LANDS HEREBY AUTHORIZE C. F. CROZIER & ASSOCIATES INC. TO PREPARE AND SUBMIT THIS DRAFT PLAN OF SUBDIVISION TO THE CITY OF OWEN SOUND FOR APPROVAL.

REDHAWK CONSTRUCTION CO. LTD.



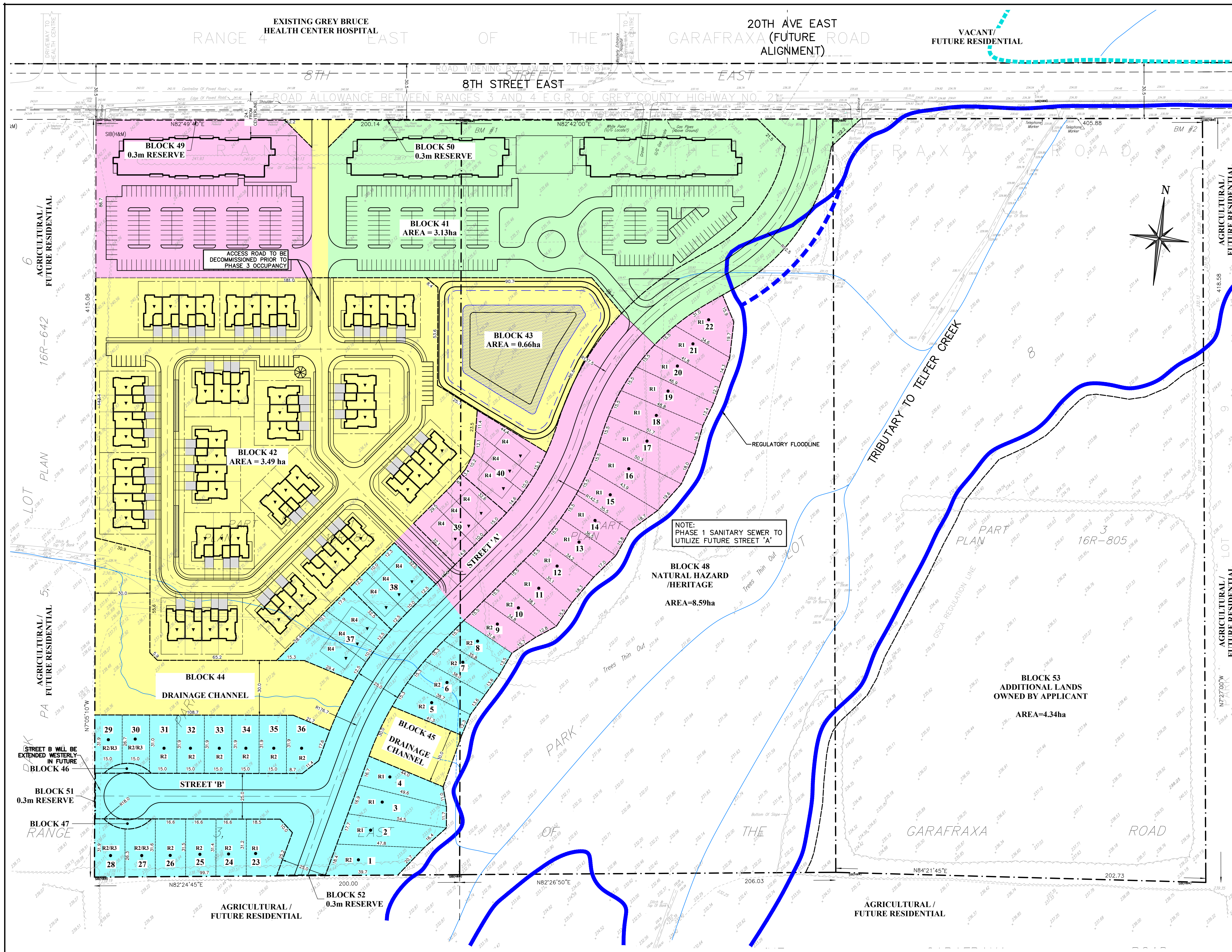
15 MARTIN STREET
 SUITE 202, CARRIAGE SQ.
 MILTON, ON L9T 2R1
 905-875-0026 T
 905-875-4915 F
 WWW.CFCROZIER.CA

Drawn By	L.W.	Design By	J.R.S.	Project	534-3586
Scale	1:1000	Date	01/16/2014	Check By	J.M.P.

J:\500\534 - Rice Developments\3586 8th St Owen Sound\CAD\CIVIL\1SHEET\3586_DP1\CP1.dwg, DP1, 10/6/2017 10:49:33 AM, lwaters

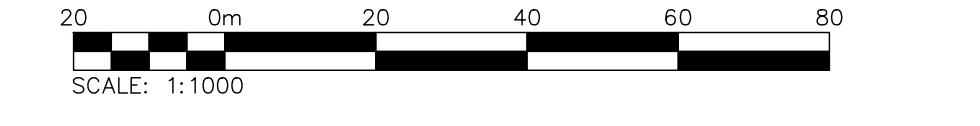
SCHEDULE `C`

Concept Plan



CONCEPT PLAN

PARTS OF PARK LOTS 7 AND 8
RANGE 3 EAST OF THE GARAFRAXA ROAD
CITY OF OWEN SOUND (FORMERLY TOWNSHIP
OF SYDENHAM)
COUNTY OF GREY
NOVEMBER 24, 2016



LAND USE	BLOCKS	AREA (ha)	UNITS
SINGLE FAMILY RESIDENTIAL	1 TO 36	2.07	36
FREEHOLD TOWNHOUSE	37 TO 40	0.53	12
MULTIPLE RESIDENTIAL	41	3.13	264
TOWNHOUSE	42	3.49	54
STORMWATER MANAGEMENT	43	0.66	
DRAINAGE CHANNEL	44 & 45	0.73	
ROADS	STREET A & B BLOCK 46 & 47	1.62	
NATURAL HAZARD / HERITAGE	48	8.59	
0.3m RESERVE	49 TO 52	0.01	
ADDITIONAL LANDS	53	4.34	
TOTAL		25.17	366

- PHASE 1
- PHASE 2
- PHASE 3
- PHASE 4

CROZIER & ASSOCIATES
Consulting Engineers

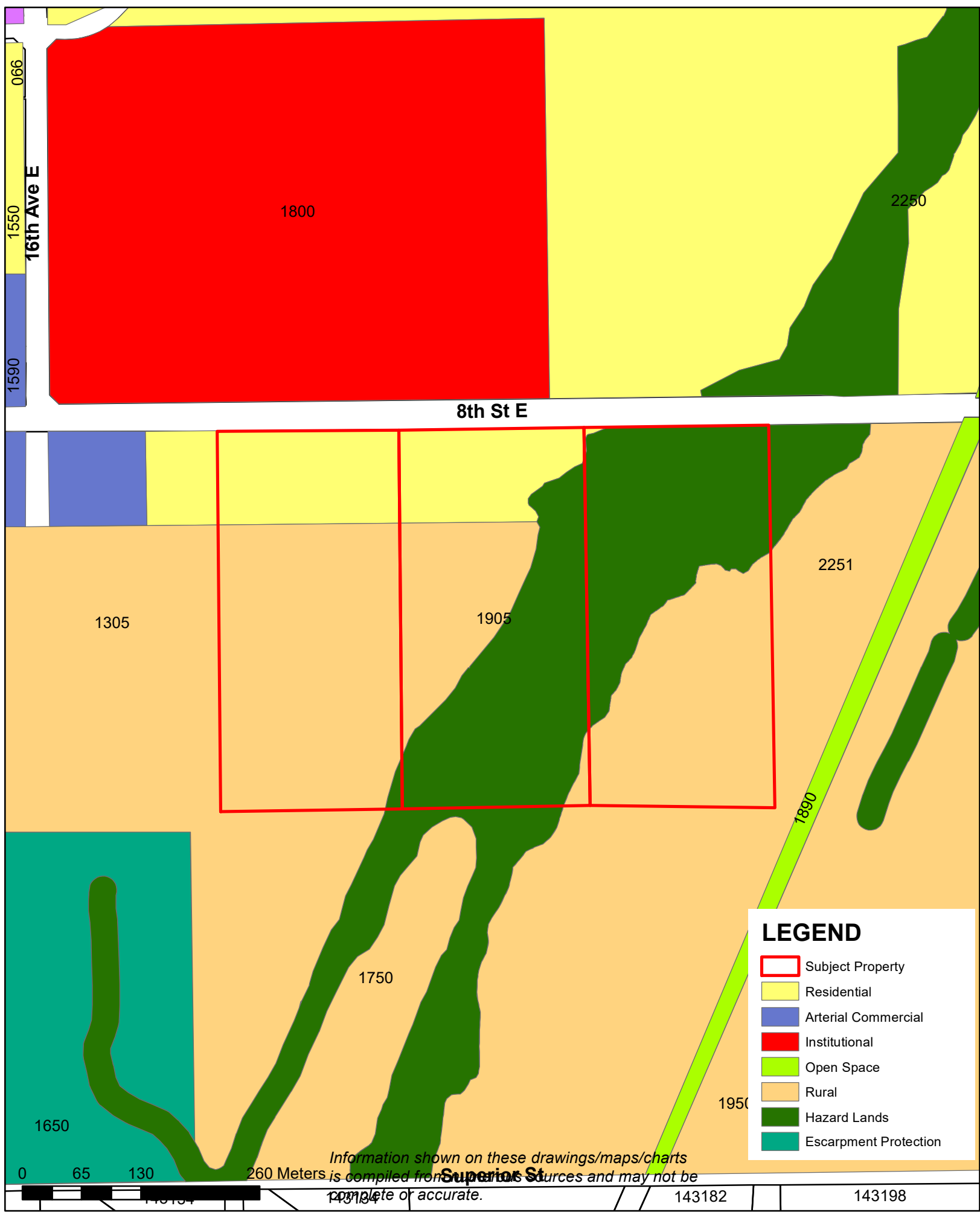
THE HARBOUREDGE BUILDING,
40 HURON STREET, SUITE 301,
COLLINGWOOD, ON L9Y 4R3
705 446-3510 T
705 446-3520 F
WWW.CROZIER.CA
INFO@CROZIER.CA

Drawn By	J.R.S./M.J.	Design By	J.R.S.	Project	534-3586
Scale	1:1000	Date	01/16/2014	Check By	J.M.P.

SCHEDULE 'D'

Official Plan Map

Schedule 'D': Official Plan Designations



LEGEND

- Subject Property
- Residential
- Arterial Commercial
- Institutional
- Open Space
- Rural
- Hazard Lands
- Escarpment Protection

Information shown on these drawings/maps/charts is compiled from various sources and may not be complete or accurate.



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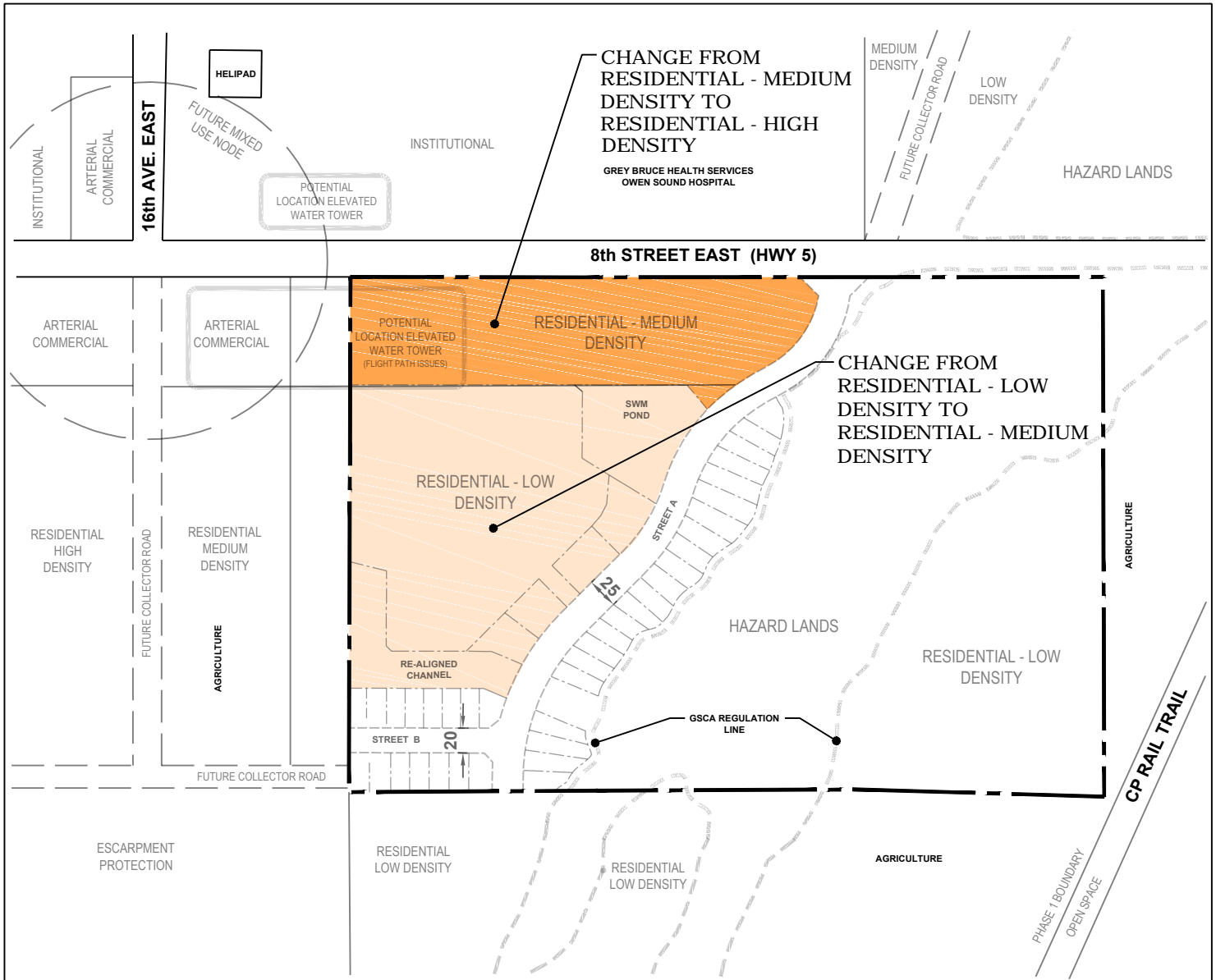
SCHEDULE `E`

Applicant's Submission – Official Plan Amendment

Official Plan Amendment

In order to permit the proposed development, an Amendment to Schedule 'A2' of the City of Owen Sound Official Plan is required and outlined below:

1. That "Schedule A2 – Sydenham Heights Phase I and II Planning Areas" to the City of Owen Sound Official Plan is amended by re-designating a portion of lands identified on the attached "Schedule A" **FROM** "Residential – Low Density" **TO** "Residential – Medium Density" and **FROM** "Residential- Medium Density" **TO** "Residential – High Density"



FROM CITY OF OWEN SOUND SECONDARY PLAN SCHEDULE 'A2' DESIGNATIONS

LEGEND



LIMITS OF SUBJECT LANDS

RES

EXISTING OFFICIAL PLAN DESIGNATION



EXISTING FLOODLINE



PROPOSED STREET LINE



PROPOSED LOT LINE



PROPOSED RESIDENTIAL - HIGH DENSITY DESIGNATION



PROPOSED RESIDENTIAL - MEDIUM DENSITY DESIGNATION



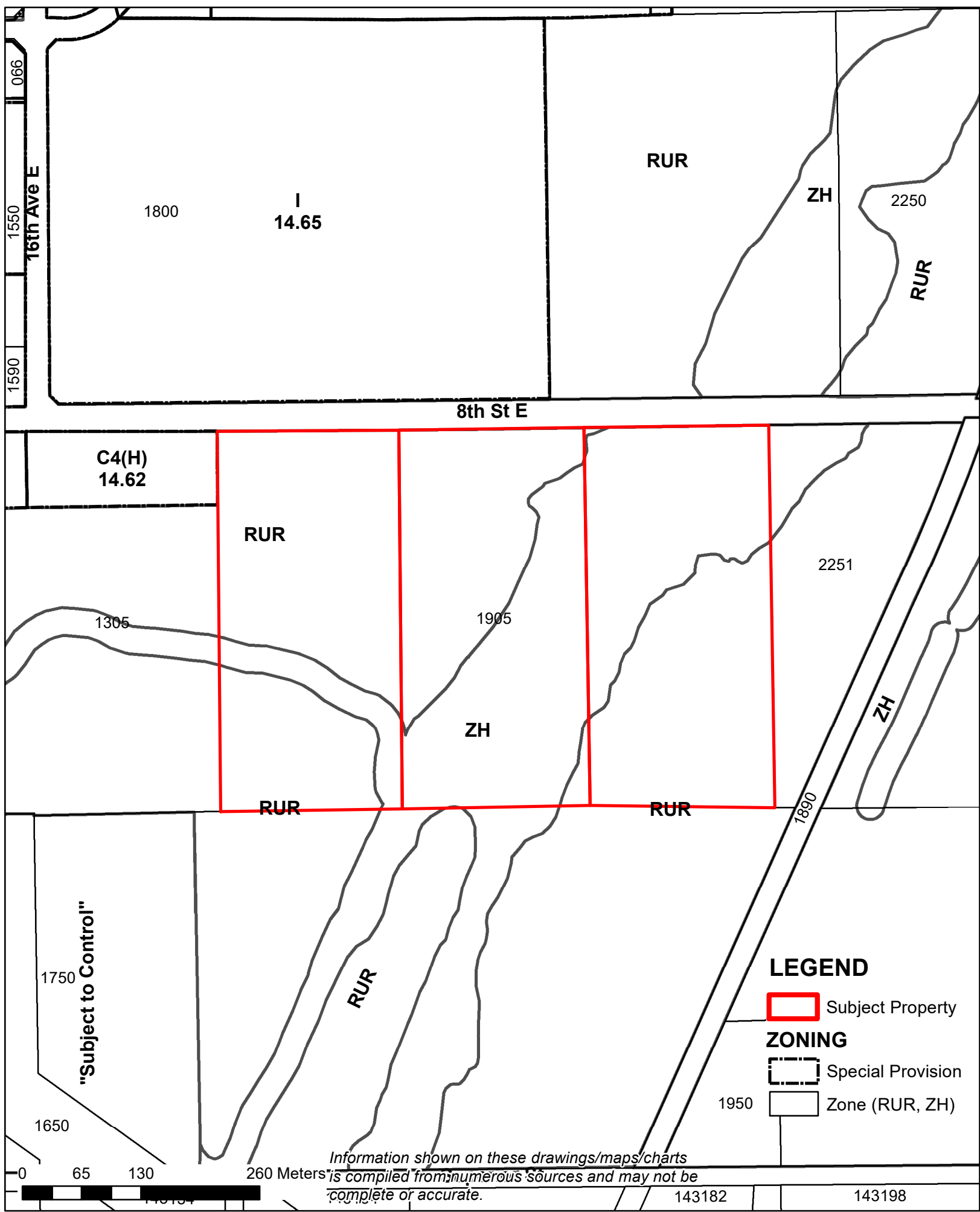
PROPOSED OFFICIAL PLAN AMENDMENT
8TH STREET EAST - REDHAWK CONSTRUCTION CO LTD.
 CITY OF OWEN SOUND, GREY COUNTY

DRAWN BY: BS	CHECKED BY: JMC	PROJECT No.: 87-1442
DESIGNED BY: BS	APPROVED BY:	DRAWING No. A
SCALE: 1:5000 (8.5X11)	DATE: Nov 24, 2015	

SCHEDULE 'F'

Zoning By-law 2010-078 Map


Schedule 'F': Zoning By-Law




LEGEND

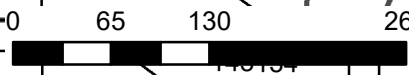
 Subject Property

ZONING

 Special Provision

 Zone (RUR, ZH)

Information shown on these drawings/maps/charts is compiled from numerous sources and may not be complete or accurate.



143182 143198

SCHEDULE 'G'

Applicant's Submission – Draft Zoning By-law Amendment

Appendix 3 - Zoning Bylaw Amendment

The purpose of the Zoning By-Law Amendment is to implement the proposed subdivision design and to permit a range of residential densities in accordance with the existing and proposed Official Plan designations for the subject lands while protecting and maintaining the natural hazard / heritage features. Specifically, as described below, the proposed Zoning By-Law Amendment seeks to re-zone the subject lands as shown on “Schedule A” attached **FROM** Rural Zone (“RUR”) & a small portion of Hazard Zone (“ZH”) **TO:**

1. Single Residential Zone (“R1(*)”) to recognize the single detached residential lots and provide relief from the minimum lot area, minimum front yard setback, and maximum lot coverage;
2. Low Density Residential Zone (“R4(*)”) to permit:
 - o street fronting townhouse dwellings with an increase in lot coverage, reduced yards; and
 - o non street fronting townhouse dwellings with a special regulations regarding setbacks between dwellings and private streets, and to provide frontage via an easement to 8th Street;
3. Multiple Residential Zone (“MR(*)”) to recognize the apartment buildings and request relief from the minimum building height (while maintaining flight study recommendations) and reduced front yard setback to a County Road (Table 4);
4. Open Space Zone (“OS”) to recognize the SWM Pond;
5. Hazard Zone (“ZH”) to recognize the realigned channel; and
6. Rural Zone with a Holding provision (“RUR(h)”) to require habitat maintenance and enhancement to be undertaken, an environmental impact study, as well as servicing, and access to be provided prior to rezoning and development being permitted.

Single Residential (R1) Zone Special Provision

Notwithstanding the provisions of the Single Residential (R1) Zone and for lands shown on Schedule A, Zoning Map 21, the following provisions shall apply to a Single Detached Dwelling:

Regulations	Existing R1 Zone	Proposed R1-(*) Zone
Min. Lot Area (m ²)	550m ²	400m²
Min. Lot Frontage (m)	15.0m	15.0m
Min. Front Yard Setback (m)	7.5m	6.5m
Min. Interior Side Yard	1.2m on one side and 0.9m on the other side or 0.9m on both sides where there is an attached garage or car port	1.2m on one side and 0.9m on the other side or 0.9m on both sides where there is an attached garage or car port
Min. Exterior Side Yard	3.0m	3.0m
Min. Rear Yard (m)	7.5m	7.5m
Max. Lot Coverage	35%	45%
Min. Floor Area (m ²)	90.0m ²	90.0m ²
Max. Height (m)	10.0m	10.0m

Medium Density Residential (R4) Zone Special Provision

Notwithstanding the provisions of the Medium Density Residential (R4) Zone and for lands shown on Schedule A, Zoning Map 21, the following provisions shall apply to a Street Fronting Townhouse Dwelling:

Regulations	Existing R4 regulations for Dwelling, Townhouse	Proposed R4-(*) Zone
Min. Lot Frontage (m)	25m total development parcel and for any street fronting townhouse 5.5m / unit	25m total development parcel and for any street fronting townhouse 5.5m / unit
Min. Lot Area (ha)	200m ² / unit and 900m ² / total development parcel	200m ² / unit and 900m ² / total development parcel
Max. Lot Coverage (%)	40%	53%
Min. Front Yard Setback (m)	7.0m	7.0m
Min. Rear Yard (m)	7.0m	7.0m
Min. Interior Side Yard (m)	1.2m on one side and 3.0m on the other side	1.2m on an end dwelling unit 0.0m on an interior dwelling
Min. Exterior Side Yard (m)	3.0m	3.0m
Max. Building Height (m)	10.0m	10.0m
Min. Gross Floor Area (m ²)	75m ² / unit	75m ² / unit
Max. Density	1 unit / 300m ² total development parcel	1 unit / 275m² of lot area for total development parcel

Notwithstanding the provisions of the Medium Density Residential (R4) Zone and for lands shown on Schedule A, Zoning Map 21, the following provisions shall apply to a Non-Street Fronting Townhouse Dwelling:

Regulations	Existing R4 regulations for Dwelling, Townhouse	Proposed R4-(*) Zone
Min. Lot Frontage (m)	25m total development parcel and for any street fronting townhouse 5.5m / unit	15m, Notwithstanding the provisions of this section or section 5.12.2 of this Zoning By-Law, a minimum lot frontage of 15m shall be provided via an easement to 8th Street until such time as Street A is upgraded to an improved street.
Min. Lot Area (ha)	200m ² / unit and 900m ² / total development parcel	200m ² / unit and 900m ² / total development parcel
Min. Dwelling Unit Width (m)	N/A	7.0m
Minimum Required Yard to Adjacent Parcels (m)	N/A	7.5 m
Minimum Front Setback from Dwelling to Private Street (m)	N/A	6.5 m to garage; 5.0 m to dwelling
Minimum Side Setbacks between Dwelling Units and to Private Streets	N/A	3.0 m for an end dwelling to a private street; 2.4 m for an end dwelling to another end dwelling; 0.0 m for all interior dwellings
Encroachment into Required Front or Side Setbacks to Dwellings and Private Streets	N/A	A porch or deck may encroach into the required yard for a dwelling unit up to a maximum of 2.0 m in the front yard, and 1.0m in the side yard, not within less than 3m to a private street.
Max. Building Height (m)	10.0m	10.0m
Min. Gross Floor Area (m ²)	75m ² / unit	75m ² / unit
Max. Density	1 unit / 300m ² total development parcel	1 unit / 250m² of lot area for total development parcel

Multiple Residential (MR) Zone Special Provision

Notwithstanding the provisions of the Multiple Residential (MR) Zone and for lands shown on Schedule A, Zoning Map 21, the following provisions shall apply to Apartment and Institutional Uses (including Long Term Care Facilities, Rest Homes, Retirement Homes, and Nursing Homes):

Regulations	Existing MR Zone regulations for Apartments and Long Term Care Facilities	Proposed MR-(*) Zone
Lot Line, Front		Notwithstanding the definitions in Section 4.2 of the Zoning By-Law, the lot line adjacent to 8th Street is considered as the Front Lot Line for purposes of Subsection 14.*
Min. Front Yard Setback (m)	10m for Dwelling, Apartment; 10m for Uses, Institutional	9m for Dwelling, Apartment; 9m for Uses, Institutional
Max. Height (m)	15m for Dwelling, Apartment; 15m for Uses, Institutional	13.12 m on lands within the Flight Path Limit overlay shown as hatched area on Schedule A, Zoning Map 21; or 16.2 m on lands outside the Flight Path Limit overlay shown as hatched area on Schedule A, Zoning Map 21

Rural (RUR) Zone Holding Provision

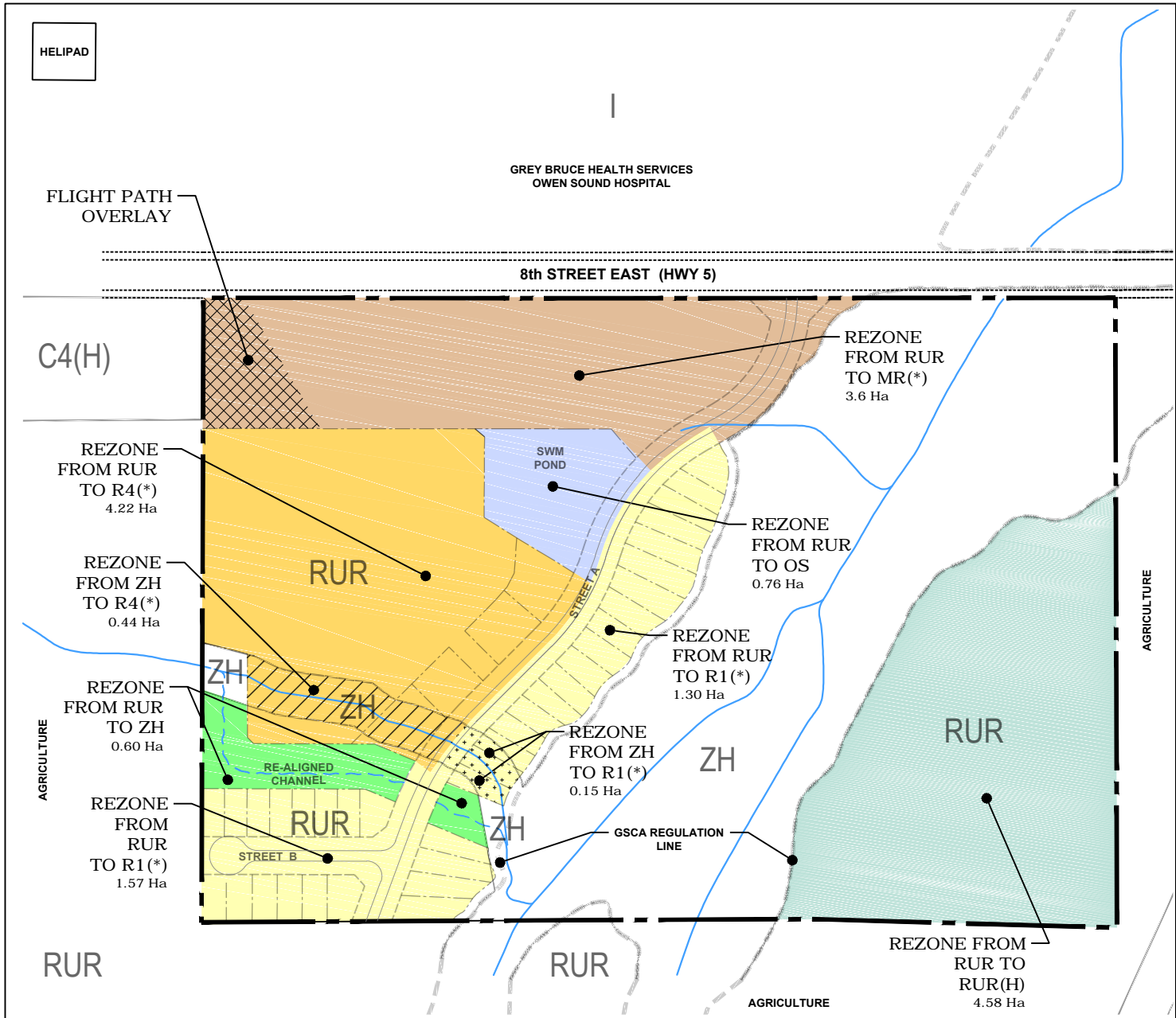
A new special provision is proposed to be created in *Section 14 – Special Provisions* of the Owen Sound Zoning By-Law which reads as follows:

14. a) Notwithstanding the provisions of the Rural (RUR) Zone and for lands shown on Schedule A, Zoning Map 21, no person shall use any lot or erect, alter or use any building or structure for any purpose except one of the following uses so long as the “Holding” symbol is affixed to the RUR (14.*) lands:*

- a) Agriculture*
- b) General maintenance*
- c) Habitat maintenance and enhancement*

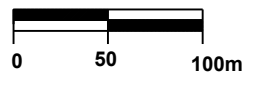
The City of Owen Sound shall not remove the “Holding” symbol until such time as the following matters are satisfied including:

- i) the required habitat maintenance and enhancement consistent with the Habitat Management Plan has been completed,*
- ii) it is demonstrated through an Environmental Impact Study that development will not negatively impact significant natural environment features*
- iii) it is demonstrated that the lot can be provided with adequate servicing and access to a public road.*



LEGEND

- LIMITS OF SUBJECT LANDS
- EXISTING ZONE LIMITS AND CODE
- EXISTING FLOODLINE
- PROPOSED STREET LINE
- PROPOSED LOT LINE
- PROPOSED R1(*), SINGLE DETACHED RESIDENTIAL ZONE
- PROPOSED R4(*), MEDIUM DENSITY RESIDENTIAL ZONE
- PROPOSED MR(*), MULTIPLE RESIDENTIAL ZONE
- PROPOSED OS(*), OPEN SPACE ZONE
- PROPOSED ZH, HAZARD LAND ZONE
- PROPOSED RUR(H), RURAL ZONE WITH HOLDING
- FLIGHT PATH LIMIT OVERLAY



PROPOSED ZONING BY-LAW AMENDMENT
 8TH STREET EAST - REDHAWK CONSTRUCTION CO LTD.
 CITY OF OWEN SOUND, GREY COUNTY

DRAWN BY: BS	CHECKED BY: JMC	PROJECT No. : 87-1442
DESIGNED BY: BS	APPROVED BY:	DRAWING No. B
SCALE: 1:5000 (8.5X11)	DATE: Mar 21, 2018	

SCHEDULE 'H'

Development Plan – Endangered Species Act

Azimuth Environmental Consulting, Inc. to Redhawk Construction Co. Ltd.
Dated October 16, 2015 re Development Plan for 1905 8th Street East, City
of Owen Sound, County of Grey



Environmental Assessments & Approvals



October 16, 2015

AEC 13-303

Redhawk Construction Co. Ltd.
17 Dean St.
Brampton, Ontario
L6W 1M7

Attention: Roger Howard

Re: Development Plan for 1905 8th Street East, City of Owen Sound, County of Grey

Dear Mr. Howard:

Azimuth Environmental Consulting Inc. (Azimuth) was retained to complete a Environmental Impact Study (EIS) for the development of a multi-density residential subdivision at the address noted above (Figure 1). Through species at risk (SAR) screening and site assessment, Azimuth confirmed the presence of breeding populations of Bobolink and Eastern Meadowlark. Both of these species are listed as Threatened under Ontario's Endangered Species Act, 2007 (ESA). The ESA provides protection for threatened species and their habitat, meaning that unauthorized removal of the habitat associated with the proposed development would result in a contravention of this legislation.

Ontario Regulation 242/08 provides a list of exemptions under the ESA for activities that frequently occur in habitat for SAR. The proposed activity satisfies the prerequisite condition of exemption under Section 23.2 (1) 1. of O.Reg 242/08 (Development - Bobolink, Eastern Meadowlark) as the development proposed is located within "an area of settlement in an official plan of a municipality approved under the Planning Act before January 1, 2013". The property is located within the city limits of Owen Sound (Ecoregion 6E), as indicated in Schedule A of the Official Plan (Official Plan Amendment No. 4, By-Law Number 2012-112). As a result, development could be permitted within habitat of Bobolink and Eastern Meadowlark without a contravention of



Section 10 of the ESA, which prohibits damage to habitat, provided that all conditions laid out within that section are met. Prior to site alteration, a Development Plan must be submitted to the Ministry of Natural Resources and Forestry (MNRF). Please accept this letter as the Development Plan for submission to the MNRF (Midhurst District).

1.0 CONTACT INFORMATION

Roger Howard
Redhawk Construction Co. Ltd.
17 Dean St.
Brampton, Ontario
L6W 1M7

Tel: 905-796-3630 ext 236

Fax: 905-796-6360

2.0 DESCRIPTION OF EASTERN MEADOWLARK HABITAT TO BE REMOVED

2.1 Onsite Landuse

The property is located within the City of Owen Sound (Ecoregion 6E) is currently vacant and partially under cash crop production (Figure 1 and 2). The remainder of the property is vegetated with upland and wet meadow vegetation communities. Numerous hedgerows transect the property. The property is bisected by a permanent watercourse that flows north towards Georgian Bay.

2.2 Vegetation

The Ecological Land Classification for Southern Ontario (ELC; Lee *et al.* 1998) was utilized to identify and map vegetation communities on the property during field surveys completed in 2014 (Figure 2). It was determined that the study area is comprised of graminoid dominated meadow habitat (CUM1-1), Cultural Thicket (CUT) and Reed Canary Grass Meadows and Marshes (MAMM1-3 and MEGM3-8) as well as cash crop areas and hedgerows.

2.3 Habitat for SAR

Suitable habitat for Meadowlark and Bobolink is comprised of graminoid dominated meadow habitat such as pastures, hayfields, old or abandoned fields, and native prairies and savannahs. Habitat within 300m of an active Bobolink/Meadowlark nest, or, the



central portion of the species territory, is considered to be General Habitat by MNRF and is protected under the ESA, as per the *General Habitat Description for the Bobolink and Eastern Meadowlark Technical Document*. For this property, the extent of the General Habitat has been quantified by delineation of the observed individuals' territories, as confirmed during two survey events in June 2014 (Figure 2) within continuous suitable habitat (i.e. continuous meadow vegetation communities). Thicket, hedgerow and cash crop areas of the property were not included within area calculations. Based on this definition, approximately 3.45ha of habitat for Bobolink and Eastern Meadowlark is present within the development footprint (Figure 4) and will be removed as a result of the proposed development.

3.0 PROPOSED DEVELOPMENT

A mixed density residential subdivision composed of single family detached dwellings, apartments and townhouses is proposed for the study area. The development also proposes the inclusion of amenity park space and a storm water wet pond (Figure 3). The development will be serviced with municipal water and sewer.

As stated above, the proposed activity satisfies Section 23.2 (1) 1. of O.Reg 242/08 as the development is located within "an area of settlement in an official plan of a municipality approved under the Planning Act before January 1, 2013". Phasing of the proposed development activity is outlined in Table 1 below.

Table 1. Proposed Development Stages and Phasing.

Activity	Start Date	Location
Initiation of Archeological Studies, Vegetation Removal and Site Clearing	October 2015	Entire development footprint (See Figure 3 attached)
Development Approval Acquisition	Spring 2017	NA
Project Initiation	Summer 2018	NA
Site Grading	Summer 2018	Entire development footprint (See Figure 3 attached)
Initiation of Bobolink/Meadowlark Habitat Enhancement Activities	April 2016	CUT, Hedgerow and MEGM3-8 communities within the Regional Floodplain Limit, as identified on Figure 2.
Construction and Phased Build out	January 2018 - January 2028	Entire development footprint (See Figure 3 attached)
Completion of Bobolink/Meadowlark Habitat Management Commitment	October 2020	Within habitat compensation area identified on Figure 4



4.0 DESCRIPTION OF EASTERN MEADOWLARK HABITAT TO BE CREATED/ENHANCED.

A 4.19ha area for habitat enhancement has been identified within the subject property limits (Ecoregion 6E), within the Regional Floodplain of the riparian corridor and the eastern portion of the property (Figure 4). Borehole information for lands within the proposed development revealed that the soils of the subject property are deep (>100cm) and comprised of sandy silt and silty clay within the biologically active layers. Similar conditions were observed east of the riparian corridor, within the habitat compensation lands, as confirmed through the completion of soil auger test holes.

At the time of submission, approximately 75% of the compensation area is covered with suitable graminoid habitat. That is, all existing areas identified as cultural meadow (CUM1-1) are a graminoid dominated vegetation community. The hedgerow, cultural thicket (CUT) and the Reed Canary Grass Graminoid Meadow (MEGM3-8) communities will require enhancement and management works to achieve the habitat requirements outlined within Paragraph 5 of Section 23.2, which states that:

1. 50 to 80 per cent of the habitat must be covered with at least three different grass species and the remainder of the habitat must be covered with forbs or legumes.
2. Among the grass species referred to above, at least one must grow greater than 50 centimetres high under normal growing conditions.

These conditions must be achieved within 12 months of the commencement of the development activity.

5.0 SUMMARY OF EXEMPTION CONDITIONS

The following is a summary of the conditions laid out within Section 23.2 of O.Reg 242/08 and how they are being met at this time:

- A development plan as outlined within Subsection 23.2 (2) of O.Reg 242/08 must be submitted to the MNRF.
 - This document is intended to full fill the requirement for the submission of a development plan to the MNRF.
- Replacement habitat must be located in the same ecoregion as the removals.
 - The replacement habitat is located within the limits of the same land parcel as the proposed development.



- The minimum size of the area must be equal to the size of the habitat for Bobolink or Eastern Meadowlark that the development activity is likely to damage or destroy.
 - The area of the habitat to be removed is 3.25ha. The replacement habitat will be 4.19ha.
- Within 12 months of the commencement of the development activity 50 -80% of the habitat must be covered with at least three different grass species (as least one of which grows greater than 50cm high under normal growing condition) and the remainder of the habitat must be covered with forbs and legumes.
 - Seventy-five percent of the replacement habitat is currently comprised of graminoid meadow. Habitat enhancement activities within the remainder of the area will be initiated in spring 2016.
- If habitat is used for pasture, grazing animals must be excluded from at least 50% of the habitat from September 16 of any given year until July 31 of the following year for a five-year period after the habitat is created or enhanced.
 - No pasturing of animals will occur within the compensation habitat.
- In each of the five years following the creation of enhancement of the habitat, actions must be taken to maintain the appropriate composition of vegetation within the habitat.
 - Compensation habitat will be assessed yearly by a qualified professional to ensure that the habitat is meeting the species composition requirements outlined above.

6.0 CONCLUSION

Redhawk Construction Co. Ltd. is proposing the creation of a mixed density residential subdivision within the City of Owen Sound. A portion of the development is proposed within confirmed habitat for Bobolink and Eastern Meadowlark. As per Section 23.2 of Ontario Regulation 242/08, the development may proceed, provided that a Development Plan that satisfies the conditions of the Regulation, is circulated to the MNRF prior to the initiation of site works. That is, this correspondence must be circulated to MNRF Midhurst District prior to the initiation of site works. If the proposed site plan or scheduling changes from that described herein, this correspondence must be updated and forwarded to the MNRF for inclusion within their project file.



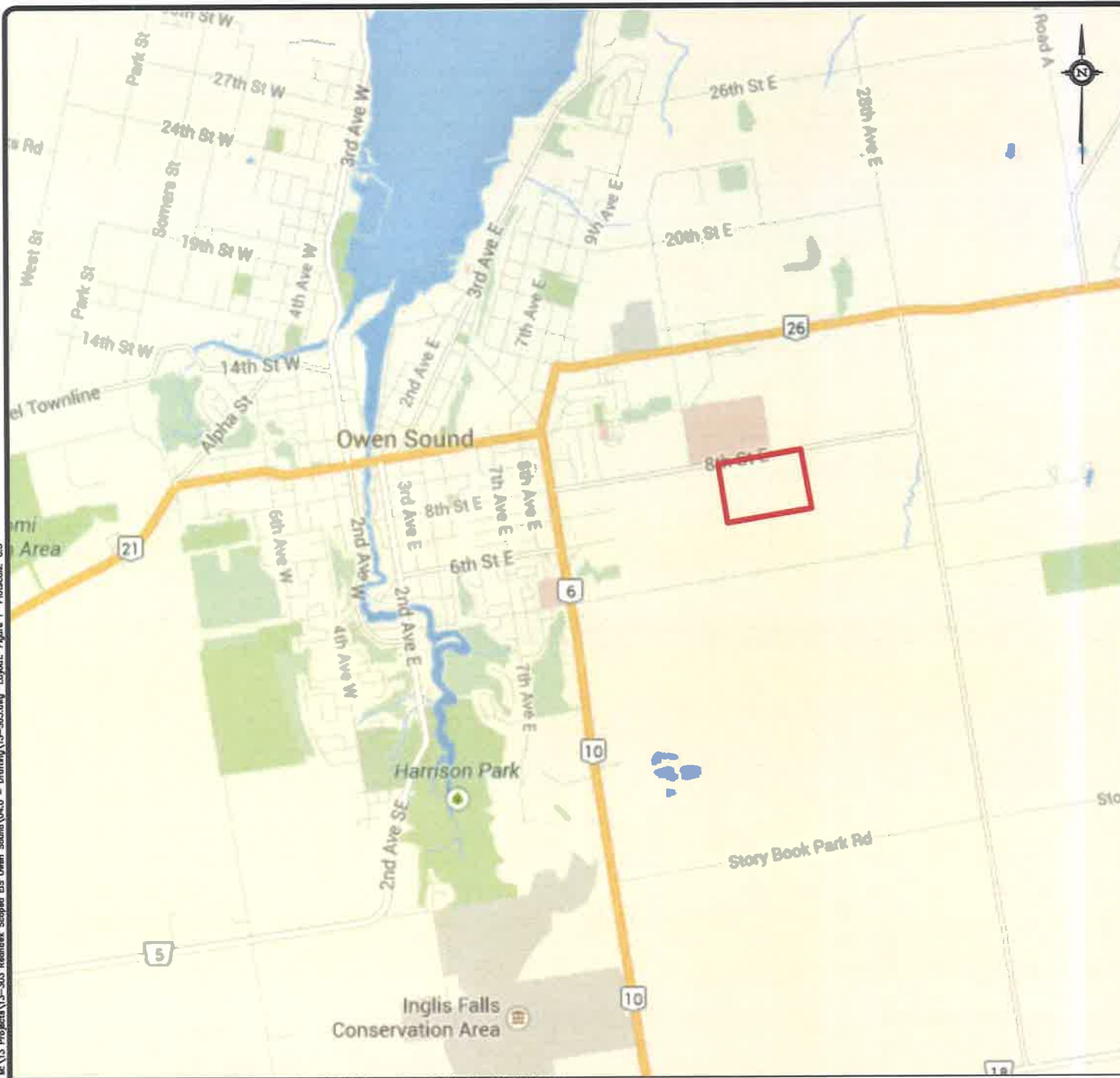
If you have any questions or concerns regarding the information presented in this report, please do not hesitate to contact us.

Yours truly,
AZIMUTH ENVIRONMENTAL CONSULTING, INC.

Melissa Fuller, (H) B.Sc.
Terrestrial Ecologist

cc: Suzanne Robinson, Management Biologist, Ministry of Natural Resources and Forestry Midhurst District
Jodi Benvenuti, Management Biologist, Ministry of Natural Resources and Forestry Midhurst District

Plotted by: JMCARTNEY on November 12, 2014 at 3:10pm
 File: M:\13 Projects\13-303 Redhawk Scoped EIS Owen Sound\04.0 - Drafting\13-303.dwg Layout: Figure 1 Plotscale: 0.5



LEGEND:
 — Approx. Property Boundary

600m 0 1200m
 HORIZONTAL SCALE 1:40,000

AZIMUTH ENVIRONMENTAL CONSULTING, INC.

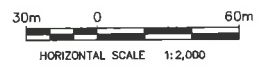
Study Area Location

8th Street East,
 Owen Sound, ON

DATE ISSUED: November 2014	Figure No. 1
CREATED BY: JLM	
PROJECT NO.: 13-303	
REFERENCE: Google Maps	



- LEGEND:**
- Approx. Property Boundary
 - Watercourse
 - - - Intermittent Creek
 - Regulatory Floodline (C.F. Crozier, 2015)
 - Wetland



Proposed Development Plan

**8th Street East,
Owen Sound, ON**

DATE ISSUED:	November 2014	Figure No.
CREATED BY:	JLM	3
PROJECT NO.:	13-303	
REFERENCE:	First Base Solutions	

Prepared by: azimuth environmental consulting inc. 1111 Lakeshore Blvd. W. Unit 100, Mississauga, Ontario L4Y 1G7
 Project: M113 Project 13-303 Redhawk Scoped EIS Owen Sound/04.0 - Drafting/13-303.dwg

DAYSTAMP: M113 Project 13-303 Redhawk Scoped EIS Owen Sound/04.0 - Drafting/13-303.dwg



- LEGEND:**
- Approx. Property Boundary
 - Watercourse
 - Regulatory Floodline
 - Wetland
 - B Bobolink Nest (white)
 - Em Eastern Meadowlark Nest (white)
 - 300m Nesting Buffer (white)
 - Bobolink/Meadowlark Habitat Compensation
 - Bobolink/Meadowlark Habitat Lost

Bobolink/Meadowlark Habitat Compensation	
Habitat Lost	Habitat Compensation
3.45ha	4.19ha



AZIMUTH ENVIRONMENTAL CONSULTING, INC.

Bobolink/Meadowlark Compensation Lands

8th Street East,
Owen Sound, ON

DATE ISSUED	April 2015	Figure No.
CREATED BY	JLM	4
PROJECT NO	13-303	
REFERENCE	First Base Solutions	

Prepared by: AZIMUTH ENVIRONMENTAL CONSULTING, INC. on April 12, 2015 at 10:00 AM.
 Project: M112 Projects\13-303 Redhawk Scoped EIS Owen Sound\04.0 - Drafting\13-303.dwg
 User: JLM
 Plot: 13-303.dwg - 13-303.dwg - 13-303.dwg - 13-303.dwg - 13-303.dwg - 13-303.dwg - 13-303.dwg - 13-303.dwg - 13-303.dwg - 13-303.dwg



237897 Inglis Falls Road, R.R.#4, Owen Sound, ON N4K 5N6
Telephone: 519.376.3076 Fax: 519.371.0437
www.greysauble.on.ca

January 20, 2016

Mrs. Margaret Potter, Community Planner
City of Owen Sound
Committee of Adjustment
808 2nd Avenue East
Owen Sound ON
N4K 2H4

Dear Mrs. Potter:

**RE: Application for Draft Plan of Subdivision (42T-15501)
Application for Official Plan Amendment (OPA-6)
Application for Zoning By-Law Amendment (Z18.2015)
Applicant: R.W. Rice (Redhawk Construction Ltd.)
1905 – 2251 8th Street East
City of Owen Sound
Our File: P9022**

Subject Proposal

It is our understanding that the purpose of the subject applications is to provide for development of 367 new dwelling units in a mix of housing forms including single detached, townhouses and apartment dwellings. The proposal also includes a stormwater management pond, realignment of a drainage channel, and construction of new internal streets and services.

The Grey Sauble Conservation Authority (GSCA) has reviewed these applications in accordance with our mandate and policies for natural hazards, for natural heritage issues as per our Memorandum of Agreement with the City of Owen Sound and relative to our policies for the implementation of Ontario Regulation 151/06. We offer the following comments.

Site Description

The subject property is located on the south side of 8th Street East between 16th Street East and the former CP rail line in the City of Owen Sound. The historic use of this property appears to be agricultural in nature. At the time of our previous site inspection, the property appeared to be fallow. It is our understanding from the provided reports that the property is currently being utilized for agriculture. A portion of a tributary of Bothwell Creek and tributaries thereof occur in the south and east portions of the property. A riparian wetland feature occurs along the main tributary noted above.

GSCA Regulations

Portions of the property are regulated under Ontario Regulation 151/06: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses. The

1 of 7



Watershed Municipalities
Arran-Elderslie, Chatsworth, Georgian Bluffs, Grey Highlands
Meaford, Owen Sound, South Bruce Peninsula, Blue Mountains

SCHEDULE 'I'

Agency Comments

Grey Sauble Conservation Authority

January 20, 2016

May 30, 2016

June 17, 2019

Grey County Planning and Development & Grey County Transportation Services

Grey County Planning and Development – February 5, 2016

Grey County Transportation Services – June 6, 2017

Grey County Planning and Development – December 10, 2017

Grey County Planning and Development – May 28, 2018

Engineering Services Division

March 29, 2016

June 14, 2019

regulated area includes the aforementioned watercourses, the regional storm flood plain and an additional 15 metre regulated allowance. This area is generally shown on the attached mapping.

Under this regulation, a permit is required from this office prior to the construction, re-construction, erecting or placing of buildings or structures, the temporary or permanent placement of fill within the designated area, 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.

A permit will be required from the GSCA for the removal and reconstruction of the western tributary channel. A detailed restoration plan will be required for both the proposed new stream corridor and the existing watercourse removal. Further, as this will cause additional lands to be regulated on the neighbouring property to the west, we will require consent from the western landowner prior to issuing such a permit.

A permit will also be required from the GSCA for any development and/or site alterations within the floodplain areas or within 15 metres of this feature.

This potential issue with the neighbouring landowner should be addressed prior to draft plan approval.

Provincial Policy Statement

3.1 Natural Hazards

Natural hazards identified on the property are related to potential flood and erosion hazards associated with the aforementioned watercourses. Our office has reviewed the floodplain modelling and mapping provided by C.F. Crozier & Associates Inc. (Crozier). Based on this review, we are generally satisfied that the revised flood lines represent the extent of the hazard lands associated with the Bothwell Creek tributary. The hazard zone on the site should be amended to include the new floodplain plus the six metre access allowance. Further amendment may be required to accommodate the proposed cut and fill for the roadway.

The smaller tributary from the west of the site is currently included in the hazard zone, as is a 15 metre setback from either side of this watercourse. Through this development proposal, this watercourse is proposed to be moved to the south and contained within a 30 metre wide corridor. We have no objection to the proposal to move this watercourse. Through the subject rezoning application, the new 30 metre corridor should be zoned Hazard (ZH) and the previous area removed from hazard. The strip of land currently zoned hazard should be accommodated in a holding provision until the restoration works have been completed. Further, a geotechnical soil analysis should occur within this area prior to the construction of any structures.

2.1 Natural Heritage

Natural heritage issues identified on the subject property include fish habitat and the habitat of threatened species, owing to the presence of Bobolink and Eastern Meadowlark.

Under the Provincial Policy Statement (PPS) development and site alteration shall not be permitted in fish habitat or in habitat of endangered and threatened species except in accordance with provincial and federal requirements.

Further, under section 2.1.8, development and site alteration shall not be permitted on adjacent lands to fish habitat unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

An Environmental Impact Study (EIS) has been prepared by Azimuth Environmental Consulting Inc. (Azimuth) to address these issues.

Environmental Impact Study

GSCA has reviewed the EIS provided in support of this application. Based on this review, we offer the following comments.

Section 3.6 of the report discusses the areas regulated under Ontario Regulation 151/06 and states that this information is visually displayed on 'Figure 2' to the report. Please note that the description of the regulated areas in this section of the report is incorrect and does not appear to be illustrated on 'Figure 2' to the report. The regulated areas on the property include the full extent of the regulatory flood plain plus an additional 15 metre regulated allowance for the primary tributary of Bothwell's Creek (Telfer Creek). Additionally, the tributary watercourse entering the site from the west is regulated, plus a 15 metre flood and erosion regulated setback, plus an additional 15 metre regulated allowance. These areas are generally shown on the attached mapping. Permits are required for all proposed development and alterations within this area. Please note that the definition of 'development' under the Conservation Authorities Act is somewhat broader than the definition under the Planning Act.

Section 4.2 of the report describes the vegetation communities noted on site. Unfortunately, due to snow cover at the time of our review, we are not able to verify these communities on the ground. However, based on a desktop review, and previous site review, the noted communities seem probable. We would note that under FOD5-8, there is a reference to "Section 4.1 of the Town's OP" that should be corrected as it appears to be taken from another EIS report as we could not find reference to this in section 4.1 of either the City's Official Plan (OP) or the County's OP.

Section 7.2 of the report discusses fish habitat within the tributary of Bothwell's Creek, and the potential impacts of the development proposal on this feature. We are in agreement with the report that this feature constitutes direct fish habitat. Our office has records of fish observations at all of the watercourse crossings downstream of this site.

We are also generally in agreement with the report that the development is sufficiently setback to protect this feature, subject to appropriate stormwater management controls. However, for future reference we would like to note that, contrary to this section of the report, a minimum 30 metre setback would be required from this feature, as noted in section 2.8.6(5) of the County of Grey OP. Further, we note that this feature is "managed" as a cold-water system.

The report has identified habitat of threatened and endangered species occurring on the subject site. The report recommends that the development can proceed within this habitat area, subject to utilizing a portion of the proponent's remaining land holdings as compensation habitat. We note that the point count locations are shown on 'Figure 2' to the report. However, we do not see point count location '2' on this figure. This is relevant as both Bobolink and Meadowlark are

identified at this location. We further note that no point counts were conducted in the eastern portion of the site. The eastern portion of the site appears to contain the same vegetative composition as the bobolink and meadowlark habitat, and therefore, could also conceivably be habitat for these species. As this area that may already be habitat is proposed as the “compensation habitat”, it seems that there may be an overall net loss to habitat.

As the PPS references provincial and federal requirements, we recommend that the City seek direct comment from the Ontario Ministry of Natural Resources and Forestry (MNR) on this proposal to relocate these two protected species.

Further, it is our understanding from previous discussions with MNR Species at Risk staff that this compensation habitat will need to be managed as habitat, including potential site alterations. As this area is largely within the regional floodplain of the onsite watercourse, we would like to see the details of the proposed “habitat management plan” before we agree to this proposal.

We will provide further comment on the natural heritage issues upon receipt of more information.

Stormwater Management

In reviewing the Stormwater Management Report (Functional Servicing Report) prepared by Crozier, we note that the plan is striving for “enhanced protection” as the ultimate receiver is Owen Sound / Georgian Bay. The report goes on to state in Section 9.1 that, “the subject site lies within the Telfer Creek watershed (ultimately draining north to the Kenny Drain and into Owen Sound Bay)”. We would like to note that this system does not flow into the Kenny Drain, but rather into the Bothwell Creek watershed. The Kenny Drain is a completely different watershed system, with an outlet to the bay that is approximately five kilometres away from the Bothwell Creek outlet.

Section 9.4 of the report discusses how “enhanced protection” is proposed to be achieved. The proposal is to utilize an extended detention wet-pond to provide 80% Total Suspended Solids (TSS) removal. However, the report is silent on how the thermal impacts of the development will be mitigated. The watercourse on site is a tributary of Bothwell’s Creek. Bothwell’s Creek is a cold water system which provides habitat for cold water species such as trout. In correspondence with Crozier via email (Dec. 18, 2013), GSCA stated that one of our requirements will be that in addition to providing “enhanced protection” that efforts must be made to ensure that there are no, or limited, thermal impacts to this system.

Section 9.7 of the report discusses the relocation of the “west drain” to a location further south. Although we do not have any objection to the principle of this proposal, we will require a few items to be addressed:

1. The new channel should be created, and established with vegetation, prior to removing the existing channel. This can be addressed through the subdivision agreement.
2. The new channel should be naturalized, such that the watercourse is allowed to evolve into a more natural form. This can be demonstrated through appropriate design drawings that should be listed as a condition of final approval and implemented through the subdivision agreement.

3. Moving this feature along the property line will cause the neighbouring property to the west to be further impacted by Ontario Regulation 151/06. As such, this proposal should be approved by the neighbouring landowner. This item should be addressed prior to draft approval as a negative response from the neighbour may impact the final design of the subdivision.
4. A permit will be required from the GSCA under Ontario Regulation 151/06 prior to undertaking any works in this regard.

Additional Comments

It is our understanding that the proposed amendments to the Official Plan (OP) are for the purposes of re-designating a portion of the lands from “Residential – Low Density” and “Residential – Medium Density” to “Residential – Medium Density” and “Residential – High Density”, respectively. Further, we note that no changes are proposed to the “Hazard Land” designation.

It is our understanding that the proposed amendments to the Comprehensive Zoning By-Law (ZB) are for the purposes of re-zoning lands from “Rural (RUR)” and “Hazard (ZH)” to “Single Residential (R1)”, “Medium Density Residential (R4)”, “Multiple Residential (MR)”, “Open Space (OS)”, and “Hazard (ZH)”, including special provisions.

In reviewing the flood plain and associated layout of the single detached parcels, we note that the irregular rear property lines will be awkward from both a layout and by-law enforcement perspective. In an effort to resolve this issue, we recommend that the rear lot lines of each individual parcel are straightened from rear lot corner to rear lot corner. Further, as per the recommendations of the EIS (Section 7.1, Page 12), a fence should be established along these lot lines.

Further, we note that a portion of land in the southeast corner of the property is going to become essentially landlocked by the floodplain and ‘Block 49’. Our policies will not allow filling in this floodplain area to establish a new access way. As such, we require that a plan be developed for this remnant parcel such that this will not become an issue in the future.

Recommendations

Based on our review of the subject applications and the supporting documents provided, we offer the following preliminary recommendations:

1. That the amendment to the Zoning By-Law recognize the re-delineated floodplain plus six metre access allowance as “Hazard (ZH)” zone. The six metre access allowance should be applied to both sides of the floodplain.
2. That the amendment to the Zoning By-Law recognize the re-located watercourse location as “Hazard (ZH)” zone. Further, we recommend that a holding provision be applied to the areas currently zoned “Hazard (ZH)” associated with the existing western intermittent watercourse. Removal of this holding provision should be contingent upon the watercourse feature being successfully re-located, through the appropriate process, and follow-up review to ensure that the location no longer exhibits natural hazard characteristics.

3. That prior to Draft Plan approval, the City receive acceptance by MNR of the bobolink and meadowlark habitat compensation area and plan.
4. That prior to Draft Plan approval a habitat management plan for bobolink and meadowlark is provided to the satisfaction of the GSCA, as it is proposed largely in the floodplain. It should be noted that our review of this document for this purpose will be with regards to any changes or impacts to the floodplain, as opposed to whether or not it is sufficient for these species.
5. That prior to Draft Plan approval, Crozier provide details on how thermal impacts from stormwater runoff will be addressed, to the satisfaction of the GSCA.
6. That prior to Draft Plan approval, verification be provided from the western landowner stating that they have no objection to the re-location of the western watercourse and the impacts that this will have on their property from a regulatory perspective.
7. That prior to Draft Plan approval, the individual rear lot boundaries be straightened for Lot 1 through Lot 22, inclusive.
8. That prior to Draft Plan approval, a plan be established to the satisfaction of the GSCA, which appropriately addresses the remnant parcel created in the southeast corner of the property. This plan shall be carried forward, in wording acceptable to the GSCA, through the subdivision agreement between the owner and the City of Owen Sound. A restrictive covenant on title and/or a holding provision may be warranted to restrict development on this parcel until alternate access is made available.
9. That prior to final approval, a detailed sediment and erosion control plan be provided to the satisfaction of the GSCA. This sediment and erosion plan should be implemented through the subdivision agreement in wording satisfactory to the GSCA.
10. That prior to final approval, a final lot grading, drainage and detailed stormwater management (SWM) plan be prepared by a professional engineer licensed in the Province of Ontario to the satisfaction of the GSCA. This final, detailed SWM plan should be implemented through the subdivision agreement in wording satisfactory to the GSCA.
11. That prior to final approval, a detailed restoration and landscaping plan for watercourse realignment be provided to the satisfaction of the GSCA. This final restoration and landscaping plan should be implemented through the subdivision agreement in wording satisfactory to the GSCA.
12. That prior to final approval, the mitigation measures identified in the Environmental Impact Study, prepared by Azimuth Environmental Consulting Inc., be implemented or as required included in the Subdivision Agreement, to the satisfaction of the GSCA and the City of Owen Sound.
13. That, as a condition of final approval or through the subdivision agreement process, the lands designated and zoned "Hazard Land" and "Hazard (ZH)" be deeded to the City of Owen Sound.

Mrs. Margaret Potter, Community Planner
Application for Draft Plan of Subdivision, OPA and ZBA
1905 - 2251 8th Street East, City of Owen Sound
January 20, 2016
Our File No. P9022

14. That a Condition of Draft Approval state that:

"The subdivision agreement between the owner and the City of Owen Sound contain the following provisions with wording acceptable to the GSCA, wherein the owner agrees:

- a) Before commencing any grading or construction on each individual lot or block, to have prepared a detailed report, drawings and site plans acceptable to both the City of Owen Sound and the Grey Sauble Conservation Authority which will show the location of all buildings and structures to be erected on the site, all final grades and vegetation, the means whereby storm drainage will be accommodated, and the means whereby erosion and silt transport will be contained and minimized, both during and after the construction period;
- b) To erect snow fencing or other suitable barriers prior to initiating any grading or construction on the site to prevent the unauthorized dumping, grading and/or removing of fill materials and to keep these barriers in place until all grading and construction on abutting lots and roadways within the development has been completed to the satisfaction of both the City of Owen Sound and the Grey Sauble Conservation Authority;
- c) To provide permanent fencing of the rear lot line, in a manner acceptable to the City of Owen Sound and the Grey Sauble Conservation Authority, for all Lots and Blocks abutting Blocks 45, 46, and 49;"

15. That prior to final approval of the Plan, the City is to be advised in writing by the Grey Sauble Conservation Authority that the above conditions have been satisfied.

If any questions should arise, please contact our office.

Regards,

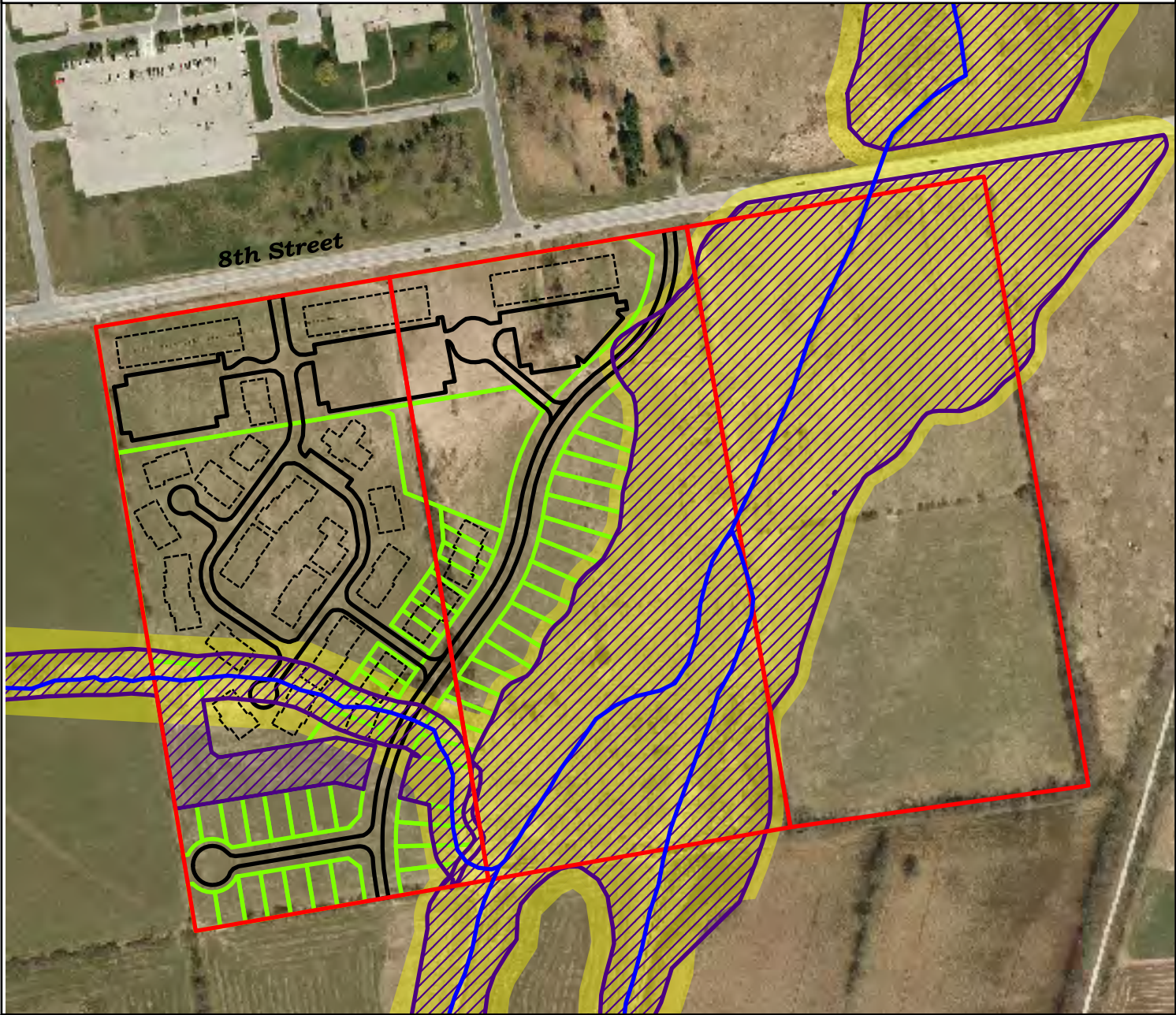


Tim Lanthier
Watershed Planner

enclosure

cc via email: Mr. Dick Hibma, Authority Director, City of Owen Sound
Mrs. Marion Koepke, Authority Director, City of Owen Sound
Engineering Services, City of Owen Sound
Mr. Roger Howard, Redhawk Construction Co. Ltd.
Ms. Maria Jawaid, MNRF - Midhurst

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



	Subject Property (approx.)		Watercourse
	Proposed Parcels (approx.)		Hazard Land
	Paved Surfaces		O.Reg.151/06
	Proposed Structures		

N

 Scale: 1:4000
 0 100 m

Redhawk Subdivision Proposal
1905 - 2251 8th Street East
City of Owen Sound
Our File No. P9022

January-21-16

The Grey Sauble Conservation Authority (GSC) regulated areas shown on these maps are for demonstration purposes only and may vary from the description provided within the text of the regulation document. In the event of a conflict between the lines on these maps and the text of the regulation, the text in the regulation will prevail. To verify the location of the regulated area on a specific property and for permit application information, please contact environmental planning staff at GSC. (519-376-3076)

Base feature mapping is being edited and updated on an ongoing basis. Some base features, such as watercourses and wetlands, may exist on the ground, but are not yet mapped and may be regulated. If you are aware of such features please report immediately to GSC.

By accepting this data you agree not to edit or alter it in any way and to include this disclaimer in all end products.

The included mapping has been compiled from various sources and is for information purposes only. Grey Sauble Conservation Authority (GSC) is not responsible for, and cannot guarantee, the accuracy of all the information contained within the map.

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OWEN SOUND
OCT 11 2017
COMMUNITY SERVICES

237897 Inglis Falls Road, R.R.#4, Owen Sound, ON N4K 5N6
Telephone: 519.376.3076 Fax: 519.371.0437
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May 30, 2016

Ms. Margaret Potter, Community Planner
City of Owen Sound
Committee of Adjustment
808 2nd Avenue East
Owen Sound ON
N4K 2H4

Dear Ms. Potter:

RE: Bobolink and Meadowlark Habitat Management Plan
Applicant: R.W. Rice (Redhawk Construction Ltd.)
1905 – 2251 8th Street East
City of Owen Sound
Our File: P9022

Grey Sauble Conservation Authority (GSCA) is in receipt of a Bobolink and Meadowlark Habitat Management Plan (herein, "Management Plan"), dated May 13, 2016, prepared by Azimuth Environmental Consulting Inc. for the subject lands and the associated subdivision proposal.

In our comments on the subdivision dated January 20, 2016, GSCA recommended (Recommendation #4) that prior to Draft Plan approval, a habitat management plan should be provided to the satisfaction of the GSCA. It was also noted that we are reviewing this in terms of potential impacts to the flood plain.

Based on our review of the provided Management Plan, it is our understanding that:

1. The wetland areas on the site will be left undisturbed;
2. The grassed areas will be over-seeded and annually mowed, but otherwise left untouched; and,
3. The thicket areas will have the shrubs removed utilizing hand operated tools (eg: loppers, chain saws, etc.), and the stumps will be painted with pesticide. This area will then be over-seeded and annually mowed. It is further our understanding that no machine "grubbing" or clearing will occur.

Based on this understanding it is the opinion of our office that this will not have any negative impacts on the floodplain, flood control, and/or items regulated under Ontario Regulation 151/06.

1 of 2



Watershed Municipalities
Arran-Elderslie, Chatsworth, Georgian Bluffs, Grey Highlands
Meaford, Owen Sound, South Bruce Peninsula, Blue Mountains

Mrs. Margaret Potter, Community Planner
Bobolink and Meadowlark Habitat Management Plan
1905 – 2251 8th Street East, City of Owen Sound
May 30, 2016
Our File No. P9022

As such, we have no objection to this Management Plan, and GSCA is satisfied that this condition from our January 20, 2016 comments has been appropriately addressed.

If any questions should arise, please contact our office.

Regards,



**Tim Lanthier
Watershed Planner**

**cc via email: Mr. Dick Hibma, Authority Director, City of Owen Sound
Mrs. Marion Koepke, Authority Director, City of Owen Sound
Mr. Roger Howard, Redhawk Construction Co. Ltd.
Ms. Melissa Fuller, Azimuth Environmental Consulting Inc.
Ms. Maria Jawald, MNRF - Midhurst**



**Grey Sauble
Conservation**

237897 Inglis Falls Road, R.R.#4, Owen Sound, ON N4K 5N6

Telephone: 519.376.3076 Fax: 519.371.0437

www.greysauble.on.ca

June 17, 2019

Ms. Amy Cann, Community Planner
City of Owen Sound
808 2nd Ave E
Owen Sound, ON
N4K 2H4

Dear Ms. Cann:

**RE: Formal Circulation and Resubmission of Additional Information
Application for Draft Plan of Subdivision (42T-15501)
Application for Official Plan Amendment (OPA-6)
Application for Zoning By-Law Amendment (Z18.2015)
Applicant: R.W. Rice (Redhawk Construction Ltd.)
1905 – 2251 8th Street East
City of Owen Sound
Our File: P9022**

Grey Sauble Conservation Authority (GSCA) has reviewed these applications in accordance with our mandate and policies for natural hazards, for natural heritage issues as per the Memorandum of Agreement with the City of Owen Sound and relative to our policies for the implementation of Ontario Regulation 151/06. We note, the subject applications are a second submission with additional supporting information. GSCA provided comments on the original submission, dated January 20, 2016 and provided comments on the Bobolink and Meadowlark Habitat Management Plan, dated May 30, 2016. These comments are offered further to the previous comments provided:

GSCA Regulations

Development and site alteration within the areas regulated under Ontario Regulation 151/06 require a permit from our office. We note the following components of the proposal require a permission from GSCA:

1. Relocation and restoration of the western tributary channel.
2. Portions of works related to the construction of 'Street A', specifically the cut and fill of the floodplain to the north and the culvert installation in the relocated tributary to the southwest.
3. Construction of the stormwater outlet.
4. Construction of any dwellings, structures and related site alteration of specific lots that fall

1 of 5



**Conservation
ONTARIO**
Natural Champions

Watershed Municipalities

Arran-Elderslie, Chatsworth, Georgian Bluffs, Grey Highlands
Meaford, Owen Sound, South Bruce Peninsula, Blue Mountains

within the Ontario 151/06 regulated area.

Detailed designs and plans for each of the project components will be required as part of the permit applications.

GSCA has received confirmation from the adjacent landowner to the west that they have no objections to the regulated area changing as a result of relocating the western tributary channel. We note, the attached map depicts the areas currently regulated under Ontario Regulation 151/06.

Provincial Policy Statement (2014)

3.1 Natural Hazards

Comments provided by GSCA, dated January 20, 2016, regarding the original submission recommended that the use of a 'Holding' provision be implemented over the lands currently zoned ZH in relation to the smaller tributary. The purpose of the holding provision was to ensure consistency with the PPS natural hazard policies and providing for a planning control to ensure development is directed away from the existing location of the tributary until it is satisfactorily removed. However, we understand that this approach may not be practical in this situation moving forward with the proposal.

The City of Owen Sound recommended an alternative approach utilizing the subdivision agreement that essentially achieves the same purpose while still maintaining the consistency of the PPS. As such, we understand that wording can be utilized in the subdivision agreement that prohibits development of specific lots until the hazard conditions have been satisfactorily removed. GSCA is accepting of this approach and will work with the City to develop wording in this regard. Additionally, we note GSCA's regulatory authority remains in place of the existing tributary until it has been relocated and the hazardous conditions have been appropriately removed.

2.1 Natural Heritage

An Environmental Impact Study (EIS) was completed and a subsequent management plan was provided to address concerns regarding endangered and threatened species. GSCA has previously commented on this plan. EIS measures are to be implemented through conditions of Draft Approval and/or subdivision agreement with the City of Owen Sound.

Stormwater Management

A revised Stormwater Management Report was provided to include considerations for mitigating thermal impacts. As per the revised report, thermal considerations include increased shading through landscape plantings, a lower degree of slope and deeper outlet pipe to help slow the velocity of water and to benefit from cooler soils, and a shaded rock cooling trench to prevent erosion and reduce heat intake. Further detailed design plans are to be provided. Detail designs

will be required and implemented through conditions of Draft Approval and subdivision agreement with the City of Owen Sound.

Recommendations

Official Plan Amendment (OPA – 6)

GSCA generally has no objection to the Official Plan Amendment and no specific recommendations for the proposed OPA.

Zoning By-law Amendment (Z18.2015)

1. The 'ZH – Hazard' zone is to include the floodplain of Bothwell Creek (labelled Tributary to Telfer Creek in engineered drawings) under the regional storm event and a 6-metre access allowance on both sides of the floodplain.
2. The 'ZH – Hazard' zone include the 30-metre corridor for the proposed location of the smaller western tributary.
3. A 'Holding' provision be applied to the remnant parcel (Block 53) to include the requirement of an EIS to address potential species at risk concerns and any other natural heritage concerns.

The extent of the GSCA recommended 'ZH – Hazard' zone is shown on the attached map. We note, this recommendation does include a portion of the proposed 'Street – A' as it is currently within the existing floodplain. This area will be assumed by the City in the future and not subject to development in the form of any buildings or structures. A cut and fill approach for the construction of 'Street A' will remove the hazardous conditions without resulting in a decrease in flood capacity of the site. Detailed design plans are required as part of a permit application to GSCA.

Draft Plan of Subdivision (42T-15501)

4. As a condition of Draft Approval, the City receive acceptance by the MNR of the Bobolink and Meadowlark Habitat Compensation Plan. Alternatively, correspondence from the Azimuth Environmental Consulting Inc. in this regard may also be acceptable as to how the Endangered Species Act has been appropriately addressed.
5. As a condition of Draft Approval, the developer demonstrate how access to the remnant parcel (Block 53) is provided. GSCA is accepting of a proposed 10 metre easement for maintenance access. However, the means of implementing this needs to be formalized and acceptable to the City. Should the City not be accepting of the 10-metre easement, alternative approaches may be considered.
6. As a condition of Draft Approval, a detailed sediment and erosion control plan be provided to the satisfaction of GSCA. This sediment and erosion plan should be implemented through the subdivision agreement in wording satisfactory to GSCA.
7. As a condition of Draft Approval, a final lot grading, drainage and detailed stormwater management plan be prepared by a professional engineer licenced in the Province of

Ontario to the satisfaction of GSCA. This final, detailed plan should be implemented through the subdivision agreement in wording satisfactory to GSCA.

8. As a condition of Draft Approval, a detailed restoration and landscaping plan for the western tributary relocation be provided to the satisfaction of GSCA. The final restoration and landscaping plan should be implemented through the subdivision agreement in wording satisfactory to GSCA.
9. Prior to final approval, the mitigation measures identified in the EIS, prepared by Azimuth Environmental Consulting Inc., be implemented or as required included in the subdivision agreement, to the satisfaction of GSCA and the City.
10. The subdivision agreement is to include a clause that prohibits any construction of buildings and/or structures within the lands currently zoned 'ZH – Hazard' associated with the smaller western tributary until the hazardous conditions have been removed to the satisfaction of the City of Owen Sound and Grey Sauble Conservation Authority. This area is identified on the attached map as "Original Tributary Hazard Lands"
11. As a condition of final approval or through the subdivision agreement process, the lands designated and zoned 'Hazard Land' and 'ZH – Hazard' be deeded to the City of Owen Sound.
12. A condition of Draft Approval include:

"The subdivision agreement between the owner and the City of Owen Sound contain the following provisions with wording acceptable to GSCA, wherein the owner agrees:

 - a) Before commencing any grading or construction on each individual lot or block, to have prepared a detailed report, drawings and site plans acceptable to both the City of Owen Sound and Grey Sauble Conservation Authority which will show the location of all buildings and structures to be erected on the site, all final grades and vegetation, the means whereby storm drainage will be accommodated, and the means whereby erosion and silt transport will be contained and minimized, both during and after the construction period.
 - b) To erect snow fencing or other suitable barriers prior to initiating any grading or construction on the site to prevent the unauthorized dumping, grading and/or removing of fill materials and to keep these barriers in place until all grading and construction on abutting lots and roadways within the development area has been completed to the satisfaction of both the City of Owen Sound and Grey Sauble Conservation Authority.
 - c) To provide permanent fencing in a manner acceptable to the City of Owen Sound and Grey Sauble Conservation Authority for any rear lot line and/or side yard for all Lots and Blocks abutting Blocks 44, 45, and 48.
13. Prior to final approval, the City is to be advised in writing by GSCA that the above conditions have been satisfied.

Ms. Amy Cann, Community Planner
Redhawk Subdivision
1905-2251 8th Street East
June 17, 2019
Our File No. P9022

If any questions should arise, please contact our office.

Regards,

A handwritten signature in black ink, appearing to read 'MPL', with a stylized flourish at the end.

Mac Plewes
Watershed Planner



Planning and Development

595 9th Avenue East, Owen Sound Ontario N4K 3E3
519-372-0219 / 1-800-567-GREY / Fax: 519-376-7970

February 5, 2016

Ms. Margaret Potter, BES, MCIP, RPP
City of Owen Sound
808 2nd Avenue East
Owen Sound, ON, N4K 2H4

*Via Email
Feb 5 / 2016*

**Re: Official Plan Amendment (OPA 6), Zoning By-law Amendment (ZBLA 18),
and Plan of Subdivision (42T-15501) Applications
1905 – 2251 8th Street East
Part of Lots 7 & 8, Range 3 East of the Garafraxa Road
City of Owen Sound
Applicant: Redhawk Construction Co. Ltd.**

Dear Ms. Potter:

This correspondence is in response to the above noted applications. We have had an opportunity to review this proposal in relation to the Provincial Policy Statement (PPS) and the County of Grey Official Plan (OP). We offer the following comments.

The subject applications are proposing to permit a plan of subdivision on the subject lands comprised of approximately 37 single detached dwellings, 65 townhouse units, and 265 apartment units. The official plan amendment would consider an increase in lot density for a portion of the site from a 'Residential – Low Density' designation to a 'Residential – Medium Density' designation and other portions of the site from a 'Residential – Medium, Density' designation to a 'Residential – High Density' designation. The lands would be rezoned from 'Rural' (RUR) and 'Hazard Land' (ZH) to various Residential, Open Space and Hazard Land zones.

Section 1 of the PPS generally encourages development, redevelopment, and intensification within existing settlement areas. Further in section 1 of the PPS, the provision of a range of housing types is encouraged. The subject lands are within an existing settlement area, and a diverse range of housing types are being considered through the subject applications.

Under section 1.6.6 of the PPS the Province sets out a servicing hierarchy. Development on municipal water and sewer services sits atop this hierarchy. The

proposed development would be serviced by municipal water and sewer subject to the services being extended to the development site.

Section 2.1 of the PPS requires the protections and preservation of significant natural heritage features across the Province. A Scoped Environmental Impact Study (EIS) was prepared for the proposed development. Within the EIS it was noted that the subject lands contain habitat for Endangered Species (Bobolink and Eastern Meadowlark), candidate Significant Wildlife Habitat, and Fish Habitat. City staff have been corresponding with the Ministry of Natural Resources and Forestry (MNRF) and the Grey Sauble Conservation Authority (GSCA) staff on these matters. County staff have nothing further to add on this topic and would recommend continued dialogue between these parties, to consider options for the site, which are consistent with the PPS in this regard.

Section 2.6 of the PPS speaks to the conservation of archaeological resources across the Province. To date there has been no Archaeological Assessment completed for this site; however City staff have noted that such an Assessment will be required. County staff would recommend deferring a decision on the subject applications until such time as the Archaeological Assessment(s) have been completed.

Section 3.1 of the PPS speaks to avoiding development in areas of natural hazard. At this stage development is not being proposed in the Hazard Lands; however some of the Hazard Lands appear to be proposed as Bobolink/Meadowlark compensation lands. Comments from the GSCA and the MNRF should be received with respect to the Hazard Lands and compensation plans on-site.

A number of policies in the County Official Plan over-lap those contained in the PPS. For efficiency purposes, staff will not re-iterate all of the policies which overlap in the review of the County Plan policies.

Schedule A of the OP designates the subject lands as 'Primary Settlement Area' and 'Hazard Lands'. Section 2.6.3(2) of the OP states;

"Land Use policies and development standards in areas designation Primary Settlement Areas will be in accordance with local Official Plans and/or Secondary Plans."

Section 2.6.3(5) of the County Plan speaks to an average development density of 25 units per net hectare be achieved for Owen Sound. The proposed density for the site would appear to achieve this target.

As per section 2.8.2 of the County Plan development and site alteration are generally not considered in the Hazard Lands, unless it's being done for conservation purposes.

Appendix B of the OP identifies a watercourse traversing the subject property. Section 2.8.6(5) of the County Plan requires a 30 metre setback to the banks of the watercourse.

Section 6.12.1 of the County Plan contains policies on new plans of subdivision and condominium across the County. In addition to providing a range of housing types; layout of the development, connectivity, walkability, and street patterns are all important considerations for new developments. County staff would encourage the consideration of these criteria as this development proceeds through the planning application process. Future access to the block of land not presently being considered for development, to the southeast of the Hazard Lands, should also be considered in this regard.

The subject lands are located within close proximity to 8th Street East, which is a County road. Section 5.2.2(6)(f) of the OP states;

“Any applications for consent for severance, change of zoning, plan of subdivision, minor variance and/or development agreement for land abutting a Provincial Highway or County road shall be referred to the appropriate approval authority prior to approval in order to determine if the use, siting, and/or right-of-way width are adequate and meet the provisions of this Plan.”

County Transportation Services staff have reviewed the above-noted files and have the following comments:

1. The 17' or 5.18 m widening has been attained at an earlier date. Daylights are shown on the Draft Plan of Subdivision. Because of the large scale, please be advised that a minimum of 50' or 15.24 m daylights are required by the County.
2. It was determined on May 30, 2014 by Pat Hoy that this proposed unnamed Condo Road intersection not be supported, as it does not meet the criteria of separation from the existing 16th Avenue intersection, as well as the proposed 'A' Street intersection. Regardless, whether this is deemed a private road or not it is still looked at as a road entrance onto the County Road. The elimination of the unnamed Condo Road intersection will require attention to determine what impact that will have to the 'A' Street intersection (re: turning lanes or tapers).

3. Grey County may consider that the Condo entrance be of an emergency designation with the proper barriers in place to facilitate emergency vehicles only. An emergency access may be issued for the unnamed Condo Road intersection by the Director of the Transportation Services Department by application for an Entrance Permit.
4. The Sight Distance for the proposed 'A' Street should not be an issue with the existing 50 km zone. Please note this will be investigated further when the Entrance Permit is reviewed. Grey County recommends that the proposed 'A' Street intersection lines up with the proposed future alignment of the 20th Avenue East intersection.
5. The Traffic Impact Study recommends that the 80 km/h zone east of the proposed 'A' Street intersection be reduced to 50 km/h further east along 8th Street to support the residential nature of the proposed development. Grey County may consider this recommendation with an application to the Director and Transportation and Public Safety (TAPS) Committee.
6. Should there be a need for reduction in setbacks to the County Road, then an exemption will be required from the TAPS Committee.
7. All stormwater looks to be directed to the Tributary of Telfer Creek, which crosses the County Road at a 1500 mm dia. CSP culvert. Direct flows are proposed to be reduced with a Stormwater Management Facility, which was stated in the report to control the urban drainage from the subject lands. The existing 1500 mm dia. CSP culvert was not mentioned in the Stormwater Report. Is the existing culvert large enough to facilitate proposed drainage of future development in this area? If not the proponents would be subject to enlarge the existing culvert at their cost.

Of a general planning nature the phasing of this development, along with the development lands surrounding this site, will be crucial from a servicing and transportation perspective. From a transportation perspective, the phasing of future road extensions and development to the west will also be important to providing multiple accesses to the site (i.e. one off of the County Road and other accesses off of City streets), based on the above noted Transportation Services comments. Multiple accesses to the site will allow for easier emergency access to the development lands, should there be a blockage on the proposed Street A.

County Trails staff have reviewed the subject application and provided the following comments with regard to the development and CP Rail Trail:

In the July 2015 'Functional Servicing and Stormwater Management Report' by C.F. Crozier & Associates Inc. it makes reference to the R.J. Burnside and Associates report titled 'City of Owen Sound East Side Master Servicing – Volume II Stormwater

Management Study' dated February 2008. Within this 2008 Study, page 10, item 4.5 includes Conclusions and Recommendations for Telfer Creek. The report states that within the headwater portion of Telfer Creek there is opportunity to develop sound stormwater management practices to prevent flooding and erosion. This same section goes onto highlight the need to; "ensure that there is no peak flow and flooding increase in Telfer Creek". Achieving this outcome will be very important as the Highway 26 area culverts that pass water under the CP Rail Trail and under Highway 26 are currently at capacity during spring flow conditions. It is also important to note that current culvert infrastructure along the entire CP Rail Trail corridor has not been designed to handle additional flows. Prior to any decision on the applications, or as a condition of draft approval, it shall be ensured that off-site flows are not increasing in this regard.

Of a minor technical nature, it would also appear that the Flight Path Study was completed based on a previous iteration of the development plan for the subject lands. It may be worthwhile having the authors of this study re-confirm their findings for the current iteration of the development proposal.

County staff would be happy to meet with City staff and/or the proponent and their development team to discuss the above comments.

The County requests notice of any decision rendered with respect to these files.

If you wish to discuss this matter further, please do not hesitate to contact me.

Yours truly,



Scott Taylor, MCIP, RPP
Senior Planner
519-372-0219 ext. 1238
scott.taylor@grey.ca
www.grey.ca

cc. Kim Wepler, City of Owen Sound (by email only)
Tim Lanthier, Grey Sauble Conservation Authority (by email only)



Transportation Services

595 9th Avenue East, Owen Sound, ON N4K 3E3
519-376-7337 / 1-800-567-GREY / Fax: 519-376-0967

June 6, 2017

BY EMAIL

Jon Proctor, P.Eng.
C.F. Crozier & Associates
40 Huron Street, Suite 301
Collingwood, ON L9Y 4R3
Email: jproctor@cfcrozier.ca

RE: Redhawk 8th Street East, Owen Sound – Entrance Permit Procedure Variance Request

In response to your request for variances to the Grey County Entrance Permit Procedure, the County of Grey County Council met on May 25, 2017. The following recommendations were adopted:

1. *That Report TR-CW-15-17 be received; and that exemptions to the following section of the Entrance Permit Procedure be granted for a proposed development at Parts of Park Lots 7 and 8 Range 3 East of the Garafraxa Road, City of Owen Sound (Formerly Township of Sydenham), on Grey Road 5 (8th Street East):*
 - *Section 2.5.11 to allow for a municipal intersection road separation of less than 400m; and*
2. *That prior to Phase 3 of the development, Redhawk Construction Co. Ltd. complete an updated traffic impact study to the satisfaction of Grey County Transportation Services, with the possibility that the west condominium entrance may be required to be reconfigured.*

Please contact me if you have any questions or comments.

Yours truly,

A handwritten signature in black ink that reads "Pat Hoy".

Pat Hoy
Director of Transportation Services
519-372-0219 ext. 1391
pat.hoy@grey.ca
www.grey.ca

cc. Alex Fleming, C.F. Crozier & Associates, afleming@cfcrozier.ca
Margaret Potter, City of Owen Sound, mpotter@owensound.ca
Randy Scherzer, County of Grey, randy.scherzer@grey.ca

Grey County: Colour It Your Way

December 10, 2017

Ms. Margaret Potter, BES,
Community Planner
City of Owen Sound
808 2nd Avenue East
Owen Sound, ON, N4K 2H4
*Sent Via Email

**Re: Official Plan Amendment (OPA 6), Zoning By-law Amendment (ZBLA 18),
and Plan of Subdivision (42T-15501) Applications
1905 – 2251 8th Street East
Part of Lots 7 & 8, Range 3 East of the Garafraxa Road
City of Owen Sound
Applicant: Redhawk Construction Co. Ltd.**

Dear Ms. Potter:

This correspondence is in response to the above noted applications. We have had an opportunity to review this proposal in relation to the Provincial Policy Statement (PPS) and the County of Grey Official Plan (OP). We offer the following comments.

The County had previously commented on these applications on February 5, 2016. The subject applications are proposing to permit a residential development on the subject lands. The development will be completed via plan of subdivision utilizing a mixture of blocks and individual lots, some of which will be individually owned, and some will be developed via future plan of condominium. A concept plan has been submitted with the applications showing the future build out, which is comprised of approximately 36 single detached dwellings, 12 freehold townhouses, 54 townhouse units, and 264 multiple residential units. The official plan amendment would consider an increase in lot density for a portion of the site from a 'Residential – Low Density' designation to a 'Residential – Medium Density' designation and other portions of the site from a 'Residential – Medium, Density' designation to a 'Residential – High Density' designation. The lands would be rezoned from 'Rural' (RUR) and 'Hazard Land' (ZH) to various Residential, Open Space and Hazard Land zones.

Section 1 of the PPS generally encourages development, redevelopment, and intensification within existing settlement areas. Further in section 1 of the PPS, the provision of a range of housing types is encouraged. The subject lands are within an

existing settlement area, and a diverse range of housing types are being considered through the subject applications.

Under section 1.6.6 of the PPS the Province sets out a servicing hierarchy. Development on municipal water and sewer services sits atop this hierarchy. The proposed development will be serviced by municipal water and sewer.

Section 2.1 of the PPS requires the protection and preservation of significant natural heritage features across the Province. A Scoped Environmental Impact Study (EIS) was prepared for the proposed development. A follow-up plan was submitted in May 2017 which assessed the Bobolink and Eastern Meadowlark habitat. County staff would generally defer to the Ministry of Natural Resources and Forestry (MNRF) and the Grey Sauble Conservation Authority (GSCA) staff on these matters.

Section 2.6 of the PPS speaks to the conservation of archaeological resources across the Province. A Stage 2 Archaeological Assessment has been completed for the proposed development lands.

Section 3.1 of the PPS speaks to avoiding development in areas of natural hazard. At this stage, development is not being proposed in the Hazard Lands. Lot lines have also been straightened out adjacent to the hazard block, as per earlier GSCA comments. Earlier comments had also flagged access to the southeast section of the property which is on the south side of the creek tributary. In comments dated September 20, 2017, the proponent's development team noted that; *"maintenance access will be provided via a 10 metre access easement across the tributary. This access is only to be used in dry conditions."* GSCA had previously asked that wording in the subdivision agreement and a possible holding symbol be used for the subject lands. County staff will defer the City staff and GSCA on this issue, but would echo the earlier comments by GSCA.

A number of policies in the County Official Plan over-lap those contained in the PPS. For efficiency purposes, staff will not reiterate all of the policies that overlap in the review of the County Plan policies.

Schedule A of the OP designates the subject lands as 'Primary Settlement Area' and 'Hazard Lands'. Section 2.6.3(2) of the OP states;

"Land Use policies and development standards in areas designation Primary Settlement Areas will be in accordance with local Official Plans and/or Secondary Plans."

Section 2.6.3(5) of the County Plan speaks to an average development density of 25 units per net hectare be achieved for Owen Sound. The proposed density for the site would appear to achieve this target.

As per section 2.8.2 of the County Plan development and site alteration are generally not considered in the Hazard Lands, unless it's being done for conservation purposes.

Appendix B of the OP identifies a watercourse traversing the subject property. Section 2.8.6(5) of the County Plan requires a 30 metre setback to the banks of the watercourse.

Section 6.12.1 of the County Plan contains policies on new plans of subdivision and condominium across the County. In addition to providing a range of housing types; layout of the development, connectivity, walkability, and street patterns are all important considerations for new developments. County staff would encourage the consideration of these criteria as this development proceeds through the planning application process.

The subject lands are located on 8th Street East, which is a County road. Section 5.2.2(6)(f) of the OP states;

“Any applications for consent for severance, change of zoning, plan of subdivision, minor variance and/or development agreement for land abutting a Provincial Highway or County road shall be referred to the appropriate approval authority prior to approval in order to determine if the use, siting, and/or right-of-way width are adequate and meet the provisions of this Plan.”

Since the County's earlier comments in February 2016, County Transportation Services staff have been actively engaged with the City and the proponent's development team on the County Roads matters. In June 2017, County staff issued a letter, following a staff report through the County Committee of the Whole, in response to the further information received by the City and Redhawk team. The County's recommendation is as follows:

1. *“That Report TR-CW-15-17 be received; and that exemptions to the following section of the Entrance Permit Procedure be granted for a proposed development at Parts of Park Lots 7 and 8 Range 3 East of the Garafraxa Road, City of Owen Sound (Formerly Township of Sydenham), on Grey Road 5 (8th Street East):*
 - *Section 2.5.11 to allow for a municipal intersection road separation of less than 400m; and*

2. *That prior to Phase 3 of the development, Redhawk Construction Co. Ltd. complete an updated traffic impact study to the satisfaction of Grey County Transportation Services, with the possibility that the west condominium entrance may be required to be reconfigured."*

County Transportation Services staff have no further comments at this time, provided the above recommendation can be accommodated into the development plans.

Of a general planning nature the phasing of this development, along with the development lands surrounding this site, will be crucial from a servicing and transportation perspective. In the materials submitted, the developer has laid out a 4-phase development concept, including the decommissioning of an access road prior to the occupancy of phase 3. From a transportation perspective, the phasing of future road extensions and development to the west will also be important to providing multiple accesses to the site (i.e. off of the County Road and other accesses off of City streets), based on the above noted Transportation Services comments. Multiple accesses to the site will allow for easier emergency access to the development lands, should there be a blockage on the proposed Street A.

With respect to the neighbouring CP Rail Trail, the servicing extension along the CP Rail Trail is now mostly complete. County staff would also note that the County is currently undertaking a Recreational Trails Master Plan, which could result in changes to the permitted recreational uses on the CP Rail Trail. The Master Plan is not yet complete, but more information on the Recreation Trails Master Plan process can be found at: <https://www.grey.ca/programs-initiatives/recreational-trails-master-plan>

In February 2016 County Trails staff provided the following comments:

"In the July 2015 'Functional Servicing and Stormwater Management Report' by C.F. Crozier & Associates Inc. it makes reference to the R.J. Burnside and Associates report titled 'City of Owen Sound East Side Master Servicing – Volume II Stormwater Management Study' dated February 2008. Within this 2008 Study, page 10, item 4.5 includes Conclusions and Recommendations for Telfer Creek. The report states that within the headwater portion of Telfer Creek there is opportunity to develop sound stormwater management practices to prevent flooding and erosion. This same section goes onto highlight the need to; "ensure that there is no peak flow and flooding increase in Telfer Creek". Achieving this outcome will be very important as the Highway 26 area culverts that pass water under the CP Rail Trail and under Highway 26 are currently at capacity during spring flow conditions. It is also important to note that current culvert infrastructure along the entire CP Rail Trail corridor has not been

designed to handle additional flows. Prior to any decision on the applications, or as a condition of draft approval, it shall be ensured that off-site flows are not increasing in this regard.”

In comments dated September 20, 2017, the proponent’s development team responded by noting that;

“Per the provided SWM report prepared by Crozier, it is proposed to provide post-to-unit flow rate control with the use of a Stormwater Management facility prior to the discharge to the Tributary to Telfer Creek. As the control rates are less than that of pre-development, there will be no increase in drainage to the existing culvert and an enlargement of any downstream culverts or infrastructure is not required.”

The County had previously noted that the Flight Path Study was completed based on a previous iteration of the development plan for the subject lands. The Redhawk team has noted that this can be addressed via site plan applications for the future medium density blocks.

County staff have no further comments at this stage but would be happy to meet with City staff and/or the proponent and their development team to discuss the above comments, if any further discussion is warranted.

The County requests notice of any decision rendered with respect to these files.

If you wish to discuss this matter further, please do not hesitate to contact me.

Yours truly,



Scott Taylor, MCIP, RPP
Senior Planner
519-372-0219 ext. 1238
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Grey
County

Planning and Development

595 9th Avenue East, Owen Sound Ontario N4K 3E3
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May 28, 2018

Ms. Margaret Potter,
Community Planner
City of Owen Sound
808 2nd Avenue East
Owen Sound, ON, N4K 2H4
*Sent Via Email

**Re: Official Plan Amendment (OPA 6), Zoning By-law Amendment (ZBLA 18),
and Plan of Subdivision (42T-15501) Applications
1905 – 2251 8th Street East
Part of Lots 7 & 8, Range 3 East of the Garafraxa Road
City of Owen Sound
Applicant: Redhawk Construction Co. Ltd.**

Dear Ms. Potter:

Further to the County's comments dated December 10, 2017, and February 5, 2016, County staff would add the following comments related to these development applications.

In reviewing the Redhawk applications, in concert with other development applications in the area, County staff suggest that the option of a roundabout be considered for the future intersection of 8th Street East (Grey Road 5) and 20th Avenue East. This option may provide for an alternative to a signalized intersection at that location.

County staff have no further comments at this stage but would be happy to meet with City staff and/or the proponent and their development team to discuss the above comments, if any further discussion is warranted.

The County requests notice of any decision rendered with respect to these files.

If you wish to discuss this matter further, please do not hesitate to contact me.

Page 2
May 28, 2018

Yours truly,

A handwritten signature in black ink, appearing to read "Scott Taylor", is positioned above a thin yellow horizontal line.

Scott Taylor, MCIP, RPP
Senior Planner
519-372-0219 ext. 1238
scott.taylor@grey.ca
www.grey.ca

Cc Pat Hoy Grey, County Transportation Services (by email only)
Matt Marck, Grey County Transportation Services (by email only)

Staff Report

Engineering Services Division

DATE: 29 March 2016

ENG. FILE: SB0017 (SS0175)

TO: Margaret Potter, Community Planner
Pam Coulter, Director of Community Services
Ken Becking, Director of Public Works & Engineering

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

SUBJECT: OFFICIAL PLAN \ ZONING BY-LAW AMENDMENTS & DRAFT PLAN OF
SUBDIVISION ENGINEERING REVIEW

OWNER: Redhawk Construction Co. Ltd.

PLANNING FILES: OPA 6, ZBA 18, 42T-15501

LEGAL DESCRIPTION: Pt Park Lot 7, Pt Park Lot 8 Range 3 EGR former
Township of Sydenham

RECOMMENDATIONS:

OPA 6 and ZBA 16:

The Public Works & Engineering Department supports approval of these applications provided that:

1. The proposed Official Plan and Zoning By-law Amendments for the property include provisions to require the extension of domestic water and sanitary sewer services to the subject lands prior to development;
2. The proposed Official Plan and Zoning By-law Amendments for the property include provisions to require remediation of any contaminated lands appropriate to the future proposed land uses.

42T-15501 DRAFT PLAN OF SUBDIVISION:

The Public Works & Engineering Department supports draft plan approval of application number 42T-15501 subject to the following draft conditions:

1. That this approval applies to the draft plan drawing number 534-3586-FIG. 3, prepared by Crozier & Associates Consulting Engineers dated 27 July 2015, which shows a total of forty-one (41) residential lots, twelve (12) blocks and public highway dedication;
2. That the road allowances included in this draft plan be shown and dedicated as public highways;
3. That the Subdivision Agreement between the owner and the City of Owen Sound

provide for the construction of the common stormwater management facilities subject to the approval of the City and, furthermore, shall provide for the City to assume ownership and operation of the system upon completion of the maintenance period;

4. That pedestrian access links and sidewalks be provided to the satisfaction of the Community Services Department, Planning Division and the Public Works & Engineering Department, Engineering Services Division;
5. That the street(s) shall be named to the satisfaction of the City of Owen Sound;
6. That the required Subdivision Agreement include wording acceptable to the City of Owen Sound and the Grey Sauble Conservation Authority to implement the surface water management plan, tree preservation plan, and individual lot requirements;
7. That prior to final approval, the Developer demonstrate that the extension of domestic water and sanitary sewer services to the subject lands has been provided;
8. That prior to final approval, a lot grading, drainage and storm water management report be prepared by a professional engineer licensed in the Province of Ontario in accordance with applicable zoning to the satisfaction of the City's Public Works & Engineering Department (Engineering Services Division) and the Grey Sauble Conservation Authority and that the plan be included in the Subdivision Agreement;
9. That prior to final approval, a plan and design based on Section 8, Environmental Considerations & Mitigation, of the Scoped Environmental Impact Study is to be provided to protect the Telfer Creek Tributary which is intended to receive the storm water runoff from this development be prepared by a professional engineer licensed in the Province of Ontario to the satisfaction of the City's Public Works & Engineering Department (Engineering Services Division) and the Grey Sauble Conservation Authority and that the plan be included in the Subdivision Agreement;
10. That the owner agrees in writing to satisfy all the requirements, financial and otherwise, of the City of Owen Sound concerning the cash contribution, provision of roads and service corridors, installation of services and drainage;
11. That the Subdivision Agreement between the owner and the City of Owen Sound contain a provision that this subdivision shall not be developed except in accordance with the approved plan;
12. That prior to any development on Blocks 44, 45 and 46 or Lots 5, 6, 7, 38 or 39, the Developer obtain approval from Fisheries and Oceans Canada and any necessary permit from the Grey Sauble Conservation Authority, to the satisfaction of the Director of Community Services and the Director of Public Works & Engineering for authorization to re-route the surface drainage channel across the above named lots and blocks and to provide geotechnical reports supporting construction of dwellings or works on the lots and blocks.

13. That such easements as may be required for utility, drainage or snow storage purposes shall be granted to the appropriate authority;
14. That prior to final approval of the Plan, the owner provide access to the development from 8th Street East to the satisfaction of the Director of Public Works & Engineering and the County of Grey;
15. That prior to final approval of the Plan, the owner demonstrate to the satisfaction of the City that there is an adequate supply of potable water to service this development;
16. That the Subdivision Agreement between the owner and the City of Owen Sound provide for the installation of a piped water supply system subject to the approval of the City and, furthermore, shall provide for the City to assume ownership and operation of the system upon completion of the maintenance period;
17. That prior to final approval of the Plan, the owner demonstrate to the satisfaction of the Ministry of the Environment and Climate Change that there is adequate sanitary and storm sewer capacity to service this development;
18. That the Subdivision Agreement between the owner and the City of Owen Sound contain the following provisions with wording acceptable to the Public Works & Engineering Department, wherein the owner agrees:
 - a) before commencing any grading or construction on any lot, to have prepared a detailed report, drawings and site plans acceptable to the City of Owen Sound which will show the location of all buildings and structures to be erected on the site, all final grades and vegetation, the means whereby storm drainage will be accommodated, and the means whereby erosion and silt transport will be contained and minimized, both during and after the construction period;
 - b) to provide for the construction of roads, services and common stormwater management facilities and, furthermore, shall provide for the City to assume ownership and operation of the roads, services and common stormwater management facilities;
 - d) to erect snow fencing or other suitable barriers prior to initiating any grading or construction on the site to prevent the unauthorized dumping of fill and to keep these barriers in place until all grading and construction on abutting lots and roadways has been completed to the satisfaction of the City of Owen Sound;
 - e) to develop a tree preservation plan in accordance with the City of Owen Sound Residential Tree Preservation Policy;
 - f) to provide demarcation of the common rear lot line and hazard line in a manner acceptable to the City;
 - g) that the Subdivision Agreement between the owner and the City of Owen Sound be registered against the lands to which it applies once the plan of subdivision has been registered.
19. That prior to final approval of the Plan, the City is to be advised in writing by the

Grey Sauble Conservation Authority that conditions of approval have been satisfied;

20. That prior to final approval of the Plan, the City is to be advised in writing by the Developer's consulting engineer that the Ministry of Environment and Climate Change has issued Environmental Certificates of Approval (ECA) for the sanitary and storm sewer systems.

BACKGROUND:

The City has received complete applications for an Official Plan Amendment (OPA 6), a Zoning By-law Amendment (ZBA 18) and a Draft Plan of Subdivision (42T-15501) from the Redhawk Construction Co. Ltd. to permit residential development on the south side of 8th Street East (generally south of the hospital), east of 16th Avenue East.

The proposal is to develop the 25.1 ha parcel of land to provide 367 new dwellings in a mix of housing forms.

ANALYSIS:

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

The proposed Zoning By-law and Official Plan Amendments for the proposed development would not adversely affect existing infrastructure in the area. Development of the proposed subdivision would be subject to Draft Plan Approval which includes appropriate environmental, servicing feasibility, traffic impact and stormwater management studies.

Section 8.3.3 of the Official Plan lists requirements for Draft Plan of Subdivision and Condominium Approval. The following comments are offered with respect to those requirements.

This office has reviewed the proposed draft plan of subdivision with respect to the Subdivision Design Standards of the Engineering Services and the Public Works Divisions with regard to site access and roadways, grading and drainage, stormwater management and servicing.

The full development of this subdivision consists of 367 units on a 25.1 ha property. It will have 26 lots fronting onto a proposed extension of 20th Avenue East (Street 'A') south of 8th Street East and the remaining 15 lots fronting onto an interior road (Street 'B') which is proposed to connect with 6th Street East as future development occurs. The balance of the units will consist of multiple residential and townhouse units.

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*

- *Land Use Planning and Justification Report prepared by Monteith Brown Planning Consultants, dated October 2015;*
- *Flight Path Study prepared by WSP Canada Inc., dated July 2014;*
- *Functional Servicing & Stormwater Management Report prepared by Crozier & Associates, dated July 2015;*
- *Traffic Impact Study prepared by Crozier & Associates, dated June 2015;*
- *Scoped Environmental Impact Study prepared by Azimuth Environmental Consulting Inc., dated July 2015;*
- *Crozier & Associates Consulting Engineers, Project No. 534-3586, Dwg. No. Fig. 2 "Concept Plan", dated 16 January 2014;*
- *Crozier & Associates Consulting Engineers, Project No. 534-3586, Dwg. No. Fig. 3 "Draft Plan of Subdivision", dated 16 January 2014*

PHASING:

Phasing of this development has not been confirmed by the owner at this time. The public roads, hard services and stormwater management facilities would have to be completed before building permits could be issued for any of the proposed lots or blocks.

STORMWATER MANAGEMENT (SWM):

The submitted Stormwater Management Report demonstrates that the development has been designed to conform to the following parameters:

1. Water quality will be controlled to an "enhanced protection" level;
2. Water quantity will be controlled for all storm events up to and including the Timmins Regional storm to target limits based on the "Unit Flow Rate" approach as per the East Owen Sound Master Servicing Study (EOSMSS);
3. Extended detention will be employed to provide erosion control;

These goals will be achieved using the following methods:

1. External drainage will be routed around the subject property to an appropriate outlet as in the pre-development conditions. The existing west drain is to be moved approximately 50 metres south of the existing location crossing the future "Street A" via a culvert. External drainage from the west will continue to outlet through the site to the west tributary of Telfer Creek as in the existing condition. Additional external drainage, approaching the site as overland flow from the lands west and south of the development, will be intercepted by property line swales and conveyed to either the west drain or the Telfer Creek tributary on site via the stormwater collection and management system;
2. Site drainage will incorporate a dual drainage strategy with a minor collection system consisting of storm sewers, catch basins, and lot drainage swales and a major system utilizing roadway and overland flow routes to direct surface water to a low point in the roadway providing a spill route to the stormwater management facility located in the northeast quadrant of the site;

3. The stormwater management facility has a 6,000 m³ storage pond designed to attenuate surface runoff from the site to equal or less than the flow rate targets established by the EOSMSS. Quality control to an enhanced level of protection is obtained by using a wet pond design with a 1,650 m³ permanent pool with a 440 m³ extended detention pool.

Telfer Creek is a cold water fishery and therefore, the SWM design must be revised to include temperature equalization to protect the fishery.

The future development of some lots at the south end of Street "A" would require the realignment of an existing surface drainage ditch to Blocks 45 and 46. The realignment of the ditch and subsequent soils testing would be required prior to the development of proposed Blocks 43, 45 and 46 or lots 5, 6, 7, 38 and 39. This can be addressed as a condition in the Subdivision Agreement.

GRADING & DRAINAGE:

The subdivision grading and drainage shall conform to Section 2.2.2 of the City's Property Standards By-law 1999-030.

SITE SERVICING:

SERVICING FEASIBILITY STUDY (SFS): A Servicing Feasibility Study has been submitted in support of this development. The study, referencing the EOSMSS, demonstrates that the proposed subdivision can be supported by existing service capacity although the water distribution and sanitary collection networks will need to be extended to the subject lands.

SANITARY SEWER: This area of the City is largely undeveloped hazard and agricultural land. The trunk sanitary sewer intended to service this area has not been extended south of 16th Street East into the Sydenham Heights Phase I planning area.

The SFS submitted by Crozier & Associates concludes that the sanitary sewer system capacity is sufficient to support the additional load on this system imposed by adding this subdivision. However, the SFS reaches this conclusion by assuming that the necessary upgrade to the 3rd Avenue East trunk has been completed. This is not the case as a 235m section of the 3rd Avenue East trunk remains to be upgraded from 450mm Ø to the size anticipated in the EOSMSS and further study by the proponent is required to prove that the existing system can accommodate both this development and the proposed Northridge RCA subdivision.

The City will facilitate the extension of the trunk sanitary sewer south to 8th Street East to allow the development of this property. The cost of this extension will be jointly funded by the City and benefitting landowners through the approved Area Specific Development Charges and Land Budget process now underway with Watson Associates.

WATER SERVICE: The existing watermain is located on 8th Street East and ends at 16th Avenue East. This watermain is a component of the East Hill Pressure Zone which has recently been upgraded to accommodate future development in the Sydenham Heights Phase 1 area. An extension of this watermain to the subject property will be required.

The SFS submitted by Crozier & Associates concludes that the existing water supply will be adequate to service this subdivision with the addition of the required watermain extension. The Public Works & Engineering Department concurs with this opinion.

The Official Plan indicates that the City will require a future water storage facility for development of the Sydenham Heights Phase II Planning Area. However, no portion of the subject lands will be considered as a location for this storage facility.

PARKING, SITE ACCESS & ROADWAYS:

TRAFFIC IMPACT STUDY (TIS): A traffic impact study has been submitted with the application. The TIS was undertaken with reference to a scope of study provided by the City and Grey County.

Highlights of the TIS show:

1. The existing roadway system operates at acceptable levels of service under current conditions;
2. The traffic generated from the proposed development can be accommodated by the boundary road network with the existing intersection configurations and signal timing plans;
3. No roadway improvements are needed to accommodate the total traffic volumes anticipated for this project.

SITE ACCESS: The site access is provided by a main entrance to the development from 8th Street East. The internal road network consists of a 25 metres wide road allowance designated as the future 20th Avenue East (Street 'A') being 500 metres long with a stub end and the future 6th Street East (Street 'B') portion having a 20 metres wide road allowance, located approximately 470 metres from 8th Street East and being 120 metres long with a cul-de-sac at the end.

The proposed 20th Avenue East extension (Street 'A') does not have an emergency access. Section 3.2 e) i) of the Residential Subdivision Policies (RSP) document states that a cul-de-sac without an emergency vehicle access should not exceed 250 metres in length. The proposed roadway does not meet the requirements of this section of the policy.

The draft plan shows a second access from 8th Street East through the condominium portion of the site (Blocks 42 and 43). This entrance cannot be a full access intersection. It is to be restricted to right-in /right-out only and the internal subdivision road network is to be adjusted to direct the subdivision traffic to the main (signalized) intersection as efficiently as possible.

Engineering Services will require that the configuration of the access points from 8th Street East be acceptable to the City and the County as a condition of draft plan approval.

TRANSIT ACCESS:The City's transit system is accessible on 8th Street East. There is no requirement to provide transit service routes through the proposed development. However, the proposed road allowances for Street 'A' and Street 'B' would allow for future transit stops.

ROAD WIDENING: A road widening is not required on 8th Street East as it is a County Road (Grey Road 5) with a 30 metres wide road allowance. The proposed development utilizes a 25 metres road allowance width for Street 'A' (future 20th Avenue East). This is sufficient for a major collector roadway. The plan shows a 20 metre road allowance width for Street 'B' (future 6th Street East). This will be a future collector and Section 6.1.3.4 of the Official Plan states that collector roads are to be a minimum 25 metres wide. Therefore, Street 'B' should be increased to a 25 metre width.

ENVIRONMENTAL:

A Scoped Environmental Impact Study (EIS) was submitted with this application. The EIS has concluded that the site contains Habitat for Endangered Species (Bobolink and Eastern Meadowlark), candidate Significant Wildlife Habitat and candidate Fish Habitat.

The EIS further states that this development can proceed as proposed provided that the development is in keeping with Section 23.6 of Ontario regulation 242/08 as it pertains to Bobolink and Eastern Meadowlark habitat.

Development is permitted within Significant Wildlife Habitat provided it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions. The EIS has outlined mitigation measures which will preserve the wildlife habitat.

No development is occurring within the regional storm event floodplain of the west tributary of Telfer Creek and stormwater management controls will be implemented to reduce indirect impact to the Telfer Creek fish habitat.

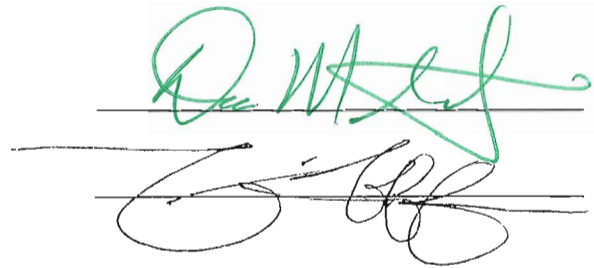
A Phase One Environmental Assessment was also completed by the Developer. The consulting engineer recommended that a Phase Two Environmental Assessment be completed to identify impacted areas of the site. The Public Works & Engineering Department will request a copy of the Phase 2 Environmental Assessment for review prior to recommending action.

OTHER:

A Subdivision 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 is written over a horizontal line. The bottom signature is in black ink and is written over two horizontal lines. The signatures are stylized and cursive.

Staff Report

Engineering Services Division

DATE: 2019 June 14

ENG. FILE: SB0017 (SS0175)

4259 04007 509000

RN: 4259 04007 510000

4259 04007 511000

TO: Amy Cann, Community Planner
Pam Coulter, Director of Community Services
Wayne Ritchie, City Manager

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

SUBJECT: OFFICIAL PLAN \ ZONING BY-LAW AMENDMENTS & DRAFT PLAN OF
SUBDIVISION ENGINEERING REVIEW

OWNER: Redhawk Construction Co. Ltd.

PLANNING FILES: OPA 6, ZBA 18, 42T-15501

LEGAL DESCRIPTION: Pt Park Lot 7, Pt Park Lot 8 Range 3 EGR former
Township of Sydenham

RECOMMENDATIONS:

OPA 6 and ZBA 16:

The Public Works & Engineering Department supports approval of these applications provided that:

1. The proposed Official Plan and Zoning By-law Amendments for Block 53 of the property include provisions to require the extension of domestic water and sanitary sewer services to the subject lands prior to development commencing;

42T-15501 DRAFT PLAN OF SUBDIVISION:

The Public Works & Engineering Department supports draft plan approval of application number 42T-15501 subject to the following draft conditions:

1. That this approval applies to the draft plan drawing number 534-3586-FIG. 3, prepared by Crozier & Associates Consulting Engineers dated 07 March 2017, which shows a total of forty (40) residential lots, thirteen (13) blocks and public highway dedication;
2. That the road allowances included in this Draft Plan be shown and dedicated as

public highways;

3. That before any blocks, roads, walkways, trails, service corridors, sight triangles, and 0.3 metre reserves identified on the Plan are conveyed to the City of Owen Sound or County of Grey as applicable, they shall be free and clear of encumbrances;
4. That pedestrian and maintenance access links, cul-de-sacs and sidewalks be provided to the satisfaction of the Community Services Department, Planning Division and the Public Works & Engineering Department, Engineering Services Division;
5. That the street(s) shall be named to the satisfaction of the City of Owen Sound;
6. That prior to final approval, a lot grading, drainage and storm water management report be prepared by a professional engineer licensed in the Province of Ontario in accordance with applicable zoning to the satisfaction of the City's Public Works & Engineering Department (Engineering Services Division) and the Grey Sauble Conservation Authority and that the plan be included in the Subdivision Agreement;
7. That prior to final approval, a plan and design based on Section 8, Environmental Considerations & Mitigation, of the Scoped Environmental Impact Study is to be provided to protect the Telfer Creek Tributary which is intended to receive the storm water runoff from this development be prepared by a professional engineer licensed in the Province of Ontario to the satisfaction of the City's Public Works & Engineering Department (Engineering Services Division) and the Grey Sauble Conservation Authority and that the plan be included in the Subdivision Agreement;
8. That the owner agrees in writing to satisfy all the requirements, financial and otherwise, of the City of Owen Sound concerning the cash contribution, provision of roads and service corridors, installation of services and drainage;
9. That prior to any development on Blocks 42, 44 and 45 or Lots 5, 6, 7, 37, 38 the Developer:
 - a) Obtain approval from Fisheries and Oceans Canada and any necessary permit from the Grey Sauble Conservation Authority, to the satisfaction of the Director of Public Works & Engineering for authorization to re-route the surface drainage channel across the above named lots and blocks, and;
 - b) Obtain approval from the Grey Sauble Conservation Authority, to the satisfaction of the Director of Community Services and the Director of Public Works & Engineering and provide geotechnical reports supporting

construction of dwellings or works on the lots and blocks.

10. That such easements as may be required for utilities, drainage or snow storage purposes shall be granted to the appropriate authority;
11. That prior to final approval of the Plan, the owner provide access to the development from 8th Street East to the satisfaction of the Director of Public Works & Engineering and the County of Grey;
12. That prior to construction of Phase 3 of the development, Redhawk Construction Co. Ltd. complete an updated TIS to the satisfaction of the City of Owen Sound and Grey County Transportation Services, with the possibility that the County may require reconfiguration of the private, west condominium entrance;
13. That prior to final approval of the Plan, the owner demonstrates to the satisfaction of the City that there is an adequate supply of potable water to service this development;
14. That prior to final approval of the Plan, the owner demonstrates to the satisfaction of the Ministry of the Environment, Conservation and Parks (MECP) that there is adequate wastewater and storm sewer capacity to service this development;
15. That the Subdivision Agreement between the owner and the City of Owen Sound contain the following provisions with wording acceptable to the Public Works & Engineering Department, wherein the owner agrees:
 - a) to have prepared a detailed report, drawings and site plans acceptable to the City of Owen Sound showing the location of all buildings and structures to be erected on the site, all final grades and vegetation, the means whereby storm drainage will be accommodated, and the means whereby erosion and silt transport will be contained and minimized, both during and after the construction period prior to commencing any grading or construction on any lot;
 - b) to provide for the construction of roads, services and common stormwater management facilities and, furthermore, shall provide for the City to assume ownership and operation of the roads, services and common stormwater management facilities;
 - d) to erect snow fencing or other suitable barriers prior to initiating any grading or construction on the site to prevent the unauthorized dumping of fill and to keep these barriers in place until all grading and construction on abutting lots and roadways has been completed to the satisfaction of the City of Owen Sound;
 - e) to develop a tree preservation plan in accordance with the City of Owen

Sound Residential Tree Preservation Policy;

- f) to provide demarcation of the common lot line and hazard line in a manner acceptable to the City and GSCA;
 - g) to provide demarcation of the common lot line between the subject lands and the abutting properties to the south and west, which may include a fence, in a manner acceptable to the City;
 - h) that the Subdivision Agreement between the owner and the City of Owen Sound be registered against the lands to which it applies once the plan of subdivision has been registered;
 - i) to develop a planting plan using native non-invasive species in accordance with the direction provided in the EIS and FSS for the SWM pond;
 - j) to develop a planting plan using native non-invasive species in accordance with the direction provided in the EIS and FSS for the realigned drainage channel;
 - k) that this subdivision shall not be developed except in accordance with the approved plan;
 - l) to provide for the installation of a water supply system subject to the approval of the City and, furthermore, shall provide for the City to assume ownership and operation of the system upon completion of the maintenance period;
 - m) to provide for the installation of a wastewater sewer subject to the approval of the City and the MECF, and furthermore, shall provide for the City to assume ownership and operation of the system upon completion of the maintenance period;
 - n) to provide for the construction of the common stormwater management facilities and the drainage channel realignment subject to the approval of the City and the GSCA, and furthermore, shall provide for the City to assume ownership and operation of the system upon completion of the maintenance period;
 - o) to include wording acceptable to the City of Owen Sound and the Grey Sauble Conservation Authority to implement the surface water management plan, the drainage channel realignment, tree preservation plan, and individual lot requirements;
16. That prior to final approval of the Plan, the City is to be advised in writing by the Grey Sauble Conservation Authority that conditions of approval have been satisfied;

17. That prior to final approval of the Plan, the City is to be advised in writing by the Developer's consulting engineer that the MECP has issued Environmental Certificates of Approval (ECA) for the wastewater and storm sewer systems.

BACKGROUND:

The City has received complete applications for an Official Plan Amendment (OPA 6), a Zoning By-law Amendment (ZBA 18) and a Draft Plan of Subdivision (42T-15501) from the Redhawk Construction Co. Ltd. to permit residential development on the south side of 8th Street East (generally south of the hospital), east of 16th Avenue East.

The proposal is to develop the 25.1 ha parcel of land to provide 367 new dwellings in a mix of housing forms.

ANALYSIS:

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

The proposed Zoning By-law and Official Plan Amendments for the proposed development would not adversely affect existing infrastructure in the area. Development of the proposed subdivision would be subject to Draft Plan Approval including appropriate environmental, servicing feasibility, traffic impact and stormwater management studies.

Section 8.3.3 of the Official Plan lists requirements for Draft Plan of Subdivision and Condominium Approval. The following comments respect those requirements.

This office has reviewed the proposed draft plan of subdivision with respect to the Subdivision Design Standards of the Public Works and Engineering Department with regard to site access and roadways, grading and drainage, stormwater management and servicing installation.

The full development of this subdivision consists of 367 units on a 25.1 ha property. It will have 26 lots fronting onto a proposed extension of 20th Avenue East (Street 'A') south of 8th Street East and the remaining 15 lots fronting onto an interior road (Street 'B') which is proposed to connect with 6th Street East as future development occurs. The balance of the units will consist of multiple residential and townhouse units.

The following comments reflect the results of this review:

DETAILED REVIEW:

Documents reviewed in conjunction with this application are:

- *City of Owen Sound Official Plan adopted by City Council 2006 March 20;*
- *City of Owen Sound Subdivision Design Standards, Rev. 2002-01-17;*

- *City of Owen Sound Residential Subdivision Policies, Rev. 1994-11-02;*
- *Stormwater Management Planning and Design Manual, March 2003;*
Province of Ontario Ministry of the Environment – published by: Queen’s
Printer for Ontario;
- *Land Use Planning and Justification Report prepared by Monteith Brown*
Planning Consultants, dated 2015-10, Rev. App.3, dated 2017-04-04;
- *Flight Path Study prepared by WSP Canada Inc., dated 2014-07;*
- *Functional Servicing & Stormwater Management Report prepared by Crozier*
& Associates, dated 2015-07, Rev. 2017-09;
- *Traffic Impact Study prepared by Crozier & Associates, dated 2015-06;*
- *TIS memo for Private Condo Road Access dated 2017-03-16;*
- *Scoped Environmental Impact Study prepared by Azimuth Environmental*
Consulting Inc., dated 2015-07;
- *Development Plan for 1905 8th Street East prepared by Azimuth*
Environmental Consulting, Inc. dated 2017 May 04;
- *Crozier & Associates Consulting Engineers, Project No. 534-3586, Fig. 2*
“Concept Plan”, dated 2014-01-16;
- *Crozier & Associates Consulting Engineers, Project No. 534-3586, Fig. 3*
“Draft Plan of Subdivision”, dated 2014-01-16

PHASING:

Phasing of this development is to proceed as follows:

PHASE 1: development of the 54 unit condominium townhouses (Block 42) with a stop controlled access from 8th Street East (west end of the property) through the private condominium road, services to the condominium block, the SWM pond (Block 43) and the realigned drainage channel (Blocks 44 & 45). There will be no public access to Street ‘A’;

PHASE 2: development of the two multi storey units located east of the condominium access (remainder of Block 41), services to be extended, construction of the north portion of Street ‘A’ (future 20th Avenue East extension) including stop controlled access at 8th Street East;

PHASE 3: Development of the multi storey unit west of the condominium access (Block 41), Lots 9-22, 39 & 40, extension of required services on Street ‘A’ and construction of the middle portion of Street ‘A’ (future 20th Avenue East) and construction of the intersection of 8th Street East and 20th Avenue East;

PHASE 4: Development of the remaining lots (1-8, 23-38), construction of Street 'B' (future 6th Street East extension) and completion of the south portion of Street 'A' to the south property boundary.

STORMWATER MANAGEMENT (SWM):

The submitted Stormwater Management Report demonstrates that the development conforms to the following parameters:

1. Water quality will be controlled to an “enhanced protection” level;
2. Water quantity will be controlled for all storm events up to and including the Timmins Regional storm to target limits based on the “Unit Flow Rate” approach as per the East Owen Sound Master Servicing Study (EOSMSS);
3. Extended detention, controlled release and velocity mitigation will be employed to provide erosion control;
4. Stormwater thermal equalization must be utilized to protect the cold water fishery.

Achievement of these goals using the following methods:

1. External drainage is routed around the subject property to an appropriate outlet as in the pre-development conditions. The existing west drain is to be moved approximately 50 metres south of the existing location crossing the future “Street A” via a culvert. External drainage from the west discharges through the site to the west tributary of Telfer Creek as in the existing condition. Additional external drainage, approaching the site as overland flow from the lands west and south of the development, will be intercepted by property line swales and conveyed to either the west drain or the Telfer Creek tributary via the on-site stormwater collection and management system;
2. Site drainage will incorporate a dual drainage strategy with a minor collection system consisting of storm sewers, catch basins, and lot drainage swales and a major system utilizing roadway and overland flow routes to direct surface water to a low point in the roadway providing a spill route to the stormwater management facility located in the northeast quadrant of the site;
3. The stormwater management facility has a 6,000 m³ storage pond designed to attenuate surface runoff from the site to equal or less than the flow rate targets established by the EOSMSS. Quality control to an enhanced level of protection is obtained by using a wet pond design with a 1,650 m³ permanent pool and a 440 m³ extended detention pool.

4. Stormwater thermal equalization is achieved by incorporating landscaped plantings to provide shading of the permanent pool, by the use of a deep outlet pipe with nominal slope to provide cooling of the discharged water and by utilizing a shaded, rock cooling trench at the outlet of the pipe before discharge to the West Telfer branch of Bothwell's Creek.

The future development of some lots at the south end of Street "A" will require the realignment of an existing surface drainage channel to Blocks 44 and 45. The realignment of the ditch and subsequent soils testing are required prior to the development of proposed Blocks 42, 44 and 45 or Lots 5, 6, 7, 37, 38. This can be addressed as a condition in the Subdivision Agreement.

GRADING & DRAINAGE:

The subdivision grading and drainage shall conform to Section 2.2.2 of the City's Property Standards By-law 1999-030 and the approved overall grading plan for the subdivision.

SITE SERVICING:

SERVICING FEASIBILITY STUDY (SFS): The submitted Servicing Feasibility Study in support of this development, referencing the EOSMSS, demonstrates that the proposed subdivision can be supported by existing service capacity if the water distribution and sanitary sewer trunks are extended to the subject lands.

WASTEWATER SEWER: This area of the City is largely undeveloped hazard and agricultural land. The trunk wastewater sewer intended to service this area has been extended south of 16th Street East into the Sydenham Heights Phase I planning area to 8th Street East and west along 8th Street East to the future 20th Avenue East.

Wastewater sewer oversizing required to service the adjoining lands to the south and west of the subject lands is to be paid by the Developer with the City using best efforts to recover these funds when the adjoining lands are developed.

The SFS submitted by Crozier & Associates concludes that the wastewater sewer system capacity is sufficient to support the additional load on this system imposed by adding this subdivision.

The City has extended the trunk wastewater sewer south to 8th Street East and west along 8th Street East to the future 20th Avenue East to allow the development of this property. The benefitting landowners through the approved Area Specific Development Charges will fund the cost of this extension for the Sydenham Heights Phase I Secondary Plan Area.

WATER SERVICE: The existing watermain, located on 8th Street East, is a component of the East Hill Pressure Zone. It has been extended east to the future 20th Avenue East to allow water service to the subject property.

The SFS submitted by Crozier & Associates concludes that the existing water supply will be adequate to service this subdivision. The Public Works & Engineering Department concurs with this conclusion.

The Official Plan indicates that the City will require a future water storage facility for development of the Sydenham Heights Phase II Planning Area. However, no portion of the subject lands is considered a location for this storage facility.

PARKING, SITE ACCESS & ROADWAYS:

TRAFFIC IMPACT STUDY (TIS): A traffic impact study submitted with the application references a scope of study provided by the City and Grey County.

Highlights of the TIS show:

1. The existing roadway system operates at acceptable levels of service under current conditions;
2. The traffic generated from the proposed development can be accommodated by the boundary road network with the existing intersection configurations, signal timing plans and the construction of the private condominium access road;
3. The future 20th Avenue East intersection with 8th Street East will be a required improvement for Phase 3 of this project to accommodate the total traffic volumes anticipated.

SITE ACCESS: The site access for the full build-out is provided by a full moves main entrance to the development from 8th Street East at Street 'A' (the future 20th Avenue East) and a full moves private condominium access, also from 8th Street East. The private condominium road allowance is 9.0 metres wide. The internal road network consists of a 25 metres wide road allowance designated as Street 'A' (future 20th Avenue East) being 500 metres long with a stub end. A cul-de-sac will be required at the westerly terminus of this street. The Street 'B' (future 6th Street East) portion will have a 25 metres wide road allowance, located approximately 470 metres from 8th Street East and being 120 metres long with a cul-de-sac at the end.

The south end of Street 'A' and the west end of Street 'B' will require cul-de-sacs to enable winter control operations until 20th Avenue East and 6th Street East are extended through the abutting properties.

A signalized intersection will be required at the intersection of Street 'A' and 8th Street East when Phase 3 is developed. As an alternative, a roundabout is being considered. The benefitting landowners will share the cost of this intersection with the details confirmed in the Subdivision Agreement.

Phased Access Plan:

PHASE 1: The Developer is proposing to develop the private condominium road leading to the condominium townhouses only. This road would have an entrance leg of 125 metres and access 54 units. The length of the entrance leg and the number of units are less than the maximum allowed for a single access point.

PHASE 2: This phase will comprise approximately 174 units in two multi storey buildings. The main access will be from the north section of Street 'A' (east access point) from 8th Street East. The secondary access will be from the private condominium road.

PHASE 3: The Developer will construct the middle portion of Street 'A' fronting Lots 9-22, 39 & 40, construct a temporary cul-de-sac at the south terminus of Street 'A', extend the private condominium road to intersect with Street 'A' between Lots 38 and 39 and construct the intersection improvements required for the Street 'A' – 8th Street East intersection. The portion of the private condominium road leading to the 54 unit complex will be restricted to an emergency access only with all traffic from the 54 unit condominium being directed to Street 'A'. The secondary access to Phase 3 will be via the restricted access condominium road.

PHASE 4: The final portion of Street 'A' with a cul-de-sac at the south terminus and all of Street 'B', including the cul-de-sac will be constructed. The secondary access to Phase 4 will be via the restricted access condominium road.

Engineering Services will require that the configuration of the access points from 8th Street East be acceptable to the City and the County as a condition of draft plan approval.

The phased access plan is acceptable to the Engineering Services Division.

TRANSIT ACCESS: The City's transit system is accessible on 8th Street East. There is no requirement to provide transit service routes through the proposed development. However, the proposed road allowance widths for Street 'A' and Street 'B' would allow for future transit stops.

TRANSPORTATION PLAN: A Transportation Plan is not required.

ROAD WIDENING: A road widening is not required on 8th Street East as it is a County Road (Grey Road 5) with a 30.5 metres wide road allowance. The proposed Streets 'A'

and 'B' are classified as future Collector roads in the Official Plan. As these roads will eventually link with 20th Avenue East, Superior Street and 6th Street East, a minimum 25 metres wide road allowance will be required. The proposed Draft Plan shows these roads as having a width of 25 metres. This is sufficient for future roadways located within residential developments.

The proposed sight triangle at 8th Street East / Street 'A' (20th Avenue East) shall be 22 metres by 22 metres on both sides of the road allowance.

ENVIRONMENTAL:

The submitted Scoped Environmental Impact Study (EIS) has concluded that the site contains Habitat for Endangered Species (Bobolink and Eastern Meadowlark), candidate Significant Wildlife Habitat and candidate Fish Habitat.

The EIS further states that this development can proceed as proposed provided that the development is in keeping with Section 23.6 of Ontario regulation 242/08 as it pertains to Bobolink and Eastern Meadowlark habitat.

Development is permitted within Significant Wildlife Habitat provided it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions. The EIS has outlined mitigation measures which will preserve the wildlife habitat.

A Development Plan for preservation of the Bobolink and Eastern Meadowlark habitat has been submitted for review.

No development is occurring within the regional storm event floodplain of the west tributary of Telfer Creek and stormwater management controls will be implemented to mitigate indirect impact to the Telfer Creek fish habitat.

A Phase One Environmental Site Assessment (ESA) was completed by Peto MacCallum Limited which identified three areas of potentially contaminating activities on the site. The potential environment concerns were identified as heavy metals and inorganics (M&I), petroleum hydrocarbons (PHC), volatile organic compounds (VOC) and OC pesticides; all of which have the potential to impact soil and ground water at the site.

The Phase Two ESA involved excavating five test pits, soil and groundwater sampling and chemical analysis.

The analysis revealed that the soil conditions met O.Reg. 153/04, as amended, Table 9 Full Depth Generic Site Condition Standards in a non-potable groundwater condition for residential/parkland/institutional/industrial/commercial/community land use with the exception of two locations where the boreholes revealed elevated sodium absorption



**MINUTES
OWEN SOUND CITY COUNCIL
PUBLIC MEETING
OFFICIAL PLAN AMENDMENT (OPA 6),
ZONING BY-LAW AMENDMENT (ZBA 18) AND
DRAFT PLAN OF SUBDIVISION 42T-15501
REDHAWK CONSTRUCTION CO. LTD.
CITY HALL COUNCIL CHAMBERS
FEBRUARY 8, 2016**

MEMBERS PRESENT: Mayor Ian Boddy
Councillor Travis Dodd
Councillor Scott Greig
Councillor Marion Koepke
Councillor Peter Lemon
Councillor Jim McManaman
Councillor Brian O'Leary
Councillor Richard Thomas

MEMBERS

ABSENT/REGRETS: Deputy Mayor Arlene Wright

STAFF PRESENT:

Wayne Ritchie, City Manager
Pam Coulter, Director of Community Services
Ken Becking, Director of Operations
Kate Allan, Director of Corporate Services
Peter Aylan-Parker, Communications Advisor
Margaret Potter, Community Planner
Carolyn Stobo, Deputy Clerk
Jeff Smith, By-law Coordinator

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The Community Planner provided a PowerPoint presentation highlighting:

- description of lands - site location, roads configuration
- referred to technical report at January 25, 2016 Council meeting
- surrounding land uses;
- process to date;
- purpose of the applications;
- supporting documentation and studies;
- proposed Official Plan amendment required for only densities (net and form);
- proposed Zoning By-law amendment required from rural/hazard to multi-residential, medium density residential (R4) including lot coverage and low density residential for single detached homes and for relocation of drainage channel and for the storm water management pond;
- proposed Draft Plan of Subdivision – prior to final approval it will have to conform with final ZBL;
- policy framework, including Provincial Policy Statements
- next steps – review all comments, studies, etc. before bringing back a report with recommendations.

Mayor Boddy asked if there were any Members of the Public who wish to come forward to speak.

Roderick Rice, President, Redhawk Construction Co. Ltd., 17 Dean St., Brampton, ON. He described his company's and parent company Rice Development Corporation's business, referencing other similar or recent adult lifestyle developments; the reasons for selecting the site in Owen Sound; and the target demographic for parts of this development.

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Raymond Botton, 748 2nd Ave East Owen Sound ON.

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Mary Francis Majury, RR 6, Stn. Main, Owen Sound ON.

She advised the lands back on her property. She asked whether the fence row will be taken down and whether storm water will back up on her property. She also inquired whether the 6th St. road allowance was on the other side of the fence or her property.

There being no further speakers, Mayor Boddy declared the public meeting closed at 7:40 p.m.

Mayor Ian C. Boddy

Carolyn Stobo, Deputy Clerk

SCHEDULE 'J'

Public Comments

Written Comments re Field Drainage Location

Grey Bruce Health Services – December 14, 2015

Minutes of Public Meeting – February 8, 2016

From: [REDACTED]
Sent: February-09-16 9:17 AM
To: Stobo, Carolyn
Cc: Coulter, Pam; [REDACTED]
Subject: Re: Red Hawk Development re: Field Drainage Relocation

Thanks Carol, Our family have owned the property west of the Red Hawke Development Property since 1938. We would like some kind of letter from Red Hawke stating that we have no liability on the drainage in those backyards if the re-routing isn't successful. We will be asking for a copy of the drainage report so we will know where all the run off water from the proposed apartments is being diverted as well.

Sincerely,
[REDACTED]

Sent from my iPad

On 2016-02-09, at 9:04 AM, "Stobo, Carolyn" <cstobo@owensound.ca> wrote:

Good Morning [REDACTED],

Thank you for your comment on the above-noted planning applications. It will be added to the written public comments when the Agenda is republished.

Regards,

Carolyn Stobo, B.A. (Hons.), LL.B.

Deputy Clerk

City of Owen Sound

808 2nd Avenue East

OWEN SOUND ON N4K 2H4

519-376-4440 ext. 1244

cstobo@owensound.ca

From: Coulter, Pam
Sent: February-08-16 8:09 PM
To: [REDACTED]; Potter, Margaret
Cc: Potter, Margaret; Stobo, Carolyn
Subject: RE: Red Hawk Development re: Field Drainage Relocation

Thank you [REDACTED]

I have copied the deputy clerk and the Community Planner.

We will address the comment.

Thanks for coming tonight.

p

Pamela Coulter, BA, MCIP RPP
Director of Community Services
519 376 4440 x 1252

From: [REDACTED]

Sent: February-08-16 8:06 PM

To: Potter, Margaret <mpotter@owensound.ca>; Coulter, Pam <pcoulter@owensound.ca>

Subject: Red Hawk Development re: Field Drainage Relocation

Hello Folks, Something occurred to me on my way home after the public meeting that I want to comment on regarding the field drainage relocation on the west side of the development.

That the drainage channel be designed so that there is no way the water will flow to the west especially during the spring run-off.

Regards,

[REDACTED]

RECEIVED
AUG 16 2016

JULY 13, 2016

PROJECT NO. 534-3586

SENT VIA: DELIVERED

Grey Sauble Conversation Authority
237897 Inglis Falls Road, R.R. #4
Owen Sound, ON N4K 5N6

Attention: Tim Lanthier, Watershed Planner

**RE: 8TH STREET EAST RESIDENTIAL DEVELOPMENT
DRAINAGE CHANNEL REALIGNMENT
CITY OF OWEN SOUND**

Dear Mr. Lanthier,

I am the landowner for [REDACTED] Owen Sound, which are the lands immediately to the west of the proposed development at 1905 8th Street. I met with Roger Howard of Redhawk Construction Ltd. (Developer) and Jonathan Proctor of C.F. Crozier & Associates (Crozier) on May 10, 2016 to discuss the proposed development. As part of the development, it is proposed to realign the drainage channel that accepts drainage from my property. While it is my understanding that all proposed hazards and future flows will remain on Redhawk lands, realignment of the channel will increase the amount of my property that is subject to Grey Sauble Conservation Authority (GSCA) regulation.

With this letter, I acknowledge the following items:

1. I have reviewed the Functional Servicing & Stormwater Management Report and associated design drawings prepared by Crozier and dated July 2015.
2. Upon development, the developer and their consultants are proposing to maintain existing site drainage patterns. This includes no increase in runoff onto my property and acceptance and conveyance of drainage from my lands through the realigned channel.
3. I understand the implications of the increased area of lands regulated by the GSCA on my property.

Based on the above acknowledgements, I have no objection to the proposed realignment of the drainage channel or proposed stormwater management system at this time.

Yours truly,

[REDACTED]

[REDACTED]

Landowner, [REDACTED]



December 14, 2015

Ms. Carolyn Stobo, Deputy Clerk
The Corporation of the City of Owen Sound
808 2nd Avenue East
Owen Sound, ON N4K 2H4

**Re: Proposed Official Plan Amendment, Zoning By-law
Amendment of Draft Plan of Subdivision
(1905-2251 8th Street East Development)
Redhawk Construction Co. Ltd.
Files: OPA 6, ZBLA 18, 42T-15501**

Dear Ms. Stobo,

This letter is in reply to the Notice of Complete Application and Notice of Public Meeting regarding the above referenced planning applications within the Sydenham Heights Phase I Planning Area. Please be advised that Grey Bruce Health Services (GBHS) is the owner and operator of the Owen Sound Regional Hospital, a community hospital, located at 1800 8th Street East.

The Owen Sound Regional Hospital is a 200 bed secondary care referral centre for hospitals within Grey and Bruce counties, serving the 165,000 residents of the two counties and our many thousands of annual visitors. The regional hospital offers a full range of acute care and rehabilitation inpatient services, such as 24/7 emergency department, complex surgeries, and diagnostic testing such as x-ray, interventional radiology, nuclear medicine, MRI and CT scanning.

The hospital also offers extensive ambulatory care clinics and outpatient services including oncology and day surgery services. The Owen Sound hospital is also the Schedule 1 mental health facility serving Grey and Bruce counties and points beyond, offering an extensive inpatient and community-based outpatient mental health services. The site also houses a regional electronic information management system serving hospitals in Grey, Bruce and Simcoe Counties and the Region of Muskoka.

The Owen Sound Regional Hospital site is extensive, with 58.69 acres of land for current and future hospital development and redevelopment purposes. Located on this site along with the main hospital building are other facilities, notably: an air ambulance heliport serving the 24/7 emergency department; hospital laundry plant; warehousing and material handling facilities; emergency generators; physical power plant; and maintenance workshops.

Grey Bruce
Health Services
551 Box 1100E
1800 8th Street East
Owen Sound, ON
N4K 6M9
☎ 519 376 2121
www.gbhs.on.ca

GBHS Lion's Head Hospital
22 Moore Street
Lion's Head, ON
N0H 1W0
☎ 519 793 3424

GBHS Markdale Hospital
P.O. Box 406
55 Isla Street
Markdale, ON
N0C 1H0
☎ 519 986 3040

GBHS Meaford Hospital
229 Nelson Street West
Meaford, ON
N4L 1A3
☎ 519 538 1311

GBHS Owen Sound Hospital
P.O. Box 1800
1800 8th Street East
Owen Sound, ON
N4K 6M9
☎ 519 376 2121

GBHS Southampton Hospital
340 High Street
Southampton, ON
N0H 2L0
☎ 519 797 3230

GBHS Warton Hospital
369 Mary Street
Warton, ON
N0H 2T0
☎ 519 534 1260

About 1200 people are employed at this site on a variety of work shift rotations. The regional hospital is a major generator of vehicular and pedestrian traffic to/from and through the site at all hours of the day and related noise. The hospital also maintains a number of large institutional sized air exchange and HVAC units in its building in accordance with environmental regulations. A more complete description of services offered is available on our website, www.gbhs.on.ca.

This is also to advise that a Flight Plan Study was completed in July 2014 by WSP Canada Inc. related to the heliport facilities operated from the hospital site. The report specifies the maximum elevations allowed in the development of adjoining lands, including the subject lands, as well as navigation light requirements. I believe the City Planning Department has the full report on file. If not, we would be pleased to provide a copy.

GBHS supports the development of the Sydenham Heights Neighbourhood Planning Area, and looks forward to being part of the community planning approvals process to ensure the interests of the hospital are taken into account as decisions are made. GBHS wishes to receive any and all notices with respect to planning and development applications related to the subject lands.

Please do not hesitate to contact me directly at lthurston@gbhs.on.ca or 519.376.2121 ext. 2801.

Yours truly,



Lance Thurston
President and CEO
Grey Bruce Health Services

cc: Martin Mazza, VP Corporate and Diagnostic Services
Gary Seibel, Director of Engineering

RECEIVED
DEC 22 2015



**MINUTES
OWEN SOUND CITY COUNCIL
PUBLIC MEETING
OFFICIAL PLAN AMENDMENT (OPA 6),
ZONING BY-LAW AMENDMENT (ZBA 18) AND
DRAFT PLAN OF SUBDIVISION 42T-15501
REDHAWK CONSTRUCTION CO. LTD.
CITY HALL COUNCIL CHAMBERS
FEBRUARY 8, 2016**

MEMBERS PRESENT: Mayor Ian Boddy
Councillor Travis Dodd
Councillor Scott Greig
Councillor Marion Koepke
Councillor Peter Lemon
Councillor Jim McManaman
Councillor Brian O'Leary
Councillor Richard Thomas

MEMBERS

ABSENT/REGRETS: Deputy Mayor Arlene Wright

STAFF PRESENT:

Wayne Ritchie, City Manager
Pam Coulter, Director of Community Services
Ken Becking, Director of Operations
Kate Allan, Director of Corporate Services
Peter Aylan-Parker, Communications Advisor
Margaret Potter, Community Planner
Carolyn Stobo, Deputy Clerk
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Mayor Ian C. Boddy

Carolyn Stobo, Deputy Clerk

SCHEDULE `K`

Draft Plan of Subdivision 41T-15501 Conditions – June 24, 2019

Draft Plan of Subdivision 41T-15501 Conditions – June 24, 2019	
A.	STANDARD CONDITIONS
1.	That the Owner shall enter into a Subdivision Agreement with the City of Owen Sound pursuant to Section 51 of the Planning Act to be registered on title of the lands to which it applies.
2.	That this approval applies to the draft plan drawing number 534-3586-FIG. 3, prepared by Crozier & Associates Consulting Engineers dated 07 March 2017, which shows a total of forty-two (42) residential lots, thirteen (13) blocks and public highway dedication
3.	That the road allowances (Street 'A' and 'B') included in this Draft Plan be shown and dedicated as public highways.
4.	That the street(s) included in the draft plan shall be named to the satisfaction of the City of Owen Sound.
5.	That the owner convey 5 percent of the land included in the draft plan to the City of Owen Sound for park or other recreational purpose in accordance with Sec. 51.1 of the Planning Act. Alternatively, the City may require cash-in-lieu of all or a portion of the conveyance.
6.	That prior to final approval, the applicant provide plans showing appropriate building envelopes, confirming that the lots/blocks conform to zoning requirements in accordance with the Zoning By-law 2010-078, as amended.
7.	That prior to final approval, the applicant provide a tax certificate prepared by the City's Financial Services Department (Tax Division) indicating that property (and business) tax installments levied and due on the subject lands are paid in full.
B.	DRAINAGE CHANNEL REALIGNMENT
1.	That prior to any development on Blocks 42, 44 and 45 or Lots 5,6,7,37, 38 the Developer: <ol style="list-style-type: none"> a) Obtain approval from Fisheries and Oceans Canada and any necessary permit from the Grey Sauble Conservation Authority, to the satisfaction of the Director of Public Works & Engineering for authorization to re-route the surface drainage channel across the above named lots and blocks, and; b) Obtain approval from the Grey Sauble Conservation Authority, to the satisfaction of the Director of Community Services and the Director of Public Works & Engineering and provide geotechnical reports supporting construction of dwellings or works on the lots and blocks.

2.	<p>That prior to final approval, a detailed restoration and landscape plan be prepared for the relocated drainage channel to the satisfaction of the Grey Sauble Conservation Authority and the City's Community Services Department (Planning & Heritage Division).</p> <p>The restoration and landscape plan are to be included in the Subdivision Agreement.</p>
3.	<p>That prior to the City assuming the Drainage Channel (Blocks 44 & 45) the developer shall demonstrate to the satisfaction of the City's Operations Department (Engineering Services Division) and the Grey Sauble Conservation Authority that the Drainage Channel in Block 44 and 45 together with the required culvert beneath Street A have been constructed in accordance with the approved plans and have been inspected and deemed to be operating satisfactorily by the design engineer and are past the required maintenance period.</p>
4.	<p>That prior to final approval, the applicant shall demonstrate to the satisfaction of the City's Operations Department (Engineering Services) and the Grey Sauble Conservation Authority that the former drainage channel has been remediated to ensure the location no longer exhibits natural hazard characteristics and has been deemed suitable for construction of dwellings and works on the lots/blocks by an engineer qualified in geotechnical investigation.</p>
5.	<p>That the subdivision agreement contains wording acceptable to the Grey Sauble Conservation Authority, wherein the owner agrees to provide permanent delineation for the lots abutting Blocks 44 and 45 in a manner acceptable to the City of Owen Sound and Grey Sauble Conservation Authority for any rear lot line and/or side yard.</p> <p>That the subdivision agreement contains wording acceptable to the Grey Sauble Conservation Authority, wherein the owner agrees to provide permanent delineation using bollards or other appropriate measures in a manner acceptable to the City of Owen Sound and Grey Sauble Conservation Authority for any rear lot line and/or side yard for all Lots and Blocks abutting Block 48.</p>
<p>C. REGULATED AREA & STORMWATER MANAGEMENT AREA</p>	
1.	<p>That the subdivision agreement contains wording, to the satisfaction of the Grey Sauble Conservation Authority, that any and all development and site alterations on lands within the regulated area will require the acquisition of permits from the Grey Sauble Conservation Authority.</p> <p>The following components of the proposal require a permit from the Grey Sauble Conservation Authority:</p> <ul style="list-style-type: none"> • The relocation and restoration of the western tributary channel (Blocks 44 and 45) and the related culvert installation. • The cut and fill of the floodplain related to the construction of 'Street A'. • The construction of the stormwater outlet.

	<ul style="list-style-type: none"> The construction of any dwellings, structures and related site alteration of specific lots that fall within the Ontario 151/06 regulated area.
2.	That the Owner convey Blocks 43-48 and 51-52 to the City of Owen Sound (subject to any maintenance period).
3.	<p>That prior to final approval, the applicant provide a lot grading, drainage and detailed storm water management report and plan, and a detailed sediment and erosion control plan, prepared by a professional engineer licensed in the Province of Ontario, in accordance with applicable City By-laws, to the satisfaction of the City's Operations Department (Engineering Services) and the Grey Sauble Conservation Authority and that the plans are to be included in the Subdivision Agreement.</p> <p>That the plans shall include detailed design provisions respecting thermal mitigation measures and address Section 8.0: Environmental Consideration and Mitigation of the Scoped Environmental Impact Study dated July 2015 prepared by Azimuth Environmental Consulting Inc.</p>
D.	BLOCK 48 - FLOODPLAIN & ESA DEVELOPMENT PLAN
1.	<p>That the Owner include in all offers of purchase and sale for Block 53 the following: That Purchasers are advised that for Block 53 of M-Plan #___ no buildings or structures shall be constructed or any new use established until such time as the Holding Provision is removed in accordance with Zoning By-law 2010-078, as amended.</p>
2.	<p>That prior to final approval and the City assuming Block 48, the Developer shall implement the Development Plan to the satisfaction of the Community Services Department (Planning & Heritage Division) and the Grey Sauble Conservation Authority by undertaking the following:</p> <ul style="list-style-type: none"> That the Development Plan has been completed and the five-year maintenance period is complete and no further maintenance within Block 48 is required. <p>OR</p> <ul style="list-style-type: none"> That the Development Plan has not been completed and the Developer shall enter into a maintenance agreement with the City to complete ongoing maintenance of the compensation area until such time as it has been confirmed that no further work is required; and, That Developer will be required to provide appropriate securities to the City to ensure the completion of the Development Plan.
3.	<p>That the following provisions from Section 8.2: Environmental Consideration and Mitigation of the Scoped Environmental Impact Study dated July 2015 prepared by Azimuth Environmental Consulting Inc. be included in the Subdivision Agreement:</p> <ul style="list-style-type: none"> Removal of vegetation shall generally be restricted from occurring between May 1 and July 31. If vegetation removal is requested within this timeframe, the Developer is responsible to obtain the services of a qualified

	<p>environmental consultant to assess the site immediately prior to the site alteration to ensure that the activities are not in contravention of the Migratory Birds Convention Act, 1992 or Endangered Species Act (per section 8 of Environmental Impact Study).</p> <ul style="list-style-type: none"> • The Developer is responsible for any and all compliance with the Endangered Species Act. • Site lighting shall be dark sky compliant to reduce light pollution. Lighting shall be directed away from the tributary to Bothwell's Creek to the extent possible. Developer to provide photometric plan prior to final approval (for street lights). • Native, non-invasive species shall be utilized in all landscaped areas to the satisfaction of the City's Community Services Department. 	
4.	<p>That prior to final approval, access to Block 53 is to be established via means to the satisfaction of the City in order to provide a legal means of permanent access for the owner of Block 53 for maintenance, non-livestock farming, and in case of emergency.</p> <p>Access to Block 53 is preferred to be established over lands to the east (2251 8th St. E.; 425904007512000) if possible, as opposed to through Block 48 given the inherent troubles with encroachment into the natural hazard feature.</p> <p>The easement agreement shall identify that non-emergency access shall be carried out at times of low flow/dry conditions and that any alterations to the floodplain require permit from GSCA.</p>	
E.	PHASING	
1.	<p>The subdivision agreement shall include the requirement for:</p> <ol style="list-style-type: none"> a) A Phasing Plan shall outline each stage of development, the timing of required studies, and the design and timing of construction of all amenities and services (road construction, services, etc). b) That the Owner agrees to phase any development of the Plan in a manner satisfactory to the City of Owen Sound and the County of Grey, and in accordance with the Phasing Plan identified in Condition (E (1) a). The Registration of the Plan of Subdivision may proceed in phases and in accordance with the Phasing Plan. c) That Draft Approval for Plan of Subdivision 42T-15501 for Redhawk Construction Co. Ltd in the City of Owen Sound shall lapse as follows: <ol style="list-style-type: none"> i. For the first phase, three (3) years after the date of Draft Approval (that being day/month/year) unless it has been extended by the City of Owen Sound; and, ii. For any subsequent phases, five (5) years after the date of final approval of the preceding phase. 	
2.	<p>That the subdivision agreement contains staging arrangements to provide for implementation of:</p> <ol style="list-style-type: none"> 1. Necessary traffic controls, easements or other tools to the satisfaction of the City of Owen Sound and the County of Grey for vehicular and non- 	

	vehicular access over Block 41 in favor of Block 42 prior to Street 'A' being open and assumed.
3.	That prior to construction of Phase 3 of the development, Redhawk Construction Co. Ltd. complete an updated Traffic Impact Study to the satisfaction of Grey County Transportation Services and the City of Owen Sound, with the possibility that the County may require reconfiguration of the west condominium entrance.
F.	SITE PLAN APPROVAL
1.	That Site Plan Approval is required in accordance with the City's Site Plan Control By-law 2011-034, or its successor, for all row and multi-unit residential dwellings and institutional uses on site prior to development of the lands.
2.	That the Subdivision Agreement include a clause that site plan approval is required under By-law 2011-034 for the apartment buildings on Block 41. Specifically, site plan approval for Block 41 shall demonstrate compliance with the recommendations found in WSP Flight Path Study dated March 2016 including, but not limited to, maximum building height and red steady burning obstruction lights to be installed. An update to the WSP study may be required to reflect final site plan.
G.	LANDSCAPING
1.	Prior to final approval, a Tree Preservation and Planting Plan be provided to the satisfaction of the Community Services Department for those blocks containing single detached dwellings. Restrictive covenant or other means may be required to prevent removal of the hedgerow at the south lot line or to require construction and ongoing maintenance of fencing /bollards.
H.	GEOTECHNICAL
1.	That prior to final approval, the developer acknowledges and agrees to submit the project design drawings to a qualified geotechnical engineer for geotechnical review for compatibility with site subsurface conditions.
2.	That the Subdivision Agreement contain a clause that requires any recommendations contained in their November 9, 2017 geotechnical investigation report by PML be incorporated in building plans and construction notes.
3.	That the Subdivision Agreement contain a clause that the developer acknowledges and agrees that any dewatering during construction shall be directed overland and not conducted directly to any watercourse.
I.	SERVICING
1.	That prior to final approval, the Developer demonstrate that the extension of domestic water and sanitary sewer trunk services to the subject lands has

	been provided.	
2.	That prior to final approval of the Plan, the owner demonstrates to the satisfaction of the City that there is an adequate supply of potable water to service this development.	
3.	That prior to final approval of the Plan, the owner demonstrates to the satisfaction of the Ministry of the Environment, Conservation and Parks that there is adequate sanitary and storm sewer capacity to service this development.	
4.	That prior to final approval of the Plan, the City is to be advised in writing by the Developer's consulting engineer that the Ministry of Environment, Conservation and Parks has issued Environmental Certificates of Approval (ECA) for the wastewater and storm sewer systems.	
J.	ACCESS & ROADS	
1.	That prior to final approval of the Plan, the owner provide access to the development from 8 th Street East to the satisfaction of the Director of Public Works & Engineering and the County of Grey.	
2.	That prior to final approval, the Developer provides for a cul-de-sac at the southern terminus of Street 'A' to the satisfaction of the City's Operations Department (Engineering Services).	
3.	The Owner shall convey Blocks 49 & 50 to the County of Grey and /or the City of Owen Sound as applicable (subject to any maintenance period).	
4.	That before any blocks, roads, walkways, trails, service corridors, sight triangles, and 0.3 meter reserves identified on the Plan are conveyed to the City of Owen Sound and/or County of Grey as applicable, they shall be free and clear of encumbrances.	
5.	That pedestrian and maintenance access links, cul-de-sacs and sidewalks be provided to the satisfaction of the Community Services Department (Planning Division & Heritage Division) and the Public Works & Engineering Department (Engineering Services Division) in accordance with best County/City design standards.	
6.	That the owner agrees in writing to satisfy all the requirements, financial and otherwise, of the City of Owen Sound and/or County of Grey concerning the cash contribution, provision of roads and service corridors, installation of services and drainage; including capital contributions to the intersection improvements at 8 th Street East & Street 'A' (extension of 20 th Avenue East). Clauses shall be added to the Subdivision Agreement to facilitate each of these items, as appropriate.	
7.	That such easements as may be required for utilities, drainage or snow storage purposes shall be granted to the appropriate authority.	
8.	That the Subdivision Agreement between the owner and the City of Owen	

Sound contain the following provisions with wording acceptable to the Public Works & Engineering Department, wherein the owner agrees:

- (a) before commencing any grading or construction on any lot, to have prepared a detailed report, drawings and site plans acceptable to the City of Owen Sound showing the location of all buildings and structures to be erected on the site, all final grades and vegetation, the means whereby storm drainage will be accommodated, and the means whereby erosion and silt transport will be contained and minimized, both during and after the construction period.
- (b) to provide for the construction of roads, services and common stormwater management facilities and, furthermore, shall provide for the City to assume ownership and operation of the roads, services and common stormwater management facilities.
- (c) to erect snow fencing or other suitable barriers prior to initiating any grading or construction on the site to prevent the unauthorized dumping of fill and to keep these barriers in place until all grading and construction on abutting lots and roadways has been completed to the satisfaction of the City of Owen Sound.
- (d) to develop a tree preservation plan in accordance with the City of Owen Sound Residential Tree Preservation Policy.
- (e) to provide demarcation of the common lot line and hazard line in a manner acceptable to the City and Grey Sauble Conservation Authority.
- (f) to provide demarcation of the common lot line between the subject lands and the abutting properties to the south and west, which may include a fence, in a manner acceptable to the City.
- (g) that the Subdivision Agreement between the owner and the City of Owen Sound be registered against the lands to which it applies once the plan of subdivision has been registered.
- (h) to develop a planting plan using native non-invasive species in accordance with the direction provided in the Environmental Impact Study and Functional Servicing Study for the Stormwater Management pond.
- (i) to develop a planting plan using native non-invasive species in accordance with the direction provided in the Environmental Impact Study and Functional Servicing Study for the realigned drainage channel.
- (j) that this subdivision shall not be developed except in accordance with the approved plan.
- (k) To provide for the installation of a water supply system subject to the approval of the City, and furthermore shall provide for the City to assume ownership and operation of the system upon completion of the maintenance period, at the expense of the Developer.

	<p>(l) To provide for the installation of a wastewater sewer subject to the approval of the City and the Ministry of Environment, Conservation and Parks, and furthermore, shall provide for the City to assume ownership and operation of the system upon completion of the maintenance period, at the expense of the Developer.</p> <p>(m) To provide for the construction of the common stormwater management facilities and the drainage channel realignment subject to the approval of the City of Owen Sound and the Grey Sauble Conservation Authority and, furthermore, shall provide for the City to assume ownership and operation of the system upon completion of the maintenance period, at the expense of the Developer.</p> <p>(n) to include wording acceptable to the City of Owen Sound and the Grey Sauble Conservation Authority to implement the surface water management plan, the drainage channel realignment, tree preservation plan, and individual lot requirements.</p>	
K.	ADDITIONAL CONDITIONS	
1.	<p>That the Subdivision Agreement include the following conditions related to archaeological resources:</p> <ul style="list-style-type: none"> • Should previously undocumented archaeological resources be discovered, they may be a new archaeological site and therefore subject to Section 48 (1) of the Ontario Heritage Act. The proponent or person discovering the archaeological resources must cease alteration of the site immediately and engage a licensed archaeologist to carry out archaeological fieldwork, in compliance with sec. 48 (1) of the Ontario Heritage Act. • The Cemeteries Act, R.S.O. 1990, c. C.4 and the Funeral, Burial and Cremation Services Act, 2002, S.O. 2002, c.33 (when proclaimed in force) require that any person discovering human remains must notify the police or coroner and the Registrar of Cemeteries at the Ministry of Consumer Services. 	
2.	<p>The [Developer] covenants and agrees to provide [the Municipality] with evidence that satisfactory arrangements, financial and otherwise, have been made with Canada Post Corporation for the installation of Community Mail Boxes (CMB) as required by Canada Post Corporation and as shown on the approved [engineering design drawings/Draft Plan], at the time of sidewalk and/or curb installation. The [Developer] further covenants and agrees to provide notice to prospective purchasers of the locations of CMBs and that home/business mail delivery will be provided via CMB.</p>	
3.	<p>That prior to final approval the detailed design be presented to the Accessibility Advisory Committee and any recommendations be incorporated as conditions to the satisfaction of the Director of Community Services</p>	
4.	<p>That prior to final approval of the Plan, the City is to be advised in writing by the County of Grey that conditions of approval have been satisfied.</p>	

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| 5. | That prior to final approval of the Plan, the City is to be advised in writing by Grey Sauble Conservation Authority that conditions outlined that conditions of approval have been satisfied. |
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