

### **Staff Report**

**Report To:** City Council

**Report From:** Sabine Robart, Planner

**Meeting Date:** March 23, 2020

**Report Code:** CS-20-035

**Subject:** Recommendation Report respecting Heritage Grove

2125 16<sup>th</sup> St E

Zoning By-law Amendment No. 29 and Site Plan Approval

ST2019-005

#### **Recommendation:**

That in consideration of Staff Report CS-20-035 respecting proposed Zoning Bylaw Amendment No. 29 and Site Plan Approval ST2019-005 for Heritage Grove at 2125 16<sup>th</sup> St E, City Council:

- Receives staff report CS-20-035;
- 2. Finds that the applications are consistent with the Provincial Policy Statement and the goals and objectives and intent of the City Official Plan in consideration of the staff recommendations and written and oral submissions made;
- 3. Directs Staff to bring forward a By-law to adopt Amendment No. 29 to the City's Zoning By-law No. 2010-078 and give notice in accordance with Sec. 34 of the Planning Act;
- 4. That City Council approve the site plan Point Architects dated February 6, 2020, subject to the conditions outlined in Schedule 'K'; and
- 5. That City Council pass a By-law authorizing the Mayor and Clerk to execute a Site Plan Agreement for 2125 16<sup>th</sup> Street East.

#### **Strategic Initiative:**

- Retain and grow existing local businesses and business opportunities
- Increase the City's tax assessment base

#### **Background & Proposal:**

Applications for a Zoning By-law Amendment (ZBA 29) and Site Plan Approval (ST-2019-005) have been submitted by Heritage Grove Centre Inc. for the final buildout of their large format retail commercial development at 2125 16<sup>th</sup> St E.

#### **Property Description**

The subject lands are described in the following chart, for location context and surrounding land uses please see the Orthophoto in Schedule 'A'. For the Planning Policy context please see the Planning Map in Schedule 'B'.

Property Information		
Civic Address 2125 16 <sup>th</sup> Street East		
Roll No	425904006013000	
Legal Description	Range 5 EGR Park Part Lots 8 and 9; RP 16R9039 Part 1	
Site Frontage	Approx. 300 m (985 ft.)	
Site Depth	Approx. 405 m (1,329 ft.)	
Site Area	7.6 ha (18.9 ac)	
Surrounding Land Uses	North: Vacant rural East: Vacant rural South: Vacant rural - remainder of Heritage Grove lands (proposed Bremont Residential Subdivision on adjacent parcel to the south. West: Commercial (Home Deport & Walmart)	
Existing Structures	Four large format commercial buildings of various sizes containing Michaels, Winners/HomeSense, Princess Auto, Value Village, PetSmart & DollarTree, shared parking area	
Road Access/Frontage	<ul> <li>16<sup>th</sup> Street East (Connecting Link)</li> <li>20<sup>th</sup> Avenue East having a full moves signalized intersection (Future Collector Road)</li> <li>Private internal road intersection with 16<sup>th</sup> Street East at the east</li> </ul>	
Available Servicing		
Potable Water	300 mm Ø watermain	
Wastewater	200 mm Ø internal wastewater system	
Stormwater	On-site stormwater management system that will outlet into the Telfer Creek watershed.	

Property Information	
Planning Policy Framework (Schedule 'B')	
County of Grey Official Plan	Settlement Area
City of Owen Sound Official Plan, 2006	OP Schedule 'A' - East City Commercial OP Schedule 'A2' - Sydenham Heights Planning Area - Phase 1 (East City Commercial)
City of Owen Sound Zoning By-law 2010-078, as amended	Retail Commercial Special (C2 14.89) (Schedule 'D') The 14.89 Special Provisions:  specifies the uses permitted on site, provides site and building regulations including maximum and minimum floor area provisions.

#### **The Proposal**

The submitted Site Plans are attached in Schedule 'C'. The applicant is proposing the construction of a hotel and four commercial buildings having a total of nine units, six of which are proposed to contain restaurants and three of which contain unassigned retail-type space.

For illustrative purposes the site can be divided into four quadrants. The two southern quadrants include the existing developments (Michaels, Winners/HomeSense, Princess Auto, Value Village) with shared parking to the north of the buildings. The shared parking area is divided in half by an internal north/south road that bisects the site and connects with 16<sup>th</sup> Avenue East as a right in/right out only intersection.

To the east of the internal N/S road, the northeast quadrant will contain the hotel and two buildings with two units each. The northwest quadrant on the west side of the N/S internal road contains the existing PetSmart and DollarTree stores along with a shared parking area in between stores in the southern portion of the quadrant. The northern portion of the quadrant will contain two buildings containing five units in total and a shared parking area.

As illustrated in the Site Plan (Schedule 'C'), the project includes (from west to east across the northern portion of the site):

#### Construction of Building H

- The building will contain three restaurants in separate units (H1, H2 and H3).
- The restaurants are 464  $\rm m^2$  (H1), 199  $\rm m^2$  (H2) and 204  $\rm m^2$  (H3) in size.

- Unit H1 and H3 include outdoor patios (111 m<sup>2</sup> and 56 m<sup>2</sup> in size) located on the west side of the building.
- A shared parking area containing 98 spaces is located to the east of the building and includes a strip of parking spaces adjacent to the building including two barrier free parking spaces.
- A concrete sidewalk along the front of the building connects to the existing sidewalk along 16<sup>th</sup> Street East and the 20<sup>th</sup> Avenue East.

#### Construction of Building I

- Building I will contain two restaurants in separate units (I1 and I2).
- Unit I1 will contain a 241 m<sup>2</sup> restaurant with a drive-through.
- The drive-through will be located on the east side of the building adjacent to the internal N/S road and will be accessed at the south end of the building with the pickup window and exit at the north end of the building. The site plan shows 12 queuing spaces in the drive-through.
- A landscape barrier provides a defined parking area containing 21 spaces including two barrier free spaces.

#### Construction of Building J

- The building will contain two units (J1 and J2) sized 464 m<sup>2</sup> (J1) and 204 m<sup>2</sup> (J2).
- Unit J1 is proposed to contain a restaurant and a 74 m<sup>2</sup> outdoor patio located on the north side of the building.
- A shared parking area containing 119 spaces is located to the east of the building.
- A strip of parking spaces is located adjacent to the building and includes two barrier free spaces.
- A concrete sidewalk along the front of the building connects to the existing sidewalk along 16<sup>th</sup> Street East and the internal N/S road.

#### Construction of Building K

- Building K is a four storey, 75-100 room hotel.
- The hotel includes a u-shaped drive aisle providing access to the hotel's main entrance and 390 m<sup>2</sup> of amenity space divided between two areas on the west side of the building.
- Two parking areas shared with Buildings J and L, containing a total of approximately 200 spaces, are located to the west of the hotel divided by the northern internal E/W road. A smaller parking area with 13 spaces is located south of the hotel.
- Five barrier free parking space are located on the west side of the hotel adjacent to the building.

#### Construction of Building L

- The building will contain two units (L1 and L2) with no tenancy assigned at this time.
- The units are 232  $m^2$  (L1) and 297  $m^2$  (L2) in size.
- A shared parking area is located to the east of the building and includes a strip of parking spaces adjacent to the building.
- A concrete sidewalk along the front of the building connects to the proposed sidewalk along the internal N/S road and the proposed sidewalk along the boundary of the parking area which will connect to the hotel.

#### General Site Comments

- The Zoning By-law Amendment application is requesting a gas bar as an additional permitted use for the site. The use is not shown on the site plan but is requested in case of future tenancy changes. The development of a gas bar and/or any future changes in the site plan will require new/amended Site Plan Approval.
- The site will be accessed via three entrances:
  - 20<sup>th</sup> Ave E which connects with 16<sup>th</sup> St E at a signalized intersection
  - A proposed right in/right out only entrance (internal N/S road) located in the middle of the property originally intended to serve a proposed gas bar.
  - The future 22<sup>nd</sup> Ave E will travel south through industrial park and create an intersection with 16<sup>th</sup> St E at the northeast corner of the subject property. 22<sup>nd</sup> Ave E will end at the intersection. A private road will continue south from the intersection on the subject property. The private road will be shared via an easement with the adjacent property to the east. The easement will require a future consent application from the Committee of Adjustment if/when the property to the east is developed. The landowners are aware of this required cooperation.
- Each building has a proposed waste enclosure and loading space located adjacent to the building.
- Installation of landscaping, amenities and appurtenances are proposed to serve the development.
- Enhanced plantings are proposed along the western side of Building H, on either side of the internal N/S road and along the northern property boundary adjacent to the 16<sup>th</sup> St. E. Perspectives from 16<sup>th</sup> St E have been provided to give the City an idea of what the development will look like once complete (Schedule 'H').
- The proposed plantings include deciduous and coniferous trees, shrubs and decorative armourstone.
- Fencing is proposed along a portion of the drive-through.

#### **Submission & Process Details**

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

Submission Item Title	Submission Item Detail
Site Plan SP-1 – Heritage Grove Square	Prepared by Point Architects, dated February 06, 2020
Landscape Plan L-1 – Heritage Grove Square Phase 2	Prepared by Ron Koudys Landscape Architects Inc., dated January 16, 2020
Landscape Details L-2 – Heritage Grove Square Phase 2	Prepared by Ron Koudys Landscape Architects Inc., dated January 16, 2020
Proposed Elevations – Heritage Grove Square	Prepared by Point Architects, dated April 24, 2019
Site Servicing Plan SS1 – Heritage Grove Centre	Prepared by WSP, dated April 2019, revised February 19, 2020.
Site Grading Plan SG1 – Heritage Grove Centre	Prepared by WSP, dated April 2019, revised February 19, 2020
Details (D1)	Prepared by WSP, dated April 2019, revised February 19, 2020
Erosion & Sedimentation Control Plan ESC1 – Heritage Grove Centre	Prepared by WSP, dated April 2019, revised February 19, 2020
Erosion & Sedimentation Control Notes & Details ESC2 – Heritage Grove Centre	Prepared by WSP, dated April 2019, revised February 19, 2020
Survey – Pk Pt Lot 8 & 9, Range 5 East of Garafraxa Road	Prepared by Hewitt and Milne Ltd, dated March 4, 2016
Survey – Plan 16R-11134	Prepared by Hewitt and Milne Ltd, dated December 10, 2018
Heritage Grove Centre Functional Servicing Update	Prepared by WSP, dated February 19, 2020
Heritage Grove Centre Stormwater Management Update	Prepared by WSP, dated February 19, 2020
Traffic Impact Study 2125 16 <sup>th</sup> St E Commercial Development	Prepared by C. F. Crozier & Associates Inc., dated April 2019

Submission Item Title	Submission Item Detail
Heritage Grove Centre Market Study Owen Sound, Ontario	Prepared by urbanMetrics, dated April 24, 2019, re-issued June 18, 2019
Planning Justification Report – Heritage Grove Centre	Prepared by Robert Russell Planning Consultants Inc., dated April 2019

The applicant engaged the City in the Pre-consultation process in November 2018. Subsequently, the process relating to the formal application as proceeded as follows:

Date	Step
May 1, 2019	Submission of Partial Application and Fees
May 8, 2019	Submission of additional application documents
May 24, 2019	Notice of Complete Application to applicant
May 24, 2019	Request for City Staff and Agency comments sent
June 7, 2019	Notice of Complete Application to public via newspaper notice and mailed courtesy notice to landowners within 120 m of subject property
June 27, 2019	Comment summary re 1 <sup>st</sup> submission sent to applicant for response
June 24, 2019	Site Plan review by the City's Accessibility Advisory Committee
July 15, 2019	Technical Report to Council
July 29, 2019	Revised Comment Summary including result of market retail study peer review sent to applicant
July 19, 2019	Notice of Public Meeting to public via newspaper notice and mailed courtesy notice to landowners within 120 m of subject property
August 12, 2019	Public Meeting
October 10, 2019	Revised Submission #2 from applicant
November 29, 2019	Comment summary re 2 <sup>nd</sup> submission sent to applicant
February 6, 2020	Revised Submission #3 from applicant

Date	Step
April 22, 2020	Discussion with applicant and confirm alternative revised submission
April 27, 2020	Recommendation Report to Council
May 11, 2020	Passing of Zoning By-law No. 29 By-law to authorize Mayor and Clerk to sign Site Plan Agreement (Tentative)

#### **Analysis:**

The proposal is required to meet all development standards and policies applicable to projects within the City of Owen Sound. The proposal is required to be consistent with the Provincial Policy Statement and in conformity with the City Official Plan and Zoning By-law.

The application is subject to review by the City Planning, Engineering, and Building staff as well as external commenting agencies. All applicable policies, standards, and comments received are reviewed below.

#### **A: Provincial Policy Statement**

The Provincial Policy Statement (PPS) has been reviewed with regard to the subject proposal. Municipal decisions on planning matters are required to be consistent with the PPS.

The PPS Vision for the long-term prosperity and social well-being of Ontario focuses growth and development within settlement areas and recognizes that land use must be carefully managed. Strong, liveable and healthy communities promote and enhance human health and social well-being, are economically and environmentally sound, and are resilient to climate change.

The PPS directs development to fully serviced, designated settlement areas and requires contiguous development that minimizes land consumption and servicing costs.

The proposal 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 proposal is considered greenfield, infill development.

The application is consistent with the Provincial Policy Statement.

#### **B: County of Grey Official Plan (2019)**

The entire City of Owen Sound is designated as a 'Primary Settlement Area' in the County of Grey Official Plan (County OP). In addition, a very small portion in the southeast corner of the subject property is designated as Hazard Lands. The proposed development is located at the northern end of the parcel outside of the Hazard designation and beyond Hazard Lands setbacks.

The County OP requires that settlement areas with full municipal services are to be the focus of the majority of growth within the County. The County OP promotes a full range of residential, commercial, industrial, recreational, and institutional land uses within Primary Settlement Area. Land use policies and development standards are to be in accordance with the local Official Plan. The County has been consulted on the proposal and County staff have no objection to the application.

The application conforms to the policies of the County OP.

#### C: City of Owen Sound Official Plan (2006)

The subject property is designated 'East City Commercial' on Schedule 'A' in the Owen Sound Official Plan (OP). The property is located within the Sydenham Heights Planning Area and designated as 'East City Commercial' on Schedule 'A2' within Phase 1 of the Planning Area.

The East City Commercial designation identifies lands in the east part of the City that are the main entrance to the City. The main function of the designation is to accommodate large format retail and service commercial uses requiring relatively large sites. These sites serve as a regional destinations and may include single or multi-purpose sites. Permitted uses in the designation also include complementary uses such as office, restaurant, large entertainment and community facilities as well as service commercial uses.

The site design and layout meet the provisions of the OP from an urban design perspective (Sec. 7.8). Sec. 7.8 requires that the City promote a high standard of design in private development to achieve an appealing, comfortable, accessible, and safe environment for Owen Sounders, with particular attention to be paid to the major commercial areas, among others. Given that the subject development area fronts on the major thoroughfare (Hwy 26/16<sup>th</sup> St E) of a prominent gateway to the City, Staff were particularly concerned with the aesthetic of the site. The proposed site and landscape plan have been adequately enhanced to maintain the visual integrity and presence of the site, recognizing its location at the Hwy 26 gateway to the City. The submitted landscape plan shows the extent of landscaping on site, functioning to soften, shade, and create visual interest to the proposed buildings and parking area (Schedule 'C'). The applicant has been

required to provide perspectives of how the site will appear as one enters the City (Schedule 'H').

When a rezoning application is received within the East City Commercial designation for a commercial use, Sec. 4.4.2.9 the OP requires that the applicant provide a market analysis/study to demonstrate the need for the proposed amendment and the impact of the proposed use on the commercial structure of the City and the Region. The core intent of the market analysis is to ensure that the health of the City's Downtown in considered in the context of the proposal.

Through the pre-consultation process, the applicant was informed of the requirement of a market study as well as a peer review of the study. The applicant has submitted a market study prepared ubranMetrics Inc. (uM) dated April 24, 2019 and re-issued June 18, 2019 (attached in Schedule 'F'). This study was peer reviewed on behalf of the City by Tate Economic Research Inc. (TER). The peer review is attached to this report (Schedule 'G'). Beyond the formal review documents, the City has engaged TER on the various iterations of the proposal up to April 22, 2020 as this report was being finalized. These discussions were centered around the matter of the gross floor area dedicated to 'small' restaurants ( $<325 \text{ m}^2$ ) and are discussed further below.

The market study formulated four main evaluation points, the peer review commented on and assessed each point.

#### 1. Market Profile Context

The TER peer review concludes that the urbanMetrics analysis indicating the site is well positioned from a market demand perspective is appropriate.

#### 2. Hotel Evaluation

The TER peer review concludes an additional hotel may be warranted in the market. It is anticipated that the introduction of two hotels (the other being the recently approved API hotel on 16<sup>th</sup> Ave E), as proposed, would impact the operations of the existing hotels in Owen Sound. However, it is unlikely the introduction of a hotel on the site would have an impact on the planned function of the Downtown.

#### 3. Gas Station Evaluation

The TER concludes an additional gas station may be warranted in the market. It is unlikely the introduction of a gas station on the site would have an impact on the planned function of the Downtown.

In conclusion, TER concurs with the uM findings that it is appropriate to allow the proposed gas station and hotel at the Site.

#### 4. Restaurant Evaluation

As noted above, the application has gone through a number of changes throughout the approvals process. The changes were the result in the evolution of the Site Plan design and tenant prospects for the parcel. The changes meant that that the gross floor area of the restaurants on site fluctuated. Note that reference to 'small restaurants' are those that are  $325.5 \, \text{m}^2$  or smaller in gross floor area.

As noted above, the Official Plan includes restaurants as a permitted use in the East City Commercial designation. The OP polices facilitate the creation of maximum and minimum GFA for any permitted use to protect the planned function of the East City Commercial area. The importance of the extent of small restaurants on site lies centrally in the ability to demonstrate that the tests of OP Sec. 4.4.2.9 have been met. There are four tests, and each revolves around timeliness of the development and the capacity of the Downtown to house the development.

The following matters merit note with regard to the extent of restaurants proposed on site:

- The original uM Retail Market Study and TER peer review (July 12, 2019) assessed 820 m<sup>2</sup> of small restaurant space. At this time, TER had outstanding questions and concern about the proposal's consistency with Sec. 4.4.2.9.
- Following this, the applicant revised the application and proposed a reduced total amount of restaurant space of 1,688 m², a decrease of approximately 31% from the original submission. Of the total restaurant space proposed, approximately half (760 m²) will be in a 'small' restaurant size category. This extent of 'small' restaurants continued to cause concern for TER in the context of Sec. 4.4.2.9.

More information was required to consider this extent of 'small' restaurants on site.

- On April 21, 2020 the owner provided more information about the confirmed restaurant tenants and the GFA and location characteristics they require. At this time, it also became apparent that the proposed drive-through restaurant, being a 'small' restaurant, would not be permitted in the Downtown. The Downtown is prominently zoned Core Commercial (C1), which does not permit a drive-through. Thus, Sec. 4.4.2.9 cannot logically be applied to this use.
- The applicant has requested to amend their application to:
  - a) Exclude the proposed drive-through restaurant (shown on the current site plan) from the restaurant calculation and permit one (1) drive-through as an additional use in the zoning to accommodate what is being proposed.

- b) Maintain the overall permitted service use maximum GFA (2578 m²) related to restaurants in terms of the scale for the purposes of calculation of permitted floor area and the total site maximum GFA.
- c) Permit an increase in the permitted floor area for 'small' restaurants to 520 m<sup>2</sup> from a permitted 464 m<sup>2</sup>, representing a variance of 56 m<sup>2</sup> of 'small' restaurant GFA.
- On April 22, 2020, TER was consulted on the abovementioned change. At this point, TER opined that they were satisfied that the application, as revised, could be supported from the perspective of retail market demand and impact. They are satisfied that the amendment meets the requirements of the retail market study policy (OP Sec. 4.4.2.9).

The following is a general overview of OP Sec. 4.4.2.9 as it relates to permitting the drive-through as an additional use and not including in the restaurant size regulations:

- i. Designated commercial property, suitable for the intended scale and type of development is not available within the Downtown Area.
  - Commentary: A drive-through is not permitted in the Downtown Core (C1) Zone. There is one drive-through in the Downtown at the present time, which is subject to a Special Provision to permit the use. The intent of the drive-through prohibition in the Downtown recognizes that the area is intended to be dense and walkable. The Downtown area is not intended to serve the travelling public, as is the Arterial and East City Commercial Areas. Sites in the Downtown tend to be smaller and are intended to have reduced setbacks intended to achieve a compact design.
- ii. Available commercial property in the Downtown is not economically viable for the intended scale and type of development.
  - <u>Commentary</u>: Notwithstanding that it is not permitted, there is no vacant property in the Downtown that would be viable for development of a drivethrough to Staff's knowledge.
- iii. The proposed increase in commercial floor space will not be premature by increasing the amount of commercial floor space in the City beyond the 5 year market demand.
  - <u>Commentary</u>: The proposed GFA increase from 464  $\text{m}^2$  to 520  $\text{m}^2$  is not premature as it is a minor increase from the maximum GFA permitted asof-right in Special Provision 14.89. The exclusion of the drive-through as a 'small' restaurant will allow for the development of two (2) other restaurant uses together with the request for an increase in the cap of 55  $\text{m}^2$ . The proposed increase is minor relative to the existing permission and 55  $\text{m}^2$  does not provide for an additional restaurant on the lands. The general

intent of the site specific zoning by-law is maintained and this part of Sec. 4.4.2.9 is met.

iv. The proposed development will not undermine the economic viability or planned function of a significant commercial component of the Downtown or impair the function of a designated commercial district as identified in this Plan.

<u>Commentary</u>: The planned function of the Downtown will not be impacted as drive-throughs are not permitted. The permission to allow for one (1) drive-through on the subject lands will not impair the function of the designated commercial district. The East City Commercial Area is intended to accommodate uses for the travelling public and a drive-thru restaurant is appropriate within this designation. OP Sec. 4.2.9 establishes the intended aesthetic, feel and function of the Downtown. While franchise or chain restaurants play an important role in the City's food service framework, the OP requires that the unique character of the Downtown be maintained. This requires that the heritage street front retail area, with its distinctive facades, shall be maintained, strengthened and supported.

Planning staff recommend that the proposed zoning amendment limit the total restaurant GFA as well as the 'small' restaurant GFA to what is currently proposed through the application. The total restaurant GFA would be 1,688 square meters and the 'small' (325.5 m² or smaller) restaurant GFA would be 520 square meters. Any future expansion of the restaurant space on the site will require a zoning by-law amendment and a market retail study in support of the expansion.

Restricting the GFA will limit the number of 'small' restaurants on the site that could otherwise potentially locate in the Downtown. It will also ensure that the site is available for larger format retail/commercial uses as intended in the East City Commercial designation.

The market impact study and peer review support the addition of a hotel and gas bar as permitted uses on the site without size or other limitation.

In addition, the East City Commercial policies require that Zoning By-law amendments provide an assessment of the traffic, land use, ecological and servicing impacts of the proposed use, including recommended infrastructure improvements necessary to accommodate the development. These submission requirements have been addressed through the submitted Functional Servicing and Stormwater Management Update as well the Traffic Impact Study and Planning Justification Report. The Functional Servicing and Stormwater Management Update as well the Traffic Impact Study will be addressed in detail in Section E of this report regarding Site Plan Control Matters.

The application conforms to the City's Official Plan, subject to the recommended conditions.

#### D: City of Owen Sound Zoning By-law (2010-078, as amended)

The subject property is zoned 'Retail Commercial' (C2) and is subject to Special Provision 14.89 in the City's Zoning By-law 2010-078, as amended (Schedule 'D'). The proposal includes a request to amend Special Provision 14.89 and to undertake development of the lands in accordance with the existing and revised provisions of the Zoning By-law. Special Provision 14.89 only applies to the subject property and was established through an Ontario Municipal Board settlement process.

#### **D.1** The Amendment

Special Provision 14.89 establishes the uses permitted on the site, provides specific site and building regulations, and establishes maximum and minimum gross floor area provisions for the uses on the property. Special Provision 14.89 limits the uses permitted on site to a specific list of retail, service commercial, and entertainment uses.

A redlined version of Special Provision 14.89 is attached to this report as Schedule 'E', which illustrates the requested changes. In summary, the application is requesting the following amendments to Special Provision 14.89:

Proposed additions to the list of permitted uses:

14.89 1) (b) vi) Gas Bar (including accessory convenience store) 14.89 1) (f) Hotel

Proposed alterations to the site and building regulations:

14.89 2)	Permitted	Proposed
iv. Building Setbacks	Min. 6 m from any street lot line	Min. 4 m from 16 <sup>th</sup> St E for Building 'H' and Min. 6 m from any other street lot line
vi. Building Height	Max. 10 m	Max. 19 m for a hotel
vii. Floor Area Provision 5. e. Restaurants	Min. unit size of 325.2 m², however smaller restaurants with no minimum unit size may be permitted provided that they not exceed 464 m² in aggregate.	<ul> <li>(i) Min. unit size of 325.2 m², however smaller restaurants with no minimum unit size may be permitted provided that they not exceed 520 m² in aggregate.</li> <li>(ii) One drive-through restaurant is permitted, which shall not be subject to the small</li> </ul>

14.89 2)	Permitted	Proposed
		restaurant aggregate maximum in 14.89 2) 5e(i) regardless of the size.

#### Proposed New Permitted Uses:

The application is requesting the addition of a hotel and a gas bar to the special provisions existing on the site. Both a gas bar and hotel are as-of-right permitted uses in the Retail Commercial (C2) zone, but are not included in the 14.89 provision. As noted above, the market impact study found that the addition of a gas bar and hotel were not expected to have an impact on the planned function of the Downtown. These uses require larger lot areas and space for parking and loading, including truck turning radii. The addition of a gas bar and hotel is appropriate and is believed to meet the general intent and purpose of the Zoning By-law.

#### Altered Site and Building Regulations

The application is requesting a reduced setback from a street lot line (16<sup>th</sup> St E) from six meters to four meters for Building H, which is located in the northwest corner of the site. The reduced setback will not impact the site triangle at the 16<sup>th</sup> St E and 20<sup>th</sup> Ave E intersection and will include some landscaped/amenity space. The proposed setback reduction from six meters to four meters is minimal and is believed to meet the general intent and purpose of the Zoning By-law. The impacts of the reduced setback can be better visualized using the perspectives provided by the applicant (Schedule 'H').

#### Increased Maximum Height

Special Provision 14.89 permits a maximum height of 19 meters for medical and dental clinics and laboratories on the site. The application is requesting that the hotel be included in the list of uses permitted to have a height of 19 meters. A 19-metre high building will be approximately five storeys in height. For comparison, the recently-approved API hotel on 16<sup>th</sup> Ave E is proposed to be six storeys in height. Other new buildings in the Sydenham Heights Planning Area currently proposed or in construction are in the three to six storey height range. Buildings higher than two to three storeys are becoming more common in the east side commercial area. The proposed hotel height of 19 meters is believed to meet the general intent and purpose of the Zoning By-law.

#### Increased 'Small' Restaurant Aggregate GFA

As of the date of this report, the applicant is requesting a total aggregate GFA of  $520 \text{ m}^2$  for restaurants that are  $325.2 \text{ m}^2$  or less (a 'small' restaurant). The applicant is also requesting that one drive-through restaurant be permitted

outside of the 'small' restaurant cap. Special Provision 14.89 currently permits a total aggregate 464  $\text{m}^2$  for 'small' restaurants. The proposed site plan illustrates this request.

Planning staff recommend approval of this request as it meets the general intent and purpose of the Zoning By-law, including Special Provision 14.89.

#### **D2: General Zoning Conformity**

Zoning Matter	How is the Requirement Met?
Standard Parking Stalls	The proposed number of off-street parking stalls exceeds the zoning requirements.
	The number of parking spaces required for the site given the current and proposed commercial GFA, proposed restaurant and patio GFA and a 100 room hotel as illustrated on the Site Plan (Schedule 'C') is 823 spaces. The Site Plan is showing 1099 parking spaces.
	The proposed stalls meet the minimum size requirement $(2.65m \times 6.0m)$ and aisle widths exceed the minimum requirement $(7.5m \times 6.0m)$ .
	The parking stalls proposed on the site plan conform with the parking provisions.
Barrier-Free Parking Stalls	The number of barrier-free parking stalls exceeds the zoning requirement.
	Based on ADOA standards, the development as illustrated on the Site Plan (Schedule 'C') is required to provide 19 barrier free parking stalls. The Site Plan is showing 46 parking spaces.
Loading Spaces	Building H, I, J and L each are provided with one loading space per building. The hotel will have two loading spaces on the south side of the building.
	The number and location of loading spaces conforms with the loading provisions.
Queuing Spaces	Unit I1 within Building I will be serviced by a drive- through. The drive-through includes 12 queuing spaces and a space at the pickup window.
	The drive-through design meets the requirements of the queuing regulations.
Bicycle Parking Stalls	The Site plan shows two bicycle parking areas. As per the zoning provisions the final approved site

Zoning Matter	How is the Requirement Met?
	plan will be required to show 42 bicycle parking spaces to meet the zoning requirements.
	Planning staff recommend that as a condition of approval of the Site Plan, the final approved site plan show a total 42 bicycle parking spaces spread out over the site.
Setbacks	Other than the requested setback reduction from 16 <sup>th</sup> St E applying to Building H1, as noted above, the required setbacks are met or exceeded.
Lot Coverage	The lot coverage maximum is not exceeded.
Building Height	As noted above the application is requesting that the maximum height of the hotel be increased to 19 m. This is the as-of-right permitted height for medical/dental clinics and laboratories on site. The other buildings on site do not exceed the building height maximum.
Hazard Land	Hazard Land zoning regulations do not impact the proposed development.
Landscape Buffer Strips	A 1.5 m planting strip is shown along the northern property boundary adjacent to 16 <sup>th</sup> St E. The planting strips contains a mixture of deciduous and coniferous trees as well as smaller perennials.

#### **E: Site Plan Control Matters**

The proposed development is subject to Site Plan Control in accordance with Sec. 41 of the Planning Act and City By-law 2019-185. The site plan approval process addresses the overall design and connectivity of the development within the local context. Thorough site plan review ensures that the site will be safe, functional and attractive for current and future residents of the City.

Site Plan Review considers accessible design and ensures that the site will meet City and Provincial accessible design standards. The submitted site plan was presented to the City's Accessibility Advisory Committee (AAC) on June 24, 2019 for comment on matters of accessibility.

Site Plan review also ensures that the site will function seamlessly while complying with the existing or amended zoning provisions pertaining to the site. Traffic and pedestrian flow, as well as parking area layout and site access locations (entrances) are also of critical importance for this scale of development.

Landscaping, stormwater management and the location of on-site amenities, such as snow storage areas and garbage enclosure locations, are also key considerations in determining if the site is adequately designed.

Staff have undertaken a thorough review of the Site Plan relative to the City Zoning By-law and to assess if the proposal meets the requirements of the City's design and engineering standards and if conditions of approval respecting site design and layout should be applied.

#### City of Owen Sound Planning & Heritage Division

The Planning & Heritage Division has undertaken a full review of the application in consideration of the principles of good planning, which ensures a safe, functional, and attractive site layout. The following aspects of the site design merit note in addition to the planning policy analysis above.

Danian Annast	Delian Contest (Chaff Comments
Design Aspect	Policy Context/Staff Comments
General Layout	The buildings to be located at the northern property boundary address the street with parking to the side of the building. As proposed, the buildings create a consistent streetscape. The perspectives attached (Schedule 'H') show what the site will look like from 16 <sup>th</sup> St E.
Parking Layout	The parking lot layout is safe and functional. Clearly defined internal drive aisles, raised concrete medians with plantings at the perimeter of the designated parking areas will facilitate predictable travel patterns for vehicles.
Pedestrian Access and Connectivity	Defined pedestrian sidewalks on both sides of the main internal drive aisles, and pedestrian connections to the proposed buildings will allow for safe and convenient pedestrian connectivity within the site and to the external pedestrian network.
	It is recommended as a condition of approval that tactile (TWSI) plates be red, cast iron per City Standards and be provided where there is a change in grade from the onsite sidewalk to the drive aisles and parking areas.
Lighting	Site lighting is proposed at strategic locations in the parking areas throughout the site.
	The City's Site Plan Agreement requires that that the proposed on-site LED lighting be specified with a colour temperature (CCT) of 3000K (warm white) and that all lighting will be downward facing and dark-sky compliant.

Design Aspect	Policy Context/Staff Comments
	Exterior building lighting will need to comply with the Ontario Building Code.
Landscaping	The landscape plan shows plantings and landscaping along the perimeter of the property as well as along buildings and patios, and within parking area medians.
	Landscaping includes decorative armourstone retaining walls at specific locations such as grade changes requiring steps and along quadrant edges. Plantings include deciduous, coniferous and perennial plants.
	Enhanced plantings are shown at the 20 <sup>th</sup> Ave E and 16 <sup>th</sup> St E intersection as well as along the right in/right out intersection with 16 <sup>th</sup> St E along the proposed drivethrough.
	The Planning Division seconds the revisions recommended by the City's Manager of Park and Open Space (below).
Garbage & Recycling	Waste enclosures together with the loading space are shown at each building.
	Planning staff recommend a condition of approval that the final site plans be revised with details for the 2.0m high solid board fence enclosure.
Snow Storage	No specific snow storage area is shown on the site plan. The site does include excess parking spaces which may be used for snow storage. As a condition of approval, Staff recommend that the final site plans be revised to show adequate on-site snow storage.
Matters of Accessibility	As noted, the Accessibility Advisory Committee considered the proposed site plan on June 24, 2019. The Committee provided comment for consideration and incorporation into this recommendation report for final approval:
	<ul> <li>a) THAT curb ramps and red, cast iron tactile plates shall be installed at all points where exterior paths of travel (sidewalks) meet drive aisles, parking areas, and barrier free parking stall access aisles; and</li> </ul>
	<ul> <li>b) THAT the owner be requested to consider the installation of benches intermittently along the exterior paths of travel for pedestrian rest areas; and,</li> </ul>
	c) THAT the final approved site and construction plans reflect the requirements of the Accessibility for

Design Aspect	Policy Context/Staff Comments			
	Ontarians with Disabilities Act and the Ontario Building Code respecting matters of accessibility.			

The City Planning & Heritage Division recommends approval of application ST2019-005, subject to the recommended conditions.

#### City of Owen Sound Engineering & Public Works Department

Comment has been received from the City's Engineering and Public Works Department with no objection to the subject proposal.

Engineering Detail	Staff Comments		
Stormwater Management	The SWM Report is acceptable.		
Grading & Drainage	Site grading supports the SWM design and conforms to Section 2.2.2 of the City's Property Standards By-law 1999-030.		
Site Servicing	A Functional Servicing Update has been provided for this development.		
	<b>Water:</b> The City-owned portion of the on-site watermain will be extended along the east access road to the property and stubbed at the south side of the 16th Street East (Highway 26) road allowance to allow future connection to the future 22nd Avenue East on the north side of 16th Street East. A 6.0m utility easement in favour of the City will be required for the extended portion of the watermain.		
Parking, Site Access, & Traffic Circulation	Parking, site access, and traffic circulation standards have been met.		
	The submitted Traffic Impact Study is acceptable. The proposed development is supportable from a traffic operations and safety perspective, with the following recommendations:		
	1. Implement an auxiliary westbound left-turn lane with a minimum stacking distance of 15 metres (25m when development of the Strain property to the east occurs) on 16th Street East at the future 22nd Avenue East intersection. Engineering Services will require that the 25m stacking length be constructed for this development; and		

<b>Engineering Detail</b>	Staff Comments
	2. An exclusive northbound left-turn and right-turn lane (also future through lane), and southbound receiving lane at the south leg at the intersection of 16th Street East and 22nd Avenue East.
Right In/Right Out access between the existing right- in/right-out access and the existing 20 <sup>th</sup> Avenue East access	The plan shows a proposed right-in access between the existing right-in/right-out access and the existing 20 <sup>th</sup> Avenue East access. This access was provided to allow B-train fuel supply trucks to enter the site. As a fuel station is not contemplated as a component of this application, Engineering Services recommends that it not be constructed at this time. An access with this configuration may be required in the future if a fueling station is constructed but it may not be in this location. The elimination of this access will not adversely affect the recommendations of the TIS.
	As a condition of approval, Staff recommend that the right-in / right-out access intended for B-train fuel trucks be removed on the Site Plan as a condition of approval.
Access for lands to the east	A future full moves intersection with 16th Street East is anticipated at the eastern boundary of the property (future 22nd Avenue East). This access will also need to provide access to the property to the east (2275 16th Street East) through a right of access agreement. This property is not permitted to gain new access from 16 <sup>th</sup> St E, thus, shared access is required.
Landscaping	No landscaping features, signs or vegetation with a mature height greater than 0.6 metre are to be located within the 5.0 metres by 5.0 metres sight triangles required at the access points as per Section 5.12.3 of Zoning By-law 2010-078, as amended.
Environmental	There are no known environmental issues with the property. The proposal represents greenfield development.
Fees	Payment of the Engineering Review Fee is recommended as a condition of approval. The amount of this fee depends on an external works cost estimate, which has not yet been submitted.

The City's Engineering and Public Works Department recommends approval of application ST2019-005, subject to the recommended conditions.

#### F: City Staff & Agency Comments

In response to the request for comment from the Planning & Heritage Division, the following comments have been submitted for review pertaining to the subject applications. All comments can be found attached hereto as Schedule 'I'.

#### City of Owen Sound Parks and Open Space

The City's Manager of Parks and Open Space has reviewed the various iterations of the site plan and provides the following comments:

- 1. That all parking lot islands should have two trees. Shademaster Locust or Maiden Hair Tree are suitable. The landscape plan should be revised to show adequate landscaping on all parking islands.
- 2. That some of the plant varieties proposed within the 5 m x 5 m sight triangles will likely exceed the maximum permitted 0.6 m height. The plants used here (reed grass and alpine currant) grows to 5 ft tall and may impact one's ability to see other vehicles at this location. The plant selection in the sight triangles are recommended to be revised.

Parks and Open Space Staff recommend that these two comments be included as conditions of approval and that the final, approved site plans be revised accordingly.

#### **City of Owen Sound Fire Prevention**

Comment has been received from Fire Prevention with no objection to the application.

Fire Prevention specifies that the following will be required in order to achieve compliance with the Ontario Building Code and other referenced documents:

- a) If the planned buildings are restaurants that have seating for more than 30-people they will be Group A assembly occupancies and require fire routes signs in accordance with the City of Owen Sound Fire Route By-Law and Subsection 3.2.5. of Div. B. of the Ontario Building Code.
- b) The drawings do not show the location of the fire route signs as per City of Owen Sound Fire Route By-Law.
- c) The drawings show fire routes but the turn radius is not noted on the drawing as required by Article 3.2.5.6. of Div. B. of the Ontario Building Code.
- d) The drawings do not show if the new buildings (H, I, J and L) will be equipped with fire department connections.

Comments are also made about recommended considerations for the convenient location of fire department connections.

#### **City of Owen Sound Building Division**

Comment has been received from the Building Division with no objection to the application.

#### **Grey Sauble Conservation Authority (GSCA)**

Comment has been received from the GSCA with no objection to the subject proposal. GSCA is generally accepting of the proposed stormwater management plan. As noted in the report, appropriate sediment and erosion control measures should be implemented to ensure that deleterious materials are not transported offsite. A permit from the GSCA is reportedly not required for the proposed development.

Noting the potential for a gas bar on the subject lands, the City's Risk Management Official for Source Water Protection made comment that the property is just outside the Events Based Area so from a Source Protection Plan policy standpoint they do not have any comments.

#### **County of Grey**

Comment was received from the County of Grey with no objection to the proposal. The County encourages further tree and shrub plantings throughout the site to provide shaded pedestrian routes from one store to the next. There also may be an opportunity to allow for seating along the store fronts for people to rest and eat. Maintaining greenspace and including sidewalk pocket parks may be possible design initiatives that serve as water management opportunities.

#### **Canada Post**

Comment was received from Canada Post with no objection to the proposal. This development will receive mail service to centralized mail facilities provided through our Community Mailbox program.

#### **Enbridge/Union Gas**

Comment was received from Enbridge/Union Gas with no objection to the proposal.

#### **Public Comments**

Several comments have been received from the public regarding the subject Zoning By-law Amendment. The comments, as well as the August 12, 2019 Public Meeting Minutes are attached to this report (Schedule 'J').

1. Comment Spencer Planning Services dated August 8, 2019.

Lorelie Spencer, Principal of Spencer Planning Services provided written comment to the City expressing concern with the proposed Zoning By-law Amendment. Ms. Spencer also attended the Public Meeting and verbally expressed her opinion. These comments center on the ability of the local market to absorb the proposed commercial gross floor area without impacting existing business owners and landowners to undertake commercial development.

In response to this, City Planning Staff note that the primary intent of the Retail Market Impact Study is to assess if the new retail GFA will impact the Downtown area, which is zoned predominantly Core Commercial (C1). Sec. 4.4.2.9 of the City's OP establishes this intent. Generally, the development of large format retail uses in the East City Commercial designation (and generally

zoned C2) does not impede the Downtown, because these uses are not suited to be located within a Downtown Core. Land Use Planning policy is not intended to supplant or negate the principles of fair market competition and the ability of private landowners to pursue development of their commercially-zoned and/or designated lands. Further, restaurants and retail stores are permitted as-of-right in the Core Commercial (C1) zone (e.g., Downtown), in the Retail Commercial (C2) zone (e.g., most lands along 16<sup>th</sup> St E), and in the Regional Shopping Centre (C5) zone (i.e., the Heritage Place Mall). It merits note that very few commercial zones currently limit the GFA for permitted uses as Special Provision 14.89 does. The City's Peer Reviewer, TER is satisfied with the amount and scale of commercial uses proposed in the final site plan.

#### 2. J. Gulin dated June 10, 2019 and December 2, 2019

Mr. Gulin has submitted correspondence to the City requesting to be added to the list of persons requesting Notice of Decision. The response to the Spencer Planning comment above is also applicable to Mr. Gulin's concerns. The dealings of private landowners are distinct from the matters dealt with in a site-specific Zoning By-law Amendment, being conformity and consistency with Provincial, County and local Planning Policy.

#### 3. D. Mitchell dated November 25, 2019 and December 3, 2019

Mrs. Mitchell has provided comment to the City respecting the historic woodlot on the lands and the proposed drive thru. Subject to the provisions of the City's Idling By-law, Special Provision 14.89 permits drive thru restaurants. There was a small woodlot in the northwest corner of the subject lot prior to the first phase of development. Images dated 2009 and 2012 provided in Google Streetview confirm this information. The majority of the trees were removed during the first phase of development in 2013-2015. The Ministry of Natural Resources approved a planting plan on May 10, 2013 for compensation planting for the retainable Butternut Trees on site. The butternut planting site is located to the south (rear) of the Value Village store on a portion of property zoned 'Hazard Lands' (ZH). There are no trees on site proposed to be removed to facilitate the final phase of the development.

#### **Next Steps:**

In accordance with the Planning Act and City protocols for processing Planning Act Applications, the following outlines the next steps in the process:

Anticipated Date	Step
May 11, 2020	Passing of amending by-law By-law to authorize Mayor and Clerk to sign Site Plan Agreement (tentative)

#### Financial/Budget Implications:

None to the City.

#### **Communication Strategy:**

Notice of Complete Application and Notice of the Statutory Public Meeting were given as required by the Planning Act. The Public Meeting was held on August 12, 2019.

#### **Consultation:**

In addition to the public notice, the Planning Division has also consulted extensively with the City's Development Team and external commenting partners on the various iterations of the application.

#### **Attachments:**

Schedule 'A'	Orthophoto
Schedule 'B'	Official Plan and Zoning Map
Schedule 'C'	Site Plan, Landscape Plan
Schedule 'D'	Special Provision 14.89 (current and in force)
Schedule 'E'	Special Provision 14.89 (with proposed changes)
Schedule 'F'	Heritage Grove Centre Market Study by urbanMetrics inc.
Schedule 'G'	Tate Economic Research Inc. Peer Review of urbanMetrics inc.
	Market Study and subsequent addendums
Schedule 'H'	Site Perspectives from 16 <sup>th</sup> St E
Schedule 'I'	Agency Comments
Schedule 'J'	Public Meeting Minutes and Public Comments
Schedule 'K'	Draft Conditions of Approval

**Prepared by:** Sabine Robart, MSC (PLAN) Signature on File

MHBC Planning

**Prepared by:** Dave Aston, M. SC., MCIP, RPP Signature on File

**Reviewed by:** Amy Cann, M. PL. MCIP, RPP Signature on File

**Submitted by:** Wayne Ritchie Signature on File

### Schedule 'A': Orthophoto





#### Ν Schedule 'B': Official Plan Designations and Zoning **M2** 1800 1990 **M2** 17th St E 2010 C2 M1 2050 1935 1809 14.88 1960 16th St E 1555 20th Ave E **RUR** C2 C2 14.89 14.64 1590 2275 2125 **LEGEND** Subject Property **R3(H)** 1555 14.5 **ZONING** Special Provision Zone (C2) **OFFICIAL PLAN RUR** Residential **Employment** 2250 **East Commercial** Institutional 1800 Open Space Information shown on these drawings/maps/charts Hazard Lands 180 Meters is compiled from numerous sources and may not be 45 90 complete or accurate.

SITE PLAN INFORMATION TAKEN FROM SITE PLAN PREPARED BY SCOLER & LEE ASSOCIATES ARCHITECTS INC. DRAWINGS A1, DATED FEB. 2011, REV 12, DATED OCT. 2, 2013 AND FROM PLAN OF SURVEY OF PART OF

PARK LOTS 8 AND 9
RANGE 5, EAST OF THE GARAFRAXA ROAD
GEOGRAPHIC TOWNSHIP OF SYDENHAM
CITY OF OWEN SOUND
COUNTY OF GREY

BY HEWETT & MILNE LIMITED

# Schedule 'C-1' Site Plan

DETAIL	BLDG A UNIT A-1	UNIT A-2		DI DO O	BLDG D DOLLAR	BLDG E PRINCESS	BLDG F HOMESENSE	BLDG G	BLDG J2	BLDG L1	BLDG L2	TOTAL	
RETAIL	MICHAELS	WINNERS	VILLAGE	BLDG C	TREE	AUTO						TOTAL	PERMITTED
FURNITURE HOME FURNISHINGS & ELECTRONICS							692.80					692.80	3716.40
PHARMACIES & PERSONAL CARE													1393.60
CLOTHING & ACCESSORIES		1913.30										1913.30	3716.40
GENERAL MERCHANDISE					626.20	1605.70						2231.90	2322.80
MISCELLANEOUS RETAIL	1772.40		2000.50					1234.10				5007.00	5170.00
UNASSIGNED RETAIL SPACE				780.30					204.89	232.39	297.30	1514.88	
TOTAL RETAIL	1772.40	1913.30	2000.50	780.30	626.20	1605.70	692.80	1234.10	204.89	232.39	297.30	11359.88	
NON-SHOWROOM SPACE					163.50	252.40	103.50	184.40				703.80	
SUB-TOTAL	1772.40	1913.30	2000.50	780.30	789.70	1858.10	796.30	1418.50	204.89	232.39	297.30	12,063.68	
RESTAURANTS (BLDGS H1, H2, H3, I1, I2, J1)												1690.66	
HOTEL												3716.10	
GRAND TOTAL												17,470.44	

## SITE PLAN

SITE AREA COVERAGE	7.6 Ha 23.2%	18.78 AC
BUILDING GFA	SM	SF
BLDG A1	1,772.40	19,078
BLDG A2	1,913.30	20,595
BLDG B	2,000.50	21,533
BLDG C	780.30	8,399
BLDG D	789.70	8,500
BLDG E	1,858.10	20,000
BLDG F	796.30	8,571
BLDG G	1,418.50	15,269
BLDG H1	464.49	5,000
BLDG H2	199.75	2,150
BLDG H3	204.37	2,200
BLDG I1	241.54	2,600
BLDG I2	116.08	1,250
BLDG J1	464.43	5,000
BLDG J2	204.89	2,206
BLDG K	3,716.10	40,000
BLDG L1	232.39	2,501
BLDG L2	297.30	3,200

TOTAL GFA 17,470.44 188,052 ZONING AS PER BYLAW 2010-078 (SEE ZONING ANALYSIS)

## PARKING (2.65m x 6m W/ 6m drive aisle)

## REQUIRED

1/15 sm gfa up to 300 sm
1/20 sm gfa thereafter

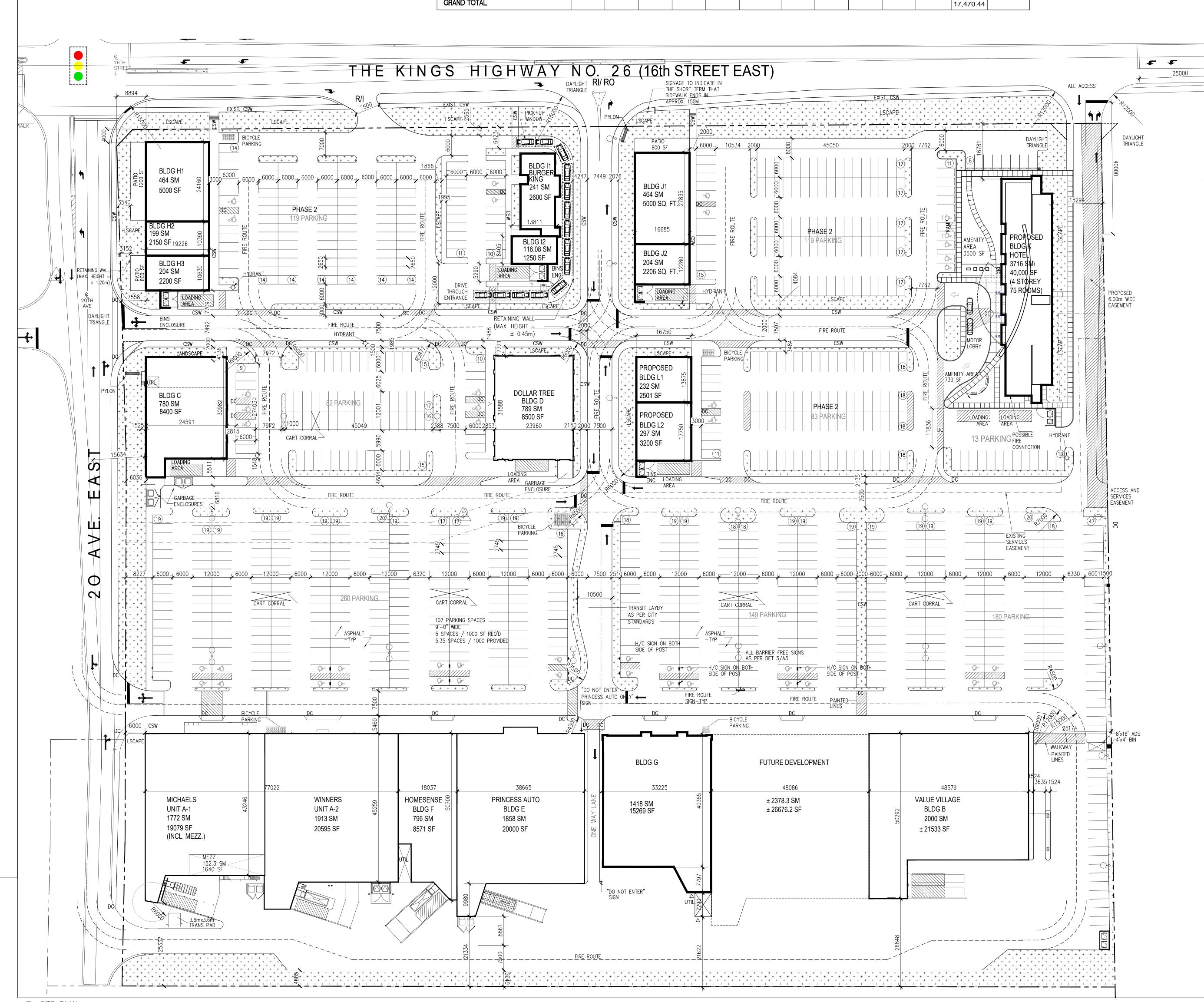
TOTAL

880 spaces
(18 BF spaces)

PROVIDED 1005 spaces (47 BF spaces)

## NOTE:

CONC. BARRIERS CURB AT THE EDGE
OF ALL HARD SURFACES IS REQ.'D INCL.
ADJACENT TO ALL NATURALIZED AREAS



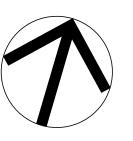
ZONING USE ANALYSIS (m<sup>2</sup>)

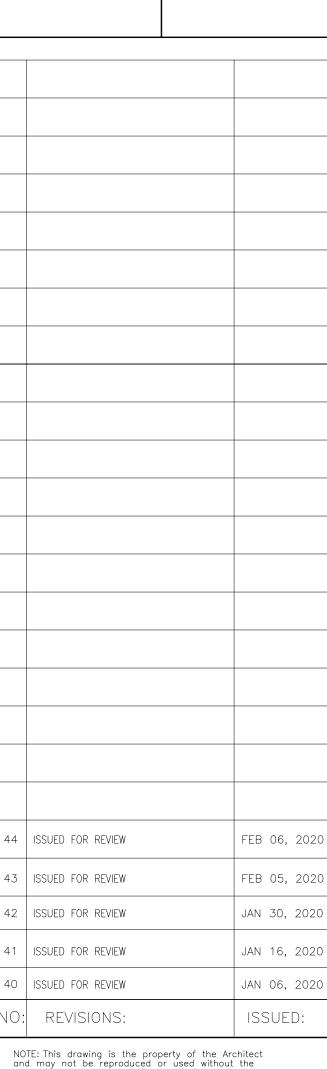
# Point.

Architects

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M4S 2M3
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mail@pointarchitects.ca
www.pointarchitects.ca

522 Mt. Pleasant Road





NOTE: This drawing is the property of the Architect and may not be reproduced or used without the expressed consent of the Architect. The contractor is to verify all dimensions and conditions on the project and to report any discrepancies to the Architect prior to commencing work. These drawings are not to be used for construction purposes unless indicated as "issued for construction".

CLIENT:

## HERITAGE GROVE CENTRE INC.

2125 16TH ST. E. OWEN SOUND, ON

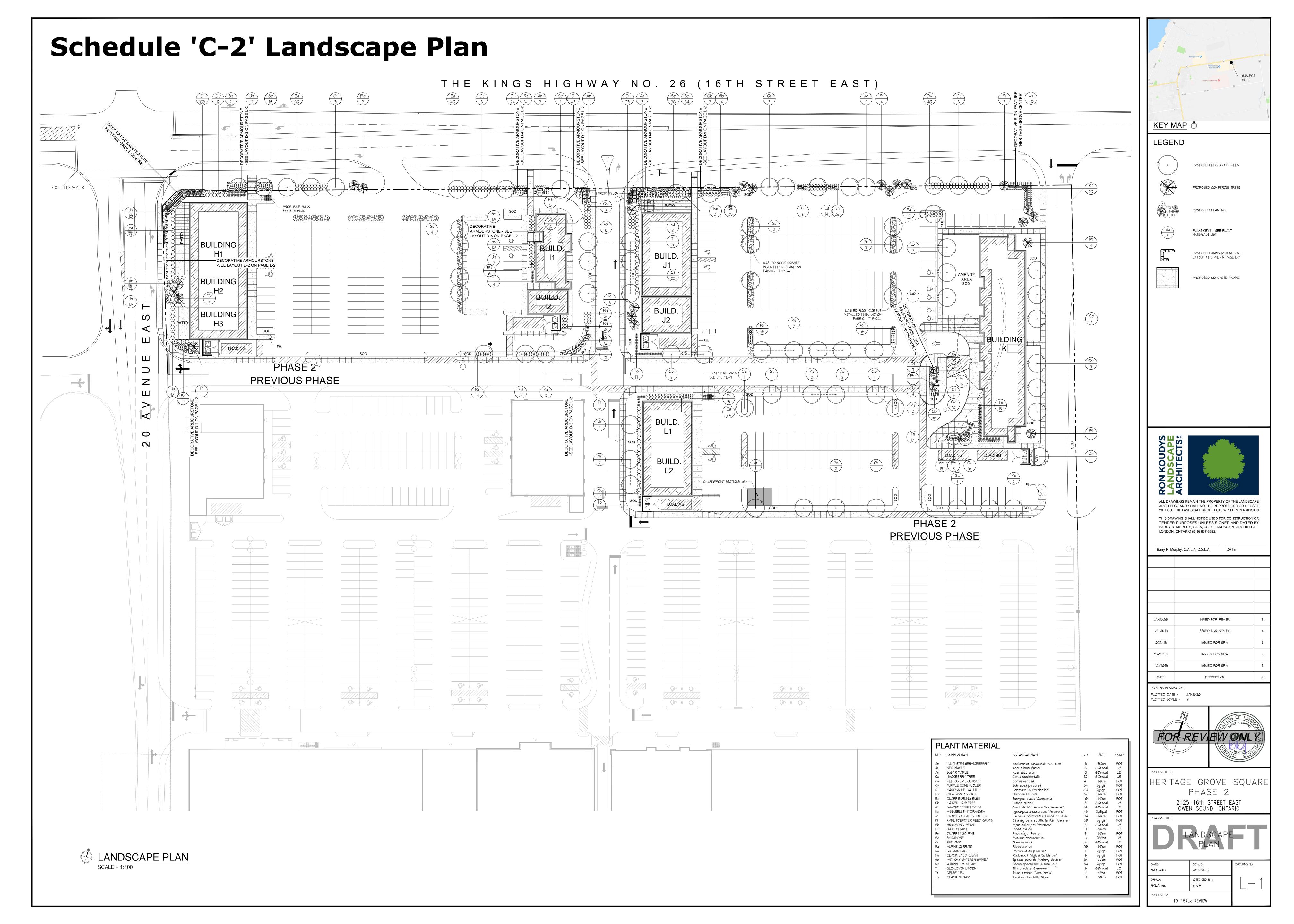
HERITAGE GROVE
CENTRE

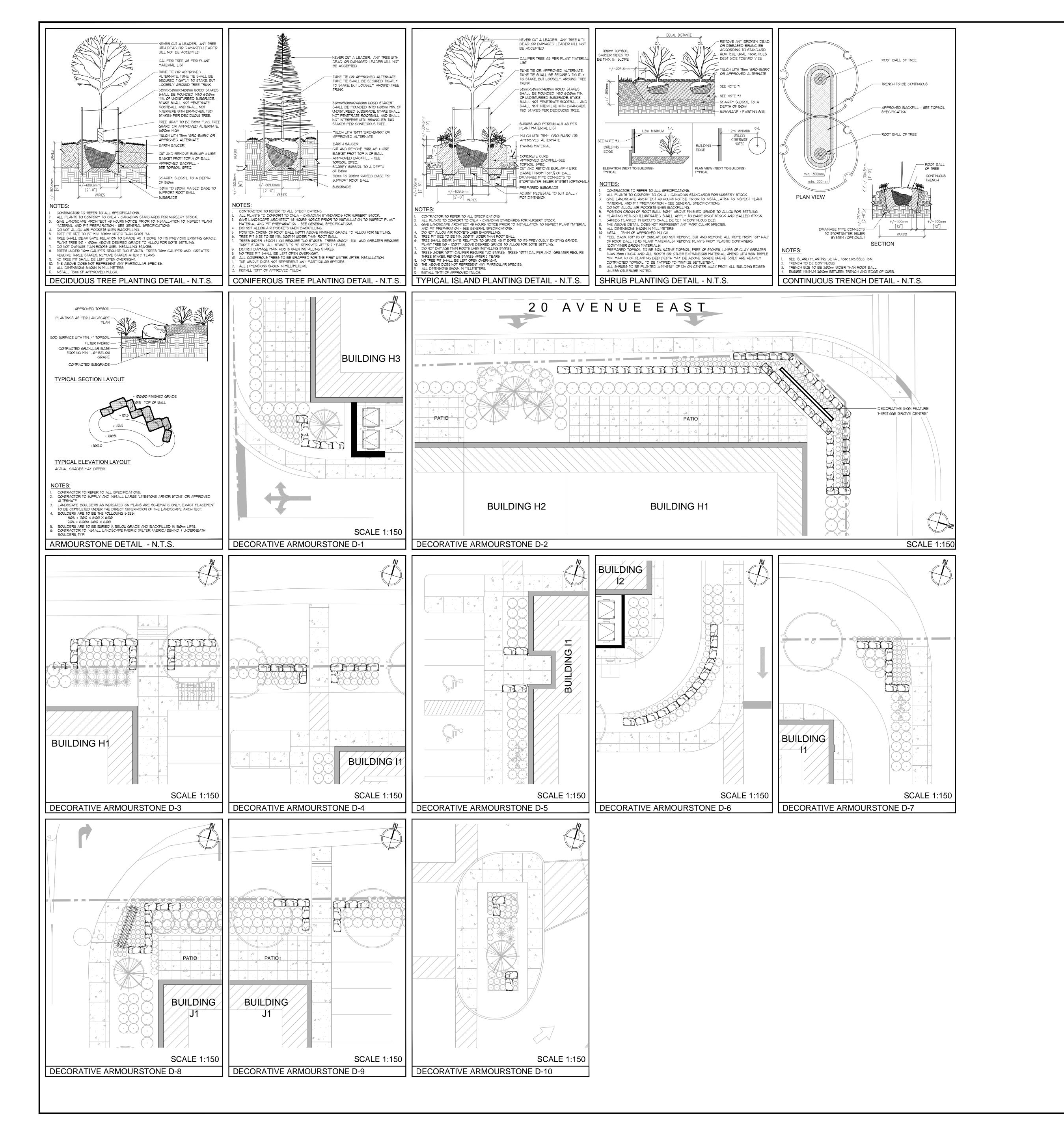
SHEET TITLE:

SITE PLAN

PROJECT	NO.	
3027		
SCALE:		DATE:
1:500		SEE REV.
DRAWN:		SHEET NO:
PP		
OLIFOLED		

CHECKED:
GP
FILE NO.
7007





## **GENERAL PLANTING SPECIFICATIONS:**

BASE INFORMATION SUPPLIED BY POINT ARCHITECTS. ENGINEERING INFORMATION SUPPLIED BY WSP.

ACCEPTANCE OF PROJECT.

- CONTRACTOR TO MAKE THEMSELVES FAMILIAR WITH ALL RELATED SPECIFICATIONS CONTRACTORS ARE RESPONSIBLE FOR REVIEW OF ALL SPECIFICATIONS AND RELATED DRAWINGS WITH SELECTED SUB-CONTRACTORS AS THEY PERTAIN TO WORK AS OUTLINED ON LANDSCAPE ARCHITECTURAL WORKING DRAWINGS AND SPECIFICATIONS. 5. REPORT ALL DISCREPANCIES TO THE LANDSCAPE ARCHITECT DURING TENDERING PROCESS, ERRORS AND/OR OMISSIONS WILL BE THE RESPONSIBILITY OF THE CONTRACTOR.
- 6. CONTRACTOR SHALL MAINTAIN ALL LANDSCAPED AREAS UNTIL OWNER ACCEPTANCE OF PROJECT, CONTRACTOR TO NOTIFY LANDSCAPE ARCHITECT IN WRITING ON COMPLETION OF PROJECT FOR A SITE WORK COMPLETION CERTIFICATE AS WELL AS THE COMMENCEMENT OF THE ACCEPTANCE OF PROJECT. ALL WORKMANSHIP TO BE WARRANTIED FOR ONE YEAR UNLESS OTHERWISE STATED. WARRANTY PERIOD WILL BEGIN ON FINAL
- 8. ALL WORKMANSHIP TO COMPLY WITH THE CANADIAN LANDSCAPE STANDARDS. 9. ALL NURSERY STOCK TO BE #1 NURSERY GROWN AND MUST COMPLY WITH THE CANADIAN NURSERY LANDSCAPE ASSOCIATION'S "CANADIAN NURSERY STOCK STANDARD", LATEST EDITION.
- 10. ALL LANDSCAPING 15 TO BE INSTALLED PRIOR TO THE END OF THE FIRST GROWING SEASON FOLLOWING THE OCCUPANCY OF THE SITE DEVELOPMENT UNLESS OTHERWISE STATED. II. CONTRACTOR IS RESPONSIBLE FOR ALL UNDERGROUND UTILITIES AND MUST SUPPLY THE LANDSCAPE ARCHITECT WITH COPIES OF LOCATE CERTIFICATES PRIOR TO COMMENCEMENT OF WORK.
- CONTRACTOR TO ENSURE POSITIVE DRAINAGE IN ALL AREAS. ALL GRADING TO BE IN ACCORDANCE WITH SITE ENGINEERS DRAWINGS.
- SOIL SHALL BE SCARIFIED FREE OF ALL STONES, ROOTS, BRANCHES LARGER THAN I" (25MM) AND COMPACTED TO 85% S.P.D. 4. ALL SUBSOIL TO BE SCARIFIED TO A DEPTH OF 6" (150 MM) PRIOR TO THE INSTALLATION OF TOPSOIL TO ENSURE NO HARDPAN
- CONTRACTOR TO NOTIFY LANDSCAPE ARCHITECT PRIOR TO INSTALLATION OF TOPSOIL TO APPROVE SUBBASE.
   DIRECT ALL RAINLEADERS AND SUMP LEADERS AWAY FROM PLANTING BEDS AND TO THE DESIGNATED SWALES. NOTIFY LANDSCAPE ARCHITECT IN WRITING OF ANY SUBSTANTIAL WET CONDITIONS.
- TOPSOIL

  I. AT THE CONTRACTORS EXPENSE A SOIL TEST IS TO BE COMPLETED BY A REPUTABLE LABORATORY. THE SOIL TEST IS TO BE COMPLETED AND IF NECESSARY, RECOMMENDATIONS FROM THE LABORATORY ARE TO BE INCLUDED. THE RESULTS OF SOIL TESTS AND
- RECOMMENDATIONS ARE TO BE PROVIDED TO THE LANDSCAPE ARCHITECT FOR APPROVAL ONE WEEK PRIOR TO WORK COMMENCING. TOPSOIL FOR PLANTING BEDS IS TO BE A FERTILE, FRIABLE, NATURAL LOAM TO A MINIMUM DEPTH OF 18" (450MM), AND A MINIMUM DEPTH OF 4" (100MM) FOR TURF AREAS - UNLESS OTHERWISE STATED - TOPSOIL SHALL CONTAIN NOT LESS THAN 4% ORGANIC MATTER FOR CLAY LOAMS AND NOT LESS THAN 2% ORGANIC MATTER! FOR SANDY LOAM TO A MAXIMUM OF 15%, AND CAPABLE OF SUSTAINING VIGOROUS PLANT GROWTH, FREE OF SUBSOIL CONTAMINATION, ROOTS AND STONES OVER 50MM DIAMETER, REASONABLY FREE OF WEEDS, AS DETERMINED BY THE LANDSCAPE ARCHITECT, AND HAVING A pH RANGING FROM 6.0 TO 1.0.
- ALL TREEPITS, SHRUB PITS AND PLANTING AREAS ARE TO BE MULCHED UNLESS OTHERWISE NOTED.
- CONTRACTOR TO INSTALL 3" (75mm) OF 'GRO-BARK' MEDIUM MULCH IN ALL AREAS. 3. ALTERNATIVES MAY BE ACCEPTED - CONTRACTOR TO PROVIDE 3 SAMPLES FOR WRITTEN APPROVAL TO THE LANDSCAPE ARCHITECT.
- <u>PLANT MATERIALS</u> CONTRACTOR TO VERIFY ALL PLANT MATERIAL ON DRAWING(S) AND PLANT MATERIAL LIST(S). REPORT ALL DISCREPANCIES AT TENDERING PROCESS.
- SUBSTITUTIONS WILL NOT BE ACCEPTED WITHOUT WRITTEN CONFIRMATION BY THE LANDSCAPE ARCHITECT. 3. PLANTINGS MAY BE ADJUSTED TO SUIT UTILITIES STRUCTURES AND AESTHETIC CONCERNS, ADJUSTMENTS ARE TO BE MADE UNDER THE DIRECTION OF THE LANDSCAPE ARCHITECT. ADJUSTMENTS TO PLANTING WITHOUT CONSENT OF LANDSCAPE ARCHITECT AND OR PROJECT MANAGER MAY NOT MEET INTENT OF DESIGN AND OR MUNICIPAL APPROVALS. PLANT MATERIAL THAT HAS TO BE RELOCATED AS A RESULT
- WILL BE AT THE COST OF THE CONTRACTOR. 4. LANDSCAPE ARCHITECT TO INSPECT ALL PLANT MATERIAL ON SITE OR AT ITS SOURCE PRIOR TO INSTALLATION. CONTRACTOR IS TO GIVE LANDSCAPE ARCHITECT 48 (HRS) NOTICE FOR INSPECTION. 5. CONTRACTOR TO NOTIFY LANDSCAPE ARCHITECT IN WRITING IF ADVERSE WEATHER MAY IMPACT THE HEALTH OF THE PLANT MATERIALS AT TIME OF PLANTING. IE. TEMPERATURE, PRECIPITATION.
- 6. ALL TREE PITS SHALL BE AT LEAST 2 FT. (600MM) WIDER THAN BALL OF THE TREE TO BE PLANTED AND SHALL BE DEEP ENOUGH 50 THAT THE TOP OF BALL IS AT THE SAME LEVEL AS SURROUNDING GRADE. A MINIMUM OF 6" (150MM) OF BACKFILL SHALL BE PLACED UNDER BALL, TREE PITS ARE NOT TO BE LEFT OPEN OVER NIGHT. 1. SHRUB BEDS SHALL BE EXCAVATED TO A DEPTH OF 18" (450MM) AND FILLED WITH APPROVED BACKFILL MATERIAL. SHRUB BEDS ARE NOT TO BE LEFT OPEN OVER NIGHT.
- 8. ALL TREES SHALL HAVE AN EARTH SAUCER AT ITS BASE WITH A DIAMETER AS LARGE AS EXCAVATED AREA AND SHAPED TO RETAIN WATER (SEE DETAIL). EARTH SAUCER TO HAVE APPROVED MULCH INSTALLED TO A MINIMUM DEPTH OR 2.5" (63MM). 9. ALL BURLAP SHALL BE CUT AND BURIED BELOW SURFACE DURING PLANTING.
- IØ. ALL EVERGREENS ARE TO WRAPPED THE FIRST WINTER AT THE EXPENSE OF THE LANDSCAPE CONTRACTOR. II. ALL SHRUBS PLANTED WITHIN Im OF SALTED ROADWAYS, PARKING AND SIDEWALKS TO BE PROTECTED WITH SILT FENCING THROUGHOUT THE FIRST WINTER AFTER INSTALLATION AT THE EXPENSE OF THE LANDSCAPE CONTRACTOR. (OPTIONAL)
- 12. DIRECT ALL RAINLEADERS AND SUMP LEADERS AWAY FROM PLANTING BEDS AND TO DESIGNATED DRAINAGE SWALES. 13. DO NOT INSTALL PLANT MATERIAL IN DRAINAGE SWALES.
- 14. CONTRACTOR IS TO REMOVE ALL STAKES AND GUY WIRES AFTER 2 FULL GROWING SEASONS.
- ALL LANDSCAPED AREAS TO BE SODDED TO THE STREET CURB (S) UNLESS OTHERWISE STATED. CONTRACTOR TO ENSURE (WHERE APPLICABLE) ALL PLANTING BEDS ADJACENT TO TRAFFIC ISLANDS, INTERIOR SITE CURBING, AND
- SIDEWALKS HAVE A 3'0"(1.0M) SOD MAINTENANCE STRIP INSTALLED. 3. ANY SODDING OR WORKS ON LANDS ABUTTING THE PROPERTY FROM THE LOTLINES TO SIDEWALK AND CURBING, SHALL BE COMPLETED OR REPAIRED TO THE SATISFACTION OF THE LANDSCAPE ARCHITECT, CITY, AND OR REGIONAL MUNICIPALITY UNLESS OTHERWISE STATED. 4. SOD SHALL BE CERTIFIED \* I CULTIVATED TURF GRASS, GROWN AND SOLD IN ACCORDANCE WITH THE CLASSIFICATIONS OF THE NURSERY SOD GROWERS ASSOCIATION OF ONTARIO. AT TIME OF SALE IT SHALL HAVE A STRONG FIBROUS ROOT SYSTEM AND SHALL BE CUT IN
- PIECES APPROXIMATELY ONE 6QYD (900 M2) IN AREA WITH THE SOIL PORTION BEING 3/4" IN.(19MM). 5. SOD TO BE FERTILIZED AT THE APPROPRIATE RATES AS INDICATED BY SOIL TESTS COMPLETED BY A REPUTABLE SOILS LABORATORY. 6. UPON INSTALLATION AREAS SHOULD BE WATERED SO AS TO SATURATE SOD AND THE UPPER 4" (100MM) OF BACKFILL TOPSOIL. AFTER SOD AND SOIL HAVE DRIED SUFFICIENTLY TO PREVENT DAMAGE, IT SHALL BE ROLLED WITH A ROLLER PROVIDING 1500 LB6. (68KG)
- 1. CONTRACTOR TO REPAIR ALL DAMAGED AREAS TO THE SATISFACTION OF THE LANDSCAPE ARCHITECT AND OR CLIENT.
- DURING THE WARRANTY PERIOD, BETWEEN MAY 15 AND SEPTEMBER 15 OF EACH YEAR, WATERING OF ALL PLANTS SHALL BE CARRIED OUT NO LESS THAN 6 TIMES PER YEAR, IN ACCORDANCE WITH THE WATERING SCHEDULE TO BE DETERMINED BY THE OWNER, UNLESS OTHERWISE STATED ON THE DRAWINGS. CRITICAL WATERING MONTHS ARE JUNE, JULY & AUGUST. 2. IF NO AUTOMATED IRRIGATION SYSTEM HAS BEEN PROVIDED FOR WATERING OPERATIONS, CONTRACTOR TO PROVIDE WATER TO THE SITE IF HOSE BIBS WITHIN THE BUILDING ENVELOPE ARE NOT AVAILABLE.
- AREAS TO COMMENCE ON A REGULAR BASIS AND CONTINUE WITH INTENSITY DEPENDING ON AMOUNT OF RAINFALL. NEW SOD THAT HAS BEEN LAID SHOULD BE KEPT MOIST FOR 4 TO 5 WEEKS OR UNTIL IT HAS FIRMLY ROOTED INTO THE EXISTING SOIL. 4. ALL CONIFEROUS TREES SHALL BE WATERED IN LATE FALL, JUST PRIOR TO FREEZE-UP. 5. WATER SHALL BE APPLIED SO THAT THE WASHING OF THE SOIL OR DISLODGING OF MULCH OR TREE GUARDS DOES NOT OCCUR. DAMAGE

3. MANUAL WATERING SHOULD ENSURE DEEP WATERING OF TREES, SHRUBS, GROUND COVERS AND GRASSED AREAS. WATERING OF GRASSED

DECORATIVE ROCKERY STONE CONTRACTOR TO SUPPLY AND INSTALL LARGE 'LIMESTONE ARMOR STONE' OR APPROVED ALTERNATE. LANDSCAPE BOULDERS AS

SHALL BE IMMEDIATELY REPAIRED TO THE SATISFACTION OF THE OWNER AT NO ADDITIONAL COST.

BOULDERS, TYPICAL.

- LANDSCAPE ARCHITECT. BOULDERS ARE TO BE OF THE FOLLOWING SIZING:
- INDICATED ON PLANS ARE SCHEMATIC ONLY EXACT PLACEMENT TO BE COMPLETED UNDER THE DIRECT SUPERVISION OF THE 80 % - 1200 × 600 × 600 20 % - 600 × 600 × 600

2. ROCKS ARE TO BE BURIED 1/3 BELOW GRADE AND BACKFILLED IN 150 MM LIFTS. CONTRACTOR TO INSTALL LANDSCAPE FABRIC BEHIND



- SUBJECT

SITE

KEY MAP  $\oplus$ 

ALL DRAWINGS REMAIN THE PROPERTY OF THE LANDSCAPE ARCHITECT AND SHALL NOT BE REPRODUCED OR REUSED WITHOUT THE LANDSCAPE ARCHITECTS WRITTEN PERMISSION. THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION OR TENDER PURPOSES UNLESS SIGNED AND DATED BY

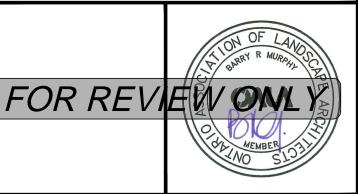
BARRY R. MURPHY, OALA, CSLA, LANDSCAPE ARCHITECT,

Barry R. Murphy, O.A.L.A. C.S.L.A. DATE

LONDON, ONTARIO (519) 667-3322.

JAN.16.20	ISSUED FOR REVIEW	5.
DEC.16.19	ISSUED FOR REVIEW	4.
OCT.II.19	ISSUED FOR SPA	3.
PI.EI.YAM	ISSUED FOR SPA	2.
61.@I.YAM	ISSUED FOR SPA	1.
DATE	DESCRIPTION	No

PLOTTING INFORMATION: PLOTTED DATE = JAN.16.20 PLOTTED SCALE = 1:1



HERITAGE GROVE SQUARE PHASE 2 2125 16th STREET EAST OWEN SOUND, ONTARIO



DATE:	SCALE:	DRAWING No.
MAY 2019	AS NOTED	
DRAWN: RKLA Inc.	CHECKED BY: B.R.M.	
PROJECT No. 19-154L	k REVIEW	



#### SCHEDULE D

#### SPECIAL PROVISION 14.89 (Current and In Force)

14.89 Notwithstanding the provisions of the Retail Commercial (C2) Zone and for lands shown on Schedule A, Zoning Map 20, the following provisions shall apply:

#### 1) Permitted Uses:

Notwithstanding the list of uses permitted in the C2 Zone, no person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- (a) Retail Stores according to the North American Industry Classification System (NAICS) limited to the following categories:
  - i. Furniture, Home Furnishings and Electronics
  - ii. Pharmacies and Personal Care Stores
  - iii. Clothing and Accessories
  - iv. General Merchandise
  - v. Miscellaneous Retail
- (b) Service Uses limited to the following categories:
  - i. Medical and dental clinics and laboratories
  - ii. Tool or party rental
  - iii. Veterinary services
  - iv. Fitness centres
  - v. Restaurants with or without drive-through services
- (c) Amusement arcade
- (d) Billiards and/or bowling
- (e) Movie Theatre

#### 2) Site and Building Regulations:

Notwithstanding the Site and Building Regulations in the C2 Zone, no person shall use any lot or erect, alter or use any building or structure for any permitted use or combination of permitted uses listed in Section 14.89.1 except is accordance with the following provisions:

- i. Lot Frontage: 20 m minimum
- ii. Lot Area: No individual minimum lot area is required where the area of the overall development is 7.6 hectares minimum
- iii. Lot Coverage: 50% maximum
- iv. Building Setbacks: 6 m minimum from any street line and 8m minimum from any other lot line
- v. Building Height: 19 m maximum for medical and dental clinics and laboratories, 10 m maximum for all other permitted uses
- vi. Floor Area Provisions:
  - 1. Maximum gross floor area for any combination of uses permitted under Section 14.89.1 (a) and (b): 17,443.7 m<sup>2</sup>
  - 2. Maximum gross floor area applicable to any combination of amusement arcade, billiards and/or bowling, and movie theatres: 1,858 m<sup>2</sup>
  - 3. Any combination of retail uses permitted under Section 14.89.1(a) shall be subject to a maximum gross floor area of 14,865.7 m<sup>2</sup> with no single use having a unit size less than 697 m<sup>2</sup> gross floor area, and subject to the following maximum gross floor area distribution:
    - a. Furniture, Home Furnishings and Electronics Max. 3,716.4 m<sup>2</sup>
    - b. Pharmacies and Personal Care Stores Max. 1,393.6 m<sup>2</sup>
    - c. Clothing and Accessories Max. 3,716.4 m<sup>2</sup>
    - d. General Merchandise Max. 2,322.8 m<sup>2</sup>
    - e. Miscellaneous Retail Max. 4,645.5 m<sup>2</sup>
  - 4. Notwithstanding 14.89.2 (3) above, a total of five (5) individual Retail Stores with no minimum unit size may be permitted, provided they do not exceed 2,230 m<sup>2</sup> in aggregate and provided

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- that the maximum gross floor area distribution per category is maintained as noted in 14.89.2 (3).
- 5. Any combination of service uses permitted under Section 14.89.1
   (b) shall be subject to a maximum gross floor area of 2,578 m<sup>2</sup> and the following:
  - a. Medical and dental clinics and laboratories Min. unit size of 697 m<sup>2</sup>
  - b. Tool or party rental no further restriction
  - c. Veterinary services no further restriction
  - d. Fitness centre no further restriction
  - e. Restaurants Minimum unit size of 325.2 m<sup>2</sup>, however smaller restaurants with no minimum unit size may be permitted provided that they not exceed 464 m<sup>2</sup> in aggregate.
- 6. Definitions for the purposes of Section 14.89:
  - a) "Miscellaneous Retail" means retailers primarily engaged in the sale of the following goods:
    - (i) Sporting Goods;
    - (ii) Toys, Hobby, Games;
    - (iii) Sewing/Fabric/Needlework;
    - (iv) Music/Books/Instruments;
    - (v) Florist;
    - (vi) Office Supply and Stationery;
    - (vii) Gift/Novelty/Souvenir;
    - (viii) Pet Supplies;
    - (ix) Art Dealers; and,
    - (x) Used Merchandise.



#### **SCHEDULE E**

#### PROPOSED CHANGES TO SPECIAL PROVISION 14.89

14.89 Notwithstanding the provisions of the Retail Commercial (C2) Zone and for lands shown on Schedule A, Zoning Map 20, the following provisions shall apply:

#### 1) Permitted Uses:

Notwithstanding the list of uses permitted in the C2 Zone, no person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- (a) Retail Stores according to the North American Industry Classification System (NAICS) limited to the following categories:
  - i. Furniture, Home Furnishings and Electronics
  - ii. Pharmacies and Personal Care Stores
  - iii. Clothing and Accessories
  - iv. General Merchandise
  - v. Miscellaneous Retail
- (b) Service Uses limited to the following categories:
  - i. Medical and dental clinics and laboratories
  - ii. Tool or party rental
  - iii. Veterinary services
  - iv. Fitness centres
  - v. Restaurants with or without drive-through services
  - vi. Gas Bar (including accessory convenience)
- (c) Amusement arcade
- (d) Billiards and/or bowling
- (e) Movie Theatre

#### (f) Hotel

#### 2) Site and Building Regulations:

Notwithstanding the Site and Building Regulations in the C2 Zone, no person shall use any lot or erect, alter or use any building or structure for any permitted use or combination of permitted uses listed in Section 14.89.1 except is accordance with the following provisions:

- i. Lot Frontage: 20 m minimum
- ii. Lot Area: No individual minimum lot area is required where the area of the overall development is 7.6 hectares minimum
- iii. Lot Coverage: 50% maximum
- iv. Building Setbacks: 4 m minimum setback from 16<sup>th</sup> St E for Building 'H'; 6 m minimum from any street line for all other buildings and 8m minimum from any other lot line
- v. Building Height: 19 m maximum for <a href="https://hotels.ncbi.nlm.ncbi.
- vi. Floor Area Provisions:
  - 1. Maximum gross floor area for any combination of uses permitted under Section 14.89.1 (a) and (b): 17,443.7 m<sup>2</sup>
  - 2. Maximum gross floor area applicable to any combination of amusement arcade, billiards and/or bowling, and movie theatres: 1,858 m<sup>2</sup>
  - 3. Any combination of retail uses permitted under Section 14.89.1(a) shall be subject to a maximum gross floor area of 14,865.7 m<sup>2</sup> with no single use having a unit size less than 697 m<sup>2</sup> gross floor area, and subject to the following maximum gross floor area distribution:
    - a. Furniture, Home Furnishings and Electronics Max.  $3,716.4 \text{ m}^2$
    - b. Pharmacies and Personal Care Stores Max. 1,393.6 m<sup>2</sup>
    - c. Clothing and Accessories Max. 3,716.4  $m^2$
    - d. General Merchandise Max. 2,322.8  $m^2$
    - e. Miscellaneous Retail Max. 4,645.5 m²
  - 4. Notwithstanding 14.89.2 (3) above, a total of five (5) individual Retail Stores with no minimum unit size may be permitted,

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- provided they do not exceed 2,230 m<sup>2</sup> in aggregate and provided that the maximum gross floor area distribution per category is maintained as noted in 14.89.2 (3).
- 5. Any combination of service uses permitted under Section 14.89.1
   (b) shall be subject to a maximum gross floor area of 2,578 m<sup>2</sup> and the following:
  - a. Medical and dental clinics and laboratories Min. unit size of 697 m<sup>2</sup>
  - b. Tool or party rental no further restriction
  - c. Veterinary services no further restriction
  - d. Fitness centre no further restriction
  - e. Restaurants
    - (i) Minimum unit size of 325.2 m<sup>2</sup>, however smaller restaurants with no minimum unit size may be permitted provided that they not exceed 464 m<sup>2</sup> 520 m<sup>2</sup> in aggregate.
    - (ii) One drive-through restaurant is permitted, which shall not be subject to the small restaurant aggregate maximum in 14.89 2) 5e(i) regardless of the size.
- 6. Definitions for the purposes of Section 14.89:
  - a) "Miscellaneous Retail" means retailers primarily engaged in the sale of the following goods:
    - (i) Sporting Goods;
    - (ii) Toys, Hobby, Games;
    - (iii) Sewing/Fabric/Needlework;
    - (iv) Music/Books/Instruments;
    - (v) Florist;
    - (vi) Office Supply and Stationery;
    - (vii) Gift/Novelty/Souvenir;
    - (viii) Pet Supplies;
    - (ix) Art Dealers; and,
    - (x) Used Merchandise.



# Schedule 'F'

# **HERITAGE GROVE CENTRE**

## **Market Study**

Owen Sound, Ontario

Prepared for: Heritage Grove Centres Inc.

April 24, 2019 (Re-issued June 18, 2019)



This document is available in alternative formats upon request by contacting:



April 24, 2019 (Re-issued June 18, 2019)

Heritage Grove Centre Inc. c/o Walter Hugo, BAA, EM(c), MCIP, RPP Senior Manager of Planning and Development 500 Cochrane Drive, Unit 4 Markham, Ontario L3R 8E2

#### Dear Walter:

#### RE: HERITAGE GROVE CENTRE – Market Study (Owen Sound, Ontario)

urbanMetrics inc. ("urbanMetrics") is pleased to provide this market study in support of Heritage Grove Centre Inc.'s recent proposal to develop a number of the remaining undeveloped parcels in their commercial development located on the east side of Owen Sound, Ontario. This study forms part of their Zoning By-law application and has been prepared in support of the introduction of a new small, mid-range hotel, a gas station (with a small quick-service restaurant) and six standalone restaurants. This type of market analysis has been requested by the City to evaluate the need for the proposed development and the potential impact of the proposed new uses on the commercial structure of the City, as outlined in the January 3, 2019 Terms of Reference provided to the City of Owen Sound and their peer review consultants, MHBC and Tate Economic Research.

Yours truly,

urbanMetrics

Douglas R. Annand, CMC, PLE

Partner

dannand@urbanMetrics.ca

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cwhite@urbanMetrics.ca

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# **Executive Summary**

This Zoning By-law amendment and site plan application for Heritage Grove Centre (2125 16th Street East) is to permit a hotel, gas station (with a small quick-service restaurant) and six standalone restaurants, as detailed below:

- A gas station (fuel pumps, convenience store and quick service restaurant with a drive-thru) at the west side of the main north/south drive aisle;
- Six standalone restaurants located along the east side of the main north/south drive aisle, and on the northwest corner of the site; and,
- A 4-storey, approximately 75-room hotel at the northeast corner of the subject site.

The Retail Commercial (C2) zone permits gas bars, hotels and restaurants (including drive-thrus); however, there are site specific restrictions for Heritage Grove Centre. The C2.14.89 zone that applies to these lands does not currently permit a gas station and hotel. Although restaurants are a permitted use, their sizes are restricted to a certain extent. Smaller restaurants under 325.2 square metres (3,500 square feet), for example, are restricted to an aggregate maximum area of 464 square metre (5,000 square feet). Based on the latest plans for the site, two of the standalone restaurants and the quick-service restaurant component of the gas station service centre, fall within this restricted unit size and slightly exceed the small restaurant aggregate size maximum.

The proposed gas station, restaurants and hotel are all complementary uses that will benefit from their co-location at Heritage Grove Centre. Additionally, these new commercial uses will serve the growing Sydenham Heights Phase I and II population, the growing regional population and tourists. In addition, the proposed hotel is well situated at the gateway to the City.

The following summarizes our key research findings and study conclusions:

- Function: Heritage Grove Centre, and the various new uses proposed for the site, are located in the East City Commercial area in the Sydenham Heights Phase I and II Planning areas. They serve an important and highly differentiated retail/service function relative to the Downtown. In particular, the East City Commercial area is planned for large format retail stores with large surface parking areas and highway access that links to a regional market. The store types that seek out this space locate here because of these attributes and conditions, which are not available in the Downtown.
- Growth: Population and employment growth are anticipated in Owen Sound according to the Official Plan (2012), the Development Charges Background Study (2014) and the Grey County Official Plan (2013). Regardless of the particular forecast source, the City of Owen Sound is



- anticipated to grow, as is the broader Grey County area, which will further influence the regional demand for retail and service space in Owen Sound.
- Hotel: The proposed 75-room upper midscale hotel (in addition to the proposed 100-unit hotel near the hospital) is not anticipated to have a critical impact on the existing hotel and motel supply within Owen Sound. An analysis of comparable Ontario municipalities of similar size and function to Owen Sound showed that there is opportunity to grow the supply of hotel rooms. Additionally, the proposed hotel serves a different target market than the existing and proposed hotels in Owen Sound, notably a younger demographic seeking more modern accommodations facilities.
- Restaurant: The proposed six standalone restaurants and the quick service restaurant in the gas station total some 2,439 square metres, which is below the maximum 2,578 square metres of service space permitted on the site. Three restaurants (totalling 820 square metres) exceed the maximum total space for restaurants under 325.2 square metres. This provision is intended to differentiate restaurants on the subject site from the Downtown. The Downtown is not well suited to restaurants requiring large parking lots and large building footprints, nor is it convenient or accessible for highway travelers or patrons of the on-site hotel, which will not include a sit-down restaurant. Additionally, the subject site is well located to service the growing residential community south of the subject site.

**Restaurant Sizes** 

Name	Square Metres	Square Feet
Building H1	418.1	4,500
Building H2	442.0	4,758
Building J	418.1	4,500
Building K	341.0	3,670
Building L	297.3	3,200
Building M	297.3	3,200
Gas Station	225.0	2,422
Total	2,439	26,250
Total: Below Minimum Size	820	8,822

SOURCE: Point. Architects.

**Gas Station:** The subject site is a strategic location for a new gas station at the eastern entrance to the City. Increased competition between gas stations benefits consumers by providing an opportunity for more competitive pricing, in addition to a greater range of gas station related services (such as a quick-service restaurant and car wash).



- **Land Use Permissions:** The zoning restrictions for gas stations and restaurants are specific to Heritage Grove Centre, while at the same time these uses are allowed elsewhere in the Commercial Retail (C2) zone. The subject site is well positioned to serve both local and regional commercial needs given its highway location at the eastern entrance to the City. Demand for new restaurants and a gas station is anticipated along this highway corridor due to the anticipated increase in the local population (especially south of the subject site), as well as the anticipated increases in the regional population.
- Complementary Uses: The three proposed uses—hotel, gas station and restaurants—all support the tourism sector of the Owen Sound economy. These uses are complimentary, as hotel patrons will have accessible options for conveniently located restaurants as well as gas fill-up.



# 1.0 Introduction



Heritage Grove Centre Inc. is seeking a Zoning By-law amendment to add a number of proposed uses at Heritage Grove Centre located at 2125 16<sup>th</sup> Street East in Owen Sound, Ontario. As outlined in the January 3, 2019 Terms of Reference provided by urbanMetrics to the City of Owen Sound and their peer review consultants (MHBC and Tate Economic Research), this market study is required to assess the need for and any impacts of these proposed new uses, with a focus on the potential impact on the commercial structure of the Downtown. Heritage Grove Centre is but one of a number of retail centres located along 16<sup>th</sup> Street East (Highway 26) that provide opportunities for locating larger format retail and service commercial space, plus store types that are not appropriate or financially viable as tenants in smaller Downtown buildings. The East City Commercial area, where the subject site is located, also serves a regional function.

#### The new uses proposed include:

- A gas station (fuel pumps, convenience store and quick service restaurant with a drive-thru) on the west side of the main north/south drive aisle;
- Six standalone restaurants located along the east side of the main north/south drive aisle, and on the northwest corner of the site;<sup>1</sup> and,
- A 4-storey, approximately 75 room hotel at the northeast corner of the subject site.

Figure 1-1: Proposed New Uses at Heritage Grove Centre

Llee	Floor Area			
Use	Square Metres	Square Feet		
Hotel	3,716	40,000		
Gas Station Convenience Store <sup>2</sup>	380	4,099		
Six Standalone Restaurants <sup>3</sup>	2,214	23,828		

SOURCE: Point Architects, April 23, 2019.

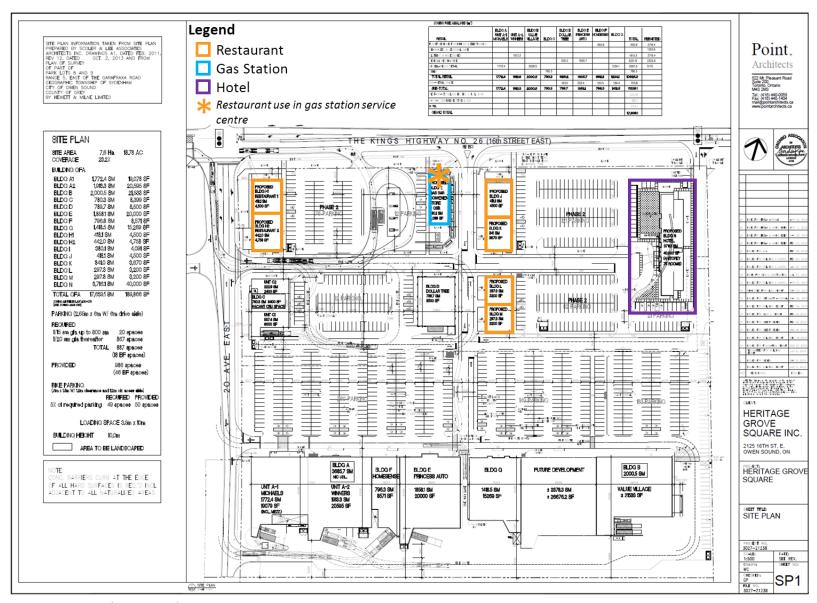
<sup>&</sup>lt;sup>3</sup> Four of the restaurants are permitted and two are not. The two that are not permitted are below the minimum building size and larger than the allowed aggregate size (594 square metres) for small restaurants.



<sup>&</sup>lt;sup>1</sup> Two of the proposed restaurants are not currently permitted because they are smaller than the minimum size and their aggregate size is larger than the aggregate size allowance for small restaurants.

<sup>&</sup>lt;sup>2</sup> Within the gas station, approximately 225 square metres of the service centre will be allocated to quick-service restaurant uses.

Figure 1-2: Site Plan



SOURCE: Point Architects, April 23, 2019.



## 1.1 Approach

Pursuant to the Terms of Reference for this study, dated January 3, 2019, the following work steps were undertaken:

- Site and Access Review Building on our existing understanding of the site context and having visited the Heritage Grove Centre several times as part of previous assignments, we have examined the physical and access characteristics of the subject site from a hotel, gas station and restaurant market perspective. This has included a review of the site—and in particular the proposed hotel use—in terms of its compatibility with surrounding land uses, it's relationship with other potentially synergistic commercial uses on-site (e.g., restaurants, etc.), as well as the access system in the vicinity, plus the subject property's location relative to other parts of the City of Owen Sound.
- Inventory of Accommodations Facilities We have undertaken a comprehensive inventory of all existing hotel/motel facilities located in Owen Sound. This review has been based primarily on available online listings and business directories for the community. We have also undertaken a high-level overview of other accommodation facilities located in Owen Sound and the surrounding area (e.g., bed and breakfasts, etc.). In addition, we have determined whether there are any other development proposals for new hotel facilities in Owen Sound and the surrounding area.
- Market Research In addition to the above inventory, we have undertaken a review of available market statistics and other data relating to the current market for accommodation facilities in Owen Sound. This has included a review of current occupancy rates, room rates (pricing), amenities/features, and other relevant characteristics applicable to existing hotel/motels in the City.
- Market Profile We have prepared a demographic and economic profile for the community to identify the specific factors that could potentially influence the demand for hotel uses in this area in the coming years. In particular, we have determined the historical, current and projected levels of population and employment growth anticipated in Owen Sound, relying on the latest available Statistics Canada Census data, as well as any other more recent forecasts available directly from the municipality. This information has ultimately informed the extent to which visitation patterns to the City of Owen Sound can be expected to change moving forward (e.g., including any increases in business-related travel/conventioneers, visiting family/friends, and/or recreation and tourism activities throughout the region).
- **Review of Tourism Context** We have reviewed available municipal information and other community listings relating to the existing supply of tourism and recreation amenities in Owen



Sound and the surrounding area, as well as regularly scheduled events/festivals. This has included a review of existing heritage sites, natural/geographic features, galleries/museums, sports/recreation facilities, and other cultural attractions, in addition to the frequency and nature of various events/activities that may help to drive local tourism (e.g., concerts/shows, etc.).

- Market Demand Evaluation Based on the foregoing research and other relevant data inputs, we have prepared an evaluation as to the future demand for additional hotel rooms in Owen Sound. This evaluation included a more qualitative review of current market conditions (and any anticipated changes), as well as a more quantitative and high-level hotel room demand projection, based on per capita service levels and the level of population/employment and visitor growth expected in the City in coming years. These projections have been informed by our assessment of the current supply of hotel rooms in Owen Sound on a per capita and per employee basis, as well as rates compared to similar other Ontario communities and/or across the region.
- Evaluation of Gas Station Use In addition to our main hotel market analysis, we have also undertaken a relatively high-level assessment as to the current market conditions for gas station uses in Owen Sound. As agreed by municipal staff and their consulting team, this assessment has included a high-level inventory and locational review of existing gas stations throughout the community. Based on this review, we have provided our general observations and a discussion as to the overall suitability of the proposed gas station at the Heritage Grove Centre within the context of the current supply of gas stations in Owen Sound.
- Evaluation of Restaurant Uses Similar to the gas station evaluation, recognizing the various pad restaurant uses identified as part of the latest development concept, we have also provided a brief discussion as to the appropriateness and suitability of these uses in the Heritage Grove Centre. This review was based primarily on evaluating the compliance of the proposed restaurant uses with existing as-of-right zoning permissions for additional restaurant space on the subject site (i.e., based on total category-specific floor area caps and minimum/maximum unit sizes), as well as the likely or intended function of these restaurants and their differentiation from the type of restaurants that locate in the Owen Sound Downtown.



## 1.2 Assumptions

There are a number of underlying and basic assumptions on which the validity of the recommendations presented in this report depend. Based on our considerable and long-term experience in the retail planning process, we recognize and appreciate the complexities associated with making broad assumptions about future conditions. Undoubtedly, deviations from historic and current trends will take place in the future. However, basic assumptions are required regarding the possible extent of such deviations. These basic assumptions are:

- During the forecast period discussed in this report, a reasonable degree of economic stability will prevail in the Province of Ontario and Owen Sound; and,
- Estimates of current population and future population growth in the study area, which were based on Statistics Canada Census data and information obtained from Owen Sound, are assumed to be reliable for the purposes of this study.

If, for any reason, major changes, occur which would influence the basic assumptions identified above, the recommendations contained in this report should be reviewed in light of such changed conditions and revised, if necessary.



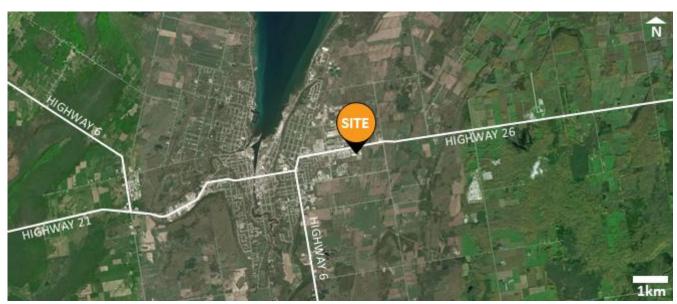
# 2.0 Site Context



#### Location 2.1

The subject site is located at 2125 16th Street East in the City of Owen Sound. Heritage Grove Centre currently contains a combination of retail stores, including Dollar Tree, PetSmart, Michaels, Princess Auto and Value Village. The total site is approximately 7.6 hectares (18.78 acres) in size.

Figure 2-1: Subject Site Location





SOURCE: Bing Maps 2018, urbanMetrics inc.



## 2.2 Accessibility

Heritage Grove Centre is situated on Highway 26 at the eastern entrance to Owen Sound. To the east, Highway 26 connects to Meaford, the Town of Blue Mountains and Collingwood. To the west, Highway 26 connects to Highway 6 and Highway 21, which are the southern and western routes into the City. The subject site is located less than a 10-minute drive from Downtown Owen Sound, and the Owen Sound Billy Bishop Airport is just over a 5-minute drive away.

The subject site is accessible from two entrances off Highway 26. There is also a connection to the SmartCentres plaza to the west of the subject site and a proposed north/south road that would connect Highway 26 to 8<sup>th</sup> Street East Road/Grey Road 5.

Provincial Highway

County Road

Arterial Road

Collector Road

Connecting Link

Proposed Local Road

Proposed Collector Road

Proposed Arterial Road

Future Bridge Alignment Option

N

CITY OF OWEN SOUND OFFICIAL PLAN

Figure 2-2: Road Hierarchy (Schedule C in the Official Plan)

SOURCE: City of Owen Sound, Official Plan, 2012.

Located on Georgian Bay, Owen Sound is a popular tourist area. The City is about two hours north of the Greater Toronto Area and three hours from the United States border. Area highways provide access to several regional destinations, including the Bruce Peninsula (to the northwest) and Blue Mountains/Collingwood and Wasaga Beach (to the east).



Figure 2-3: Distances to Owen Sound

Destination or Origin	Distance (km)
Barrie	118
Kitchener	146
London	204
Niagara Falls	274
Ottawa	522
Toronto	190
Buffalo (USA)	305
Detroit (USA)	360
Chicago (USA)	802

SOURCE: City of Owen Sound, Getting Here.

There are a number of significant regional attractions within a short drive from the subject site. The Owen Sound Hospital (Grey Bruce Health Services) is located within a five-minute drive. According to the City of Owen Sound, the hospital serves 165,000 residents in Grey and Bruce Counties and employs 1,100 people. The Owen Sound Billy Bishop Airport, located in the adjacent Municipality of Meaford and owned by the City of Owen Sound, is a six-minute drive from the subject site. This airport provides charter service, tourist flights and pilot training. There are also numerous tourist destinations like the Tom Thomson Art Gallery and Inglis Falls in the area. All of these facilities serve as significant attractions that will benefit from the proposed hotel, gas station and restaurants at Heritage Grove Centre.

### 2.3 Land Use

Heritage Grove Centre is located in a commercial corridor that serves a regional function. The retail plazas and other commercial centres along Highway 26 provide space for large format retail stores with ample surface parking. As outlined in the land use planning policy that apply to the subject site and surrounding area, significant residential growth is planned for this part of Owen Sound, including the 337-unit residential development located on the north side of 8th Street East. The growing residential population near the subject site will likely increase the demand for retail and service options along Highway 26.

<sup>&</sup>lt;sup>5</sup> Linear Air, Owen Sound Billy Bishop Regional Airport.



<sup>&</sup>lt;sup>4</sup> Owen Sound, Major Employers.

The following section outlines the land use policies in the Official Plan (2012) and Zoning By-law 2010-078 that are relevant to the subject proposal.

### Official Plan (2012)

The subject site is designated East City Commercial by the Official Plan (2012). The East City Commercial designation allows for a broad range of uses, including automotive uses and restaurants.<sup>6</sup> The proposed hotel is typically intended to serve a highway-oriented market, rather than visitors seeking to stay in the Downtown. The hotel proposal includes minimal amenity space and, as such, the existing and future uses at Heritage Grove Centre will serve as complimentary uses to the hotel. For example, guests may visit restaurants on the subject site.

The area surrounding the subject site is primarily a mix of employment and commercial areas; with some proposed residential subdivisions to the south. There are a number of commercial plazas located to the west of the subject property. Surrounding land uses, include:

- To the **north** are lands designated East City Commercial and Employment. The Employment lands are the location of the Peninsula Pro Growth Business Park.
- To the east are lands also designated East City Commercial. Further east are agricultural lands that fall outside of the City of Owen Sound boundary.
- To the **south** are lands designated Residential and Institutional. The nearby institutional lands contain the Owen Sound Hospital. The residential lands are currently used for agricultural purposes; however, a number of these parcels have active residential subdivision applications.
- To the west are lands designated East City Commercial, where the SmartCentres development is located. Even further west, but north of Highway 26, is the Heritage Place Mall.

<sup>&</sup>lt;sup>6</sup> Permitted uses include: large format retail, offices, large entertainment and community, service commercial uses, and high density residential. (change footnote numbering)



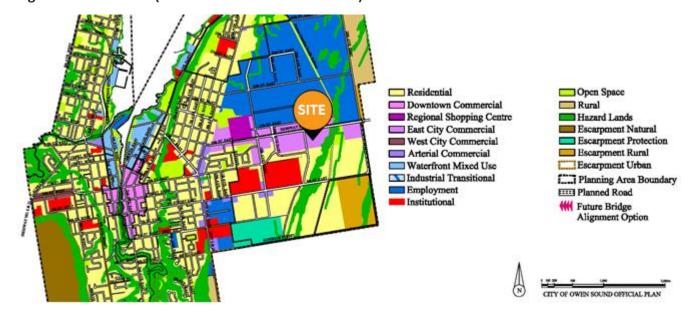


Figure 2-4: Land Use (Schedule A in the Official Plan)

SOURCE: City of Owen Sound, Official Plan, 2012.

Applications to rezone a site in the East City Commercial area require a market analysis, as outlined in the below policy.

- 4.4.2.9 Should a rezoning of the East City Commercial designation or an expansion to the East City Commercial designation be proposed for the uses listed in Section 4.4.1.1 a) and b), the City shall require the following information and studies acceptable to the City:
  - a) A market analysis of the need for the proposed development and the impact of the proposed use on the commercial structure of the City and the Region, including all commercial areas within and close to the City. Such a study shall confirm that:
    - i. Designated commercial property, suitable for the intended scale and type of development is not available within the Downtown Area.
    - ii. Available commercial property in the Downtown is not economically viable for the intended scale and type of development.
    - iii. The proposed increase in commercial floor space will not be premature by increasing the amount of commercial floor space in the City beyond the 5-year market demand.
    - iv. The proposed development will not undermine the economic viability or planned function of a significant commercial component of the Downtown or impair the function of a designated commercial district as identified in this Plan.



The subject site is within the Sydenham Heights Phase I and II Planning Area, which is anticipated to grow to a population of 3,067 people. There are several active residential subdivisions applications for this area, including:

- 321-units at 16th Avenue East between 10th Street East & 16th Street East<sup>8</sup>
- 337-units located on the north side of 8th Street East
- 336-units located on the south side of 8th Street East

As noted above, this new residential population in proximity to the subject site will increase the local demand for additional retail and service tenants that will locate in the Heritage Grove Centre.

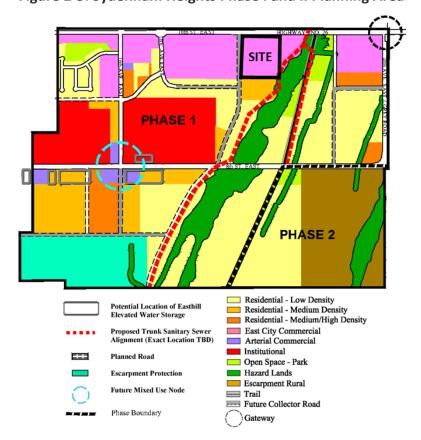


Figure 2-5: Sydenham Heights Phase I and II Planning Area

SOURCE: Owen Sound, Official Plan, 2012.

<sup>&</sup>lt;sup>8</sup> The planning application for the Andpet (42T-18501) development has been changing. The most recent application proposes 321 units, an increase from the previous 289-unit proposal. (footnote numbering also in text)



<sup>&</sup>lt;sup>7</sup> 1,238 people are anticipated in Phase 1 and 1,829 people in Phase 2 according to the Official Plan (2012).

### **Zoning By-law 2010-078**

The subject site is zoned C2 14.89, Retail Commercial. Unlike the broader Retail Commercial (C2) zone, the subject site has a number of retail space restrictions that limit the type of uses and the size of specific uses on the subject site.

City of Owen Sound Zoning Map 200

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Figure 2-6: Zoning By-law 2010-078

SOURCE: City of Owen, Zoning By-law 2010-078.

The C2 14.89 does not permit a gas station, car wash or hotel. Additionally, the size of restaurant uses are limited, as outlined below.

Clerk "Lois O'Neill"

14.89 Notwithstanding the provisions of the Retail Commercial (C2) Zone and for lands shown on Schedule A, Zoning Map 20, the following provisions shall apply:

1) Permitted Uses:

Notwithstanding the list of uses permitted in the C2 Zone, no person shall



use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

- (a) Retail Stores according to the North American Industry Classification System (NAICS) *limited to the following categories:* 
  - i. Furniture, Home Furnishings and Electronics ZBA [6]
  - ii. Pharmacies and Personal Care Stores
  - iii. Clothing and Accessories ZBA [6A]
  - iv. General Merchandise
  - v. Miscellaneous Retail
- (b) Service Uses limited to the following categories:
  - i. Medical and dental clinics and laboratories
  - ii. Tool or party rental
  - iii. Veterinary services
  - iv. Fitness centres
  - v. Restaurants with or without drive-through services
- (c) Amusement arcade
- (d) Billiards and/or bowling
- (e) Movie Theatre
- 5. Any combination of service uses permitted under Section 14.89.1 (b) shall be subject to a maximum gross floor area of 2,578 m2 and the following:
- e. Restaurants Minimum unit size of 325.2 m2, however smaller restaurants with no minimum unit size may be permitted provided that they not exceed 464 m2 in aggregate.

With respect to the latest restaurant uses contemplated on the site, it is this last 5(e) restriction that is addressed as a component of this report.

#### **Downtown Function**

Downtown Owen Sound has a unique character with significant heritage value. A 2015 presentation on the Owen Sound Harbour and Downtown Urban Design Master Plan Strategy (2000) found that Downtown retail offerings are diverse with few gaps and the area is known for speciality stores. Regional-serving, retail stores and services are not in keeping with the heritage character of the Downtown. Additionally, redevelopment of the Downtown is focused on infill development rather than standalone stores with significant surface parking. The Downtown is not an appropriate location for the new uses proposed at Heritage Grove Centre, nor would it be viable to purchase and redevelop large areas of the Downtown to accommodate these specific types of commercial uses.

The Owen Sound Harbour and Downtown Urban Design Master Plan Strategy (2000), Downtown River Precinct Plan (2013) and the Strategic Plan (2015 to 2020) all aim to continue the revitalization of the



Downtown, including the ongoing beautification processes and promotion of the Downtown as a tourism destination.

The planned commercial function of the East City Commercial area is very different from the Downtown retail function and therefore does not directly compete or detract from the vibrancy or viability of the Downtown. In fact, it is beneficial to keep theses automobile-oriented commercial uses separate from the Downtown in order to maintain the Downtown as a pedestrian-oriented retail node. The Downtown is both a tourism destination and a local shopping destination for specialized retail and service needs. The proposed uses are appropriate for the East City Commercial area since they will be located adjacent to a main entrance into the City in a format, which includes large amounts of surface parking and easy access.

## 2.4 Economic Development

The continued build-out of the Heritage Grove Centre with the proposed uses is aligned with the Council vision to attract investment to Owen Sound and grow the community. The economic development priorities in Owen Sound as stated on the Owen Sound Economic Development website are:

- Downtown and harbourfront area as economic and social focus;
- Retain, expand and attract local businesses and institutions; and
- Market the City to attract new residents, businesses, tourists, and vendors.

In addition to the generalized investment benefits of this proposed project, the development of a hotel and complementary uses (i.e. the restaurants and gas station) support the vision of growing tourism, and further developing the City as a regional destination. The Owen Sound Strategic Plan (2015) has several goals related to supporting tourism.

- 3. Leverage our City's assets in order to enhance tourism opportunities
- Action 3.1 Promote Owen Sound as "Where You Want to Live"
- Action 3.2 Develop and implement a Marketing and Development Strategy to promote Owen Sound as a tourist destination
- Action 3.3 Enhance tourism opportunities for active and passive year-round enjoyment
- Action 3.4 Develop, distribute and promote a resource manual for events and tournaments

Additionally, The Owen Sound Economic Development and Tourism Strategy (2013 to 2015) commits to a pro-business environment in order to encourage economic growth. A new hotel is specifically cited as an initial outcome of the "Investment Attraction" strategy, and tourism investment is a key indicator of the success of the "Supporting Tourism" program.



In our opinion, the new uses proposed for the Heritage Grove Centre are certainly consistent with the City's Economic Development initiatives.



# 3.0 Market Profile



Retail demand is influenced by the expected growth in the local population, regional population growth and the anticipated number of visitors to the area. Demand for hotels is similarly influenced by the local and regional population, as this drives hotel use from people visiting friends and family. Hotel demand is also impacted by the number of jobs in the area (which impacts business related trips) and tourism attractions.

#### **Population Characteristics** 3.1

In 2016, the population of Owen Sound was 21,740, including Census undercount. This represented a 1.2 % decrease from 2011. However, in addition to the local population, Owen Sound acts as a regional hub with a market of over 150,000 people, according to the City of Owen Sound Community Profile.9

Figure 3-1: Population Change, 2006 to 2016

Year	Population			
	Excluding Census Undercount Including Census Undercour			
2006	21,753	22,458		
2011	21,688	22,204		
2016	21,341	21,740		

SOURCE: Statistics Canada, Census, 2001 to 2016.

Growth is a priority for the City, and Mayor Ian Boddy's task force established a target to increase the City's population to 30,000 by 2030. The Owen Sound Official Plan (2017) forecasts that the population of Owen Sound will grow by some 3,036 to 6,435 people<sup>11</sup> from 2006 to 2026. The Development Charge Background Study (2014) prepared by Watson and Associates anticipates that the population will grow by 1,260 people between 2014 and 2024. Regardless of the particular forecast source, the City of Owen Sound is anticipated to grow. The County of Grey is also anticipated to grow, which will influence the regional demand for retail and services in Owen Sound.

<sup>&</sup>lt;sup>11</sup> The rate of growth for these two forecasts was based on the 30-year average growth rate. Different development projections informed the two different Official Plan forecasts, one that estimated 66 new units on average per year and the other that estimated 139.9 new units.



<sup>&</sup>lt;sup>9</sup> Owen Sound, Community Profile.

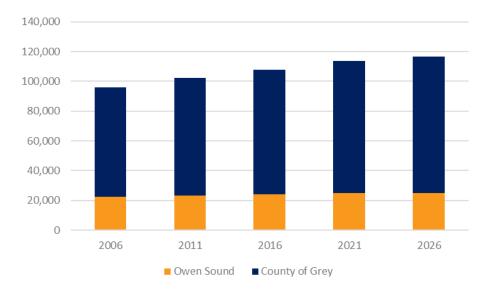
<sup>&</sup>lt;sup>10</sup> Owen Sound Times, Mayors Group Wants to Grow City to 30,000, October 18, 2017.

Figure 3-2: Population Forecast, 2014 to 2024

	Population				
Period	Excluding Census	Including Census			
	Undercount	Undercount			
Mid 2001	21,431	22,290			
Mid 2006	21,753	22,620			
Mid 2011	21,688	22,560			
Mid 2014*	21,582	22,450			
Mid 2024*	22,794	23,710			
Official Plan Target Population	23,942	24,999			
Mid 2014 – Mid 2024	1,212	1,260			
Mid 2014 – Official Plan Target Population	2,360	2,450			

<sup>\*</sup>Forecast, SOURCE: Watson and Associates, Development Charge Background Study, 2014.

Figure 3-3: County of Grey Population Forecast, 2006 to 2026



SOURCE: Grey County Official Plan, 2013.



## **Employment Characteristics**

The Development Charge Background Study (2014) prepared by Watson and Associates anticipates that there will be 533 new jobs in the community between 2014 and 2024. In 2016, there were 12,745 people with a usual place of work in Owen Sound, a 6.1% decline in jobs since 2011. The broader County of Grey employment total is anticipated to grow by 2021, with a slight decrease anticipated in 2026.

Figure 3-4: Employment Change, 2006 to 2016

Year	Employment
2006	13,870
2011	13,575
2016	12,745

SOURCE: Statistics Canada, Census, 2001 to 2016.

Figure 3-5: Employment Forecast, 2014 to 2024

Period	Employment
Mid 2001	12,965
Mid 2006	13,870
Mid 2011	13,565
Mid 2014*	13,502
Mid 2024*	14,035
Official Plan Target Population	14,400
Mid 2014 – Mid 2024	533
Mid 2014 – Official Plan Target Population	898

<sup>\*</sup>Forecast, SOURCE: Watson and Associates, Development Charge Background Study, 2014.



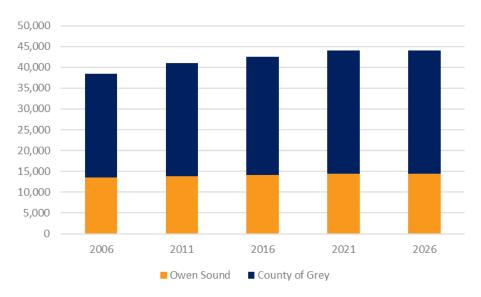


Figure 3-6: The County of Grey Employment Forecast, 2006 to 2026

SOURCE: Grey County Official Plan, 2013.

Major Owen Sound employers include:12

- Transcontinental RBW Graphics
- Tenneco Automotive
- Hobart Food Equipment Group Canada
- MacLean Engineering & Marketing Co. Ltd
- BellWyck Packaging Solutions

- EC King Contracting, Division of Miller Paving
- Troy Life and Fire Safety Ltd
- Grey Bruce Health Services
- Grey Bruce Health Unit
- Bruce Grey Child and Family Services
- Grey County Administrative Office
- City of Owen Sound

Three Owen Sounds companies recently proposed expansions. MacLean Engineering and Belfor Property Restoration received conditional approval to construct additions. A third company, Bellwyck Packaging Solutions, has submitted a site plan for its proposed expansion. In a recent news article, MacLean Engineering and Belfor confirmed that these businesses are planning on increasing the size of their workforces. MacLean Engineering is quoted as saying that the workforce will likely grow by 20 to 30 jobs in the short-term, with the potential to double that number in the longer term. Additionally, MPX Bioceutical Corporation is planning on opening a new medical marijuana facility in the vacant PPG Gas Plant.

<sup>&</sup>lt;sup>13</sup> The Sun Times, July 26, 2018, three companies in Owen Sound's industrial area planning to expand.



<sup>&</sup>lt;sup>12</sup> Owen Sound, Mayor Employers.

These examples of new jobs being added in Owen Sound support the increasing employment projections noted above.

#### **Development Applications** 3.3

Applications for residential and commercial development in Owen Sound illustrate that growth is occurring, especially residential growth.

### **Residential Development**

There are a number of residential subdivision and site plan applications, totalling 1,350 to 1,465 residential units currently being processed by City staff. Many of these units are to be developed just south of the subject site in the Sydenham Heights area.

Figure 3-7: Residential Development Applications, January 2019

Name	Address	Housing Units					
		Single	Semi	Townhouse	Apartment	Retirement	Total
Andpet (42T-18501)*	16th Avenue East/10th Street East		16	62	91	120	289
Bremont	8th Street East	43	20	38		236	337
Redhawk Construction Co. Ltd (42T-15501)	8th Street East	36		66	264		366
Northridge Property Management (42T-16501)	3195 East Bayshore	141	-179	47-74	100-150		288 to 403
Townhouse Development	798-700 8th St East			12			12
Apartment Development	297 18th Street East				39		39
Sound Lifestyles				19			19
Total							1350 to 1465

SOURCE: City of Owen Sound.

### **Commercial Development**

In addition, there are several commercial development applications for the expansion of existing businesses, as well as some proposals for new buildings. Additionally, and as noted above, there is a 7,617 square metre (82,000 square foot) change in use application at the former PPG Gas Plant to accommodate MPX Bioceutical Corporation, a medical marijuana producer.



<sup>\*</sup>The Andpet project has a more recent proposal for 321 units, without specifications of the unit mix.

Figure 3-8: Commercial Development Applications, January 2019

Name	Address	New (m2)	Expansion (m2)
Mission Thrift Store	1698 18th Avenue East		550
McLean Engineering*	1000 6th Street East		2,189
Belfor	1980 20th Street East		637
Bellwyck Packaging Solutions	1025 8th Street East		800
Rogers Internet Protocol TV (IPTV) Data Centre**	904 9th Street East	62	
Choice Properties (Starbucks, Bank of Montreal and others not confirmed)	1150 16th Street East	854	
Owen Sound SmartCentres (Sleep County and others not confirmed)	1555 18th Street East	920	
Total		1,836	4,176

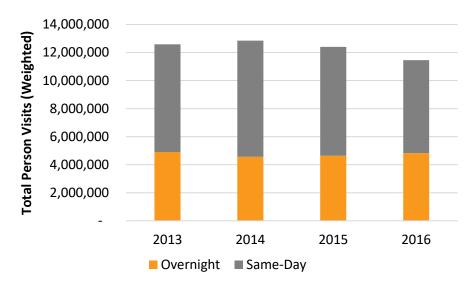
<sup>\* 800</sup> square metres of this expansion is for storage space

SOURCE: City of Owen Sound.

### 3.4 Tourism Context

The Ministry of Tourism, Culture and Sport regional tourism profile<sup>14</sup>, based on the Travel Survey of Residents of Canada and the International Travel Survey, reported that in 2016 almost 11.5 million people visited Bruce Grey Simcoe. The average party size was 2.7 people. It was most common for visitors to stay for two nights (1.6 million people), with an average stay of 2.77 nights.

Figure 3-9: Region 7 Overnight and Same-day Visitors, 2013 to 2016.



SOURCE: Statistics Canada, Canadian Business Patterns Survey, 2016.

<sup>&</sup>lt;sup>14</sup> See Figure 4-3 for a map of the tourism area.



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<sup>\*\*</sup> Not included is a 93 square metres enclosure for a generator and other equipment

The most common reasons for travel were pleasure and visiting friends and family, as illustrated in Figure 3-10. Of the eleven percent of people who stayed in hotels, the most common reason for visiting was pleasure (65%), while the next most common reason was visiting friends and family (13%), followed by business (13%). Popular activities were outdoor recreation, shopping, sightseeing and cultural performances, as illustrated in Figure 3-11.

Two of the primary factors that impact hotel demand are proximity to major tourist attractions and proximity to convention centre type uses. Appendix B contains a list of facilities and events in and around Owen Sound that will continue to attract visitors. The Georgian Bay Positioning and Product Analysis report, prepared in 2008, found that there is a diversity of attractions in the region. Examples include the Grey Roots Museum & Archives, Bruce Peninsula National Park and the Tom Thomson Memorial Art Gallery. Natural and recreational opportunities are viewed as a major attraction to the region, followed by historical and cultural attractions.

Visiting friends and relatives 41%

Pleasure 46%

Other Personal 3%

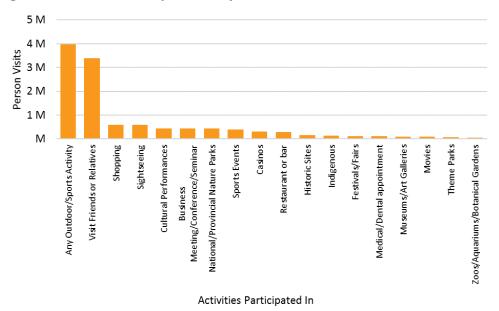
Figure 3-10: Region 7 Main Purpose of Trip by Person Visits, 2016

SOURCE: Statistics Canada, Travel Survey of Residents of Canada and the International Travel Survey, 2016.

<sup>&</sup>lt;sup>15</sup> Kantar TNS, Georgian Bay Positioning and Product Analysis, Prepared for the Ontario Ministry of Tourism, 2008.



Figure 3-11: Region 7 Activities Participated in by Person Visits, 2016



SOURCE: Statistics Canada, Travel Survey of Residents of Canada and the International Travel Survey, 2016.



# 4.0 Hotel Evaluation



The proposed hotel on the Heritage Grove Centre site provides a new accommodation offering that is differentiated from existing hotels and motels in Owen Sound by its location and design. The proposed hotel is targeted towards younger travelers seeking good highway access and a modern aesthetic. The proposed restaurants on the subject site complement this hotel by increasing on-site food offerings, as the proposed hotel will not offer a full-service sit-down restaurant. Additionally, the proposed gas station is an added convenience for travelers who will stay at the hotel.

### 4.1 Accommodation Facilities

Our inventory of accommodation facilities has included information as to the number of rooms in existing hotels and motels within the City of Owen Sound, recognition of any proposed hotels/motels, as well as facilities offering alternative forms of accommodation.

### **Existing Hotels and Motels**

The inventory of hotel and motels is based on a combination of Google Maps hotel listings, the Bruce Grey Simcoe Directory for Owen Sound, and a variety of common hotel booking sites (e.g. Expedia and TripAdvisor). There are currently four hotels and five motels in Owen Sound and a total of 421 rooms, of which 304 rooms are in hotels. The cost of rooms, according to Google listings, ranged from \$59 to \$134.

The quality of hotels/motels is varied. The highest quality hotel is the Best Western Inn on the Bay, which has meeting and banquet facilities, a restaurant and cocktail lounge, and exercise facilities. By contrast, there are a number of economy motels without restaurants or other amenities. These basic motels comprise over a quarter of the supply of available rooms (117 rooms).

The proposed hotel is differentiated from the existing hotels in Owen Sound as a modern, upper midscale<sup>16</sup>, boutique hotel (sometimes referred to as "budget chic"). These hotels typically have some amenities like a fitness centre (with a hot tub) and complimentary breakfast. This type of hotel serves a different midscale hotel market segment targeted more at tourists and business travelers than other hotels and motels in the Owen Sound market, notably targeting a younger demographic. Also, the proposed hotel will be located in a different area of Owen Sound, away from the existing concentration of hotel/motels along Highway 6.

<sup>&</sup>lt;sup>16</sup> Upper midscale hotels typically offer restaurants, vending, selected business services, partial recreational facilities (either a pool or fitness equipment), and limited transportation (airport shuttle). ADR normally falls in the range of USD90 to USD110 for hotels in this category

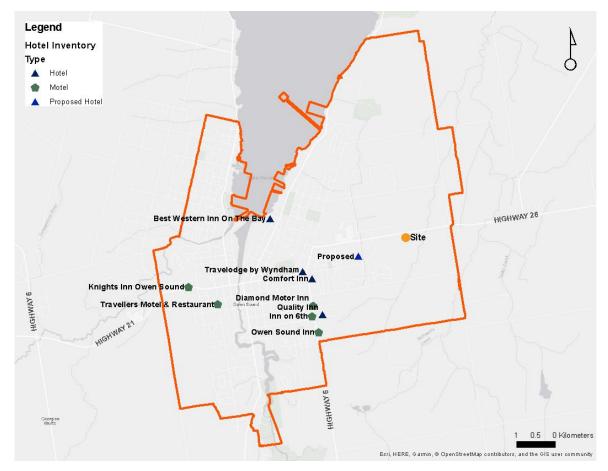


Figure 4-1: Hotels and Motels in Owen Sound, July 2018

Name	Туре	Quality*	Approx. Pricing	Address	Rooms
Best Western Inn on The Bay	Hotel	Upscale	\$170	1800 2nd Ave E	100
Comfort Inn	Hotel	Upper Midscale	\$109	955 9th Ave E	60
Quality Inn	Hotel	Midscale	\$132	950 6th St E	79
Travelodge by Wyndham	Hotel	Midscale	\$135	880 10th St E	65
Diamond Motor Inn	Motel	Economy	\$65	713 9th Ave E	22
Inn on 6th	Motel	Economy	\$60	896 6th St E	25
Knights Inn Owen Sound	Motel	Economy	\$100	672 10th St W	28
Owen Sound Inn	Motel	Economy	\$75	485 9th Ave E	28
Travellers Motel & Restaurant	Motel	Economy	\$59	740 9th Ave E	14

SOURCE: urbanMetrics inc.; Google maps hotel listings, the Bruce Grey Simcoe Directory for Owen Sound, TripAdvisor, Bookings.com and Expedia. \*See Appendix A for quality type definitions.

Figure 4-2: Existing Hotels and Motels in Owen Sound, July 2018



SOURCE: urbanMetrics inc; Esri.



## **Proposed Hotel**

In August 26, 2013, plans for a proposed 100-room, 6-storey hotel were presented to Council by Legacy Hospitality Management and Development Inc. Construction was originally planned to begin in 2015 (in two years time, as of the presentation date), but construction has yet to begin. It does appear, however, that this project may still be progressing. A Zoning by-law amendment and site plan application has been recently submitted. The hotel is proposed to have rooms with kitchens, simulated golf and a salt water pool. This hotel suite format is certainly different than the proposed hotel, which does not include kitchens, or similar amenities. As outlined in the presentation to Council, the target market for the Legacy Hospitality hotel was to include contractors, trainers and other people in need of short-term accommodation for three days or more (e.g. people relocating to Owen Sound, or temporarily in the area due to longer term employment opportunities). This hotel would include 232.9 square metres (2,507 square feet) of meeting space. This proposed meeting centre provides increased business tourism opportunities and could result in additional hotel demand, which may benefit other hotels in the Owen Sound market.

#### Alternative Accommodation

Although the focus of our accommodation analysis has been on hotel room demand, alternative accommodation options have also been taken into account. In Owen Sound, there are a number of bed and breakfasts, that include:17

- B&C Moses' Sunset Country Bed and Breakfast
- Between the Maples Bed and Breakfast
- Butchart Estate
- MacLean Estate Bed and Breakfast
- The Highland Manor
- Wind in the Poplars Bed and Breakfast

In August 2018, there were also 33 Airbnb listings. 18 A number of the aforementioned Bed and Breakfast facilities comprise the listings on Airbnb, such as the Butchart Estate and Highland Manor and there are also two campgrounds in the City: Harrison Park and Kelso Beach. We note that these types of accommodation are not directly competitive with the type of hotel being proposed on the subject site.

<sup>&</sup>lt;sup>18</sup> This count is based on an internet search on July 7<sup>th</sup>, 2018.



<sup>&</sup>lt;sup>17</sup> This listing is based on information from Google maps hotel listings, the Bruce Grey Simcoe Directory for Owen Sound, TripAdvisor, Bookings.com and Expedia.

#### **Hotel Market Characteristics** 4.2

The Ministry of Tourism, Culture and Sport publishes regional tourism profiles. Owned Sound is in Region 7, the Bruce Grey Simcoe Area, which includes Bruce Peninsula, Southern Georgian Bay and Lake Simcoe and is also called the Bruce Grey Simcoe Area, as illustrated in Figure 4-3.

Tourism Region Région touristique

Figure 4-3: Region 7 Tourism Area

SOURCE: Information Integration and Analysis Section, Information Management and Planning Branch, Community Services I&IT Cluster. Information provided by the Ministry of Municipal Affairs and Housing, under licence with the Ministry of Natural Resource.



The Ministry of Tourism, Culture and Sport regional tourism profile, based on the Travel Survey of Residents of Canada and the International Travel Survey, showed that in 2016 the most common place visitors stayed was in private cottages (67%). Eleven percent of people stayed in hotels (amounting to some 554,800 people).

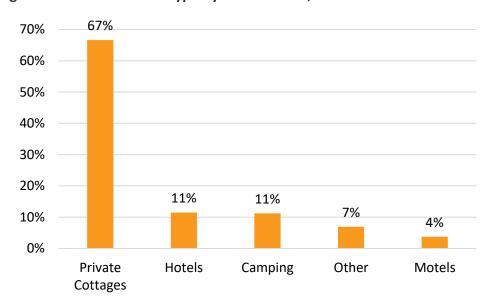


Figure 4-4: Region 7 Accommodation Type by Person Visits, 2016.

SOURCE: Statistics Canada, Travel Survey of Residents of Canada and the International Travel Survey, 2016.

The tourism profile also contains hotel data from CBRE, including occupancy rates, average daily rates and revenue per available room (RevPAR), as illustrated in Figure 4-5. In 2016, the regional occupancy rate was 56.6%. The occupancy rate has increased from a low of 50.1% in 2009 and 2013. In 2016, the average daily rate was \$126.80, and—with occupancy factored in—the revenue per room available was \$71.73.

The CBRE 2017/2018 Outlook anticipates that the 2018 Ontario-wide hotel occupancy and RevPAR will increase to 70% and \$110, respectively. There has been a year-over-year increase since 2015 in Ontario. Additionally, the tourism outlook for Ontario anticipates a 1.7% increase in visitors, and 3.7% increase in total expenditures from 2013 to 2019. This results in an increase from 140 million visits in 2013 to 157 million visits in 2019.

<sup>&</sup>lt;sup>19</sup> Ministry of Tourism, Culture and Sport, Tourism Outlook, 2019.



\$145 58% 56% \$125 54% \$105 52% 50% \$85 48% \$65 46% 44% \$45 42% \$25 40% 2008 2009 2010 2011 2012 2015 2016 2013 2014 ADR RevPAR → Occupancy %

Figure 4-5: Region 7 Hotel Occupancy, Average Daily Rate (ADR) and Revenue Per Available Room (RevPAR), 2008 to 2016

SOURCE: CBRE Hotels Trends in the Hotel Industry National Market Report

# 4.3 Market Demand Evaluation

The key drivers of hotel room demand are:

- (i) proximity to major tourist attractions;
- (ii) proximity to convention centre type uses;
- (iii) catering to local business travellers; and
- (iv) catering to visiting family and friends of local residents.

The City of Owen Sound is seeking to become a major tourist destination and already has a number of attractions, including both cultural events and institutions, as well as outdoor recreation opportunities. Similarly, we note that the City regularly hosts a range of prominent youth sporting events in the community (e.g., International Silver Stick hockey tournament, plus regular league play for the local OHL team, the Owen Sound Attack), which creates additional demand for hotel space from visitors associated with out-of-town teams and their families. The proposed meeting centre in the potential new hotel near the hospital could also generate additional demand for hotel rooms. In



addition, the local population and number of jobs in the community is anticipated to grow, thereby increasing the need for additional hotel accommodation.

Based on the municipal boundaries, Figure 4-7 provides a comparison of room ratios per 1,000 population and employees for similarly sized municipalities. The population and employment numbers are based on 2016 data, and the hotel room counts are based on existing hotels and motels, as of August 2018. This research has ultimately informed the ratios used in the analysis found in Figure 4-7 and Figure 4-8.

	Hotel and		0/ Hetel		Rooms Per 1	,000 People		Rooms Per 1,0	00 Employees
Area	Motel Rooms	Hotel Rooms	% Hotel Rooms	Population*	Hotel and Motel	Hotel	Employment	Hotel and Motel	Hotel
Belleville	676	654	97%	50,716	13.3	12.9	29,190	23.2	22.4
Brockville	350	350	100%	21,346	16.4	16.4	12,385	28.3	28.3
Lindsay	153	133	87%	20,713	7.4	6.4	-	-	-
Cobourg	250	194	78%	19,440	12.9	10.0	10,150	24.6	19.1
Orillia	904	780	86%	31,166	29.0	25.0	15,785	57.3	49.4
Collingwood	773	591	76%	21,793	35.5	27.1	10,125	76.3	58.4
Average		•	87%		19.1	16.3		41.93	35.5

Figure 4-6: Hotel/Motel Room Supply Analysis for Comparable Areas, 2018

72%

SOURCE: Google hotel listings; Expedia room information; Statistics Canada 2016 Census; urbanMetrics August 2018; This list is based on existing hotels and does not include proposed hotels.

19.7

14.2

12,745

19.72

23.9

21,341

304

421

Owen Sound

The room supply ratios in comparable Ontario municipalities were used as a benchmark for forecasting the future demand for new hotel rooms in Owen Sound. Based on the forecast population and employment growth to 2026, there is demand for approximately 40 to 170 new hotel/motel rooms (or approximately 30 to 195 hotel rooms). The future demand from population and jobs cannot be aggregated because there is overlap for those who both live and work in Owen Sound.

There is a proposal for a 100-unit hotel in addition to the 75-unit hotel proposed at the Heritage Grove Centre, a potential increase of 175 rooms. This exceeds the current hotel room ratio accounting for growth to 2026 (the "current rate"), but this increase in rooms is within the range seen in other comparable municipalities, like Orillia and Collingwood (the "comparison rate").

A notable difference between Owen Sound and comparable municipalities is that in Owen Sound motel rooms make-up a large portion of the room supply. Owen Sound also has a much lower hotel and motel supply per employee relative to comparable municipalities.

The proposed hotel is well located at the eastern gateway into Owen Sound in an area that does not contain other nearby hotels. The type of hotel being proposed is also differentiated from the existing offerings, providing increased choice for future business travelers and tourists. Finally, the per capita



<sup>\*</sup> The population does not include undercount

hotel rooms analysis for residential and local employees suggests that there is opportunity to increase the supply of hotel rooms.

Figure 4-7: Hotel/Motel Room Supply Analysis

	2016	2024
Employees	12,745	14,035
Population	21,740	24,999

Existing Hotel/Motel Rooms	421
Proposed Hotel/Motel Rooms*	100

#### **Employment Generated Hotel/Motel Room Demand**

Room per 1,000 Employees

				2024 Room Needs Compared to
	Rate	2016	2024	Inventory
Current Rate	33.0	421	464	43
Comparison Rate	41.9	534	589	168

#### **Population Generated Hotel/Motel Room Demand**

Room per 1,000 People

				2024 Room Needs Compared to
	Rate	2016	2024	Inventory
Current Rate	19.4	421	484	63
Comparison Rate	19.1	415	477	56

SOURCE: urbanMetrics inc.



**Figure 4-8: Hotel Room Supply Analysis** 

	2016	2024
Employees	12,745	14,035
Population	21,740	24,999

Existing Hotel Rooms	304
Proposed Hotel Rooms*	100

#### **Employment Generated Hotel Room Demand**

Room per 1,000 Employees

				2024 Room Needs Compared to
	Rate	2016	2024	Inventory
Current Rate	23.9	304	335	31
Comparison Rate	35.5	452	498	194

#### **Population Generated Hotel Room Demand**

Room per 1,000 People

				2024 Room Needs
				Compared to
	Rate	2016	2024	Inventory
Current Rate	14.0	304	350	46
Comparison Rate	14.2	309	355	51

SOURCE: urbanMetrics inc.



## **Gas Station Evaluation** 5.0



As noted previously, there is a proposal for a gas station, convenience store and quick service restaurant with a drive-thru at Heritage Grove Centre. Gas stations are a permitted use within the Retail Commercial (C2) zone, which is the predominate zoning along Highway 26; however, this use is restricted on the subject site under the area specific zoning C2 14.89. As described in the Site Context section, the subject site is located at the eastern entrance to the City on Highway 26, which links Owen Sound, the Bruce Peninsula, Meaford, the Town of Blue Mountains and Collingwood. In addition to serving people traveling along Highway 26, gas stations along this corridor also serve people going to the Owen Sound Hospital and people visiting the various area plazas for their shopping needs. Because of this demand, gas stations in Owen Sound most frequently are located along Highway 26 and 21, as illustrated in Figure 5-1.

# 5.1 Inventory

A desktop inventory of gas stations in Owen Sound was undertaken in January 2019 to determine the number and location of gas stations in the City. The gas stations in Owen Sound are currently clustered along Highway 26 and 21, routes which capture a significant amount of traffic throughout the City. The proposed gas station at the Heritage Grove Centre is located at the eastern entrance (or exit) of the City.



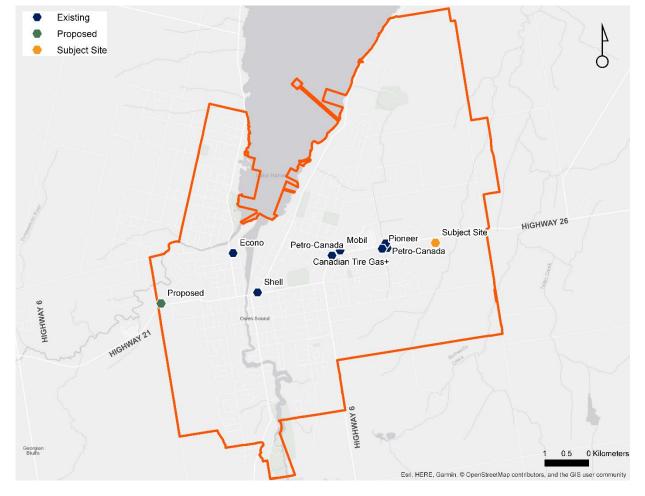


Figure 5-1: Gas Station Inventory, 2019

SOURCE: urbanMetrics inc; Esri.

# 5.2 Market Evaluation

Gas station demand is influenced by location (and associated traffic), nearby competition from other gas stations, hours of operation, pricing, brand, services (e.g. convenience/food offerings) and service capacity (e.g. number of bays). Brand loyalty programs and additional services (like a quick service restaurant) typically serve different gas station patrons. The location of Heritage Grove Centre is well suited to a gas station because of both highway access and the strategic location at the entrance to the City. Additionally, there is a growing residential population south of the subject site that will benefit from increased gas station choice along this important retail corridor.



# **6.0** Restaurant Evaluation



Six standalone restaurants and one quick service restaurant (located within the gas station) are proposed at the Heritage Grove Centre. Restaurants are a permitted use on the subject site; however, the size of restaurants is regulated.

#### **Policy** 6.1

Zoning By-law 2010-078 restricts the size of restaurants in the C2 14.89 zone. The proposed size of the two standalone restaurants and the gas station quick-service restaurant component are smaller than the permitted minimum unit size. Smaller restaurants are allowed; however, the aggregate size of these smaller restaurants is restricted. The aggregate size of the proposed small restaurants exceeds what is allowed. The By-law restrictions relating to restaurants are summarized below:

- 5. Any combination of service uses permitted under Section 14.89.1 (b) shall be subject to a maximum gross floor area of 2,578 m2 and the following:
- e. Restaurants Minimum unit size of 325.2 m2, however smaller restaurants with no minimum unit size may be permitted provided that they not exceed 464 m2 in aggregate.

As illustrated in Figure 6-1, Buildings L and M are proposed to be 297.3 square metres and the gas station quick-service restaurant use is proposed to occupy some 225 square metres, all of which are below the minimum size threshold of 325.2 square metres. Additionally, the aggregate size of these three restaurants (820 square metres) is larger than the allowed 464 metres squared aggregate for small restaurants. Smaller building sizes, like Buildings L and M, are not unusual for comparable retail plazas and are a common size for fast restaurants (e.g. Wendy's and A&W).

Figure 6-1: Restaurant Sizes

Name	Square Metres	Square Feet
Building H1	418.1	4,500
Building H2	442.0	4,758
Building J	418.1	4,500
Building K	341.0	3,670
Building L	297.3	3,200
Building M	297.3	3,200
Gas Station	225.0	2,422
Total	2,439	26,250
Total: Below Minimum Size	820	8,822

SOURCE: Point. Architects.



# 6.2 Market Evaluation

Regardless of their size, the proposed restaurants will serve a vehicle-oriented clientele seeking ample parking and access to Highway 26. Located at the entrance of the City, the restaurants that locate here will serve people traveling through Owen Sound to other regional destinations, local residents shopping at the various retail offerings and also the growing residential population south of the subject site. Additionally, the proposed hotel acts as a complementary use that will also increase demand for on-site restaurants. Heritage Grove Centre is a highway accessible location with a good supply of surface parking. By contrast, the Downtown is not well suited to restaurants requiring large parking lots and large building footprints. The Downtown is also not as convenient or accessible for highway travelers, or patrons of the on-site hotel.



# **Appendix A** Hotel Categories



The Hotel Brands Report (2018) by Hotels Analyst defines the STR categories as:

Luxury - typically offers first class accommodations and an extensive range of on-property amenities and services, including restaurants, spas, recreational facilities, business centres, concierges, room service and local transportation (shuttle service to airport and/or local attractions). Average Daily Rate ("ADR") is normally greater than USD210 for hotels in this category.

**Upper Upscale** - typically offers a full range of on-property amenities and services, including restaurants, spas, recreational facilities, business centres, concierges, room service and local transportation (shuttle service to airport and/or local attractions). ADR normally falls in the range of USD145 to USD210 for hotels in this category.

**Upscale** - typically offers a full range of on-property amenities and services, including restaurants, spas, recreational facilities, business centres, concierges, room service, and local transportation (shuttle service to airport and/or local attractions). ADR normally falls in the range of USD110 to USD145 for hotels in this category.

Upper Midscale - typically offers restaurants, vending, selected business services, partial recreational facilities (either a pool or fitness equipment), and limited transportation (airport shuttle). ADR normally falls in the range of USD90 to USD110 for hotels in this category.

Midscale - typically offers limited breakfast, selected business services, limited recreational facilities (either a pool or fitness equipment), and limited transportation (airport shuttle). ADR normally falls in the range of USD65 to USD90 for hotels in this category.

**Economy** - typically offers basic amenities and a limited breakfast. ADR is normally less than USD65 for hotels in this category.



# **Appendix B** Tourism Facilities and Events



The City of Owen Sound website has information on facilities and events in the City.

#### **Local Tourism Destinations**

The below list of tourism attractions is from the Owen Sound Arts, Culture and Heritage website, the 2008 Ontario Ministry of Tourism report, Georgian Bay Positioning and Product Analysis, and TripAdvisor.

- 1. Billy Bishop Home & Museum
- 2. Community Waterfront Heritage Centre
- 3. Grey Roots Museum and Archives
- 4. Tom Thomson Art Gallery
- 5. Artists Co-op Gallery de Boer
- 6. Santa Fe Gallery
- 7. Roxy Theatre (Owen Sound Little Theatre) / Griffin Gallery
- 8. Foto Art Camera Museum
- 9. Natural Areas
  - Weavers Creek Falls
  - Harrison Park
  - Jones Falls
  - Inglis Falls
- 10. Bruce Trail

## **Regional Tourism Destinations**

In addition to the many local tourism destinations, there are also many regional attractions, summarized below.

Figure B-1: Select Regional Tourism Attractions

Location	Distance from Owen
	Sound (km)
Georgian Trail (Meaford)	30
Bruce Peninsula Mountain Bike Adventure Park	45
Blue Mountain	45
Bruce Peninsula National Park (The Grotto and Bruce Trail)	85
Tobermory (Flowerpot Island and Fathom Five National Marine Park)	105

SOURCE: City of Owen Sound Arts, Culture and Heritage website; 2008 Ontario Ministry of Tourism report, Georgian Bay Positioning and Product Analysis; and tripadvisor.



## **Sports Facilities**

The below lists of arenas, banquet halls, and sports fields are from the Owen Sound Book or Rent a Park or Facility website.<sup>20</sup>

#### **Arenas**

- 1. Julie McArthur Regional Recreation Centre (two NHL size ice pads)
- 2. Bayshore Community Centre (one NHL size ice pad, a multi-functional surface for special events, and 8,000 square feet of adjacent banquet hall)
- 3. Julie McArthur Regional Recreation Centre

#### **Banquet Halls, Trade Show and Meeting Spaces**

- 1. Harry Lumley Bayshore Community Centre
- 2. Harrison Park Hall

#### **Baseball Diamonds**

- 1. Tom Williams Park (Lit Diamond)
- 2. Duncan McLellan Park (3 Lit Diamonds)
- 3. St. Georges Park (Lit Diamond)
- 4. St. Julien's, Kinsmen, Harrison Field, Kelso Beach (no lights)

#### **Events**

The below list of festivals is from the Owen Sound Festivals and Events website.<sup>21</sup>

#### **Festivals and Events**

#### Summer

- 1. Saints & Sinners Taste of the Trail: June 24, 2018
- 2. TD Harbour Nights Concert Series: Sundays, June 17 to August 12, 2018
- 3. Noon Hour Concert Series: Wednesdays, June 27 to August 29, 2018
- 4. Canada Day Celebration: July 1, 2018
- 5. Hottest Street Sale Under the Sun: July 7, 2018
- 6. Harbourfest: July 14, 2018
- 7. FIFTIES 1st FRIDAY: First Friday of August
- 8. Emancipation Festival: August 3 to 5, 2018
- 9. Conformation Dog Show and Obedience Trials: August 7 to 9, 2018



<sup>&</sup>lt;sup>20</sup> Source: https://www.owensound.ca/en/living/book-or-rent-a-park-or-facility.aspx

<sup>&</sup>lt;sup>21</sup> Source: https://www.owensound.ca/en/festivals-and-events.aspx

- 10. Owen Sound Outdoor Movie Nights: Thursdays, August 16 to 30, 2018
- 11. Summerfolk Music and Crafts Festival: August 17 to 19, 2018
- 12. Owen Sound Salmon Spectacular: August 24 to September 2, 2018
- 13. The Bayshore Race: August 26, 2018

#### **Autumn**

- 1. Owen Sound Fall Fair: September 6 to 8, 2018
- 2. Scenic City Film Festival: September 14 and 15, 2018
- 3. Owen Sound Ribfest: September 14 to 16, 2018
- 4. Cobble Beach Concours d'Elegance: September 15 and 16, 2018
- 5. SweetWater Music Festival: September 21 to 23, 2018
- 6. Owen Sound Salmon Celebration: September 30, 2018

#### Winter

- 1. Santa Claus Parade: November 17, 2018
- 2. Festival of Northern Lights: November 17, 2018 to January 6, 2019
- 3. FESTIVE 1st FRIDAY: First Friday of December
- 4. Festival in the Park: Second Saturday of December
- 5. New Year's Eve Family Celebration: December 31
- 6. FRISKY 1st FRIDAY: First Friday of February
- 7. Savour Owen Sound: February 16 to March 31, 2018
- 8. Lupercalia Multi-Arts Festival: February 16 and 17, 2018
- 9. Chinese New Year Celebrations: February 17, 2018

#### Spring

- 1. Maple Sugar Moon Festival: March 17, 2018
- 2. Grey County Kiwanis Festival of Music: April 2 13, 2018
- 3. Home and Cottage Expo: April 28 and 29, 2018
- 4. One World Festival: May 17, 2018
- 5. FRESH 1st FRIDAY: First Friday of June
- 6. Doors Open Owen Sound: June 2 and 3, 2018
- 7. Grey Bruce Youth Film Festival: June 13, 2018

Additionally, the Visitor Information Centre runs three tours: the Owen Sound Salmon Tour, Savour Owen Sound and Corkscrew City Tour.



# Schedule 'G' Peer Review with Addenda

#### Cann, Amy

From: James Tate < jtate@tateresearch.com>

**Sent:** April 22, 2020 2:29 PM

To: Dave Aston Cann, Amy

Subject: RE: Review of Policy and Alternative Option for Restaurants

#### Hello Dave,

I have reviewed the summary provided below.

I am satisfied that the proposed amendment meets the requirements of the retail market study policy (Policy 4.4.2.9) of the Official Plan.

I support the proposed application for the Heritage Grove Zoning By-law Amendment, from the perspective of retail market demand and impact.

Thank you, Jamie Tate

James P. Tate, MBA, PLE President Tate Economic Research Inc. 8 King Street E. Suite 1013 Toronto, On M5C 1B5

CELL: 416 723 7907

Tel: 416-260-9884 x111 www.tateresearch.com

#### TATE ECONOMIC RESEARCH INC. RESPONSE TO COVID-19

In response to recommendations from Canadian government health agencies regarding the coronavirus outbreak, Tate Economic Research Inc. is moving to a remote work model, taking precautionary measures to reduce the risk of spreading COVID-19 while continuing to collaborate with clients and deliver project work.

#### Effective immediately:

- All employees are set up to work remotely, and are reachable by email and telephone.
- Meetings will take place via telephone or web conference.

We endeavor to exercise the utmost caution, ensuring health and safety of our team, while continuing to be open for business.

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system.

From: Dave Aston <daston@mhbcplan.com>

Sent: April 22, 2020 2:08 PM

**To:** James Tate < jtate@tateresearch.com> **Cc:** Cann, Amy < acann@owensound.ca>

Subject: RE: Review of Policy and Alternative Option for Restaurants

Jamie,

Based on a discussion with the applicant and the City on the proposed Zoning By-law and the request to amend the By-law related to the restaurant regulation we have obtained additional information that informs the request. We had a further discussion with the City to consider an alternative to the proposal to modify the zoning request as follows:

- 1) Exclude the proposed drive-thru restaurant (shown on the current site plan) from the restaurant calculation and permit one (1) drive-thru as an additional use in the zoning to accommodate what is being proposed.
- 2) Maintain the 'cap' related to restaurants in terms of the scale for the purposes of calculation of permitted floor area and the total site 'cap'.
- 3) Permit an increase in the permitted floor area for restaurants below 325.2 sq.m. to 520 sq.m. (from 464 sq.m.).

In consideration of the alternative / modified proposal, the following is a general overview of Policy 4.4.2.9 as it relates to permitting the drive-thru as an additional use and not including in the restaurant size regulations:

- i. Designated commercial property, suitable for the intended scale and type of development is not available within the Downtown Area. a drive-thru is not permitted in the Downtown zoning and therefore that specific use is not a permitted.
- ii. Available commercial property in the Downtown is not economically viable for the intended scale and type of development. there is no property in the Downtown that would be viable for a drive-thru
- iii. The proposed increase in commercial floor space will not be premature by increasing the amount of commercial floor space in the City beyond the 5 year market demand. the proposed increase is not premature as it is a minor increase from the permitted cap that was approved. The removal of the drive-thru will permit the development of two (2) other restaurant uses with the request for an increase in the cap of 55 sq.m. The proposed increase is minor relative to the existing cap and does not provide for an additional restaurant on the lands. The general intent of the site specific zoning by-law is maintained.
- iv. The proposed development will not undermine the economic viability or planned function of a significant commercial component of the Downtown or impair the function of a designated commercial district as identified in this Plan. the planned function of the downtown will not be impacted as drive-thrus are not permitted. The permission to allow for one (1) drive-thru will not impair the function of the designated commercial district. The East Side Commercial District is intended to accommodate uses for the travelling public and a drive-thru restaurant is appropriate within the designation.

Based on these considerations, the following modified amendment to the By-law is recommended (changes noted in red):

- 5. Any combination of service uses permitted under Section 14.89.1 (b) shall be subject to a maximum gross floor area of 2,578 m<sup>2</sup> and the following:
  - a. Medical and dental clinics and laboratories Min. unit size of 697 m<sup>2</sup>
  - b. Tool or party rental no further restriction
  - c. Veterinary services no further restriction
  - d. Fitness centre no further restriction
  - e. Restaurants

- (i) Minimum unit size of 325.2 m<sup>2</sup>, however smaller restaurants with no minimum unit size may be permitted provided that they not exceed 464 m<sup>2</sup> 520 m<sup>2</sup> in aggregate.
- (ii) One (1) drive-thru restaurant is permitted, which shall not be subject to the small restaurant aggregate maximum in 14.89 2) 5e(i) regardless of the size.

Please advise that this approach to the Zoning By-law Amendment is supported for purposes of addressing the retail market study policy (Policy 4.4.2.9) of the Official Plan, specific to this application for Heritage Grove.

Thanks.

**DAVID ASTON,** MSc, MCIP, RPP Vice President, Partner

# MHBC Planning, Urban Design & Landscape Architecture 540 Bingemans Centre Drive, Suite 200 | Kitchener | ON | N2B 3X9 |T 519 576 3650 X 709 | F 519 576 0121 | daston@mhbcplan.com

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#### TATE ECONOMIC RESEARCH INC.

Mr. Dave Aston
Partner
MHBC Planning
540 Bingemans Centre Drive, Suite 200
Kitchener, ON
N2B 3X9

April 7, 2020

Re: Heritage Grove Centre – Market Study Peer Review Commentary

Dear Mr. Aston:

As you are aware, Tate Economic Research Inc. ("TER") and MHBC Planning have been retained by the City of Owen Sound to conduct a peer review of the development application submitted on behalf of Heritage Grove Centres Inc., for their retail centre in Owen Sound, Ontario (referred to as "Site"). This application was submitted in 2019 and has since been revised. TER has been requested to comment on the revised (2020) application.

In 2019, TER peer reviewed the market study prepared by urbanMetrics inc. ("uM Market Study") which was submitted in support of the application. The uM Market Study, and the TER peer review, generally addressed three components of the application:

- The addition of a hotel as a permitted use;
- The addition of a gas station as a permitted use; and,
- Modifications to the permissions for restaurant uses on the Site.

The peer review indicated support for the hotel and gas station permissions, as well as concerns with the modifications requested for restaurant permissions.

The current restaurant permissions can be summarized as follows:

 There is a maximum of 2,578 square metres of service space permitted on the Site. Restaurants are included in this maximum.  With respect to unit sizes, a maximum of 465 square metres of restaurant space is permitted to be occupied by restaurants in units of less than 325 square metres.

The 2019 application was for a total of up to 2,439 square metres of restaurant uses, with four units of less than 325 square metres that totaled 820 square metres. As current permissions allow 465 square metres of restaurants in units less than 325 square metres, an increase to 820 square metres of "smaller" restaurant uses was requested.

This application has been revised in 2020 to include a total of up to 1,688 square metres of restaurant uses, including four units of less than 325 square metres that total 760 square metres.

To summarize, the current application is for less restaurant space overall (from 2,439 square metres revised to 1,688 square metres), and for less "smaller" restaurant space devoted to smaller units (from 824 square metres revised to 760 square metres).

The 2019 TER peer review raised concerns with the potential impact of the Heritage Grove restaurant space on the planned function of Downtown Owen Sound. While we recognize the revisions to the application, the current application does not alleviate our concerns.

We note that there are currently no restaurants operating at the Heritage Grove Site. In our opinion, in the Owen Sound market context, it may be appropriate to build out the Site to its current permissions prior to approving an increase in the amount of "smaller" restaurants permitted. We note that there may be additional research and analysis that could be conducted in order to understand the anticipated impacts of the proposed restaurants on the Downtown. These additional tasks could include an inventory of restaurant space in the Downtown, a comparison to historic inventories (in terms of number of restaurants, turnover, amount of occupied space, etc.) as well as a detailed review of vacancies in the Downtown to determine their appropriateness for restaurant uses. These tasks have not been undertaken in the previous uM studies.

We note that there is a trend in commercial development away from pure retail uses towards more service-oriented uses, such as restaurants. We also note that there has been considerable dedication of resources towards the enhancement of the Downtown in Owen Sound. Based on our review of the market conditions in Owen Sound, it is our recommendation that the City move forward with the current Heritage Grove Centres' Zoning Amendment for increased height, etc., while retaining the restriction of 465 square metres (in aggregate) comprised of restaurants of less than 325 square metres.

Should you have any questions regarding this letter, please contact us via email at <a href="mailto:jtate@tateresearch.com">jtate@tateresearch.com</a> or via telephone at 416 260 9884.

Yours truly, TATE ECONOMIC RESEARCH INC.

James P. Tate President



KITCHENER
WOODBRIDGE
LONDON
KINGSTON
BARRIE
BURLINGTON

July 24, 2019

Amy Cann, Community Planner City of Owen Sound Planning & Heritage Division 808 2<sup>nd</sup> Avenue East Owen Sound, ON | N4K 2H4

Dear Amy:

RE: 2125 16<sup>th</sup> Street East, Heritage Grove – Zoning By-Law Amendment No. 29: Market Study Peer Review Comments

OUR FILE 08219W

MHBC Planning and Tate Economic Research Inc. ("TER") were retained by the City to peer review market studies and provide comments on behalf of the City of Owen Sound. As a result, the City requested a peer review of the UrbanMetrics Inc. ("uM") report titled *Heritage Grove Centre, Market Study*. The purpose of this letter is to outline the findings of the peer review. uM originally submitted a Market Analysis to City Staff, dated April 24, 2019. After consultation with TER and MHBC, uM prepared a revised report (dated June 18, 2019). The peer review prepared by TER refers to the uM revised report.

Section 4.4.2.9 of the Official Plan requires a Market Analysis when a rezoning application is proposed within the *East City Commercial* area of the City. In a general sense, the purpose of a Market Analysis is to confirm that the intended scale and type of proposed commercial development will not undermine the economic viability or planned function of the Downtown.

The applicant has proposed the construction of a hotel, six restaurants and a gas bar, which will include a convenience store and quick serve restaurant with a drive-thru. The City requested a scoped Market Analysis to assess the associated impacts of the proposed uses on the Downtown area.

Details of the proposal can be found in Staff Report CS-19-095, presented to City Council of July 15, 2019. TER conducted a peer review of the uM report and prepared a Peer Review, dated July 22, 2019.

TER's peer review concludes that the uM analysis indicating the site is well positioned from a market demand perspective is appropriate. TER further confirms that the proposed hotel and gas station uses are appropriate for the site and are not anticipated to impact the economic viability or planned function of the Downtown, or impair the function of a designated commercial district as identified in the City's

Official Plan. It was noted by TER that there is an additional 100 room hotel proposed by Legacy Hospitality Management. The development of the hotel on the Heritage Grove site, in conjunction with the Legacy Hospitality Management site would represent an increase of 33% in hotel rooms in Owen Sound. TER acknowledged that this increase contrasts the 5.6% to 10.9% population increase forecasted for Owen Sound. While this is not a land use or planning issue, MHBC agrees with TER's finding that the introduction of two hotels would impact the operations of existing hotels in Owen Sound. However, this is not anticipated to impact the planned function of the Downtown which is central issue addressed through this Peer Review.

However, TER's peer review finds that the development of restaurant space (in the amount of 2,439 square metres) is significant in the context of Owen Sound. This amount of restaurant space represents 45% of the total amount of restaurant space in the Downtown. As such, TER recommends that it may be appropriate for the City to phase the amount of restaurant space permitted over time. MHBC supports TER's conclusions in this regard.

While it is not the role of City Planning Staff to necessarily comment on the potential economic performance of proposed retail/commercial uses, the peer review raises concern regarding the amount of restaurant space proposed as part of Heritage Grove's development. The significant increase in restaurant space has the potential to negatively impact the planned function of the City's Downtown as the social, cultural, business and recreational focal point of the City.

As such, we find that it is appropriate to require the phasing of the restaurant spaces through the site plan agreement process rather than not supporting the request for the additional restaurant area and increase in the personal services cap of the existing by-law. The site plan agreement could consider implementing phasing by permitting a maximum amount of restaurant space in the initial phase of the development. Upon the full operation of a certain amount of restaurant space or the hotel, the applicant can then implement the final restaurant space and the hotel.

Phasing of the restaurant uses through the site plan agreement will allow the City to monitor the impacts of the increased restaurant uses on the City's Downtown area.

We would be happy to further discuss this approach with the City and applicant.

Yours truly,

**MHBC** 

Dave Aston, MSc, MCIP, RPP

Partner

CC.

J. Tate, Tate Economic Research

Julie Welch, MSc, MCIP, RPP Planner

Juli Welh

# **Peer Review of**

urbanMetrics inc. Heritage Grove Centre Market Study

Prepared for: MHBC Planning / City of Owen Sound

July 12, 2019





#### TATE ECONOMIC RESEARCH INC.

Mr. Dave Aston MHBC Planning, Urban Design & Landscape Architecture 540 Bingemans Centre Drive, Suite 200 Kitchener, ON N2B 3X9

July 12, 2019

Re: Peer Review of urbanMetrics inc.:

Heritage Grove Centre,

**Market Study** 

Dear Mr. Aston:

Tate Economic Research Inc. is pleased to submit our peer review of the above noted report to MHBC Planning and the City of Owen Sound.

Thank you for the opportunity to conduct this assignment on your behalf and we look forward to discussing the results with you.

Yours truly,

TATE ECONOMIC RESEARCH INC.

James P Tate President Sameer Patel Vice President

### 1 Background

#### 1.1 Mandate

Tate Economic Research Inc. ("TER") was retained by the City of Owen Sound ("City") to conduct a peer review of the urbanMetrics inc. ("uM") report titled *Heritage Grove Centre, Market Study* ("uM Initial Report"). The uM Initial Report was conducted for Heritage Grove Centres Inc. and is dated April 24, 2019. After consultation with TER, uM prepared a revised report with the same title dated June 18, 2019 ("uM Revised Report"). This TER peer review report refers primarily to the uM Revised Report, as it is assumed to supersede the uM Initial Report.

#### 1.2 Proposal Background

As stated in the uM Revised Report, Heritage Grove Centre is an open concept retail centre located on 16<sup>th</sup> Street East (Highway 26) in eastern Owen Sound ("Site"). The Site is approximately 19 acres and the retail centre is anchored by Winners, Michaels, PetSmart, Princess Auto, Dollar Tree and Value Village. There is a considerable portion of the Site that is undeveloped.

In a general sense, the applicant is proposing to broaden the permitted uses on the Site. The uM Initial Report has been prepared as a component of a Zoning By-law amendment and site plan application to permit a hotel, gas station and six restaurants, as detailed below:

- A gas station (fuel pumps, convenience store and quick service restaurant with a drive-thru) at the west side of the main north / south drive aisle;
- A total of six restaurants, with four located along the east side of the main north / south drive aisle and two on the northwest corner of the Site; and,
- A 4-storey, approximately 75-room hotel at the northeast corner of the Site.

#### 1.3 Official Plan Context

In TER's opinion, it is important to understand the OP and zoning restrictions on the Heritage Grove Centre Inc. Site in the context of surrounding lands. The Site has specific restrictions that relate to the types of retail and other commercial uses permitted.

The Site is designated East City Commercial, which permits a wide range of retail and service uses. The Site is zoned C2.14.89. This site specific zoning includes restrictions beyond what is typically permitted in the "Retail Commercial (C2)" zone.

The C2 zone permits gas bars, hotels and restaurants. However, as a result of the site specific zoning by-law gas bars and hotels are not permitted. The applicant is requesting that gas bars and hotels be permitted on the Site.

With respect to restaurants, there are a number of size restrictions that apply to the Site. Restaurants are classified as a "service use". Other permitted service uses include medical and dental clinics, tool or party rental, veterinary, and fitness centres. The maximum gross floor area permitted for all combined service uses is 2,578 square metres (27,750 square feet).

Restaurants are permitted with a minimum unit size of 325.2 square metres (3,500 square feet). Smaller restaurants are permitted with no minimum size provided they do not exceed 464 square metres (5,000 square feet) in total. The applicant is requesting zoning changes to allow for an increased amount of small (less than 3,500 square feet) restaurants on the Site.

The restrictions that apply to the Site are not prevalent in the surrounding commercial lands. For example, the hotel and gas station are permitted uses elsewhere in the C2 lands that surround the Site. These uses are permitted elsewhere on 16<sup>th</sup> Avenue and are generally permitted in the C2 designation.

#### 1.4 Scope of Work

During this peer review process, TER conducted the following tasks:

- Participated in teleconference calls with the City and MHBC, as well as uM and Heritage Grove Centre representatives, to discuss the uM study approach;
- Reviewed the Terms of Reference prepared by uM on January 3, 2019. These Terms of Reference are included as Appendix A;
- Approved the Terms of Reference on January 7, 2019;
- Reviewed the uM Initial Report and uM Revised Report including:
  - Commentary on the appropriateness of the uM methodology, including its inputs and assumptions;
  - Verification of the accuracy of the uM modelling methodology;
  - A review of uM forecasts;
  - Commentary on the validity of the uM conclusions; and,
  - Recommendations regarding the appropriateness of the uM conclusions in the context of any impacts on the City's OP.

#### 1.5 Exchange of Information

As part of the peer review process, the following meetings and information requests were conducted:

- After review of the uM Initial Report, TER emailed uM a list of clarifying questions on May 31, 2019. These questions and the uM response are appended to this peer review;
- Telephone call with MHBC on June 4, 2019 to discuss the TER review of the uM Initial Report;
- TER discussed the May 31, 2019 list of clarifying questions and the uM Initial Report with uM on June 5, 2019. During this conference call it was determined that uM would prepare the uM Revised Report;
- uM provided a response to the questions posed in the TER May 31, 2019 letter on June 18, 2019;
- uM submitted the uM Revised Report to the City on June 18, 2019;
- TER emailed additional questions to uM on July 4, 2019; and,
- uM responded to the questions on July 9, 2019.

## 2 Peer Review Findings

#### 2.1 Methodology & Approach

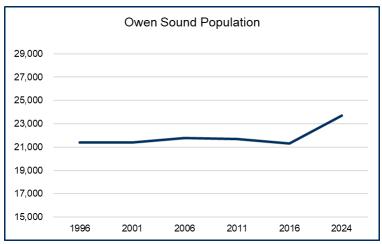
The uM Revised Report utilizes a methodological approach that is consistent with the agreed upon Terms of Reference. It is conducted in a professional and appropriate manner. TER is satisfied with the overall approach to the analysis. uM undertook the following work steps:

- Site and Access Review;
- Inventory of Accommodations Facilities;
- Market Research;
- Market Profile;
- Review of Tourism Context;
- Market Demand Evaluation;
- Evaluation of Gas Station Use; and,
- Evaluation of Restaurant Uses.

Overall, TER agrees with the methodology of examining the demand for hotel, gas station, and restaurant uses.

#### 2.2 Market Profile Context

The uM Revised Report includes a market profile for Owen Sound. It includes population forecasts that are indicative of significant growth. The uM forecasts indicate a 2024 population of 23,710, based on the Development Charges study and 24,999 based on the OP. These forecasts represent an increase from 2014 to 2024 of 5.6% (Development Charges



Source: Tate Economic Research Inc.

forecasts) to 10.9% (OP forecasts).

These forecasts do not reflect historic population levels of Owen Sound. As indicated in the accompanying graph, the population of Owen Sound has remained relatively stable over the past 20 years. The population of Owen Sound in 1996 was approximately 21,400 persons. The 2016 population of Owen Sound was 21,300 persons. This represents a decrease of 100 persons over a 20 year period.

The uM forecasts indicate population growth, which, if it occurs, will support additional commercial space in Owen Sound, and potentially at the Site.

#### 2.3 Hotel Market Demand Review

#### uM Initial Report Approach & Findings

The uM Initial Report provides a qualitative review of current market conditions and a high-level hotel room demand forecast. The uM Initial Report includes an inventory of hotels and motels within Owen Sound. The uM Initial Report indicates there are four hotels and five motels in Owen Sound which total 421 rooms. The uM Initial Report recognizes there is a 100 room hotel proposed by Legacy Hospitality Management and Development Inc at the northwest corner of 16<sup>th</sup> Avenue East and 10<sup>th</sup> Street East.

Figure 4-7 (Hotel/Motel Room Supply Analysis) and Figure 4-8 (Hotel Room Supply Analysis) forecast demand for hotel rooms using a per capita analysis method. The supply analysis uses per capita ratios for Owen Sound and for comparable Ontario municipalities applied to population and employment forecasts. This analysis indicates demand for approximately 30 to 580 new hotel/motel rooms by 2024.

#### TER Response

TER identified an error in Figure 4-7 and Figure 4-8. This error resulted in demand for hotel/motel rooms being overstated. This error was noted in the questions posed in the TER May 31, 2019 letter.

#### TER Analysis & Commentary – uM Revised Report

The uM Revised Report indicates demand for approximately 30 to 195 hotel rooms by 2024. This represents a decrease in warranted hotel rooms of 385 rooms compared to the original report. The 175 hotel rooms proposed in the City are warranted based on the methodology of the uM Revised Report.

If the hotel is built it would represent an increase of 33% in hotel rooms in Owen Sound or 24% in total hotel / motel rooms. This hotel room increase can be contrasted with the 5.6% to 10.9% population increase. We note that this forecast

increase in hotel rooms will exceed the population growth and therefore can be anticipated to impact the operations of existing hotels in Owen Sound.

TER concludes an additional hotel may be warranted in the market. It is anticipated that the introduction of two hotels, as proposed, would impact the operations of the existing hotels in Owen Sound. However, it is unlikely the introduction of a hotel on the Site would have an impact on the planned function of the Downtown.

#### 2.4 Gas Station Market Demand Review

#### uM Initial Report Approach & Findings

The uM Initial Report includes a high-level assessment of current market conditions for gas station uses in Owen Sound. This assessment includes an inventory of gas stations in Owen Sound that was undertaken in 2019. This inventory indicates there are 6 gas stations in Owen Sound clustered along Highway 26 and Highway 21. The uM Initial Report indicates that the Heritage Grove Centre is well suited for a gas station due to its site and access characteristics, including its location on Highway 26.

#### TER Response

TER noted that the Pioneer gas station located at 16<sup>th</sup> Street East and 16<sup>th</sup> Avenue East was omitted from the uM Initial Report inventory. This gas station is located less than 1 kilometre from the Site.

#### TER Analysis & Commentary – uM Revised Report

The gas station market evaluation approach used in the uM Initial Report is appropriate with respect to the Terms of Reference. The uM Revised Report includes the Pioneer gas station located at 16<sup>th</sup> Street East and 16<sup>th</sup> Avenue East. The addition of the Pioneer gas station does not have a significant impact on the conclusions of the analysis.

There are currently 7 gas stations in Owen Sound. The proposed gas station represents an increase of approximately 15% in the number of gas stations. There is a gas station proposed at Highway 6 and 9<sup>th</sup> Avenue West in western Owen Sound. The construction of both gas stations would represent an increase in gas stations of approximately 30%.

TER concludes an additional gas station may be warranted in the market. It is unlikely the introduction of a gas station on the Site would have an impact on the planned function of the Downtown.

#### 2.5 Restaurant Market Demand Review

## uM Initial Report Approach & Findings

The uM Initial Report provides a high-level assessment of market demand for restaurant uses. The uM Initial Report states that the proposed restaurants will be auto-oriented, serving travelers, residents shopping at surrounding retail centres, and the growing residential population south of the Site. The uM Initial Report states the proposed hotel will act as a complementary uses increasing demand for restaurants uses. The uM Initial Report comments that the Downtown is not suitable for restaurant uses similar to those proposed on the Site, which require large parking fields and building footprints.

## TER Response

TER inquired as to whether or not uM has undertaken an inventory of restaurants in the Downtown. uM responded that they did not undertake an inventory of retail and service space in Owen Sound (which is consistent with the approved Terms of Reference). uM provided TER with a summary of an inventory of Owen Sound completed by uM in 2011. This inventory indicates there were 30 "Food Service and Drinking Places" establishments in the Downtown, totalling approximately 56,000 square feet in 2011. "Food Services and Drinking Places" represented 10% of the total retail commercial space inventoried in the Downtown in 2011.

## TER Analysis & Commentary – uM Revised Report

The restaurant market evaluation presented in the uM Initial Report is appropriate with respect to the Terms of Reference. Restaurant uses are permitted on the Site with individual units restricted to a minimum size of 325.2 square metres. Smaller restaurant units are permitted provided they do not exceed 464 square metres in aggregate. The applicant is proposing four restaurant units smaller than 325.2 square metres and total 820 square metres. This exceeds the maximum of 464 square metres by 356 square metres.

The applicant is proposing a total of 2,439 square metres of restaurant uses. This represents approximately 45% of the Downtown restaurant space according to the 2011 inventory completed by uM.

The development of the proposed restaurant uses may create a new restaurant node in Owen Sound attracting tourists and residents. Caution should be exercised as the development of restaurant uses, to the extent proposed, on the Site may impact the planned function of the Downtown.

#### 2.6 Conclusions

TER concurs with the conclusions of the uM analysis indicating that the Site is well positioned from a market demand perspective. Population growth and site and access characteristics result in commercial demand on the Site. We concur that the proposed hotel and gas station uses are appropriate for the Site and are not anticipated to impact the economic viability or planned function of a significant component of the Downtown or impair the function of a designated commercial district as identified in the OP.

However, TER notes that the development of the cumulative 2,439 square metres (26,250 square feet) of restaurant space, as proposed, is significant in the context of Owen Sound. We note that this total amount of restaurant space represents 45% of the total amount of restaurant space in the Downtown, according to the most recent inventory available (2011). As such, it may be appropriate for the City to phase the amount of restaurant space permitted over time.

In conclusion, TER concurs with the uM findings that it is appropriate to allow the proposed gas station and hotel at the Site. TER recommends that the City use caution in proceeding with the extent of restaurant space proposed at the Site. Appendix A – Correspondence with urbanMetrics inc.









# SCHEDULE I

## **AGENCY COMMENTS**

Staff Report Fire Prevention – April 1, 2020

Canada Post – May 28, 2019

Risk Management Official (Source Water Protection) - June 5, 2019

Grey County Planning & Development – June 7, 2019

Staff Report – Building Division – June 10, 2019

Grey Sauble Conservation Authority - June 10, 2019

Staff Report – Engineering Services – March 5, 2020

Grey County Planning & Development – October 30, 2019

Staff Report - Parks & Open Space Division - November 12, 2019, Feb 26, 2020

Report: CS-20-035 File: **ZBA 29** 

# **Staff Report**

## Fire Prevention



DATE:

April 1/2020

TO:

Amy Cann, Manager of Planning and Heritage

FROM:

Doug Barfoot, Fire Chief

**SUBJECT:** 

PRE-APPLICATION FIRE PREVENTION REVIEW

**PLANNING FILE:** 

MUNICIPAL ADDRESS: 2125 16th St E

APPLICANT: Villarboit - Heritage Grove

**BACKGROUND:** The proponent has submitted a proposal for:

 To provide for development of a four storey, 75 room hotel, a convenience store and a restaurant with a drive-thru, and other occupancies in 5 buildings total.

**ASSUMPTIONS:** The recommendations below are based on the following assumptions:

 The comments are from the drawings submitted by Point Architects dated Feb 6, 2020

**DETAILED REVIEW:** Documents reviewed in conjunction with this application are:

- Ontario Building Code
- City of Owen Sound Fire Route By-Law 2009-086
- Ontario Fire Code

## REQUIREMENTS:

- 1) The following will be required in order to achieve compliance with the Ontario Building Code and other referenced documents:
  - a) If the planned buildings are restaurants that have seating for more than 30-people they will be Group A assembly occupancies and require fire routes signs in accordance with the City of Owen Sound Fire Route By-Law and Subsection 3.2.5. of Div. B. of the Ontario Building Code.
  - b) The drawings do not show the location of the fire route signs as per City of Owen Sound Fire Route By-Law.
  - c) The drawings show fire routes but the turn radius is not noted on the drawing as required by Article 3.2.5.6. of Div. B. of the Ontario Building Code.
  - d) The drawings do not show if the new buildings (H, I, J and L) will be equipped with fire department connections.

### **RECOMMENDATIONS:**

- 2) The following should be considered by the proponent as they finalize their plans to enhance the fire prevention at the site:
  - a) The fire department connections should be located as close as possible to the entrance to be used by responding fire fighters. The hotel will require both standpipe and sprinkler systems. There is a hydrant on the site adjacent to the south east corner of the planned hotel. This is not in an ideal location. The fire department connection for a standpipe system and sprinkler system shall be located so that the distance from the fire department connection to a hydrant is not more than 45 m and is unobstructed.

Reviewed by: Greg Nicol, Fire Prevention Officer

Submitted by: Doug Barfoot, Fire Chief

CANADAPOST.CA

POSTESCANADA.CA



May 28, 2019

Sabine Robart, MSc (Plan) Intermediate Planner City of Owen Sound 808 2<sup>nd</sup> Avenue East Owen Sound, ON N4K 2H4

Re: ZBA 29 (2125 16th Street East)

Dear Sabine,

This development will receive mail service to centralized mail facilities provided through our Community Mailbox program.

I will specify the conditions which I request to be added for Canada Post Corporation's purposes.

The owner shall complete to the satisfaction of the Director of Engineering of the City of Owen Sound and Canada Post:

- a) Include on all offers of purchase and sale, a statement that advises the prospective purchaser:
  - i) that the home/business mail delivery will be from a designated Centralized Mail Box.
  - ii) that the developers/owners be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales.
- b) The owner further agrees to:
  - i) work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations which may be utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the subdivision.



- ii) install a concrete pad in accordance with the requirements of and in locations to be approved by Canada Post to facilitate the placement of Community Mail Boxes
- iii) identify the pads above on the engineering servicing drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision.
- iv) determine the location of all centralized mail receiving facilities in co-operation with Canada Post and to indicate the location of the centralized mail facilities on appropriate maps, information boards and plans. Maps are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.
- c) Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility (front loading lockbox assembly or rearloading mailroom [mandatory for 100 units or more]), at their own expense, will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space.

Should the description of the project change, I would appreciate an update in order to assess the impact of the change on mail service.

If you have any questions or concerns regarding these conditions, please contact me.

I appreciate the opportunity to comment on this project.

Regards,

n. Mayey

Neil Mazey
Delivery Planning Officer
neil.mazey@canadapost.ca

 From:
 Karen Gillan

 To:
 Robart, Sabine

 Cc:
 RMO Mailbox

Subject: RE: Request for Comments - ZBA 29 (2125 16th Street East)

**Date:** June 5, 2019 11:46:04 AM

#### Hi Sabine,

Upon further review this property with ARN:4259-040-060-13000-0000 at 2125 16<sup>th</sup> St. E is just outside the Events Based Area so from a Source Protection Plan policy standpoint we do not have any comments at this time from the Risk Management Department.

Regards,

## Karen Gillan, B.Sc.Agr.

Risk Management Official

### **Grey Sauble Conservation Authority**

237897 Inglis Falls Road, RR 4 Owen Sound, Ontario, N4K 5N6 Tel 519-376-3076 x205

Fax 519-371-0437 k.gillan@greysauble.on.ca

From: Justine Lunt

**Sent:** Wednesday, June 5, 2019 9:36 AM **To:** Robart, Sabine <srobart@owensound.ca> **Cc:** RMO Mailbox <rmo@greysauble.on.ca>

**Subject:** FW: Request for Comments - ZBA 29 (2125 16th Street East)

Good morning Sabine,

I was reviewing this application and I noted that there is the potential for a new gas station on the property. This would be in an Events Based Area for source water protection so I'm going to forward the request for comment to the RMO mailbox in our office as well. Let me know if you have any questions or concerns. I will still be making comments from the planning and regulations standpoint.

Best.

## **Justine Lunt**

**Environmental Planner** 

Phone: 519-376-3076 extension 242

j.lunt@greysauble.on.ca

**From:** Robart, Sabine <<u>srobart@owensound.ca</u>>

**Sent:** May 24, 2019 4:03 PM

To: Robart, Sabine < <a href="mailto:srobart@owensound.ca">srobart@owensound.ca</a>>

**Cc:** Ritchie, Wayne <<u>writchie@owensound.ca</u>>; Kefalas, Dennis <<u>dkefalas@owensound.ca</u>>; Coulter, Pam <<u>pcoulter@owensound.ca</u>>; Barfoot, Doug <<u>dbarfoot@owensound.ca</u>>

**Subject:** Request for Comments - ZBA 29 (2125 16th Street East)

Good Afternoon,

Attached please find a request for comments for ZBA  $29 - 2125 \cdot 16^{th}$  Street East (Heritage Grove). If you require additional time to comment please let me know as soon as possible.

If you have any questions or concerns please do not hesitate to contact me.

Thank you.

Sabine Robart, MSc (Plan)
Intermediate Planner
City of Owen Sound
808 2<sup>nd</sup> Avenue East
Owen Sound, ON N4K 2H4

Telephone: 519-376-4440 ext. 1236

Email: <a href="mailto:srobart@owensound.ca">srobart@owensound.ca</a>



# Planning and Development

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

June 7th, 2019

Sabine Robart, Intermediate Planner City of Owen Sound 808 2<sup>nd</sup> Ave East Owen Sound, Ontario N4K 2H4 \*Sent via E-mail

RE: Zoning By-law Amendment ZBA 29

2125 16<sup>th</sup> Street East City of Owen Sound

**Applicant/Owner: Zoning for Heritage Grove** 

Dear Ms. Robart,

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

The preliminary consultati9on on this matter was conducted in 2018 (PC 2018-017). The City has received a complete application for Zoning By-law Amendment (No. 29) and Site Plan Approval (ST 2019-005). The two applications are being processed concurrently. The subject lands were partially developed in 2012/13. The two applications noted above represent the near buildout of the site. The application is proposing:

- A four storey, 75 room hotel sized approximately 3716 m<sup>2</sup>.
- A four pump gas bar with a convenience store and drive-through restaurant sized approximately 380 m<sup>2</sup>.
- Six restaurants spaces with outdoor patios in three detached buildings sized between 594 m² to 860 m² per building.
- Modification of the site specific zone provisions including reduced setback to streetline, increased maximum height (hotel), increased maximum GFA for restaurants and services uses on site and no loading spaces for the restaurants and hotel.

Schedule A of the OP designates the subject lands as 'Primary Settlement Area'. Section 2.6.3 of the OP states

Grey County: Colour It Your Way

Page 2 June 7<sup>th</sup>, 2019

(3) This OP shall promote the development of the Primary Settlement Area designation for a full range of residential, commercial, industrial, recreational, and institutional land uses. They will be the focus of a majority of the growth within the County.

The subject application conforms to the above noted policy. Within Primary Settlement Areas, the County OP generally defers detailed development standards to the local OP and/or Secondary Plans.

Appendix A also indicated that there are Hazard Lands designation adjacent to the subject property. Section 2.8.2 of the OP states,

(3) In the Hazard Lands designation buildings and structures are generally not permitted. Minor extensions or enlargements of existing buildings and structures may be permitted subject to the Grey County OP.

Further, Appendix B identified a stream located adjacent to the subject property. Section 2.8.6(5) of the OP states, no development shall be permitted within 30 metres of the banks of a stream, river, lake, or Georgian Bay.

Provided that positive comments have previously been received from the Conservation Authority, County planning staff have no concerns regarding the above noted natural heritage features. If not, staff recommend receiving Conservation Authority comments.

County Forestry and Trails have reviewed the subject application and provided that post development flows equal pre-development flows and no new drainage is directed towards the CP Rail Trail, there are no concerns.

Provided that no new drainage is directed towards the CP Rail Trail, County planning staff have no further concerns with the subject application.

The County requests notice of any decision rendered with respect to this application.

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

Yours truly,

Hiba Hussain Planner

(519) 372-0219 ext. 1233

Deibahussai

hiba.hussain@grey.ca

www.grey.ca

Grey County: Colour It Your Way

# **Staff Report**

## **Building Division**

**ROLL NO.:** 42 59 010 006 23925

**DATE**: June 10, 2019

**TO**: Sabine Robart, Planner

**FROM:** KEVIN LINTHORNE, CHIEF BUILDING OFFICIAL

SUBJECT: PRE-APPLICATION BUILDING DIVISION REVIEW

**PLANNING FILE: ST2018-016** 

MUNICIPAL ADDRESS: 2125 16th Street East

LEGAL DESCRIPTION: RANGE 5 EGR PT PARK LOTS 8 AND 9 RP 16R9039 PART 1

**APPLICANT:** Heritage Grove Centre Inc

**BACKGROUND:** The applicant is proposing a 4 storey/75 room hotel, a four pump gas bar with convenience store, and six restaurants.

**ANALYSIS:** This document incorporates comments from the Building Division of the Community Service Department.

The above noted site plan has been reviewed using the requirements from the Ontario Building Code and related City and County By-laws. The following comments reflect the results of the review:

- All construction to be in accordance with either the Ontario Building Code or successor legislation in place at the time of building permit application.
- The payment of permit fees, City, County and site specific Development Charges will be due upon the issuance of a building permit.

**DETAILED PLANS REVIEW:** Documents reviewed in conjunction with this application are:

- Ontario Building Code 2012
  - Hotel Group C
  - o Restaurants and convenience store Group E
  - 1. As per 9.10.20.3(2) OBC Where access to a building as required in sentence (1) is provided by means of a roadway or yard, the design and location of such

roadway shall take into account connections with public thoroughfares, weight of firefighting equipment, width of roadway, radius of curves, overhead clearance, location of hydrants, location of fire department connections and vehicular parking.

- 2. All roads must conform to 3.2.5.6. OBC requiring minimum 6 meter width, no radius less than 12 meters and no portion steeper than 1 in 12.5 over 15 meters.
- 3. Hydrants to meet 3.2.5.7.(2) and shall be located within 90 meters horizontally of any portion of a building perimeter of any portion of a building perimeter that is required to face a street.
- 4. Pedestrian crossings are required to be marked on pavement as well as tactile strips at front edge of each sidewalk or path.
- 5. Provide details for signage on all streets and thoroughfares, all building numbering, identification and parking.
- 6. Confirm all exterior lighting conforms to SB-10 for energy efficiency.

**FEES AND CHARGES:** Fees and charges are calculated using the City of Owen Sound Fees and Charges By-law 2018-014, City of Owen Sound Development Charges By-law 2015-080 and County of Grey Development Charges By-laws 4949-16 & 4950-16 and are to be paid at the rate current at time of building permit issuance. The following estimated rates would apply if a permit were applied for under current by-laws:

- Restaurants and convenience store
  - \$10.25 per \$1000.00 of construction value, plus Occupancy charge of \$30.00.
     Plumbing permit \$95.00 plus \$4.00/fixture plus Occupancy fee of \$30.00, per building
  - o City Development Charge \$3.00 per square foot
  - o City Sydenham Heights Development Charge \$2.40 per square foot
  - Grey County Development Charge not applicable to Commercial
- Hotel
  - \$10.25 per \$1000.00 of construction value plus Occupancy charge of \$30.00.
     Plumbing permit \$95.00 plus \$4.00/fixture plus Occupancy fee of \$30.00
  - o City Development Charge \$3.00 per square foot
  - o City Sydenham Heights Development Charge of \$2.40 per square foot
  - Grey County Development Charge not applicable to Commercial

Submitted by: Kevin Linthorne, Chief Building Official



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

www.grcy3aabic.on.c

June 10, 2019

Ms. Sabine Robart, Intermediate Planner City of Owen Sound 808 2<sup>nd</sup> Ave E Owen Sound, ON N4K 2H4

Dear Ms. Robart:

**RE:** Zoning Application ZBA No. 29

**Applicant: Heritage Grove Centre Inc.** 

2125 16th Street East

Roll No. 42-59-040-060-130-00

City of Owen Sound Our File: P19188

The Grey Sauble Conservation Authority (GSCA) has reviewed this application 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 offer the following comments.

#### **Subject Proposal**

The subject proposal is for a zoning by-law amendment and a site plan approval in support of the buildout of the remainder of the site. The application proposes the development of a four-storey hotel, a gas station, six restaurants and the construction of a shared surface parking area, internal road system and the construction of the 22<sup>nd</sup> Avenue East/ 16<sup>th</sup> Street East intersection.

## **Site Description**

The property is located on the south side of 16<sup>th</sup> Street East in the City of Owen Sound. The subject lands currently feature several large commercial structures and associated parking areas.



1 of 3

## **GSCA** Regulations

A portion of the subject property is regulated under Ontario Regulation 151/06: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses. The regulated area is associated with the floodplain of a tributary of Bothwell's Creek.

Under this regulation a permit is required from this office prior to the construction, reconstruction, erection or placing of a building or structure of any kind; any change to a building or structure that would have the effect of altering the use or potential use of the building or structures, increasing the size of the building or structure, or increasing the number of dwelling units in the building or structure; site grading; or, the temporary or permanent placing, dumping or removal of any material originating on the site or elsewhere, if occurring within the regulated area. Also, a permit is required for 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 is not required for the proposed development within this application.

## **Provincial Policy Statement (2014)**

#### 3.1 Natural Hazards

Natural hazard identified on the subject lands is associated with a small portion of the floodplain of the west tributary of Bothwell's Creek. This natural hazard area is located in the southeast corner of the property and is currently zoned as 'Hazard' in the city of Owen Sound's comprehensive zoning by-law.

#### 2.1 Natural Heritage

There were no natural heritage features currently identified on the subject property.

#### **Stormwater Management**

We have reviewed the updated stormwater management report submitted by WSP Canada Group Limited (WSP) in April 2019 that accounts for the proposed new development. The report concluded that post-development flows will be controlled to pre-development levels through the use of underground storage and outlet control. Water quality control will be provided to ensure an enhanced level of treatment through the use of a 'treatment train approach', incorporating elements such as an OGS and OWS units. GSCA is generally accepting of the proposed stormwater management plan. As noted in the report, appropriate sediment and erosion control measures should be implemented to ensure that deleterious materials are not transported offsite.

#### Recommendations

GSCA generally has no objection to the subject proposal. We request to be notified of any decisions or appeals related to this matter.

If any questions should arise, please contact our office.

Application for Zoning (ZBA 29) 2125 16<sup>th</sup> Street East, City of Owen Sound (City of Owen Sound) June 10, 2019 Our File No. P19188

Regards,

Justine Lunt

**Environmental Planner** 

enclosure

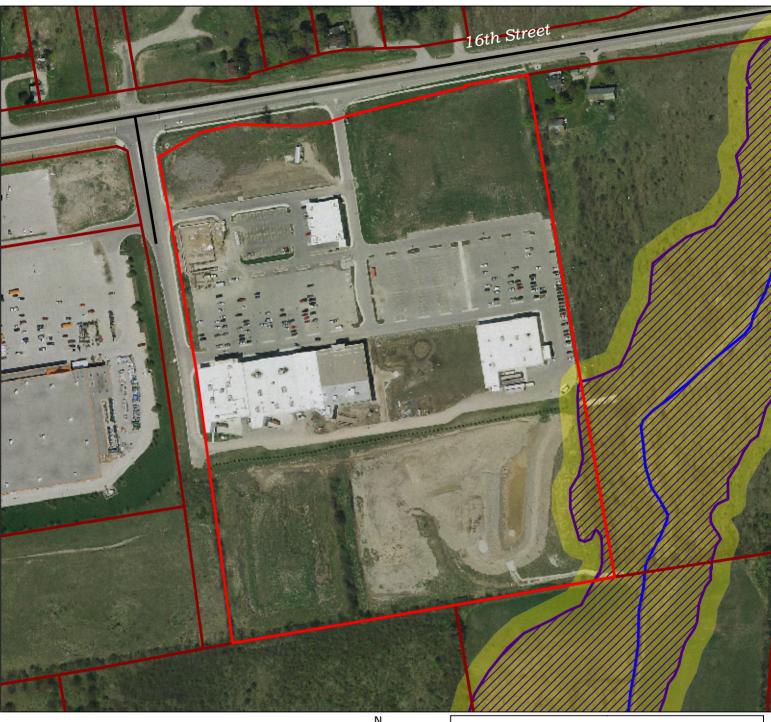
cc Mr. Scott Grieg, GSCA Director, City of Owen Sound

Ms. Marion Koepke, GSCA Director, City of Owen Sound

Planning and Building Services, City of Owen Sound

Ms. Pam Coulter, Director of Community Services, City of Owen Sound

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







Scale = 1:3000

0 50 m

GSCA Regulations Map 2125 16th Street East Roll No. 42-59-040-060-130-00 City of Owen Sound, ON Our File: P19188

June 4, 2019

The included mapping has been compiled from various sources and is for information purposes only. Grey Stable Conservation is not responsible for, and cannot guarantee, the accuracy of all the information contained within the map. Regulation lines were created by Grey Stable Conservation (GSC) using I metre consours interpolated from the Provincial (10 metre) Digital Elevation Model Versions 14. See 1.10000 scale mapping.

accepting this map you agree not to edit the map or disclaimer without the exclusive written permission of Grey Sauble Conservation. You also acknowledge that the information on this ma relevant only to the subject property and may be subject to change.

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This mapping contains products of the South Western Ontario Orthophotography Project (SWOOP). These images were taken in 2015 at 20cr



# Staff Report

## **Engineering Services Division**



**DATE**: 2020 March 05 **ENG. FILE**: 2125 16<sup>th</sup> Street East

**ROLL NO.**: 42 59 04006 013000

TO: Amy Cann, Manager of Planning & Heritage

Chris Webb, Manager of Engineering Services Pamela Coulter, Director of Community Services

Dennis Kefalas, Director of Public Works & Engineering

**FROM:** Dana Goetz, Engineering Technologist

SUBJECT: SITE PLAN ENGINEERING REVIEW

PLANNING FILE: ST2019-005 MUNICIPAL ADDRESS: 2125 16th Street East

LEGAL DESCRIPTION: RANGE 5 EGR PARK PT LOTS 8 and 9 RP 16R-9039 PART 1

**APPLICANT:** Heritage Grove Centre Inc.

RECOMMENDATION: The Public Works & Engineering Department supports approval of this Site Plan Application subject to the following conditions:

- 1. provision of a revised Site Plan drawing to the satisfaction of the Manager of Engineering Services and the Manager of Planning & Heritage;
- 2. That the Owner provides written confirmation from the City Clerk that all easements and right-of-ways required by the City's Public Works and Engineering Department (Engineering Services Division) have been conveyed to the City in a manner acceptable to the City Solicitor;
- 3. The Developer constructs the water system in accordance with the City approval of water works under its licensing authority granted by the Ministry of Environment, Conservation and Parks.
- 4. All materials used for water system work are to be selected from the City's Approved Manufacturers' Product list for Water Distribution Systems;
- 5. The Developer shall construct water mains, service laterals and appurtenances in accordance to the Owen Sound Specifications for Water Main Construction document and the approved construction plan drawings and standards.

- 6. payment of the Engineering Review fee;
- 7. That the Owner enter into a Servicing Agreement together with the required security deposit prior to commencement of construction of any works on City owned property.

## **BACKGROUND:**

The proponent for the Heritage Grove property has submitted a proposal for:

- 2 drive-thru restaurants and a gas bar at the north west corner of the site;
- 4 restaurants along the central north portion of the site;
- An approximately 75 room hotel at the north east corner of the site.

## **ANALYSIS:**

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

The submitted documents have been reviewed for stormwater management, grading, drainage, site services, site access, traffic circulation and parking configuration. The following comments reflect the results of the 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
- Reference drawings: Point Architects Project no. 3027; drawing no. SP1 "Site Plan" dated 2018-09-26, Rev.44 dated 2020-02-06;
- Ron Koudys Landscape Architects Inc. Project no. 19-154Lk; drawing no. L-1 "Landscape Plan" dated 2019-05 Rev.5 dated 2020-01-16; drawing no. L-2 "Landscape Details" dated 2019-05 Rev.5 dated 2020-01-16;
- WSP Canada Group Limited, Project no. 18M-02015; drawing no. D1 "Details", dated 2019-04, Rev. 4 dated 2020-02-19; drawing no. ESC1 "Erosion and Sedimentation Control Plan", dated 2019-04, Rev. 4 dated 2020-02-19; drawing no. ESC2 "Erosion and Sedimentation Control Notes & Details", dated 2019-04, Rev. 5 dated 2020-02-19; drawing no. SG1 "Site Grading Plan", dated 2019-04, Rev. 4 dated 2020-02-19; drawing no. SS1 "Site Servicing Plan", dated 2019-04, Rev. 4 dated 2020-02-19;
- WSP Canada Group Limited, Project no. 18M-02015-00-SW1, Stormwater

Management Report dated 2020.02; Functional Servicing Update dated 2020-02-19;

C.F. Crozier & Assoc. Inc. Project no.1688-5162, Traffic Impact Study dated 2019-04

## STORMWATER MANAGEMENT (SWM):

The submitted Stormwater Management Report demonstrates the following:

- 1. The design is based on the unit flows determined by the authors of the East Owen Sound Master Servicing Study;
- 2. Runoff from all areas will be directed to an underground, open bottom stormwater tank system situated on clear stone bedding. All infiltration volumes drain within the target 24 hour period;
- 3. The stormwater flow from the west portion of the property is directed to the Kenny Drain while the east portion drains to the Telfer Creek watershed through appropriately sized oil/grit interceptors;
- 4. A storm service connection to each building will connect to the system through a catch basin maintenance hole and the resultant flows will be conveyed to the respective stormwater tank for the development;
- 5. Post-development peak flow levels to the receiving drainage systems are less than the allowable pre-development levels for all storm events with the exception of the 2-year design storm post-development peak flow for the east portion of the site. The lesser storm peak flows are slightly higher than pre-development levels with significant reductions as the volume of runoff increases. This is a result of the fixed diameter orifice control of the storm water discharge from the site;
- 6. Water quality of both sub catchment areas to an enhanced level (>80% TSS) of the runoff is achieved using a treatment train approach involving, landscaped areas, detention of the runoff and OGI units. Thermal equalization of the discharge is achieved by the use of the underground storage system;
- 7. The drainage volumes directed off-site are greater than pre-development levels due to the change from undeveloped agricultural land to buildings and parking lots.

The City will not provide any maintenance or repair operations on any portion of the SWM system located on private property.

The SWM Report is acceptable.

## **GRADING & DRAINAGE:**

The site grading supports the SWM design and conforms to Section 2.2.2 of the City's Property Standards By-law 1999-030.

#### SITE SERVICING:

<u>SERVICING FEASIBILITY STUDY (SFS)</u>: A Functional Servicing Update has been provided for this development.

<u>WATER</u>: The individual building pods will connect to the internal water distribution system which has a main owned and maintained by the City.

The City-owned portion of the on-site watermain will be extended along the east access road to the property and stubbed at the south side of the 16<sup>th</sup> Street East (Highway 26) road allowance to allow future connection to the future 22<sup>nd</sup> Avenue East on the north side of 16<sup>th</sup> Street East. A 6.0m utility easement in favour of the City will be required for the extended portion of the watermain.

The updated Feasibility Report demonstrates that the development will require 67 L/s under fire flow conditions. Site hydrant flow testing has determined that the City water system can supply 137 L/s.

The City will not provide any maintenance or repair operations on any portion of the private distribution system.

<u>WASTEWATER</u>: The individual building pods will connect to the internal wastewater collection system.

The updated Feasibility Report demonstrates that the development will discharge a peak wastewater flow of 6.4 L/s. This will increase discharge from the site by 1.91 L/s, producing a surcharge of 9.9 L/s in the existing 450mm dia. wastewater trunk on 19<sup>th</sup> Avenue East between MH102 and MH103. This is equivalent to a less than a 1 cm surcharge elevation in flows in MH102. All other pipes in the system are under available capacity.

The City will not provide any maintenance or repair operations on any portion of the private collection system.

Please note: The City of Owen Sound requires:

- back flow prevention for the water supply lateral to prevent contamination of the municipal water supply as detailed in City Policy O47;
- ii) a potable water meter be provided as detailed in City Policy FS18 at the property Owner's expense;
- iii) adherence to Sewer Use Bylaw 2006-034 (as amended);
- iv) availability of adequate fire protection as required under the Ontario Building Code.

## PARKING, SITE ACCESS & TRAFFIC CIRCULATION:

<u>TRAFFIC IMPACT STUDY (TIS)</u>: The submitted Traffic Impact Study demonstrates the following:

- 1. Minimum sight distance requirements are satisfied at the future 22nd Avenue East intersection with 16th Street East;
- 2. Roadway alignment is not considered to be a traffic safety concern;
- 3. The provision of clearly defined internal drive aisles with traffic control will divide the site into quadrants and result in predictable travel patterns, thus reducing the potential for vehicle-vehicle collisions;
- 4. Traffic signals are not warranted at the intersection of 16<sup>th</sup> Street East and the future 22<sup>nd</sup> Avenue East although dedicated left turn lanes are required;
- 5. The raised concrete median at the north-west quadrant of the site will separate vehicles associated with the gas-station, fast-food restaurant and sit-down restaurants, further facilitating predictable travel patterns for vehicles and thus reducing the potential for vehicle-vehicle collisions;
- 6. The proposed additional parking areas in the north-west and east quadrants of the site surrounding the proposed additional buildings are separated by the internal drive aisles, meaning that drivers accessing their respective buildings to and from their vehicles will not have to cross the internal drive aisles and reduce the potential for vehicle-pedestrian conflicts;
- 7. The proposed pedestrian sidewalks on both sides of the main internal drive aisles, and pedestrian connections to the proposed additional buildings will allow for safe and convenient pedestrian connectivity within the site and to the external pedestrian network;
- 8. The proposed bicycle parking spaces for the sit-down restaurants and future retail building will encourage cycling as an alternate mode of transportation;
- 9. No heavy vehicle maneuverability constraints are anticipated within the site;
- 10. The proposed RI-only access on 16th Street East will allow B-Train trucks arriving from the west to easily enter the gas station, access the servicing space while facing south, and then easily continue south and turn right to access 20th Avenue East; and
- 11. The available clear throat lengths for the internal drive aisles from the existing 16th Street East and 20th Avenue East accesses satisfy minimum recommended clear throat lengths.

Therefore, the proposed development is supportable from a traffic operations and safety perspective, with the following recommendations:

- Implement an auxiliary westbound left-turn lane with a minimum stacking distance of 15 metres (25m when development of the Strain property to the east occurs) on 16th Street East at the future 22nd Avenue East intersection. Engineering Services will require that the 25m stacking length be constructed for this development; and
- 2. An exclusive northbound left-turn and right-turn lane (also future through lane), and southbound receiving lane at the south leg at the intersection of 16th Street East and 22nd Avenue East.

The submitted TIS is acceptable.

<u>PEDESTRIAN ACCESS</u>: Pedestrian walkways, sidewalks and connections to City streets are provided.

<u>SITE ACCESS & TRAFFIC CIRCULATION</u>: Vehicular access to the site is from 20<sup>th</sup> Avenue East and 16<sup>th</sup> Street East. A future full moves intersection with 16<sup>th</sup> Street East is anticipated at the eastern boundary of the property (future 22<sup>nd</sup> Avenue East). This access will also need to provide access to the property to the east (2275 16<sup>th</sup> Street East) through a right of access agreement.

The plan shows a proposed right-in access between the existing right-in/right-out access and the existing 20<sup>th</sup> Avenue East access. This access was provided to allow B-train fuel supply trucks to enter the site. As a fuel station is not contemplated as a component of this application, Engineering Services recommends that it not be constructed at this time. An access with this configuration may be required in the future if a fueling station is constructed but it may not be in this location. The elimination of this access will not adversely affect the recommendations of the TIS.

The future 22<sup>nd</sup> Avenue East access intersection provides:

- 1. a northbound left/right turn lane with sight triangles has been provided at 16<sup>th</sup> Street East:
- 2. future access to 2275 16th Street East with a right of access agreement;
- 3. access to the Heritage Grove site from future 22<sup>nd</sup> Avenue East is located 95 metres south of 16<sup>th</sup> Street East;
- 4. A dedicated left turn lane for westbound traffic on 16<sup>th</sup> Street East with a storage length of 25 metres has been provided.

<u>PARKING</u>: The on-site standard parking stalls are typically 6.0m deep and 2.74m wide.

<u>TRANSIT ACCESS</u>: There are City transit stops within the Heritage Grove property. There are no anticipated changes to the bus access for this site.

TRANSPORTATION PLAN: A Transportation Plan is not required.

<u>ROAD ALLOWANCE WIDENING</u>: The City's Official Plan classifies this portion of 16<sup>th</sup> Street East as a Connecting Link. A road widening allowance is not required.

### LANDSCAPING:

No landscaping features, signs or vegetation with a mature height greater than 0.6 metre are to be located within the 5.0 metres by 5.0 metres sight triangles required at the access points as per Section 5.12.3 of Zoning By-law 2010-078, as amended.

## **ENVIRONMENTAL:**

There are no known environmental issues associated with this property.

SOURCE WATER PROTECTION RISK MANAGEMENT PLAN (SWPRMP): The Drinking Water Source Protection Plan, approved under Part IV of The Clean Water Act, 2006, indicates that this property is not within "Intake Protection Zone 2" (IPZ-2).

A SWP Risk Management Plan is not required for this proposed development.

#### **FEES AND CHARGES:**

The Engineering Review Fee will be \$500.00 plus 4% of the first \$100,000.00 of Total Development Cost plus 2% of the amount of TDC exceeding \$100,000.00. Total Development Cost includes: estimated construction value of on-site and off-site works (excluding buildings), plus 5% contingency costs, plus 7% for Engineering design, administration and inspection costs plus HST.

A Street Occupation Permit will be required prior to commencement of any work on City owned property. The permit is available from the Engineering Services Division for a fee of \$60.

A Special Services Application will be required together with the security deposit prior to commencement of any works constructed on City owned property. The permit is available from the Engineering Services Division for a fee of \$60.

Prepared By:

Dana Goetz, C.E.T.

Reviewed By:

Chris Webb, P.Eng.



# Planning and Development

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

October 30<sup>th</sup>, 2019

Sabine Robart, Planner City of Owen Sound 808 2<sup>nd</sup> Ave. E Owen Sound, Ontario N4K 2H4 \*Sent via E-mail

RE: Site Plan 2019-005 & ZBA No. 29 2125 16<sup>th</sup> Street East – Heritage Grove City of Owen Sound

Dear Ms. Robart,

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

The purpose of the application is to amend the City of Owen Sound Zoning By-Law 2010-078 to permit a commercial development on the remaining vacant lands in the Heritage Grove development.

The effect of the Zoning By-law Amendment is to add permitted uses to the site and to modify the site-specific zone regulations to permit the development of:

- Building H1 (418 m2) Restaurant
- Building H2 (209 m2) Restaurant
- Building H3 (204 m2) Restaurant
- Building I (380 m2) Gas bar, convenience store and quick serve restaurant with drive through
- Building J (352 m2) Fast food restaurant with drive through
- Building K (3,716 m2) Hotel
- Building L1 (250 m2) No assigned use at this time
- Building L2 (297 m2) No assigned use at this time

The proposal also includes the construction of a shared surface parking area, internal road system and the construction of the 22<sup>nd</sup> Avenue East /16<sup>th</sup> Street East intersection.

Grey County: Colour It Your Way

Schedule A of the OP designates the subject property as 'Primary Settlement Areas'. Section 3.5 of the OP states,

- (2) Land use policies and development standards in areas designated Primary Settlement Areas will be in accordance with local official plans and/or secondary plans.
- (3) This Official Plan promotes the development of Primary Settlement Area land use types for a full range of residential, commercial, industrial, recreational, and institutional land uses. These areas will be the focus of the majority of growth within the County.

The proposed development is permitted as per the County OP. Staff generally defer to the local OP and/or Secondary Plans for detailed development standards.

Schedule A of the County OP also identifies 'hazard lands' on a small portion of the subject property. Section 7.2(3) states,

In the Hazard Lands land use type, buildings and structures are generally not permitted.

Proposed development is not anticipated to be directed to the subject area. County planning staff have no concerns.

Appendix B identified 'significant woodlands' on the north side of 16<sup>th</sup> street east from the subject property. Section 7.4(1) of the County OP states,

No development or site alteration may occur within Significant Woodlands or their adjacent lands unless it has been demonstrated through an environmental impact study, as per Section 7.11 of this Plan, that there will be no negative impacts on the natural features or their ecological functions.

The proposed development is situated on the south side of 16<sup>th</sup> street east, creating a natural buffer from the woodlands. Staff do not foresee this development negatively impacting the woodlands, although staff recommend comments are received from the local conservation authority.

Under section 4.3(1) of the County OP, the policy speaks to building healthy environments.

 The County will require the provision of shade, either natural or constructed, to provide protection from sun exposure, mitigate urban heat island effects within our settlement areas, and reduce energy demands. We want to promote shade and UVR (Ultraviolet Radiation) protection within our communities.

Grey County: Colour It Your Way

 Include active transportation infrastructure (i.e. sidewalks, bike lanes, trails, and pathways) while giving consideration for complete streets (Section 8.2) within both the rural and urban landscape of the County. Design this infrastructure to work jointly with surrounding amenities in order to increase access and connectivity in order to minimize travel distances between destinations.

The current development proposal is primarily catered to vehicular traffic given there is very little nearby residential development. Although, staff would encourage minimizing where possible the removal of green space to enhance the natural aesthetics and comfort for future visitors (members of the public). Staff also encourage further tree and shrub plantings throughout the site to provide shaded pedestrian routes from one store to the next. There also may be an opportunity to allow for seating along the store fronts for people to rest and eat.

Section 8.9.2(8) of the County OP states,

Permeable parking areas will be encouraged where feasible to reduce the amount of stormwater runoff.

Maintaining greenspace and including sidewalk pocket parks may be possible design initiatives that serve as water management opportunities.

Grey County Forestry and Trails have no concerns with the subject application.

County Transportation Services has reviewed the above noted file and has no objections or concerns.

County Planning staff have no further concerns with the subject application.

The County requests notice of any decision rendered with respect to this file.

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

Yours truly,

Stephanie Lacey-Avon

Stephanie Ax

Planner

(519) 372-0219 ext. 1296

stephanie.lacey-avon@grey.ca

www.grey.ca

# **Staff Report**

## Parks and Open Space Division



**DATE**: 2019.11.12

**TO**: Sabine Robart, Planner

**FROM:** ADAM PARSONS, MANAGER OF PARKS AND OPEN SPACE

**SUBJECT:** REQUEST FOR COMMENT- SUBMISSION 2, ZA 29 AND ST2019-005

PLANNING FILE: ST2019-005 MUNICIPAL ADDRESS: 2125 16th St. East

- 1) An elevation and rendering of detailed landscape plans for sight triangles at entrance-ways and interior circulation intersections are required to ensure no plantings over 0.6m tall are used. The applicant should consider alternate plant selection in place of Mi and Kf where use of these plants at maturity would require a maintenance program to maintain sight triangle requirements.
- 2) Boulevard trees are required at the north extent of the subject lands, planted in accordance with the specifications detailed in policy CS69, spaced at a maximum of 11m and species selected to optimize survival within the local microbiome. Conditions to consider are trees be native, salt tolerant and grow to a maximum height so as not to create a conflict with the available clear height and working distance of the overhead utility.

## Cann, Amy

From: Parsons, Adam

**Sent:** February 26, 2020 3:34 PM **To:** Robart, Sabine; Goetz, Dana

Cc: Cann, Amy

**Subject:** RE: Heritage Grove - comments

**Attachments:** 2020.02.26 Heritage Grove PKOS Comments.pdf

#### Hi Sabine,

As discussed this afternoon, my comments for Heritage Grove are (numbers refer to my notations/locations on the attached landscape plan):

- 1) 3 parking lot islands should each have a tree. Either of the varieties (GT or GB as per the landscape plan) used in the east parking area are suitable here as well.
- 2) Consider the sight triangle setback here. The plant used here (RA as per the landscape plan) grows to 5 ft tall and may impact one's ability to see other vehicles at this location.
- 3) In the east parking area closest to Highway 26- there are 2 sets of parking islands that I will call the north set and the south set. The north set are shown with 2 trees in each island. The south set are shown with only one tree in each island despite the islands being of equal size. 2 trees should be placed in each island. The varieties selected are appropriate.
- 4) The reed grass shown at this location at the north east corner of the development (KF as per the landscape plan) grows to 5 feet tall and will cause sightline issues at this intersection.

## Adam

Adam Parsons
Manager of Parks and Open Space
aparsons@owensound.ca
519-376-1440 x 1221



# **SCHEDULE J**

# **Public Meeting Minutes and Public Comments**

- 1) Public Meeting Minutes August 12, 2019
- 2) Public Comments
  - a. Spencer Planning Services August 8, 2019
  - b. J. Gulin June 10, 2019 and December 2, 2019
  - c. D. Mitchell November 25, 2019 and December 3, 2019

f. Mayor Boddy Re: Mayor's Update

## 5. DISCLOSURES OF PECUNIARY INTEREST

a. Deputy Mayor O'Leary disclosed a pecuniary interest with respect to Item 8.a regarding a Public Meeting for Zoning By-law Amendment No. 29 - Heritage Grove - 2125 16th Street East due to his ownership of shares in Mudtown Station.

## 6. CONFIRMATION OF THE COUNCIL MINUTES

a. Minutes of the Regular Council meeting held on July 15, 2019

Moved by Councillor Merton Seconded by Councillor Hamley R-190812-001

"THAT the minutes of the Regular Council meeting held on July 15, 2019 as printed be adopted."

Carried.

b. Minutes of the Special Council meeting held on July 15, 2019

Moved by Councillor Merton Seconded by Councillor Hamley R-190812-002

"THAT the minutes of the Special Council meeting held on July 15, 2019 as printed be adopted."

Carried.

c. Minutes of the Special Council meeting held on July 26, 2019

Moved by Councillor Merton Seconded by Councillor Hamley R-190812-003

"THAT the minutes of the Special Council meeting held on July 26, 2019 as printed be adopted."

Carried.

## 7. MOTION TO MOVE COUNCIL INTO COMMITTEE OF THE WHOLE

Moved by Councillor Merton Seconded by Councillor Hamley R-190812-004

"THAT City Council now move into Committee of the Whole to consider public meetings, deputations and presentations, public question period, matters arising from correspondence, reports of City staff, consent agenda, committee minutes, matters postponed, motions for which notice was previously given and additional business."

Carried.

## **COMMITTEE OF THE WHOLE**

## 8. PUBLIC MEETINGS

Deputy Mayor O'Leary left the Council Chambers having previously disclosed a pecuniary interest.

Zoning By-law Amendment No. 29 - Heritage Grove - 2125 16th St E

Mayor Boddy declared the public meeting open at 7:04 p.m. The purpose of the public meeting is to allow the public an opportunity to comment on the proposed Zoning By-law Amendment No. 29 - Heritage Grove for property located at 2125 16th Street East.

Mayor Boddy read the following notices:

- If a person or public body would otherwise have an ability to appeal the
  decision of the City of Owen Sound to the Local Planning Appeal
  Tribunal but the person or public body does not make oral submissions
  at a public meeting or make written submissions to the City of Owen
  Sound before the zoning by-law amendment is passed, the person or
  public body is not entitled to appeal the decision.
- If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Owen Sound before the zoning by-law amendment is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal, unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

The City Clerk advised that notice of the public meeting was circulated to the prescribed bodies, posted on the City's website and published in the Sun Times on July 19, 2019. The City Clerk reminded those in attendance for the public meeting to sign the sign-in sheet for communication purposes and read the following notices:

- The personal information collected at this public meting is collected under the authority of the Municipal Freedom of Information Act and Protection of Privacy Act and the Planning Act. The Information collected will be used to complete the zoning by-law amendment process and will form part of the public record. Questions about this collection should be addressed to the City Clerk.
- The City Clerk advised that persons or public bodies who wish to be notified of the decision of the Corporation of the City of Owen Sound on the proposed zoning by-law amendment are required to provide a written request to the City of Owen Sound c/o the City Clerk.

Amy Cann, Community Planner, City of Owen Sound provided an overview of the proposed zoning by-law amendment including process and status related to the application, location, and description of the property. Ms. Cann highlighted current and proposed zoning restrictions on the property, permitted uses subject to the zoning application, concerns related to parking and traffic management, current and future studies related to the proposed amendment and key next steps.

Lorelie Spencer, Spencer Planning Services Inc. provided comments on behalf of her client who owns commercial property in the area concerning the proposed zoning amendment. Ms. Spencer communicated that commercial lands in the area are currently zoned for the proposed uses outlined within the application. Ms. Spencer questioned the validity of the market and demographic studies conducted, and highlighted vacancy rates in the downtown core and Heritage Place Mall. In addition, Ms. Spencer stated that the restriction on the property in question were placed for a reason and expressed that in her opinion the application was premature.

Robert Russell, Robert Russell Planning Consultants Inc. stated that the purpose of the proposed amendment was to allow for hotel and gas bar permitted uses on the property, highlighting that the proposed uses were at one time allowed on the property. Mr. Russell provided further information on the proposed development, including highlighting the structure and number of proposed restaurants, total cumulative space and stated that there are tenant requests for space within the proposed development. Mr. Russell stated that

the proposed hotel would be a boutique hotel, and that the proposed uses of the development would not take away from existing retail business in the City.

There being no other speakers, Mayor Boddy declared the public meeting closed at 7:30 p.m.

Deputy Mayor O'Leary returned to his chair.

#### 9. DEPUTATIONS AND PRESENTATIONS

a. Dennis Kefalas, Director of Public Works and Engineering Re: Downtown River Precinct Project Update

The Director of Community Services provided an update and presentation regarding the Downtown River Precinct Project. Ms. Coulter indicated that ninety percent of concrete work and the base layer of paving has been completed. She highlighted that roof installation has begun on the Farmers Market pavilion, and should be completed soon. The contractor has requested an extension and a timeline is being discussed with staff. Ms. Coulter indicated that more information can be found on the City's website.

#### 10. PUBLIC QUESTION PERIOD

a. Harold Crigger, Owen Sound Resident

Mr. Crigger voiced concerns with glass and nails on the side of the road, and inquired how the City addresses debris on the road that could be potentially dangerous to the public.

The City Manager advised that street sweeping is conducted annually on every road, and more frequently in key areas such as the downtown core.

## 11. CORRESPONDENCE RECEIVED FOR WHICH DIRECTION OF COUNCIL IS REQUIRED

a. Ethan Robert, Deputy Clerk and Recording Secretary for the Owen Sound Downtown Improvement Area (OSDIA) Board of Management Re: Resolution of the OSDIA Board of Management – Downtown Action and Marketing Plan - Procurement - BUDGET AMENDMENT

The Deputy Clerk provided an overview of the correspondence from the Owen Sound Downtown Improvement Area Board of Management.

Moved by Councillor Thomas

R-190812-005

"THAT in consideration of correspondence dated August 12, 2019 from the Owen Sound Downtown Improvement Area Board of Management (OSDIA Board) respecting Downtown Action and Marketing Plan - Procurement, City Council approves allocating up to \$15,000 from the Rural Economic Development grant fund reserve to the OSDIA Board for the Downtown Action and Marketing Plan initiative."

Carried with a two thirds vote.



August 8<sup>th</sup>, 2019 Email Only

The Corporation of the City of Owen Sound
Attention: Briana Bloomfield, City Clerk
Clerk's Department
808-2nd Avenue East
Owen Sound, Ontario
N4K 2H4

Dear Ms. Bloomfield:

Re: Heritage Grove Centre – ZBA 29 2125 – 10<sup>th</sup> Street, Owen Sound, ON

On behalf of our Client, 759501 Ontario Limited, we are submitting a letter of concern regarding the proposed Zoning By-law Amendment for the above noted lands. These lands are referred to informally as Heritage Grove. Our Client has an interest in the lands directly North of the subject lands, referred to as the Branningham Grove Development. These lands are currently zoned Retail Commercial (C2) and permit all the uses provided under the Retail Commercial (C2) zone without restriction.

The applicant has ownership in the property directly North of the subject lands. This should be considered as part of the application. As noted above, these lands are zoned and permit the uses the applicant is requesting.

Our review of the proposal related specifically to the need for a Zoning By-law Amendment, particularly with respect to the Market Demand and Impact Study provided in 2010 by Tate Economic Research Inc. and the current Market Study by urbanMetrics Inc. dated April 24th, 2019.

Consideration for this proposal and the concerns of our client have also been reviewed in accordance with the Provincial Policy Statement, the County of Grey Official Plan, the City of Owen Sound Official Plan and the City of Owen Sound Zoning By-law.

In general, our understanding of the development proposed is as follows:

• The construction of a hotel, six (6) restaurants and a gas bar, which will include a convenience store and quick serve restaurant with a drive thru.

Email: lorelie@spencerplanningservices.com

519.377.9728



As noted in the Technical Report prepared by Staff, the site is divided into four (4) quadrants for illustrated purposes as follows:

- South: Michael's, Winners/Home Sense, Princess Auto, Value Village
- Northeast: hotel and 4 restaurants
- Northwest: PetSmart and Dollar Tree, with shared parking area between stores
- North: Two (2) restaurants, a parking area and the gas bar and associated uses

The project includes the construction of additional buildings and the requirement to request additional uses on the subject lands which are currently not permitted under the site-specific zoning Retail Commercial Zone (C2-14.89) placed on the subject lands in 2012.

Of concern to our Client is the addition of uses which were specifically restricted as part of the original Zoning By-law Amendment. Uses which were considered unwarranted considering the amount of vacant and underdeveloped lands within the City. In review of the previous consideration of this file by Council and Staff, uses were limited as a result of the Tate Study and subsequent peer review.

This development of the subject lands is unwarranted. The urbanMetrics study does not take into consideration the amount of land zoned Retail Commercial (C2) which remain undeveloped currently. In the absence of the findings of the peer review currently being conducted by MHBC on behalf of the City, this application is premature.

Consideration must be given to the presence of the retail commercial services in proximity of the subject lands. At the present, five (5) gas stations exist within proximity of the subject lands. In addition, a total of seven (7) large scale restaurants are in proximity to the subject lands. These numbers do not include the number of small-scale restaurants within the Heritage Place Mall, the Andpet Plaza and the multiple drive-thru restaurants located in the area.

This application further fails to address the vacancy rates within the Heritage Mall which also is in proximity to the subject lands from a retail perspective.

In summary, the issues associated with the application are as follows:

- The absence of consideration for the current vacancy rates within proximity of the subject lands has been considered, particularly with respect to the Heritage Place Mall;
- Consideration for the current zoned and undeveloped lands in proximity of the subject lands has not been addressed and has been assessed on the downtown component of the City; and
- Consideration has not been provided for the existing development of uses under the Retail Commercial (C2) zone where Restaurants and Gas Stations exist.

Email: lorelie@spencerplanningservices.com

519.377.9728



There are current existing landowners and businesses which may be impacted by this Zoning By-law Amendment. The inability to further develop lands currently zoned to permit these uses may have an impact on the ability to control the vacancy rates at this time.

The application, at best is premature.

Consideration needs to be provided to the issues noted above, and the downtown core.

We respectfully ask that this application be deferred until such time, consideration of the issues noted above have been addressed.

Kind Regards,



Lorelie Spencer, Ba.U.R.Pl., MCIP, RPP Principal Spencer Planning Services Inc.

Email: lorelie@spencerplanningservices.com

519.377.9728

From: John gulin

Sent: June 10, 2019 11:43 AM

To: Dave Aston

Subject: Can you Stop this Rezoning?

Good Morning Mr Aston

Re: ZBA 29 Heritage Grove -2125 16th street east under Planning Whats new.

We are the Mortgagees in Possession of a Commercial Development Property in the City of Owen Sound and have the property for sale " under Power of Sale ".

The Owner is Heritage Centre Inc (Villarboit Holdings Limited) which purchased the property in 2007. They tried to develop the property but were refused site plan approval because the development was too big and that a development of this size would harm downtown retail stores. They walked away from this property, the development, and the existing mortgage in 2010.I have been trying to sell this property ever since with no luck.

They, the same people, now Heritage Grove Centre

(Villarboit Holding Limited), purchased the property across the street on the south side of 16th Street East (hwy 26) and developed the property while increasing square footage of the site along the way. If they were allowed to develop this square footage at the time they wanted to develop my site,, they never would have abandoned the site and the development.

I just received a notice that they are applying for a amendment to change the Zoning in the existing By-law to permit a Hotel and Restaurant development in addition to their current tenants.

They still own my site across the street, which has 8 Acres of C2-1 Zoned land plus 25 Acres of M2-1 Zoning with trunk line water and sewer services to the lot line.

This site would not require any Zoning amendment. They could develop right away with a site plan agreement.

Villarboit has bullied the City of Owen Sound to give in to their demands which you will see in the attachments.

I would like you to stop this rezoning.

Let me know if you can do this..

Thanks

John Gulin

#### Cann, Amy

From: John Gulin

**Sent:** December 2, 2019 12:35 PM

To: Cann, Amy

**Subject:** Re: Heritage Grove Zoning Bylaw 29, 2125 16th Street East

Thanks

On Dec 2, 2019, at 12:09 PM, Cann, Amy <acann@owensound.ca> wrote:

Hi John,

The Peer Review document forms part of the City's internal review. The findings of the peer review will be released with a recommendation report to Council. At this point, we are awaiting additional information from the applicant before we can move forward.

Please continue to monitor the <u>Planning website</u> and the <u>Council Agenda</u> packages, and don't hesitate to ask any questions.

Amy Cann, M. PL., MCIP, RPP Community Planner 519-376-4440, ext. 1232

From: John Gulin

**Sent:** December 2, 2019 11:38 AM

To: Robart, Sabine <srobart@owensound.ca>

Subject: Heritage Grove Zoning Bylaw 29, 2125 16th Street East

Good Morning Ms Robart

I have been researching the Planning Website for any updates on this matter, including the Peer Review.

I haven't seen anything new since the Council meeting in August.

Please update me on this matter and email me the Peer Review.

Thanks

John Gulin

759501 Ontario Limited

I shake my head every time I drive by the Heritage Grove shopping area on the east side of Owen Sound along highway 26/16<sup>th</sup> St. E. There is ABSOLUTELY no evidence of a grove now. The construction site in front of Value Village/Princess Auto has been stripped bare for future development. Does anyone else remember the grove of trees, including some much-discussed and valued Butternut trees that were snuggled in amongst the other mature trees there? The city has "Environment" listed as #2 in their strategic plan. Maybe trees are no longer part of the environment? Oh right, and it doesn't say "healthy or sustainable environment." To me, entering the east side of Owen Sound appears to look just like many other cities these days — a village of box stores and paved parking lots.

Forests are the lungs of our land, purifying the air and giving fresh strength to our people." (Franklin D. Roosevelt)

I wish our city leaders, planners and developers had the same priorities as Roosevelt did.

Donna Mitchell

#### Cann, Amy

From: Robart, Sabine

**Sent:** December 4, 2019 10:23 AM

To: Cann, Amy Subject: For your review

Good Morning Donna,

The Heritage Grove development is currently subject to a City of Owen Sound Zoning By-law amendment – ZBA 29, Heritage Grove, 2125 16<sup>th</sup> Street East. The plans, studies and reports submitted with the zoning amendment application are available at <u>Planning – What's New</u> – under the ZBA 29 Heritage Grove tab.

If you have any further questions or concerns after review the online files please do no hesitate to contact me.

Sabine Robart, MSc (Plan) Intermediate Planner City of Owen Sound 808 2<sup>nd</sup> Avenue East Owen Sound, ON N4K 2H4

Telephone: 519-376-4440 ext. 1236

Email: srobart@owensound.ca

From: Donna Mitchell

Sent: December 3, 2019 1:16 PM

To: Bloomfield, Briana < bbloomfield@owensound.ca >; me

Subject: Re: Idling Control By-law

Thanks Briana .... I'm hearing that there is a drive-thru planned for the Heritage Grove (near Princess Auto and Value Village) and another one on the west side where Alpha St. meets 10th.

Can you provide any details please.

thanks so much!

Donna

On Tue, Dec 3, 2019 at 8:46 AM Bloomfield, Briana <br/> <br/>bbloomfield@owensound.ca> wrote:

Good morning,

Here is a link to the City's Idling Control By-law.

Sincerely,

## Briana Bloomfield

City Clerk

808 2<sup>nd</sup> Avenue East

OWEN SOUND ON N4K 2H4

519.376.4440 ext. 1247



## **SCHEDULE K**

#### **CONDITIONS OF APPROVAL**

1) That prior to finalization of the Site Plan Agreement, modification of the site plan package be required to include the following to the satisfaction of the City:

Condition		Date	Sign.
a.	That revised submission materials (plans, studies, drawings) be submitted to the City as required to capture additional items arising out of ongoing project due diligence to the satisfaction of the Community Services Department and the Engineering and Public Works Department.		
b.	That the final approved site plan show a total 42 bicycle parking spaces spread out over the site.		
C.	That the final approved site plan shows external lighting at strategic points along the façade of the entire building as well as within the parking area.		
d.	That the final approved site plan shows snow storage locations. Snow storage areas must drain to the internal SWM system, cannot occupy parking areas required for zoning compliance and cannot be located on City-owned property.		
e.	That the final approved site plan shall show the required 5.0 metres by 5.0 metres unobstructed sight triangles at all accesses.		
f.	That the owner be requested to consider the installation of benches intermittently along the exterior paths of travel for pedestrian rest areas		
g.	That the final approved site and construction plans reflect the requirements of the Accessibility for Ontarians with Disabilities Act and the Ontario Building Code respecting matters of accessibility.		

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h.	That the final approval site plan shows proposed barrier- free parking stalls that meet the requirements for design and signage as detailed in the City's Standard Drawings E1a, E1b, E4a, E4b, AODA and OBC requirements.	
i.	That the final approval site plan shows TWSI plates that are red, cast iron as per City Standards where there is a change in grade from the on-site sidewalk to the drive aisles and parking areas.	
j.	<ul> <li>That the final site plans be revised with details for the:</li> <li>2.0 m high solid board fence enclosure for each waste facility; and</li> <li>Decorative armour stone along the drive-through, which shall be of sufficient height to substantially block views of the vehicle queue from 16<sup>th</sup> St E.</li> </ul>	
k.	That the right-in/right-out access intended for B-train fuel trucks be removed from the final site plan; and That the landscape plans be amended to add landscaping (trees) to this portion of the frontage.	
1.	That the final approved site plan shows the locations of the 'No Parking Fire Route' signs along the proposed fire route as required by the City of Owen Sound Fire Route By-Law.  That the final approved site plans be revised to meet the requirements of the Ontario Building Code as per the comments from Fire Prevention.	
m.	<ul> <li>That the final approved site plan includes a landscape plan that shows any changes to the grounds and includes:</li> <li>That all parking lot islands should have two trees. Shademaster Locust or Maiden Hair Tree are suitable. The landscape plan should be revised to show adequate landscaping on all parking islands.</li> <li>That some of the plant varieties proposed within the 5 m x 5 m sight triangles will likely exceed the maximum permitted 0.6 m height. The plants used here (reed grass and alpine currant) grows to 5 ft tall and may impact one's ability to see other vehicles at this location. The plant selection in the sight triangles are to be revised.</li> </ul>	

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# 2) That the Owner enter into a Site Plan Agreement with the City, which will be registered on title, requiring among other matters:

Condition		Date	Sign.
a.	Provision of Security in the amount of \$50,000. Securities currently held by the City for first phases of the on-site works may be carried forward to apply to the proposed development, subject to the approval by the City's Finance Division.		
b.	Payment of the Engineering Review Fee.		
C.	Provision of a two-year timeframe for completion of all works with the final dates to be specified in the Site Plan Agreement.		
d.	That a Street Occupation Permit and/or Special Services Application, which may include a Servicing Agreement, be obtained prior to any work on Cityowned property.		
f.	<ul> <li>The submitted Traffic Impact Study is acceptable. The proposed development is supportable from a traffic operations and safety perspective, with the following recommendations:</li> <li>Implement an auxiliary westbound left-turn lane with a minimum stacking distance of 15 metres (25m when development of the Strain property to the east occurs) on 16th Street East at the future 22nd Avenue East intersection. Engineering Services will require that the 25m stacking length be constructed for this development; and</li> <li>An exclusive northbound left-turn and right-turn lane (also future through lane), and southbound receiving lane at the south leg at the intersection of 16th Street East and 22nd Avenue East.</li> </ul>		
g.	That a 6.0m utility easement be in favour of the City be conveyed along the east property line for the extended portion of the watermain.		

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h. A future full moves intersection with 16<sup>th</sup> St E is proposed at the eastern boundary of the property (future 22<sup>nd</sup> Ave E) is to provide access to the property to the east (2275 16<sup>th</sup> St E) through a right of access easement.