



**AGENDA
COMMUNITY PLANNING AND HERITAGE ADVISORY COMMITTEE
MONDAY APRIL 12, 2010 – 4:00 PM
COUNCIL CHAMBERS, CITY HALL**

1. **CALL TO ORDER**
2. **ADDITIONAL ITEMS**
3. **DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF FOR MATTERS ARISING OUT OF MINUTES OR LISTED ON THE AGENDA**
4. **CONFIRMATION OF MINUTES** - March 24, 2010 *pg.3*
5. **DEPUTATIONS**
 - a) Report and presentation from Dave Aston, MHBC regarding the draft Community Improvement Plan
6. **CORRESPONDENCE RECEIVED FOR WHICH DIRECTION OF COMMITTEE IS REQUIRED**
7. **REPORTS AND MATTERS TABLED**
 - I)** HERITAGE - None
 - II)** GENERAL PLANNING - None
8. **CORRESPONDENCE RECEIVED FOR INFORMATION ONLY**

None
9. **OTHER BUSINESS**
10. **ADJOURNMENT**

Committee Mandate:

Community Planning and Heritage Advisory Committee will:

- *Advise Council on matters relating to built heritage resources and significant cultural heritage landscapes*
- *Provide recommendations to Council regarding the designation of properties under the Ontario Heritage Act and regarding proposed alterations to designated buildings*
- *Provide recommendations regarding the Façade and Structural Improvement Program*
- *Provide recommendations regarding descriptive guides, interpretive signage, exhibits and other education material about notable buildings, streets and districts promoting education regarding heritage*
- *Where requested by Council, assess the suitability of development projects proposed for the City.*
- *Where requested by Council, assess the merits of official plan and zoning bylaw amendment applications*
- *Monitor the City's policies relating to land use planning, building, bylaw and parking and heritage planning and make recommendations to Council on improvements thereto*
- *Monitor and evaluate the implementation of the City of Owen Sound Official Plan*



Owen Sound

Minutes of a Meeting of the **COMMUNITY PLANNING AND HERITAGE ADVISORY COMMITTEE**

Wednesday March 24, 2010

At 6:15 PM in Council Chambers, City Hall

PRESENT: Councillor Deborah Haswell
Councillor Jim McManaman
Ruthann Carson
Derek Hewitt
Aly Boltman
Mike Moore
Richard MacDonald
Jim Wainwright

**REGRETS/
ABSENT:** Councillor Bill Twaddle

STAFF: Pam Coulter, Director of Community Services
Margaret Potter, Community Planner
Amy Cann, Planning Assistant

1. **CALL TO ORDER** – 6:20 PM
2. **ADDITIONAL ITEMS**
None declared.
3. **DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF FOR MATTERS ARISING OUT OF MINUTES OR LISTED ON THE AGENDA**
None declared.
4. **CONFIRMATION OF MINUTES**
Moved by Councillor Jim McManaman;
“THAT the minutes of the Community Planning and Heritage Advisory Committee meeting held on Thursday March 4, 2010 be approved.”
Carried Unanimously
5. **DEPUTATIONS**
 - a) Report and Presentation from Dave Aston, MHBC regarding the Final Draft of the New Zoning By-law

The Committee Chair introduced Mr. Aston to the Committee and the attending public, after which she requested that the Director of Community Services elaborate on this introduction.

The Director commented that staff has received a lot of public input on the development of the By-law and advised that staff are prepared to continue to work with anyone having questions. She thanked Tim Lanthier of the Grey Sauble Conservation Authority for the work on the Hazard Mapping and matters associated therewith. The Director welcomed Mr. Aston and invited him to begin his presentation.

Mr. Aston thanked City staff and the Conservation Authority for their work towards the final draft. Mr. Aston commenced his PowerPoint presentation to Committee, indicating that the document is in the final stages of the process. The consultant reviewed several matters on the final draft of the By-law, including:

- The objective that the By-law be readable, easy to use, and have clear mapping;
- The process to date and the methods of public engagement used throughout the process, including through formal notices and different media;
- That the report provided includes a response to comments from the public meeting to date;
- Notable revisions made to the final draft, including:
 - The addition of accessory apartments, subject to certain provisions;
 - reducing parking requirements for apartments and cluster town homes;
 - increasing density through use of FSI;
 - drive-thrus not being permitted within the Downtown;
 - and the inclusion of diagrams for interpretation assistance.
- Next steps anticipating the By-law will be presented to Council for approval on April 12th.

Upon Mr. Aston's conclusion, the Committee took the floor to ask questions of the Consultant, Tim Lanthier (GSCA), and staff. These individuals clarified several matters for Committee, including:

- The Special Provision added to permit the single existing drive-thru in the Downtown, and how this differs from considering the drive-thru 'legal non-conforming';
- What "legal non-conforming" means
- How the By-law has proceeded through the public process, which included significantly more public consultation (notice and engagement) than is required by the Planning Act;
- The policy and technical basis for how the Hazard mapping and the single Hazard Zone was developed, proposed Schedule 'B' to the By-law, and how it will be handled in implementation. Discussed process for site specific review through minor variance or rezoning;
- Identified that any issues that arise at this meeting will be considered in the final report to Council and appropriate modifications to the final draft by-law would be made as well; and
- Discussed converted dwellings and accessory apartments and where they are proposed to be permitted.

Committee discussed about whether it would open the floor to the public, considering the substantial opportunity the public has had to comment prior to this meeting.

Committee agreed to accept any new comments, not previously heard by staff and the consultant from the attending public. Those comments were as follows:

Ian McFaul (712 5th St. E.): Requested clarification on how many houses have been adversely affected by the updated Hazard mapping. Mr. Lanthier stated that his approximation was that over 300 houses estimated to be impacted by the location of the current hazard zone boundary and 12m setback, and approximately 66 houses are affected by the hazard zone boundary in the Final Draft, and of those it is estimated that 14 houses were not previously affected. Staff also clarified for Mr. McFaul that there is a General Provision in the By-law which addresses restoration of non-conforming uses.

Sara Londerville (540 29th St. W.): In response to Ms. Londerville's inquiry, staff clarified that the final version of the By-law will be available for public review the Thursday before Council's consideration on April 12, 2010.

Paul Foster (233 4th St. 'A' E.): Informed staff that he has not yet been contacted in response to his inquiry about building within the Hazard Zone. Staff clarified that restriction on accessory buildings within the Hazard Zone will be the same as it exists in By-law 1985-80, as amended. Mr. Foster's comments had been included in an earlier report.

Brent England (366 7th St. E.): Made note that there is no correlation between the parcel fabric and hazard zone mapping, which produces a product that is not accurate. This matter was clarified for Mr. England jointly by Mr. Aston and Mr. Lanthier, who explained that MPAC parcel fabric is a standard base layer useful for most zones. For the final draft By-law a Schedule 'B' is proposed as part of the legal document, which shows the hazard zone boundary to scale and roads without the parcel fabric. Where hazard is concerned Schedule 'A' can be used to identify areas impacted by hazard, Schedule 'B' can be used as further reference and then the owner can consult with staff and the GSCA to obtain confirmation of the hazard zone boundary. Staff will have a scaleable air photo in house as well that can be used to located a hazard boundary in proximity to existing buildings. Finally, the new hazard zone boundary is geodetically referenced and where a survey is provided it can be accurately overlaid with the hazard zone boundary.

Colleen Purdin - GBAHC (271 4th St. E.): Made note that her organization desires fewer parking spaces generally and especially for seniors housing. The consultant acknowledged Ms. Purdin's comment, and made note that these ratios have been lowered and that they are comparable with other municipalities.

Dave Moyer (415 4th St. E.): Inquired if dwelling units in combination with non-residential units may be permitted on the first floor of a building, if located anywhere but the primary façade. Staff agreed that this proposal may be considered in the final version of the By-law.

Don Scott (970 1st Ave W): Inquired if and how the New Zoning By-law may be used to enhance the streetscapes at the entrances to City and to preserve heritage buildings. The consultant made note that streetscape is certainly an important matter, which can be handled more specifically through Site Plan Approval and Design Guidelines. Staff added that the City uses many tools to preserve heritage buildings and to increase awareness, other than the Zoning By-law.

As there were no more comments from the public, the Chair directed discussion back to Committee. Staff recommended that the Committee move forward, so that the By-law may be considered by Council as soon as possible. The Director added that there is

a CPHAC meeting scheduled prior to Council on April 12th, and any final and pressing matters may be discussed at that time.

Moved by Councillor Jim McManaman;

"THAT the Community Planning & Heritage Advisory Committee receive the report from Dave Aston of MHBC Planning dated March 21, 2010 entitled 'Report to CPHAC #5: Final Draft of the Zoning By-law'; and further,

THAT the Community Planning & Heritage Advisory Committee recommend that City Council consider the Final Draft of the New Zoning By-law, with appropriate modifications, for approval at its meeting on April 12, 2010; and further,

THAT a final report be prepared by MHBC Planning for presentation at City Council addressing all issues received at this meeting and after, including if provisions may be included to address heritage preservation and dwelling units on the main floor of commercial buildings."

Carried Unanimously

6. **CORRESPONDENCE RECEIVED FOR WHICH DIRECTION OF COMMITTEE IS REQUIRED**

7. **REPORTS AND MATTERS TABLED**

I) HERITAGE

II) GENERAL PLANNING

8. **CORRESPONDENCE RECEIVED FOR INFORMATION ONLY**

a) Article by Aviva Levy entitled "Inclusionary Zoning" from Municipal World March 2010

Councillor McManaman added that he had recently read an interesting article in the Toronto Star on this subject.

b) Letter from Lois O'Neill, Deputy Clerk to Neal Kemp of Aspin Kemp and Associates dated March 1, 2010 regarding the Request For Designated Parking Spaces for 299 9th Street East

c) Letter from Pam Coulter, Director of Community Services to Mr. Ted Shaw dated March 17, 2010 regarding a response to his letter of March 9, 2010 regarding the Owen Sound Cenotaph

d) Notice of Complete Application and Public Meeting for File No. Z1/10 (Alexandra School)

e) Notice of Complete Application and Public Meeting for File No. Z2/10 (Christine Hempel)

Moved by Ruthann Carson;

"THAT the Community Planning & Heritage Advisory Committee accept item 8a) through 8e) for information."

Carried Unanimously

9. **OTHER BUSINESS**

- a) The Heritage Coordinator reminded Committee about the Heritage Workshop on April 22, 2010.
- b) Planning staff reminded Committee about the joint meeting of CPHAC and the Economic Development Committee on April 12, 2010 to discuss the Draft CIP and partially about the New Zoning By-law if necessary.

10. **ADJOURNMENT**

Committee meeting adjourned at 8:00 p.m.



City of Owen Sound Draft Community Improvement Plan

Report to CPHAC Authorization of Public Meeting

Prepared by:	MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC Planning) File 08219D
Report Date:	March 30, 2010
CPHAC Date:	April 12, 2010
Attachments:	1. City of Owen Sound Draft Community Improvement Plan 2. Circulation Letter to the Ministry of Municipal Affairs and Housing

RECOMMENDATIONS:

It is recommended that the City of Owen Sound Community Planning and Heritage Advisory Committee (CPHAC):

1. Receive this report and Draft Community Improvement Plan for information and review.
2. Direct staff to schedule a Public Meeting for the Draft Community Improvement Plan as required by the *Planning Act*.

INTRODUCTION AND PURPOSE OF THE AMENDMENT

A Community Improvement Plan (CIP) is a municipal planning tool that establishes a comprehensive strategy for community improvements. CIPs are used by municipalities to focus public attention on local priorities and municipal initiatives, target areas in transition or in need of repair, rehabilitation and redevelopment, facilitate and encourage community change in a coordinated manner, and stimulate private sector investment through incentive-based programs.

The existing “Community Improvement Plan: Brownfields and Vacant Lands Incentives, Harbour and Downtown” was adopted by City of Owen Sound Council on July 14, 2001. The implementation period for this CIP expired on January 31, 2010. In addition, changes to Ontario’s *Planning Act* have provided municipalities with additional tools and resources to manage growth and encourage investment in their communities. The City of Owen Sound also adopted a new Official Plan in March of 2006. There is a need to amend the CIP to reflect these changes.

The amendment to the existing CIP includes the following changes:

- 1) The Community Improvement Project Area is expanded to include the entire City of Owen Sound.

- 2) The Community Improvement Project Area for the existing CIP is amended for the Downtown and Harbour Areas to reflect the revised boundaries and land use designations in the new Official Plan.
- 3) Introduction of new programs and incentives available to the City.

The revised CIP format is in keeping with the current Ministry of Municipal Affairs and Housing recommended framework and the amendment essentially results in a new CIP for the City. Existing programs are continued, while new “tools” are now included.

OVERVIEW OF PROPOSED CIP PROGRAMS/INCENTIVES

The following programs are proposed for the entire *City of Owen Sound*:

1. **Affordable Housing Loan Program** – to promote the construction of affordable housing units throughout the City.
2. **Environmental Study Grant** – to assist with the cost of environmental studies (Phase 1 and 2 ESAs, Risk Assessments and Remedial Work Plans) to initiate the redevelopment process.
3. **Heritage Property Tax Relief Grant** – to help eligible owners maintain and restore their historic properties.
4. **Brownfields Financial Tax Incentive Program** – to encourage environmental cleanup and rehabilitation of vacant or underused lands.

The following programs are proposed for the *Harbour and Downtown Areas* as identified on Map 2 within the CIP:

1. **Façade and Structural Improvement Program** – to encourage restoration and rehabilitation of buildings within the Downtown and Harbour Areas. This program is currently in effect and the proposed CIP does not amend the policies and programs of the existing program.
2. **Vacant Lands Tax Assistance Program** – to encourage redevelopment of vacant sites. This program is already in effect.
3. **Development Charges Refund Program** – to provide grants for residential developments and/or residential conversions of existing buildings.

It is important to note that the individual incentive programs listed above can be activated, deactivated or discontinued by Council without amendment to the CIP. At the time Council establishes its annual budget, Council will determine the maximum contribution to be made available to the various programs under the CIP.

NEXT STEPS

City Staff have received the draft CIP and provided comments which have been incorporated into the most recent version of the draft CIP (attached to this report). A by-law designating the entire city as a Community Improvement Project Area is required prior to adopting the CIP.

The draft CIP was provided to the Ministry of Municipal Affairs and Housing for review on March 29, 2010. Any correspondence received from the Ministry will be shared with the Committee.

It is recommended that the Committee direct City Staff to schedule a public meeting pursuant to the provisions of the *Planning Act*. Once a public meeting is scheduled, the draft By-law to establish the entire City as a Community Improvement Area and the draft CIP should be made available to the public for review and comment.

Following the Public Meeting, comments will be reviewed and considered. The implementing by-laws and CIP will then be finalized for Council consideration.

Submitted by:



David Aston, MSc., MCIP, RPP

