

TAKE NOTICE that the Council of The Corporation of the City of Owen Sound passed **By-law No. 2019-121** on the 15th day of July, 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. 6 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 February 8, 2016. 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: that the applicant consider emergency and affordable housing and tree preservation and maintenance at the southern end of property. 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. 2019-121 to amend the City of Owen Sound Official Plan (OPA 6) and approved By-law No. 2019-122 (ZBA 18) to amend Zoning By-law No. 2010-078. A draft plan of subdivision was approved on June 24, 2019 and is necessary to implement the policy direction and facilitate the development of the lands.

PURPOSE AND EFFECT OF BY-LAW NO. 2019-121

The purpose of the amendment is to permit a residential subdivision. The effect of the applications is to provide for the development of an estimated 366 dwelling units in a mix of housing forms including single detached dwellings (36 units), street fronting townhouses (12 units), cluster townhouses (54 units) and three multi-residential apartment buildings (264 units). The proposal also includes a storm water management pond, construction of new internal streets and services, and a vacant retained parcel on the southeast side of the Bothwell's Creek tributary.

PROPERTY LOCATION:

The subject lands are legally described as follows: Range 3 EGR Park Lot 7 (RP 16R805 Part 1), Range 3 EGR Park Pt Lot 8 (RP 16R805 Part 2) and Range 3 EGR Park Pt Lot 8 (RP 16R805 Part 3). The subject lands are shown more particularly on the **Key Map** below. The lands comprise a total of 25 ha (62 acre) in the southeast portion of the City 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 August 14, 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.

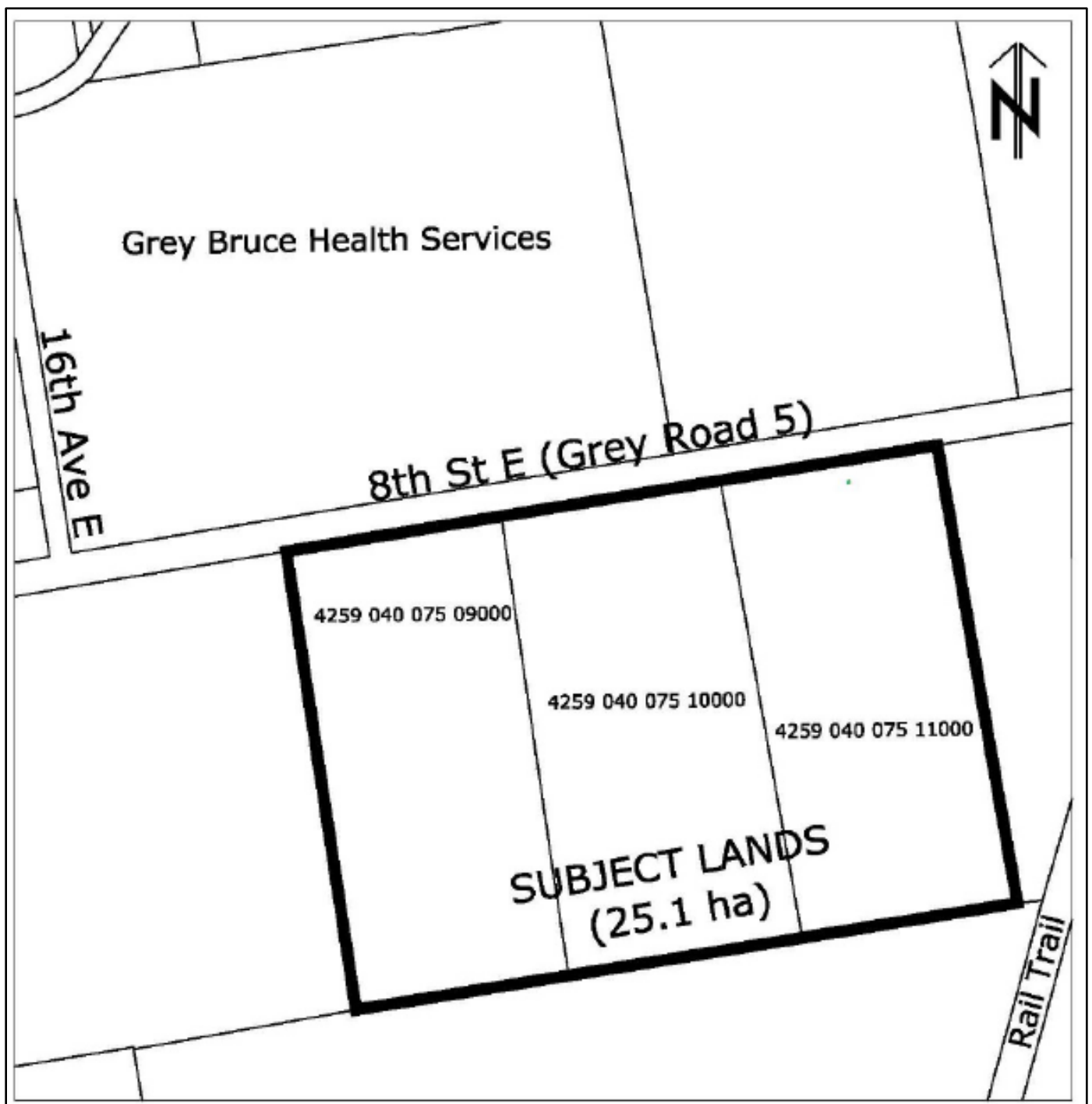
ADDITIONAL INFORMATION related to OPA 6 including By-law No. 2019-121 is available for inspection at the City of Owen Sound in the Planning Office located at 808 2nd Avenue East, Owen Sound ON N4K 2H4, Monday to Friday between the hours of 8:30 a.m. and 4:30 p.m. and on the City's website at <http://www.owensound.ca/planning/whats-new>.

These lands are also the subject of Zoning By-law Amendment No. 18 and draft Plan of Subdivision 42T-15501.

NOTICE DATE: July 25, 2019

Ethan Robert, Deputy Clerk
The Corporation of the City of Owen Sound 808 2nd Avenue East
Owen Sound ON N4K 2H4
Telephone: (519) 376-4440
Facsimile: (519) 371-0511
E-mail: erobert@owensound.ca

KEY MAP



The Corporation of the City of Owen Sound

By-law No. 2019-121

A By-law to adopt Amendment No. 6 to the City of Owen Sound Official Plan (2006) respecting the Redhawk Subdivision lands located on the south side of 8th Street East, between 16th Avenue East and the future extension of 20th Avenue East

WHEREAS The Corporation of the City of Owen Sound (the "City") is a municipality that has the discretion to prepare and adopt an Official Plan under s. 17(4) of the *Planning Act*, R.S.O. 1990, c. P.13 (the "Planning Act"); and

WHEREAS on March 20, 2006, City Council passed By-law 2006-040 to adopt an Official Plan, which plan was approved by the County of Grey on August 10, 2006 in accordance with the provisions of the Planning Act; and

WHEREAS the Planning Act authorizes the City to approve amendments to its Official Plan and exempts same from approval of the County of Grey and the Minister of Municipal Affairs and Housing; and

WHEREAS on June 24, 2019 City Council passed Resolution No. R-190624-004 directing staff to bring forward a by-law to adopt Amendment No. 6 to the City of Owen Sound Official Plan (2006), respecting the Redhawk Subdivision lands located on the south side of 8th Street East, between 16th Avenue East and the future extension of 20th Avenue East, in consideration of staff report CS-19-088;

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

1. That Amendment No. 6 to the City of Owen Sound Official Plan (2006), 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 and the Minister of Municipal Affairs and Housing of the City's approval of Amendment No. 6 to the City of Owen Sound Official Plan (2006), 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 15th day of July, 2019.



Mayor Ian C. Boddy



Briana M. Bloomfield, City Clerk

**AMENDMENT NO. 6 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 'A2') constitutes Amendment No. 6 to the City of Owen Sound Official Plan.

PART A – THE PREAMBLE**Purpose**

The purpose of the amendment is to permit a 366-unit residential subdivision. The lands comprise a total of 25 ha (62 acre) in the southeast portion of the City.

Location

The subject lands affected by this amendment are located on the south side of 8th Street East between 16th Avenue East and the future extension of 20th Avenue East. The lands are legally described as Range 3 EGR Park Lot 7 (RP 16R805 Part 1), Range 3 EGR Park Pt Lot 8 (RP 16R805 Part 2) and Range 3 EGR Park Pt Lot 8 (RP 16R805 Part 3). The lands are more particularly shown by Part C - 'Schedule A' attached hereto.

Basis of the Amendment

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 lands are designated as 'Residential – Low Density', 'Residential – Medium Density', and 'Hazard Lands', as shown on Schedule 'A2' of the Official Plan.

The amendment to Schedule 'A2' (Sydenham Heights Planning Area) of the Official Plan is 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'.

The application was supported by a number of studies and was subject to a fulsome Planning review. A Zoning By-law Amendment (No. 18) and Draft Plan of Subdivision (42T-15501) were considered by City Council concurrently. A staff recommendation report (CS-19-088) went to Council on June 24, 2019.

As one of its primary tenets, the Provincial Policy Statement (PPS) directs development to fully serviced, designated settlement areas and requires 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 the 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.

It is an objective of the City Official Plan to accommodate a broad range and mix of housing in terms of dwelling types, densities, tenure and cost for a diverse community. The Secondary Plan Vision for the Sydenham Heights Planning Area is to be a largely residential mixed use community.

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 amendment to Schedule 'A2' (Sydenham Heights Planning Area) of the Official Plan is to re-designate a portion of the lands from 'Residential – Low Density' to 'Residential – Medium Density' to permit street fronting and cluster townhouses (3-4 units per building) in the middle portion of the development and from 'Residential – Medium Density' to 'Residential High Density' to permit apartment buildings (high density) on the northern portion of the parcel. A portion of the lands will remain in the 'Residential – Low Density' designation and contain single detached dwellings.

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

The application has demonstrated that the proposed density and uses can be accommodated by the existing and planned infrastructure and that the application will conserve the existing hazard and natural heritage lands. The proposal is appropriate for the development and use of the lands.

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. As a result of thorough review, it has been determined that an amendment to the Official Plan is appropriate, will implement the goals and objectives of the Official Plan and the 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. 6 to the City of Owen Sound Official Plan.

Details of the Amendment

1. 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 A' from 'Residential – Low Density' to 'Residential – Medium Density' and from 'Residential – Medium Density' to 'Residential – High Density' and to refine the 'Hazard Lands' designation as shown.
2. The implementation and interpretation of this Amendment shall be in accordance with the respective policies of the City of Owen Sound Official Plan.

Attachment

Schedule A

By-law 2019-121

Schedule 'A'

Being a By-law to adopt Amendment No. 06 to the City of Owen Sound Official Plan (2006)

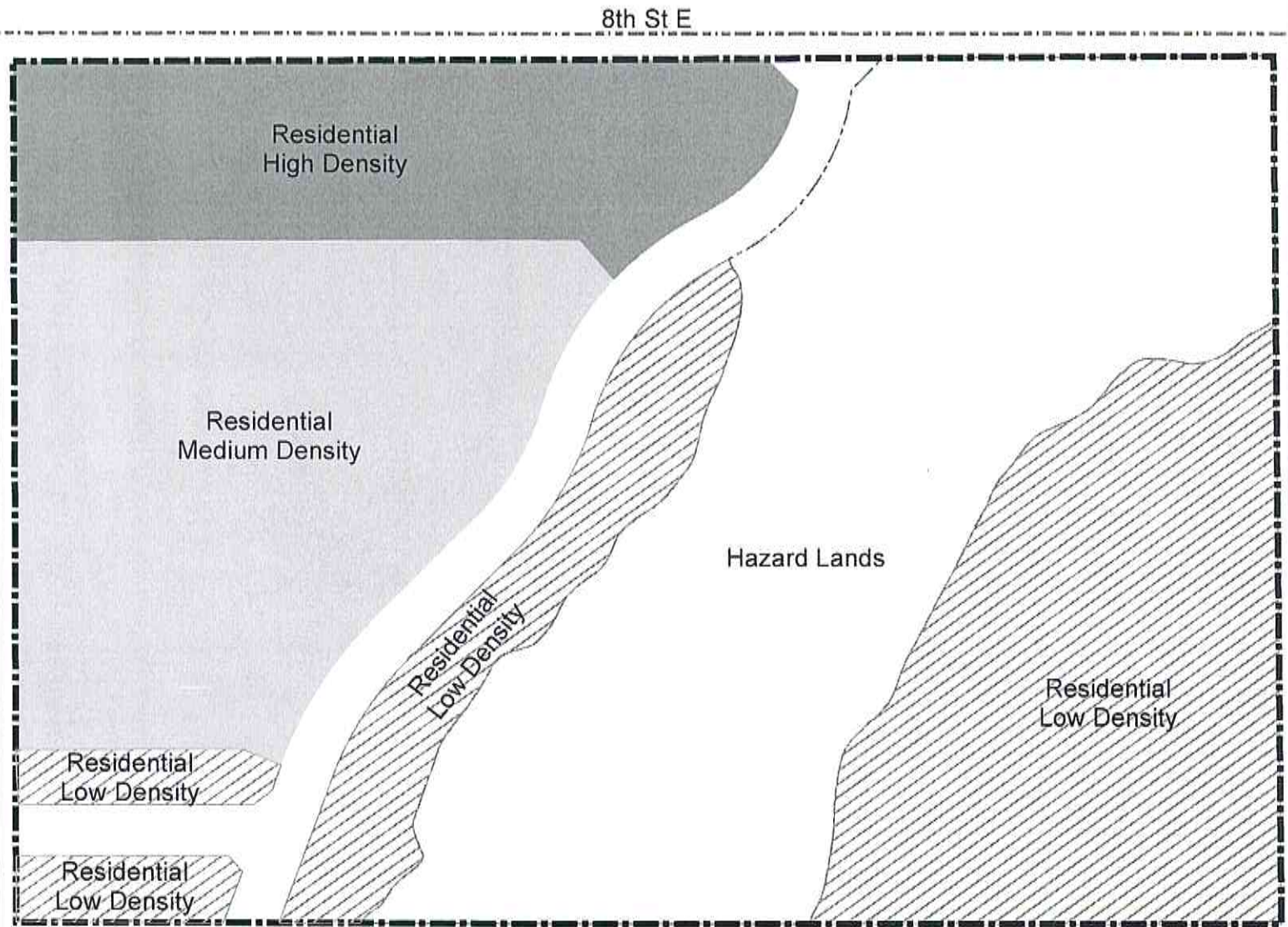
Passed on this 15th day of July, 2019







Mayor Ian C. Boddy



Briana M. Bloomfield, City Clerk



-  Subject Lands
-  Lands to be designated as Residential High Density
-  Lands to be designated as Residential Medium Density
-  Lands to remain as Residential Low Density

