

TAKE NOTICE that on the 15th day of July, 2019 the Council of The Corporation of the City of Owen Sound granted draft approval for Plan of Subdivision Application 42T-18501 under Section 51 of the *Planning Act RSO 1990*, c.P. 13 to permit a 9 block residential draft plan of subdivision.

These lands are also the subject of Official Plan Amendment No. 9 and Zoning By-law Amendment No. 27.

City Council has considered written submissions received to date and oral submissions made at the public meeting held on April 1, 2019. Written submissions were received from internal departments and commenting agencies, which informed the conditions of draft plan of subdivision. Oral submissions made at the public meeting and written submissions had regard to: proposed trail connectivity, overall vehicular and pedestrian connectivity, attainable and affordable housing provision, stormwater management planning, increased densities, the capacity of City services to accommodate increased densities, building setbacks, and snow storage. City Council considered the comments received and found that the applications are consistent with the Provincial Policy Statement and the goals and objectives and intent of the Official Plan and approved Draft Plan of Subdivision 42T-18501, subject to conditions.

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

PURPOSE AND EFFECT OF DRAFT PLAN OF SUBDIVISION APPROVAL:

Upon fulfillment of conditions of draft approval, the subdivision would contain approximately 331 residential units on 7.07 hectares. The Draft Plan of Subdivision includes:

- Construction of 10 semi-detached dwellings (Block 1).
- Construction of 17 street fronting townhouses on 3 blocks (Blocks 1-2, 5).
- Construction of 52 cluster townhouse units (Block 3 and 4).
- Construction of one multi-unit residential building, including 120 dwelling units (Block 6).
- Construction of a long term care facility/senior's residence including 132 units (Block 7).
- The construction of internal roads, including the extension 14th Street East to 16th Avenue East and an internal street, being municipal roads.
- A stormwater management system and pond, and Open Space area (Block 8 and 9).
- Extension of water and wastewater services into the development along the municipal roads.

PROPERTY LOCATION:

The Draft Plan of Subdivision relates to lands is located on the west side of 16th Avenue East, north of 10th Street East and south of 16th Street East and legally described as Part of Park Lots 4 and 5, East Garafraxa Road, Geographic Township of Sydenham in the City of Owen Sound, County of Grey.

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

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

No person or public body shall be added as a party to the hearing of an appeal regarding any changes to the conditions of approval unless the person or public body, before The Corporation of the City of Owen Sound made its decision, made oral submissions at a public meeting or written submissions to The Corporation of the City of Owen Sound, or made a written request to be notified of the changes to the conditions or, in the Local

Planning Appeal Board's opinion, there are reasonable grounds to add the person or public body as a party.

Only individuals, corporations and public bodies may appeal decisions in respect of a proposed plan of subdivision to the Local Planning Appeal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

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

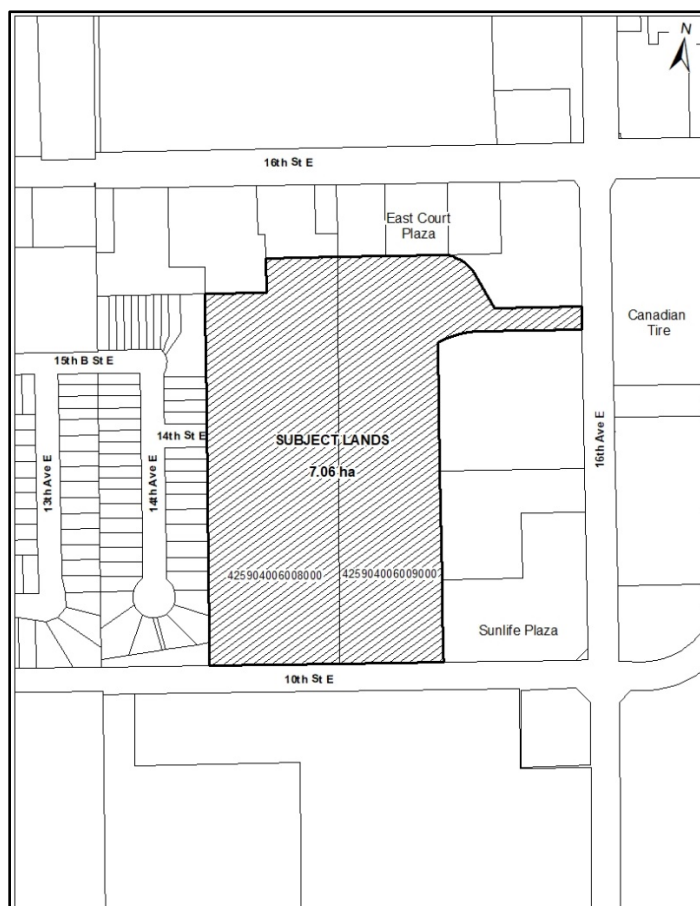
The last date for appeal is August 14, 2019. Any notice of appeal must be filed with the Clerk of The Corporation of the City of Owen Sound and must set out the reasons for the appeal, and must be accompanied by the fee prescribed by the Local Planning Appeal Board in the form of a certified cheque or money order payable to the Minister of Finance.

ADDITIONAL INFORMATION related to the Draft Plan of Subdivision 42T-18501 is available for inspection at the City of Owen Sound in the Clerks or Planning Office located at 808 2nd Avenue East, Owen Sound ON N4K 2H4, Monday to Friday between the hours of 8:30AM and 4:30PM and on the City's website at <http://www.owensound.ca/planning/whats-new>.

NOTICE DATE: July 25, 2019

Ethan Robert, Deputy Clerk
The Corporation of the City of Owen Sound
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OWEN SOUND ON N4K 2K8
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KEY MAP



Draft Plan of Subdivision 42T-18501 Conditions

THAT in consideration of Staff Report CS-19-100 from Dave Aston, MHBC Planning (on behalf of the City of Owen Sound) respecting Draft Plan of Subdivision 42T-18501, Official Plan Amendment No. 9 and Zoning By-law Amendment No. 27, City Council:

1. In consideration of the staff report and recommendations and written and oral submissions made at the public meeting held on April 1, 2019 and as further described in the minutes of that date, Council finds that the application are consistent with the Provincial Policy Statement and the goals and objectives and intent of the City Official Plan;
2. Directs Staff to bring forward a by-law to adopt Amendment No. 9 to the Owen Sound Official Plan (2006) and give notice in accordance with Sec. 22 of the Planning Act;
3. Directs Staff to bring forward a by-law to adopt Amendment No. 27 to the City's Zoning By-law No. 2010-078 and give notice in accordance with Sec. 34 of the Planning Act; and
4. Approve Draft Plan of Subdivision 42T-18501 by GM Blue Plan Engineering dated November 23, 2018 updated June 26, 2019, attached in Appendix 'A' subject to the conditions outlined in Appendix 'J', and to give notice in accordance with Sec. 51 of the Planning Act.

1. The City of Owen Sound approves Draft Plan of Subdivision 42T-18501, for lands described as Part of Park Lots 4 & 5, Range 5 East Garafraxa Road, City of Owen Sound, as prepared by GM Blue Plan (dated May 28, 2019), subject to the following draft conditions:

2. That this approval applies to the draft plan drawing number S-1364-DP, prepared by GM BluePlan Engineers dated 2019 May 28, which shows:

Description	Lots/Blocks	Units	Area (hectares)
Townhouse Dwelling	1-2, 5	17	0.67
Semi-detached dwelling	1	10	0.33
Cluster townhouse dwelling	3,4	52	1.92
Apartment dwelling	6	120	1.01
Long-term care facility	7	132	1.02
Subtotal			4.95 ha
SWM facility	8		0.65
Open Space	9		0.46
Roads & Reserves			1.01
Total		331	7.07

3.	That the Owner shall enter into a Subdivision Agreement with the City of Owen Sound pursuant to Section 51 of the Planning Act to be registered on title of the lands to which it applies.
4.	That the Owner agrees to stage the development of this Plan of Subdivision in a manner satisfactory to the City of Owen Sound; .
5.	That the owner convey 5 percent of the land included in the draft plan to the City of Owen Sound for park or other recreational purpose in accordance with Section 51.1 of the Planning Act. Alternatively, the City may require cash-in-lieu of all or a portion of the conveyance.
6.	That the plan submitted for final approval shall incorporate a lot pattern for all blocks to be lotted at a density not exceeding the unit density identified in Condition No. 1, unless otherwise agreed to by the City of Owen Sound.
7.	That prior to final approval, the Owner provides plans confirming that building envelopes, lots and blocks conform to zoning by-law requirements in accordance with Zoning By-law 2010-078, as amended, or by a site specific By-law.
8.	That prior to final approval of the Plan, the owner shall ensure there are no taxes in arrears with the City.
9.	That the road allowances included in this Draft Plan be shown and dedicated as public highways.
10.	That before any blocks, roads, walkways, trails, service corridors, sight triangles, and 0.3 meter reserves identified on the Plan are conveyed to the City of Owen Sound, they shall be free and clear of encumbrances.
11.	That pedestrian and maintenance access links, cul-de-sacs and sidewalks be provided to the satisfaction of the Community Services Department, Planning Division and the Public Works & Engineering Department, Engineering Services Division.
12.	That the street(s) shall be named to the satisfaction of the City of Owen Sound.
13.	That the owner agrees to provide an emergency access/pedestrian access of 6.0 meters in width between Block 6 and Block 4 to the satisfaction of the Community Services Department and Planning Division.
14.	That prior to final approval, the Developer demonstrate that the extension of domestic water and sanitary sewer trunk services to the subject lands has been provided.
15.	That prior to final approval, a lot grading, drainage and stormwater management report be prepared by a professional engineer licensed in the Province of Ontario in accordance with applicable zoning to the satisfaction of the City's Public Works & Engineering Department (Engineering Services

	Division) and the Grey Sauble Conservation Authority and that the plan be included in the Subdivision Agreement.	
16.	That the owner agrees in writing to satisfy all the requirements, financial and otherwise, of the City of Owen Sound concerning the capital recovery contribution, provision of roads and service corridors, installation of services and drainage.	
17.	That the owner provides a landscape/planting plan for Blocks 8 – 9 that identifies details associated with the trail connection, buffers with adjacent uses, and the demarcation with adjacent residential uses.	
18.	That the owner provides a streetscape planting plan to the satisfaction of the Community Services Department and Planning Division.	
19.	That such easements as may be required for utilities, drainage or snow storage purposes shall be granted to the appropriate authority	
20.	That prior to final approval of the Plan, the owner provide access to the development from 16 th Avenue East which includes the realignment of the southeast 16 th Avenue East access to the strip mall fronting 16 th Street East, also owned by the developer of these lands, and 14 th Street East to the satisfaction of the Director of Public Works & Engineering.	
21.	That prior to final approval of the Plan, the owner demonstrates to the satisfaction of the City that there is an adequate supply of potable water to service this development.	
22.	That prior to final approval of the Plan, the owner demonstrates to the satisfaction of the Ministry of the Environment, Conservation and Parks (MECP) that there is adequate sanitary and storm sewer capacity to service this development.	
23.	That the Subdivision Agreement between the owner and the City of Owen Sound contain the following provisions with wording acceptable to the Public Works & Engineering Department, wherein the owner agrees: <ul style="list-style-type: none"> a. To have prepared detailed reports, drawings and plans acceptable to the City of Owen Sound showing the location of all buildings and structures to be erected on the site, all final grades and vegetation. The means whereby storm drainage will be accommodated, and the means whereby erosion and silt transport will be contained and minimized, both during and after the construction period prior to commencing any grading or construction of any lot. b. To provide for the construction of roads, services and common stormwater management facilities and, furthermore, shall provide for the City to assume ownership and operation of the roads, services and common stormwater management facilities. c. To erect snow fencing or other suitable barriers prior to initiating any grading or construction on the site to prevent the unauthorized dumping of fill and to keep these barriers in place until all grading and 	

	<p>construction on abutting lots and roadways has been completed to the satisfaction of the City of Owen Sound.</p> <ul style="list-style-type: none"> d. To develop a tree preservation and planting plan in accordance with the City of Owen Sound Residential Tree Preservation and Planting Policy. e. To provide demarcation of the common lot line between the private lots and the abutting properties to the south and west, which may include a fence, in a manner acceptable to the City. f. That the Subdivision Agreement between the owner and the City of Owen Sound be registered against the lands to which it applies once the Plan of Subdivision has been registered. g. To develop a planting plan using non-native non-invasive species for the SWM pond. h. That this subdivision shall not be developed except in accordance with the approved plan. i. To provide for the installation of a water supply system subject to the approval of the City and, furthermore, shall provide for the City to assume ownership and operation of the system upon completion of the maintenance period. j. To provide for the installation of a wastewater sewer subject to the approval of the City and the MECP, and furthermore, shall provide for the City to assume ownership and operation of the system upon completion of the maintenance period. k. To provide for the construction of the common stormwater management facilities subject to the approval of the City, MECP and the GSCA, and furthermore, shall provide for the City to assume ownership and operation of the system upon completion of the maintenance period. l. To include wording acceptable to the City of Owen Sound and the Grey Sauble Conservation Authority to implement the surface water management plan, tree preservation plan, and individual lot requirements. m. To pay a Capital Improvement Charge of \$23,929.80 for the previous installation of roadway and municipal services on 16th Avenue East. 	
24.	That prior to final approval of the Plan, the City is to be advised in writing by the Grey Sauble Conservation Authority that conditions of approval have been satisfied.	
25.	That prior to final approval of the Plan, the City is to be advised in writing by the Developer's consulting engineer that the Ministry of Environment, Conservation and Parks (MECP) has issued Environmental Certificates of Approval (ECA) for the wastewater and storm sewer systems.	
26.	That the Subdivision Agreement between the Owner and the City shall contain a provision that the Owner agrees that should the development be phased that two means of road access will be maintained. In the event that development of the property is to be phased, then a phasing plan must be submitted prior to final approval of the first phase of development to the satisfaction of the City.	

27.	That the Subdivision Agreement between the Owner and the City shall contain a provision the Owner is responsible for all costs associated with relocation of any utilities, if required as a result of this development.
28.	<p>The subdivision agreement shall include the requirement for:</p> <ol style="list-style-type: none"> 1. A Phasing Plan shall outline each stage of development, the timing of required studies, and the design and timing of construction of all amenities and services (road construction, services, etc.). 2. That the Owner agrees to phase any development of the Plan in a manner satisfactory to the City of Owen Sound, and in accordance with the Phasing Plan. The Registration of the Plan of Subdivision may proceed in phases and in accordance with the Phasing Plan. 3. That Draft Approval for Plan of Subdivision 42T-18501 for Andpet Realty Ltd. in the City of Owen Sound shall lapse as follows: <ol style="list-style-type: none"> a. For the first phase, three (3) years after the date of Draft Approval unless it has been extended by the City of Owen Sound; and, b. For any subsequent phases, five (5) years after the date of final approval of the preceding phase.
29.	That Site Plan Approval is required in accordance with the City's Site Plan Control By-law 2011-034, or its successor, for Blocks 3,4, 6 and 7.
30.	That the owner agrees that an interim approach and legal/financial arrangements with the City of Owen Sound for the development of a senior's residence on Block 7 may be devised, which shall be subject to Site Plan Control and execution of any appropriate agreement(s) to the satisfaction of Public Works & Engineering Department and Community Services Department. Development of Block 7 in advance of final subdivision approval may require phasing of the construction of 14 th Street East to full municipal standards, installation of servicing, and any other improvements deemed necessary by the City for the development of the lands.
31.	<p>That the Subdivision Agreement include the following conditions related to archaeological resources:</p> <ul style="list-style-type: none"> • Should previously undocumented archaeological resources be discovered, they may be a new archaeological site and therefore subject to Section 48 (1) of the Ontario Heritage Act. The proponent or person discovering the archaeological resources must cease alteration of the site immediately and engage a licensed archaeologist to carry out archaeological fieldwork, in compliance with sec. 48 (1) of the Ontario Heritage Act. • The Cemeteries Act, R.S.O. 1990, c. C.4 and the Funeral, Burial and Cremation Services Act, 2002, S.O. 2002, c.33 (when proclaimed in force) require that any person discovering human remains must notify the police or coroner and the Registrar of Cemeteries at the Ministry of Consumer Services

32.	That prior to final approval the detailed design be presented to the Accessibility Advisory Committee and any recommendations be incorporated as conditions to the satisfaction of the Community Services Department
33.	That the final approved Plan of Subdivision and construction plans reflect the requirements of the Accessibility for Ontarians with Disabilities Act and the Ontario Building Code respecting matters of accessibility
34.	That the Subdivision Agreement between the Owner and the City shall provide for the implementation of the approved Transportation Impact Study (prepared by Paradigm Transportation Solutions Limited, dated December 2018), including the preparation of a drawing showing the recommended intersection improvements of 14 th Street East and 16 th Avenue East, detailing the northbound left turn lane on 16 th Avenue East at 14 th Street East. The recommended operational review of 16 th Avenue East between 16 th Street East and 14 th Street East extension intersections are to be conducted when deemed necessary by the City Public Works and Engineering Department. The Developer will be required to provide a Capital Contribution of \$12,500.00 towards the cost of the study and any necessary physical improvements.
35.	That prior to final approval of the Plan, the City is to be advised that satisfactory arrangements, financial and otherwise, have been made with Canada Post Corporation for the installation of Community Mail Boxes (CMB) as required by Canada Post Corporation and as shown on the approved Draft Plan, at the time of sidewalk and/or curb installation. The Owner further covenants and agrees to provide notice to prospective purchasers of the locations of CMBs and that home/business mail delivery will be provided via CMB.
36.	That prior to final approval of the Plan, the City is to be advised in writing by Grey Sauble Conservation Authority that a final Stormwater Management Plan and planting design, including a detailed grading and drainage plan, have been provided to the satisfaction of the Grey Sauble Conservation Authority as outlined in their correspondence dated March 26, 2019.
37.	That prior to final approval, the owner provides to Union Gas the necessary easements and/or agreements for the provision of gas services to the development, to the satisfaction of Union Gas.
38.	That prior to final approval of the Plan, the City is to be advised in writing by the County of Grey that the County is satisfied with the final plan.
39.	That the Owner provides a memorandum to the City indicating how each condition has been cleared to the satisfaction of the Community Services Department.