



**NOTICE OF APPROVAL OF DRAFT PLAN OF SUBDIVISION 42T-16501
BY THE CORPORATION OF THE CITY OF OWEN SOUND**

TAKE NOTICE that on the 24th day of April, 2017 the Council of The Corporation of the City of Owen Sound granted draft approval for Plan of Subdivision Application 42T-16501 under Section 51 of the *Planning Act RSO 1990*, c.P. 13 to permit a 31 block/lot residential Plan of Subdivision.

These lands are also the subject of Zoning By-law Amendment No. 19.

City Council has considered written submissions received to date and oral submissions made at the public meeting held on September 26, 2016. Written submissions were received from internal departments and commenting agencies which informed the conditions of draft plan of subdivision. Oral submissions made at the public meeting expressed interest in the amenities of the development, questioned traffic flow, and requested consideration for affordable housing units. Written submission was also received with respect to affordable housing. 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 2017-057 to amend the City of Owen Sound Zoning By-law and approved Draft Plan of Subdivision 42T-16501.

The Council resolution and conditions of the draft plan of subdivision are attached to this notice.

PURPOSE AND EFFECT OF DRAFT PLAN OF SUBDIVISION APPROVAL:

Upon satisfaction of conditions of draft approval (copy attached), the subdivision would contain approximately 280 to 400 residential units, depending on lot size and multi-unit housing form, on 15.58 hectares. The Draft Plan of Subdivision includes:

Land Use	Lots/Blocks	Units	Area (ha)
Residential (single / semi detached)	1 - 20	141 - 179	8.86
Street Townhouse	21 - 24	47 - 74	1.42
Multiple Residential	25	100 - 150	0.99
Trail / Open Space	26		0.25
Walkway	27 - 29		0.09
Drainage / Access Block	30		0.09
5.18m Road Widening	31		0.21
Roads			3.67
Total		288 - 403	15.58

PROPERTY LOCATION:

The Draft Plan of Subdivision relates to lands municipally known as 3195 East Bayshore Road and legally described as Part of Lots 7, 53 & 54, Registered Plan No. 838, City of Owen Sound, County of Grey.

AND TAKE NOTICE THAT any of the following may, at any time before the approval of the final plan of subdivision, appeal any of the conditions imposed by The Corporation of the City of Owen Sound to the Municipal Board by filing a notice of appeal with The Corporation of the City of Owen Sound: the applicant; any public body that, before The Corporation of the City of Owen Sound made its decision, made oral submissions at a public meeting or written submissions to The Corporation of the City of Owen Sound; the Minister; the municipality in which the subject land is located, or the planning board in whose planning area it is located.

You will be entitled to receive notice of any changes to the conditions of approval of the proposed plan of subdivision if you have made a written request to be notified of changes to the conditions.

No person or public body shall be added as a party to the hearing of an appeal regarding any changes to the conditions of approval unless the person or public body, before The Corporation of the City of Owen Sound made its decision, made oral submissions at a public meeting or written submissions to The Corporation of the City of Owen Sound, or made a written request to be notified of the changes to the conditions or, in the Ontario Municipal Board's opinion, there are reasonable grounds to add the person or public body as a party.

Only individuals, corporations and public bodies may appeal decisions in respect of a proposed plan of subdivision to the Ontario Municipal Board. 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 group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal of the decision of The Corporation of the City of Owen Sound, including the lapsing provisions or the conditions, unless the person or public body, before the decision of The Corporation of the City of Owen Sound, made oral submissions at a public meeting or written submissions to the council, or made written request to be notified of the changes to the conditions or, in the Ontario Municipal Board's opinion, there are reasonable grounds to add the person or public body as a party.

The last date for appeal is May 23, 2017. Any notice of appeal must be filed with the Clerk of The Corporation of the City of Owen Sound and must set out the reasons for the appeal, and must be accompanied by the fee prescribed by the Ontario Municipal Board in the form of a certified cheque or money order payable to the Minister of Finance.

ADDITIONAL INFORMATION related to the Draft Plan of Subdivision 42T-16501 and Zoning By-law Amendment No. 19 is available for inspection at the City of Owen Sound in the Clerks or Planning Office located at 945 3rd Avenue East, OWEN SOUND ON N4K 2K8, Monday to Friday between the hours of 8:30AM and 4:30PM and on the City's website at owensound.civicweb.net.

NOTICE DATE: May 3, 2017

Briana Bloomfield, Deputy Clerk
The Corporation of the City of Owen Sound
945 3rd Avenue East
OWEN SOUND ON N4K 2K8
Telephone: (519) 376-4440 ext. 1247
Facsimile: (519) 371-0511
E-mail: bbloomfield@owensound.ca
Council Resolution No. R-170424-005:

"THAT in consideration of Staff Report CS-17-088 respecting Plan of Subdivision 42T-16501 and Zoning By-law Amendment No. 19, City Council:

1. Receives the staff report;
2. Has considered written submissions received to date and oral submissions made at the public meeting held on September 26, 2016 and as further described in the minutes of that date;
3. 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 Official Plan;
4. Approves By-law 2017-057 to amend Zoning By-law 2010-078, as amended, as shown in Appendix "B", and direct that the City Clerk give notice of passing of the Zoning By-law Amendment in accordance with the *Planning Act*; and
5. Approves Plan of Subdivision 42T-16501, subject to conditions as identified in Appendix "A", and directs that the City Clerk give notice of approval in accordance with the *Planning Act*."

Conditions of Draft Plan Approval:

1. That this approval applies to the draft plan drawing, prepared by GSP Group dated January 17, 2017, which shows:

Description	Lot/Block	Units	Area (ha)
Residential	1 to 20	141-179	8.86
Street Townhouse	21 to 24	47-74	1.42
Multiple Residential	25	100-150	0.99
Trail / Open Space Block	26		0.25
Walkway Blocks	27 to 29		0.09
Drainage / Access Block	30		0.09
Road Widening (5.18m) Block	31		0.21
Roads			3.67
Total	1 to 31	288-403	15.58

2. 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.
3. That the Owner agrees to stage the development of this plan of subdivision in a manner satisfactory to the City of Owen Sound.
4. That the plan submitted for final approval shall incorporate a lot pattern for all blocks to be lotted at a density not exceeding the unit density identified in Condition No. 1, unless otherwise agreed to by the City of Owen Sound.
5. That prior to final approval, the Owner provides confirmation that the lots are in compliance with the minimum lot area and frontage requirements of the Zoning Bylaw, in effect.
6. That prior to final approval of the Plan, the owner shall ensure there are no taxes in arrears with the City.
7. That any road allowances and road widenings included in this draft plan shall be shown and dedicated as public highways to the satisfaction of the City or County, clear and free of any encumbrances.
8. That the Walkway Blocks, Trail/Open Space Block, Drainage Access Block shown in this draft plan shall be dedicated as public use to the satisfaction of the City, clear and free of any encumbrances.
9. That the Owner satisfies the requirements of the City for parkland dedication under the Planning Act as cash-in-lieu of land to the satisfaction of the City.
10. That the street(s) shall be named to the satisfaction of the City and such new street names shall not be duplicate in wording or phonetic sounding of street names elsewhere in the City.
11. That the Owner will provide and install all pavement markings, traffic signage and street name signs that may be required by the City.
12. That the Owner makes satisfactory arrangements for the provision of permanent or temporary electrical services, telephone services, gas services and mail delivery services to this plan to the satisfaction of the City.
13. That such easements as may be required for utility, fire protection facilities, telecommunication services, sanitary sewer, snow storage or drainage purposes shall be granted to the appropriate authority.
14. That prior to final approval, a final lot grading and drainage plan be submitted for the entire plan of subdivision to the satisfaction of the City, and the County of Grey where lands drain to a County facility, for approval.
15. That prior to final approval, the Owner demonstrate to the satisfaction of the City's Public Works and Engineering Department (Engineering Services Division) that the existing water and sanitary sewer service mains to be utilized by this development, located on 9th Avenue East, East Bay Shore Road and 32nd Street East and area are of sufficient capacity to service the proposed development and are either in good repair for this purpose or will be upgraded or constructed, at the Owner's expense or through cost-sharing with the City, to the satisfaction of the City.
16. 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 and Engineering Department (Engineering Services Division) and the Grey Sauble Conservation Authority and that the plan be included in the subdivision agreement and, further, the owner demonstrate to the satisfaction of the Public Works and Engineering Department that there is adequate storm sewer capacity to service this development;
17. That the Subdivision Agreement between the Owner and the City shall contain a provision that the Owner agrees in writing to satisfy all the requirements, financial and otherwise, of the City including but not limited to cash contributions, the provision and standard of roads, the installation of services and drainage, sidewalks and trails, street lighting, signage, the planting and preservation of trees, landscaping and the provision of fencing within the limit of the subdivision unless specified by another condition of this approval.
18. That any dead ends and open sides of road allowances created by this plan of subdivision shall be terminated in 0.3 metre reserves, to be conveyed to and held by the City until required for future road allowances or the development of adjacent land.
19. That the Subdivision Agreement between the Owner and the City shall contain a provision that the Owner agrees that should the development be phased that two means of road access will be maintained. In the event that development of the property is to be phased then a phasing plan must be submitted prior to final approval of the first phase of development to the satisfaction of the City.
20. That the Subdivision Agreement between the Owner and the City shall contain a provision that the Owner install chain link fencing along the Trail/Open Space Block, to the satisfaction of the City.

21. That the Subdivision Agreement between the Owner and the City shall contain a provision the Owner is responsible for all costs associated with relocation of any utilities, if required as a result of this development;
22. That the required subdivision agreement include wording acceptable to the City and Grey Sauble Conservation Authority (as necessary) to;
23. Undertake all works according to the plans and reports approved under the conditions of approval;
24. Construct, install and maintain erosion and sediment control facilities, satisfactory to the City, prior to any grading or construction on the subdivision lands in accordance with the plan that has been submitted to and approved by the City
25. Implement the approved surface water management plan and storm water management facilities and maintain in good repair and operating order throughout all phases of construction until final acceptance of services has been granted by the City.
26. Implement the approved tree retention and planting plan;
27. Implement the individual lot requirements;
28. That the financial obligations of the Owner shall be as generally set out in the appended schedules to the Subdivision Agreement and subject to the approval of the City
29. Upon approval by the City, erect maintain and remove a subdivision sign on the property, at locations agreed upon by the City, containing the following information:
30. identifying all proposed uses within the draft approved plan of subdivision
31. illustrating the location of proposed sidewalks, public walkways, trails, fences and community mailbox locations
32. That the Owner agrees that prior to servicing of any stage of this plan, the Class Environmental Assessment and construction tender award relating to Goodyear Pumping Station shall be completed.
33. That prior to occupancy of any units, the City shall be satisfied that the Goodyear Pumping Station and associated infrastructure is constructed and operational to accommodate the sanitary flows.
34. 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's Public Works and Engineering Department (Water and Wastewater Division) and other regulatory agencies having jurisdiction and, furthermore, shall provide for the City to assume ownership and operation of the system;
35. That the subdivision agreement between the owner and the City of Owen Sound provide for the installation of a piped wastewater system subject to the approval of City's Public Works and Engineering Department (Water and Wastewater Division) and other regulatory agencies having jurisdiction and, furthermore, shall provide for the City to assume ownership and operation of the system;
36. That the subdivision agreement between the owner and the City of Owen Sound provide for a cash contribution to be applied to the upgrade, including relocation, of an existing sewage pumping station to be utilized by this development;
37. 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;
38. That prior to final approval of the Plan, the owner demonstrate to the satisfaction of the City's Public Works and Engineering Department (Water and Wastewater Division) and the Ministry of the Environment and Climate Change that there is adequate sanitary and storm sewer capacity to service this development;
39. That the subdivision agreement between the owner and the City of Owen Sound contain the following provisions with wording acceptable to the City's Public Works and Engineering Department, wherein the owner agrees:
40. before commencing any grading or construction on any lot, to have prepared a detailed report, drawings and site plans acceptable to both the City's Public Works and Engineering Department (Engineering Services Division) 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;
41. to provide for the construction of roads and services and, furthermore, shall provide for the City to assume ownership and operation of the roads and services. The Owner shall be responsible for the installation and maintenance of all traffic control devices including pavement markings and street lights until assumption, to the satisfaction of the City;
42. 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 both the City's Public Works and Engineering Department (Engineering Services Division) and the Grey Sauble Conservation Authority;
43. That prior to final approval or any construction or grading on the subject property, the Owner or its agent shall submit the following plans and reports to the City for review and approval:
44. lot grading and drainage control plans that show the limits of all grading, including existing and proposed site grades and drainage;
45. detailed Functional Servicing Report/Plans addressing stormwater management; water, waste water servicing and utilities; and area grading and road works. Watermain looping is to be provided to the satisfaction of the City;
46. erosion and sedimentation control plans for sediment and erosion control indicating the means whereby erosion will be minimized and silt maintained on site throughout all phases of grading and construction. Plans should include maintenance requirements for all employed devices;
47. to develop a tree retention and planting plan in accordance with the applicable City policy;
48. a detailed plan showing lot layout and driveway location, on-street parking, street lighting, street tree planting, landscaping for the roundabout and other street furniture, consistent with the City requirements;
49. Acknowledgement from the Ministry of Culture with regard to the archaeological assessment.
50. That prior to any building permits being issued, the Owner, at its expense, prepare and submit Architectural and Urban Design Guidelines for the entire subdivision, including the streetscape and entry features at Street 'D'/Street 'C' and Street 'C'/East Bayshore Road, to the satisfaction of the City.
51. That the Subdivision Agreement between the Owner and the City shall contain a provision that the Owner agrees to implement the recommendations of the "May 2016 Compatible Use Odour, Dust and Noise Assessment" and the letter dated September 26, 2016, prepared by R.J. Burnside & Associates Limited, with regard to mitigation of noise from surrounding industrial uses in accordance with the MOECC guidelines. The Owner agrees that prior to registration a final determination shall be made on the noise mitigation measure(s) and implementation will be addressed through the Subdivision Agreement. The final determination may require an update to the previous study to detail the noise mitigation measures.
52. That prior to the issuance of any building permits for lot/blocks abutting 9th Avenue East and 32nd Street East, the Owner shall be responsible for the construction and all costs associated with the upgrades to an urban cross section on the portion of road adjacent to the lots/blocks, to the satisfaction of the City.
53. That prior to final plan approval the Owner shall prepare a plan illustrating the construction of the proposed trail system and trail connections within the Trail/Open Space Block, to the satisfaction of the City and Grey Sauble Conservation Authority. The Owner shall assume all costs associated with trail design and construction and complete it to the satisfaction of the City. The Subdivision Agreement will make provision for the Owner to maintain the recreational trail and trail connections until such time as the City assumes the infrastructure.

Trails are to be assumed by the City upon completion of construction and final inspection by City staff. All trails and connections are to be provided with a 2 year warranty period to address any deficiencies, defects, etc. Any repairs to the trails within the 2 year warranty period will be the obligation of the Owner.

54. That the Owner agrees to register on title and include in all Offers of Purchase, Sale or Lease related to certain property within the Plan of Subdivision clauses informing future purchasers and tenants of the following:
55. For those lots backing onto Trail/Open Space Block: Lands to the rear of the property are within the ownership of City and will include a trail. There is to be no removal or modification of the chain link fence at the rear property boundary without expressed written consent of the City.
56. That all design and construction must be in accordance with the City Engineering Standards and Procedures Manual.
57. That the Owner pay to the City the required Development Charges in accordance with the City's By-law in respect of payment of development charges on plans of subdivision.
58. That the Owner agrees that Pursuant to the Planning Act, R.S.O. 1990, Draft Plan Approval shall lapse as follows:
59. For the first phase, five (5) years after the date of Draft Approval, unless it has been extended by the City; and,
60. For any subsequent phases, five (5) years after the date of Final Approval of the preceding phase.
61. Grey County
62. That prior to final approval, a Functional Design for East Bay Shore Road has been completed to the satisfaction of the County of Grey, and any financial or physical resources required to implement the approved Functional Design are addressed to the satisfaction of the County of Grey, in consultation with the City.
63. That the owner provide a 5.18 metres wide road allowance widening to the County across the East Bay Shore Road (Grey Road 15) frontage of the property to the satisfaction of the County and City.
64. That the Owner design the 60 metre right turn lane at Street C to the satisfaction of the County, in consultation with the City, and agrees to complete the road improvements at the Owner's expense, prior to the issuance of building permits.
65. That the Owner obtain any permits or approvals required for individual driveway access to units within Block 20.
66. Grey Sauble Conservation Authority
67. That prior to final approval, a detailed sediment and erosion plan be provided to the satisfaction of the City of Owen Sound and the GSCA. This sediment and erosion plan should be implemented through the subdivision agreement in wording satisfactory to the City and the GSCA;
68. That prior to final approval, a detailed landscaping wildlife enhancement plan be prepared to the satisfaction of the City and the GSCA for Block 26. This landscaping wildlife enhancement plan should be implemented through the subdivision agreement in wording satisfactory to the City and the GSCA;
69. That the final lot and/or block grading, drainage and detailed stormwater management (SWM) plans, prepared by a professional engineer licensed in the Province of Ontario, be implemented through the subdivision agreement in wording satisfactory to the City and the GSCA;
70. That the subdivision agreement between the owner and the City of Owen Sound contain a provision with wording acceptable to the GSCA, wherein the owner agrees to provide permanent fencing and/or demarcation of the rear and/or side lot line, in a manner acceptable to the City of Owen Sound and the Grey Sauble Conservation Authority, for all Lots and/or Blocks abutting Blocks 26 and 30.
71. That upon commencement of site clearing and site preparation on Block 20, the developer and contractor shall have the floodplain area of the block immediately cleared, grubbed, final graded back to pre-development grade levels, certified by the engineering consultant, and then have the flood-line specifically marked on the site and snow fencing or other obvious visual barrier erected along the flood-line to ensure that the floodplain is not altered further. Pre-development conditions shall mean those shown on the draft plan dated January 17, 2017. Immediately shall mean within 30-days of the commencement of site clearing and/or grading within Block 20.
72. Agency Clearance Conditions
73. That prior to final approval, the City is to be advised by the County of Grey that conditions 6, 13, 39 to 42 have been carried out to their satisfaction with brief but complete statement detailing how each condition has been satisfied.
74. That prior to final approval, the City is to be advised by the hydro utility that conditions 11 and 12 have been carried out to their satisfaction with brief but complete statement detailing how each condition has been satisfied.
75. That prior to final approval, the City is to be advised by the gas utility that conditions 11 and 12 have been carried out to their satisfaction with brief but complete statement detailing how each condition has been satisfied.
76. That prior to final approval, the City is to be advised by the telecommunications utility that conditions 11 and 12 have been carried out to their satisfaction with brief but complete statement detailing how each condition has been satisfied.
77. That prior to final approval, the City is to be advised by Canada Post that condition 11 has been carried out to their satisfaction with brief but complete statement detailing how each condition has been satisfied.
78. That prior to final approval, the City is to be advised by the Grey Sauble Conservation Authority that conditions 15, 21, 30, 34 and 43 to 47 have been carried out to their satisfaction with brief but complete statement detailing how each condition has been satisfied.
79. That prior to final approval, the City is to be advised in writing by the Ministry of Environment and Climate Change (MOECC) that conditions have been satisfied and that there is adequate sanitary sewer capacity and stormwater collection capacity to service this development.