

TAKE NOTICE that the Council of The Corporation of the City of Owen Sound passed By-law No. 2019-015 on the 21st day of January, 2019, under Section 17 and 22 of the *Planning Act, R.S.O. 1990, c.P.13* and Ontario Regulation 543/06 for the purpose of adopting Official Plan Amendment No. 8 which proposed to make changes to The Corporation of the City of Owen Sound Official Plan (2006).

City Council has considered written submissions received to date and oral submissions made at the public meeting held on October 29, 2018. Written submissions were received from internal departments and commenting agencies which had no objection to the application. Oral and written submissions made by the public were not opposed but suggested in summary: the use of inclusionary zoning to require affordable housing; that the applicant consider emergency housing; and supporting the inclusion of active transportation into the proposed road network. City Council considered the comments received and found that the applications are consistent with the Provincial Policy Statement and the goals and objectives and intent of the Official Plan and approved By-law No. 2019-015 to amend the City of Owen Sound Official Plan (OPA 8) and approved By-law No. 2019-016 (ZBA 26) to amend Zoning By-law No. 2010-078, as amended.

PURPOSE AND EFFECT OF BY-LAW NO. 2019-015

The purpose of the applications is to permit a mixed-use residential development together with some convenience commercial uses.

The effect of the applications is to provide for the development of an estimated 337 dwelling units in a mix of housing forms including single detached dwellings (43 units), semi-detached dwellings (20 units), townhouses (38 units), and mixed use residential and convenience commercial buildings together with potential retirement or long term care facility (236 units). The proposal also includes a storm water management pond, parkland and construction of new internal streets and services. A future draft plan of subdivision application would be necessary to implement the policy direction and facilitate the development of the lands.

PROPERTY LOCATION:

The subject lands are legally described as follows: Part of Lots 8 & 9, Range 4, East of Garafraxa Road. The subject lands are shown more particularly on the **Key Map** below. The lands comprise a total of 13.59 ha within the Sydenham Heights Phase I Planning Area.

AND TAKE NOTICE that any person or public body under Section 17 of the *Planning Act, R.S.O. 1990, c.P.13* may within 20 days after the Notice of Adoption is given, appeal to the Local Planning Appeal Tribunal in respect of the decision of The Corporation of the City of Owen Sound by filing with the Clerk of The Corporation of the City of Owen Sound, a notice of appeal setting out the reasons for the appeal and the specific part of the proposed official plan amendment to which the appeal applies. An appeal must be accompanied by the fee prescribed by the Local Planning Appeal Tribunal in the form of a certified cheque or money order payable to the Minister of Finance. **The last date for appeal is February 18, 2019.**

The proposed official plan amendment (OPA) is exempt from approval by The Corporation of the County of Grey. The decision of Council is final if a notice of appeal is not received on or before the last day for filing a notice of appeal.

Only individuals, corporations or public bodies may appeal a decision of the municipality or planning board to the Local Planning Appeal Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

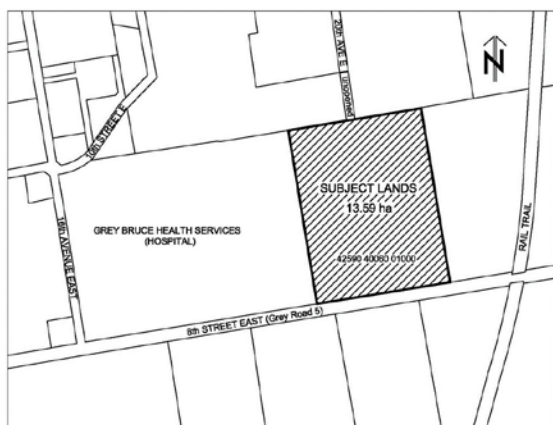
No person or public body shall be added as a party to the hearing of the appeal unless, before the plan was adopted, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Local Planning Appeal Tribunal, there are reasonable grounds to add the person or public body as a party.

ADDITIONAL INFORMATION related to OPA 8 including By-law No. 2019-015 is available for inspection at the City of Owen Sound in the Planning Office located at 808 2nd Avenue East, OWEN SOUND ON N4K 2H4, Monday to Friday between the hours of 8:30 a.m. and 4:30 p.m. and on the City's website at owensound.civicweb.net.

These lands are also the subject of Zoning By-law Amendment No. 26.

NOTICE DATE: January 29, 2019

KEY MAP:



Briana M. Bloomfield, Deputy Clerk
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The Corporation of the City of Owen Sound

By-law No. 2019-015

A By-law to adopt Amendment Number 8 to the Official Plan
for the City of Owen Sound

WHEREAS the Council of The Corporation of the City of Owen Sound (the "City") has an Official Plan for the City of Owen Sound approved in accordance with the provisions of the *Planning Act*; and

WHEREAS the *Planning Act* authorizes the City to approve amendments thereto and exempts same from approval of the Minister of Municipal Affairs; and

WHEREAS the City is desirous of amending the City of Owen Sound Official Plan; and

WHEREAS on January 21, 2019 City Council passed a resolution to adopt Amendment Number 8 to the Official Plan for the City of Owen Sound as outlined in Staff Report CS-19-008;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF OWEN SOUND HEREBY ENACTS AS FOLLOWS:

1. That Amendment No. 8 to the Official Plan for the City of Owen Sound, consisting of the attached explanatory text and map is adopted.
2. The Clerk of the City of Owen Sound is authorized and directed to advise the County of Grey of the City's approval of the aforementioned Amendment No. 8 to the Official Plan for the City of Owen Sound pursuant to the requirements of the *Planning Act*.
3. This by-law shall come into full force and effect upon the final passing thereof.

FINALLY PASSED AND ENACTED this 21st day of January, 2019.



Mayor Ian C. Boddy



Briana M. Bloomfield, City Clerk

AMENDMENT NO. 8
TO THE CITY OF OWEN SOUND OFFICIAL PLAN

CONSTITUTIONAL STATEMENT

PART A – THE PREAMBLE consisting of text does not constitute part of this amendment

PART B – THE AMENDMENT consisting of text and map (designating Schedule 'A' and 'A2') constitutes Amendment No. 8 to the City of Owen Sound Official Plan

PART A – THE PREAMBLE

Purpose

The purpose of the amendment is to permit a mixed-use residential development together with some convenience commercial uses in combination with permitted multi-residential and institutional uses. The lands comprise a total of 13.59 ha within the Sydenham Heights Phase I Planning Area.

Location

The subject lands affected by this amendment are located on the north side of 8th Street East and are legally described as Part of Lots 8 & 9, Range 4, East of Garafraxa Road and more particularly shown by Part C - "Schedule A" attached hereto.

Basis

The subject property is designated "Residential" and "Hazard Lands" as shown on Schedule 'A' of the City of Owen Sound Official Plan.

The subject lands are within the Sydenham Heights Phase I Planning Area.

Within the Sydenham Heights Planning Area the City of Owen Sound Official Plan has designated the subject lands as "Residential – Low Density", "Residential – Medium Density", and "Hazard Lands" as shown on Schedule 'A2' of the Official Plan.

The City of Owen Sound has received an application to amend the City of Owen Sound Official Plan to:

- Redesignate a portion of the lands from "Residential – Low Density" and "Residential – Medium Density" to provide the following mix of designations:
 - Residential – Medium Density
 - Residential – Medium/High Density
 - Open Space
- A portion of the lands will remain in the "Residential – Low Density" designation.
- The "Hazard Lands" designation would also remain on a portion of the lands.

The application was supported by a number of supporting studies. A concurrent zoning by-law amendment has been considered. A future plan of subdivision, plan of condominium and/or site plan approval will be required.

The Provincial Policy Statement recognizes that land use must be carefully managed and land use patterns optimize the use of land, resources and public investment by promoting a mix of housing, employment, recreation, parks and open spaces, and transportation choices. Within settlement areas the PPS identifies the criteria for densities and mix of land use which land use patterns shall be based upon. Infrastructure policies of the PPS prefer municipal sewage and municipal water as the preferred form of servicing for settlement areas and direct growth or development in a manner that promotes the efficient use and optimization of existing municipal services. The proposed development will efficiently use land and resources and is appropriate for the infrastructure and public service facilities available.

The City of Owen Sound Official Plan policies for the Sydenham Heights Planning Area identified a framework for the supply of water and sanitary sewer servicing to unserved portions of the Sydenham Heights Phase 1 Planning Area. Following

the necessary Environmental Assessment municipal trunk sanitary sewer services have been extended to 8th Street East along the rail trail corridor. Municipal water services were also extended along 8th Street East to the future 20th Avenue East. The sanitary sewer alignment will not follow the path proposed in the Official Plan Schedule A2 (as this mapping change affects multiple properties it will be addressed at the time of the Official Plan 5 Year Review). Instead for the subject lands the sanitary sewer will follow the future 20th Street East and internal road systems of the future subdivision. The extension of municipal water and sanitary services to this area of the City has significantly altered the ability of the subject lands to support development.

It is an objective of the Official Plan to accommodate a broad range and mix of housing in terms of dwelling types, densities, tenure and cost for a diverse community. A further objective includes to identify and promote opportunities for intensification and redevelopment where this can be accommodated, taking into account existing building stock or areas including brownfield sites and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

The Secondary Plan Vision for the Sydenham Heights Planning Area is to be a largely a residential mixed use community.

The overall residential density target for the Sydenham Heights Phase 1 Planning Area is not less than 25 units per net hectare. The low density designation is not to exceed 25 units per net hectare. Medium and Medium/High density is focussed to the mixed use node which is not the subject lands. However intensification and conversion policies provide additional criteria for considering intensification.

Hazard Lands designation refinement is based on consultation with Grey Sauble Conservation Authority following review of studies provided by the applicant.

The applicant has demonstrated that the proposed density can be accommodated by the existing and planned infrastructure together with appropriate open space, stormwater management, and hazard lands and that the intensification criteria are met by the proposed uses with holding provision in place to provide that the highest density uses can be constructed in a manner compatible with the surrounding land uses.

The application has been assessed in accordance with the applicable objectives and policies of the Provincial Policy Statement, County of Grey Official Plan, City of Owen Sound Official Plan, as well as written and oral agency and public comments and it has been determined that an amendment to the Official Plan is appropriate, will implement the goals and objectives of the Official Plan and vision for this area of the City and represents good planning.

PART B – THE AMENDMENT

All of this part of the document entitled "Part B – The Amendment" consisting of the following text constitutes Amendment No. 8 to the City of Owen Sound Official Plan.

Details of the Amendment

1. That Schedule "A – Land Use" to the City of Owen Sound Official Plan is amended by re-designating a portion of the lands identified on the attached "Schedule A" from "Residential" to "Open Space" and to refine the "Hazard Lands" designation as shown.

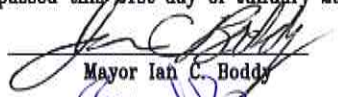
2. That Schedule "A2 – Land Use" to the City of Owen Sound Official Plan is amended by re-designating a portion of the lands identified on the attached "Schedule A2" from "Residential – Low Density" and "Residential – Medium Density" to "Residential – Medium Density", "Residential – Medium/High Density", and "Open Space" and to refine the "Hazard Lands" designation as shown.
3. The implementation and interpretation of this Amendment shall be in accordance with the respective policies of the City of Owen Sound Official Plan.

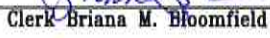
BY-LAW 2019-015

'A Bylaw to Adopt' Amendment No. 8 to
the Official Plan for the City of Owen Sound

Schedule A

This is Schedule A to By-law 2019-015
passed this 21st day of January 2019.

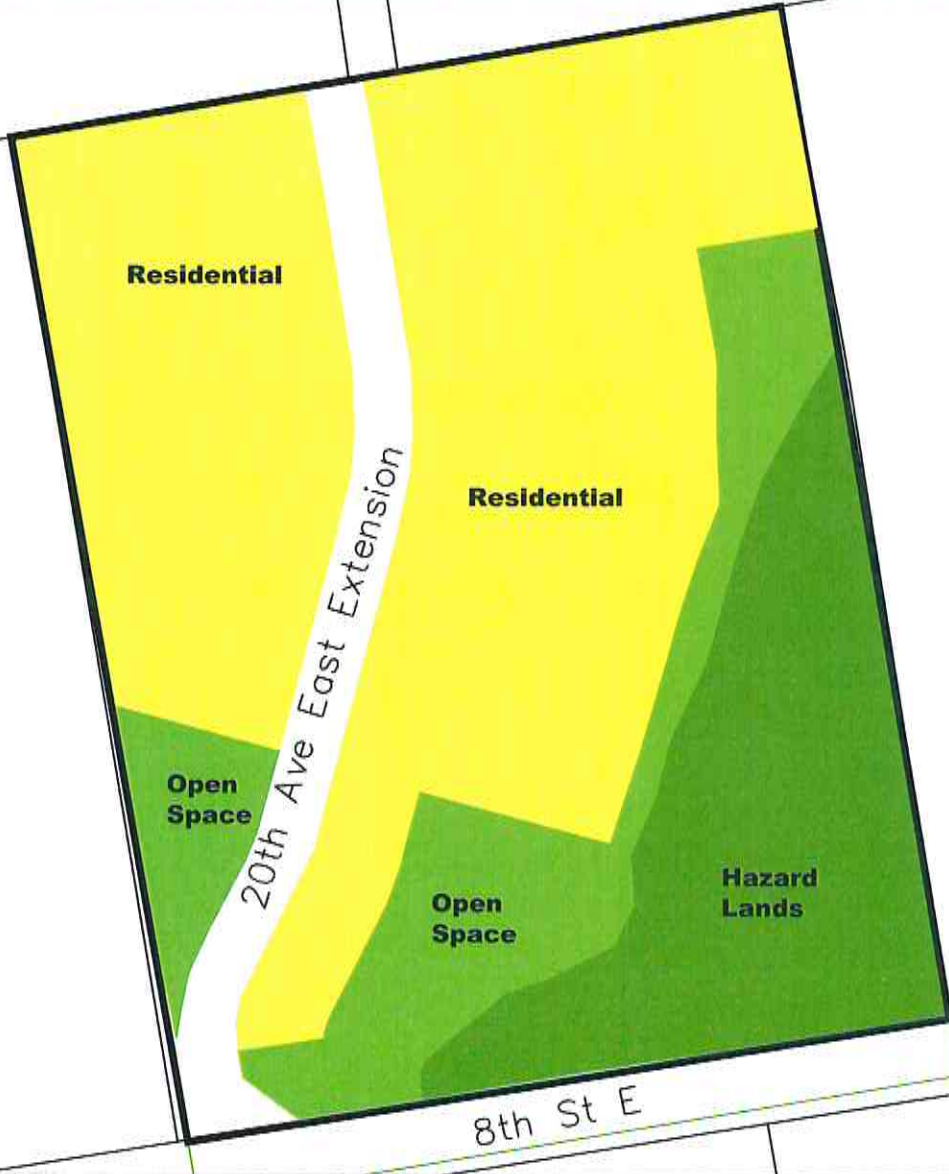

Mayor Ian C. Boddy


Clerk Briana M. Bloomfield

LEGEND



Lands Subject of
OPA #8

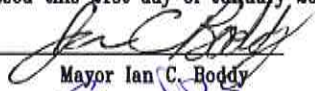


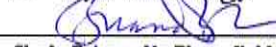
BY-LAW 2019-015

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
Schedule A2

This is Schedule A2 to By-law 2019-015
passed this 21st day of January 2019.


Mayor Ian C. Boddy


Clerk Briana M. Bloomfield

LEGEND

 Lands Subject of
OPA #8

