OWEN SOUND OFFICIAL PLAN

Adopted by the City of Owen Sound
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i. Our Planning Contect

The City of Owen Sound is located at the meeting of Georgian Bay, the Sydenham and Pottawatomi Rivers, and the Niagara Escarpment. These defining natural features have shaped the community's history, economy, settlement patterns and identity, together forming an interconnected

natural system that contributes to the City's distinct sense of place.

The City is situated within Saukiing Anishnaabekiing (Saugeen Ojibway Nation Territory). This is the ancestral, treaty lands and territories of the Chippewas of Nawash Unceded First Nation and the Saugeen First Nation, together known as the Saugeen Ojibway Nation (SON).

The area has been home to Indigenous Peoples since time immemorial and remains part of a living cultural landscape. Indigenous communities continue to maintain important relationships with the lands and waters, through stewardship, cultural practice and community connections.

Building upon these enduring relationships between people, land and water, Owen Sound has grown as a principle urban centre for Grey and Bruce Counties. The City provides housing, jobs, education, health services and cultural opportunities, while maintaining strong connections to the surrounding rural and agricultural communities.

1. Introduction

The City of Owen Sound Official Plan was first adopted in 1984 and amended over time. In 2021, the City adopted a new Official Plan. A review of the Official Plan was initiated in 2024 and a modified plan was adopted in 2026.

This Official Plan (2021) provides a long-term vision for all lands within the City of Owen Sound and has status in law pursuant to the provisions of the Planning Act. The Official Plan contains the vision, goals, objectives and policies to manage and direct physical change and the effects on the social, economic, built and natural environment of the City. This Official Plan has the effect of requiring that the City conform to the Official Plan when undertaking public works or passing by-laws.

1.1 Purpose

The purpose of this Plan is to:

1. Provide policies, goals and objectives to guide the development and redevelopment of lands within the City for a period equal to the planning horizon of the County of Grey Official Plan.

2. Promote the health, safety and quality of life for the residents of Owen Sound.
3. Provide policy direction to assist Council in determining criteria for the consideration of development and land use policy.
4. Assist in the coordination and delivery of public services and programs.
5. Inform the City's residents and private interests of local objectives and policies regarding planning and land use matters.
6. Provide a standard for evaluating the achievement of the goals and objectives of this Plan.
7. Guide physical growth within the context of economic, social and environmental matters.
8. Ensure land use planning in the City is consistent with the Provincial Planning Statement.
9. Ensure that land use planning in the City is not in conflict with the Niagara Escarpment Plan.
10. Ensure that land use planning in the City is in conformity with the County of Grey Official Plan.

1.2 Structure

The nine sections of this Plan are described below:

Section 1 Introduction describes the purpose and structure of the Official Plan and information on how to interpret and use the Official Plan.

Section 2 Vision, Goals and Objectives sets out general goals and objectives the City aims to achieve through the implementation of the policies of this Plan. The goals and objectives assist in understanding the intent of the policies.

Section 3 Land Use contains policies for the land use designations of the Plan.

Section 4 Planning Areas contains secondary plans for certain areas of the City identified as 'Planning Areas' on Schedule 'B'. These secondary plans provide more specific policy to guide growth and development.

Section 5 Infrastructure provides policy relating to the road network, parking, pedestrian/bicycle trails, public transit, water transportation, rail transportation, air transportation and telecommunications. Municipal services including water supply, sanitary wastewater treatment, servicing capacity, stormwater and waste management are also addressed.

Section 6 Environment provides policy direction with respect to the protection, management, and stewardship of the environment.

Section 7 Culture and Community provides direction on how the City will support and provide access to cultural heritage, community services, culture and arts, parks, recreation and tourism throughout the City.

Section 8 Urban Design contains urban design policies and guidelines.

Section 9 Implementation describes the tools and programs available to the City for the implementation of the goals and policies of the Plan.

The policies of the Plan and the Schedules constitute the Official Plan for the City of Owen Sound which shall be referred to as 'this Plan'.

1.3 How to Read this Plan

The policies, tables and schedules of this Plan are to be read within the context of all other policies, tables and schedules contained in this Plan. The introduction, goals and objectives and land use policy and implementation sections of this Plan provide essential background information to help explain the underlying basis of this Plan.

In order to provide some flexibility in the interpretation of this Plan, all figures, numbers, land use designation boundaries, and road patterns or locations shall be considered as approximate and minor changes may be permitted without an amendment to this Plan as long as the intent of this Plan is maintained. The boundaries of the land use designations shown on Schedule 'A' - Land Use of this Plan shall be considered as approximate, except where they coincide with roads or other definite physical features.

Policies within this Plan are intended to be consistent with the policies of the relevant Provincial agency, in conformity with the Official Plan for the County of Grey and address requirements and regulations of other agencies and related regulated authorities.

Where there is a conflict between the provisions of this Plan and the Niagara Escarpment Plan (NEP) the policies and provisions of the NEP will prevail, except where the policies and provisions of the Plan are more restrictive than the NEP.

2. Vision, Goals and Objectives

2.1 Vision

The City of Owen Sound is **where you want to live**. A complete community that values the natural environment, cultural diversity, historic streetscapes, vibrant waterfront and provides a sense of belonging. The City will plan to evolve as a centre for growth, opportunity and innovation while ensuring that equity, inclusion, diversity, sustainability, resiliency, and quality of life are considered in every decision.

2.2 Goals and Objectives

The goals and objectives establish the City's commitment to being a complete community and focuses on opportunities to support: Climate Change; Natural Heritage; Economic Vitality; Managing Growth; Quality of Life; Equity, Diversity and Inclusion; Urban Design; and, Infrastructure.

2.2.1 Climate Change

Goal:

To respond and adapt to the impacts of a changing climate and acting on the City's responsibility to provide mitigation and adaptation measures to reduce greenhouse gas emissions and increase resiliency to a changing climate.

Objectives:

a. To establish policy tools and operational practices that address both, climate change mitigation efforts to lower or remove greenhouse gas emissions and adaptation efforts to build the City's capacity to withstand the impacts of a changing climate.

b. To capitalize on partnership opportunities with the Province, County, adjoining municipalities and Grey Sauble Conservation Authority in the interest of supporting climate change adaptation and mitigation efforts.

c. To be progressive in adopting new methods and technologies for waste management and diversion, water and energy conservation, sustainable transportation, and green infrastructure.

d. To encourage the remediation and reuse of brownfield sites under the Environmental Protection Act through the Community

Improvement Plan and transparent and efficient City approvals processes.

e. To consistently apply a climate lens to City asset management, infrastructure projects, and policy development that guides our approach to long-term growth and development planning.

2.2.2 Natural Heritage

Goal:

To protect and enhance the quality of the natural environment through a planning framework that maintains and improves the diversity and connectivity of the natural forms, features and functions of the City's natural heritage, that also mitigates the impacts of development on these features.

Objectives:

a. To conserve and enhance the City's natural environment and its linkages through clear policies that support an environmentally-focused land use policy framework and through partnerships with adjoining municipalities and partner agencies.

b. To facilitate the responsible use and enjoyment of the City's natural heritage system, through the development of trails, protection of vistas and escarpment landscapes, and the protection of the City's rivers and shoreline.

c. To increase the coverage and resiliency of the urban forest by facilitating increased planting initiatives using diverse, native species selection.

d. To improve and restore stormwater quality and quantity by utilizing stormwater management best practices to minimize stormwater volumes and contaminant loads through low impact development and maintaining pervious surfaces wherever possible.

e. To engage in source water protection through watershed based planning by managing development within the City's Intake Protection Zones to prevent threats to the quality or quantity of the City's drinking water source.

f. To protect human life and property through managing development in proximity to hazards due to slopes and flooding.

2.2.3 Economic Vitality

Goal:

To foster a vital and diverse local and regional economy and to strengthen the City's employment and economic base through the attraction, retention, rehabilitation and expansion of businesses and institutions.

Objectives:

a. Promote and strengthen the City's role as the regional centre for business, culture, education, tourism and health. Support initiatives that develop a globally competitive and renewable workforce throughout the City and region.

b. Ensure that economic development and employment activities consider a balance of social, economic and environmental demands, and operate in a manner that is compatible with other land uses.

c. Maintain and enhance the viability and vitality of the River District Commercial and Harbour as the primary economic, commercial, financial, cultural, tourism and employment focus of the City and region.

d. Maintain and enhance the planned function of Employment Areas by preventing encroachment and/or non-compatible uses.

e. Support the industrial sector and the industrial park, recognizing its importance for employment and economic development throughout the City and region.

f. Implement an Economic Development Strategy, in conjunction with the County of Grey, focused on attracting and retaining businesses and that achieves the creation of a positive investment climate and partnerships among educational institutions, businesses, industries and government.

g. Provide services and financial incentive programs available under the Municipal Act and the Community Improvement Plan aimed at retaining and attracting businesses and investment in a financially responsible and sustainable manner and in partnership with other levels of government and external agencies.

2.2.4 Managing Growth

Goal:

To promote and encourage the growth and development of the City through a planning framework that supports sustainability, healthy communities, planned growth and quality of life for all residents of the City.

Objectives:

a. To plan for a complete community and promote a healthy, active City for the benefit of all residents and visitors.

b. To accommodate the population and development anticipated for the City within the planning period in a sustainable, compact urban form and to avoid land use patterns that may cause environmental or public health and safety concerns or promote non-compatible land uses.

c. To maintain and promote the importance of the River District Commercial and Harbour as a focus of growth and investment and a key cultural and tourism resource in the City.

d. To increase housing supply by identifying and promoting opportunities for intensification and redevelopment where appropriate, and plan for a full range and mix of housing options in terms of dwelling types, densities and tenure.

e. To consistently apply a diversity lens to growth management through planning for persons having diverse abilities and circumstances.

2.2.5 Quality of Life

Goal:

To be a community that celebrates its cultural heritage, cultural diversity and offers an exceptionally supportive and healthy environment, providing leadership as the social, cultural, and recreational focus for City residents and visitors.

Objectives:

a. To encourage the provision of an appropriate range and distribution of health and wellness, safety, educational, cultural and recreational facilities and services throughout the community.

b. To identify, protect, enhance and celebrate the City's cultural heritage resources through historical recordkeeping and interpretation, archaeological assessment, artifact preservation, and built heritage conservation.

c. To achieve a highly integrated system of educational, cultural and recreational areas, trails, programs and facilities, and demonstrate leadership in cultural initiatives and events throughout the City, particularly within the River District Commercial, Environmentally Sensitive Landscape Area, Harbour Area and Escarpment parks.

d. To demonstrate leadership in being an interactive, transparent local government through an open system of consultation, collaboration and partnerships with members of the public, Indigenous Communities, other levels of government, and external agencies.

2.2.6 Equity, Diversity and Inclusion

Goal:

To be a welcoming, safe and supportive community that provides for the diverse needs of all residents and visitors.

Objectives:

a. To provide a safe and accessible urban environment with a mix of uses, activities, experiences and opportunities, for persons of all abilities in accordance with the Accessibility for Ontarian's with Disabilities Act and the City's Multi-year Accessibility Plan and Transit Accessibility Plan.

b. To recognize and respond to the demographic changes in the community and develop strategies to encourage all residents to maintain their residency and employment within the City.

c. To recognize and respond to the increasing diversity in the community through the development of strategies and relevant policies.

d. To apply a diversity lens to all decisions and work to capture opportunities to address homelessness and combat inequity in the City's built environment and planning policy framework.

2.2.7 Urban Design

Goal:

To facilitate 'experiencing the City' by recognizing the exceptional natural setting, maintaining the built heritage of the City, protecting significant natural features, establishing complete communities and ensuring quality urban design.

Objectives:

a. To protect, enhance and clearly define the City's unique character and built heritage, including its natural setting, distinct planning areas, and unique residential neighbourhoods.

b. To increase the vibrancy, attractiveness, interconnectedness, visibility, activation and heritage qualities of the River District Commercial and Harbour area.

c. To provide streetscapes and pedestrian environments that are designed to be safe, attractive, accessible, and inviting.

d. To ensure that new development and redevelopment employs high quality architectural and landscape design, is progressive, aesthetically appropriate, and compatible with the City's built heritage resources, cultural heritage landscapes, and surrounding neighbourhood character.

e. To maintain residential areas that are safe, convenient, quiet, well-landscaped, diverse, and coherent in scale.

f. To enhance the functionality and attractiveness of the City's gateways and arterial corridors through City infrastructure projects and through enhanced design expectation in private development projects.

2.2.8 Infrastructure

Goal:

To improve, maintain and expand the City's infrastructure network, including transportation, servicing infrastructure, waste management, telecommunications, and other public utilities in order to better serve residents, businesses and visitors.

Objectives:

a. To develop and improve the necessary public services and utilities, including water, sanitary, storm infrastructure, and

telecommunication required for existing and future development in a cost effective and efficient manner to support the objectives and policies of this Plan.

b. To plan and operate a multi-modal public transportation system, including roads, public transit, and cycling and pedestrian infrastructure, in order to maximum efficiency, accessibility, sustainability, and safety of people and goods.

c. To provide an integrated parking system in the River District Commercial and Harbour that offers adequate quality on-and off-street parking in safe, visible, well-landscaped locations.

d. To integrate long-term consideration of transportation, infrastructure and asset management in land use planning decisions in order to achieve the City's overall environmental, economic and urban design goals and objectives.

3. Land Use

Land within the City shall be developed in accordance with the Land Use Plan attached as Schedule 'A'. Subject to Section 1.3, boundaries between land uses are intended to follow property lines and public streets.

Land use patterns within the City shall be based on densities and a mix of land uses which:

- promote energy efficiency; and,
- prepare for the impacts of a changing climate to minimize negative impacts to air quality and climate change.

Schedule 'A' – Land Use to this Plan establishes the pattern of land use in accordance with the following land use categories:

a. Residential
b. Commercial
    i. River District Commercial
    ii. Regional Shopping Centre
    iii. East City Commercial
    iv. West City Commercial
    v. Arterial Commercial
c. Waterfront Mixed Use
d. Industrial Transitional
e. Employment
f. Institutional
g. Open Space
h. Rural
i. Hazard Lands
j. Niagara Escarpment Plan Area

3.1 Residential

The Residential designation permits the development of lands for residential uses, which shall be the predominant area for housing within the City. Residential uses may include single detached, semi-detached, various forms of townhouse, and apartment buildings. Residential uses shall be permitted at low, medium and high density. Other uses that are complementary and provide service to residential uses, such as elementary schools, parks, places of worship and convenience commercial type uses are also permitted in this designation, subject to criteria in this Plan.

3.1.1 Permitted Uses

Where lands are designated Residential on Schedule 'A' – Land Use, the predominant use shall be for residential uses and related purposes including the following:

a. Single detached, semi-detached, duplex, linked homes.

b. Street townhouse, cluster townhouse, stacked townhouse, back-to-back townhouse, apartment dwellings and other forms of multiple housing dwellings.

c. Additional Residential Units (ARUs) in single detached dwellings, semi-detached dwellings or row houses, subject to the policies of Section 3.1.7.1 of this Plan.

d. ARUs in a building ancillary to a single detached dwelling, semi-detached dwelling or row house if the single detached dwelling, semi-detached dwelling or row house contains no more than two residential units on one lot and subject to the policies of Section 3.1.7.1.

e. Secondary uses of a non-residential nature known as local institutional uses that are considered compatible or form part of a residential area will be permitted including libraries, fire stations, community centres, long term care facilities, places of worship, day care centres, and similar local institutional uses. Local institutional uses are generally to be located along arterial roads with access to public transit and full municipal services.

f. Schools operated by a School Board, including the use of a day care centre located in a school.

g. Neighbourhood commercial uses, such as small scale retail and service shops, serving the adjacent residential area, such as convenience stores, laundromats, beauty salons, and small restaurants.

h. Home business established in accordance with the policies of Section 3.1.9 of this Plan.

i. Congregate housing in accordance with the policies of Section 3.1.3.4 of this Plan.

j. The City will work to establish short-term accommodation guidelines and policies to be regulated through such means as a regulatory bylaw and business licensing.

3.1.2 Residential Density

3.1.2.1 Lands designated Residential uses shall be developed at the following densities:

Land Use	Permitted Density
Low-density Residential	Maximum 30 units per net residential hectare
Medium-density Residential	31 to 65 units per net residential hectare
High-density Residential	66 to 200 units per net residential hectare

3.1.2.2 High-density Residential may be permitted up to a maximum density of 200 units per net residential hectare subject to the satisfaction of the following criteria:

i. The proposed density is deemed appropriate and compatible within the neighbourhood and provides an acceptable height and density transition to existing residential uses and lands designated Medium-density or Low-density Residential;

ii. Surface parking is minimized in favour of more intensive forms of parking;

iii. The proposal demonstrates a high standard of urban design and architectural design;

iv. Appropriate consideration has been given to screening, landscaping, over-look, shadow impacts and other conflict mitigation measures;

v. The proposal identifies and implements any required transportation improvements;

vi. Infrastructure capacity is not exceeded;

vii. If applicable, safe access, flood prevention and geotechnical stability is achieved to the satisfaction of the City and the Grey Sauble Conservation Authority; and,

viii. The proposal satisfies all other applicable policies of this Official Plan.

3.1.2.3 Development on residential land in new planning areas shall be planned to provide for a mix of housing types and achieve a minimum density of 25 dwelling units per net hectare.

3.1.2.4 Gross residential density is defined as the total number of residential units per hectare of land and shall include all residential land, local roads, school sites, parks, places of worship sites, and neighbourhood commercial sites, but exclude arterial roads and lands designated Hazard Lands. Net residential density is defined as the total number of residential units per hectare of land excluding Additional Residential Units, roads, school sites, parks, places of worship sites, neighbourhood commercial sites, stormwater management ponds, and lands designated Hazard Lands.

3.1.2.5 Density shall be allocated in residential areas in accordance with the following:

a. Lands shall have access to hard services at sufficient capacity for the intended density.

b. Adequate soft services such as parks, schools, emergency services, transit and similar shall be available as required to support the intended density.

c. Lands intended for medium and high-density uses should have direct access to collector or arterial roads and proximity to compatible land uses including but not limited to local institutional and neighbourhood commercial uses.

3.1.3 General Policies

3.1.3.1 Lands designated Residential shall have access to full municipal services, including piped water supply, storm drainage and sanitary sewer systems, installed according to requirements of the City and other applicable agencies.

3.1.3.2 Local institutional uses listed in 3.1.1e may be permitted in areas designated Residential provided that:

a. The local institutional use does not introduce unwanted and inappropriate impacts in the residential area on residential uses in terms of noise, odour, dust, storage, and traffic.

b. The outward appearance, scale and design of the local institution use shall be compatible with the character of the residential area and appropriate buffering shall be included to minimize negative impacts on abutting residential uses.

c. Local institutional uses will be limited in size, scale and location through the Zoning By-law.

3.1.3.3 Neighbourhood commercial uses listed in 3.1.1g may be permitted in areas designated Residential provided that:

a. The scale and design of the neighbourhood commercial use is compatible with the character of the residential area and surrounding residential uses and does not introduce unwanted and inappropriate impacts in terms of noise, odour, vibrations, outside storage, traffic and parking. Appropriate buffering is to be provided within the commercial site to minimize negative impacts on adjacent residential uses.

b. The neighbourhood commercial uses will generally be permitted at intersections of arterial or collector roads so as to minimize traffic generation problems in adjacent residential areas.

c. Neighbourhood commercial uses are encouraged adjacent to other non-residential uses or medium and high-density residential uses.

d. Adequate on-site parking to serve the neighbourhood commercial development is provided.

e. The City shall consider the concentration of neighbourhood commercial uses in any single neighbourhood when reviewing a rezoning application to permit a neighbourhood commercial use.

f. Neighbourhood commercial uses will be limited in size, scale and location through the Zoning By-law.

3.1.3.4 Congregate housing refers to housing with shared communal facilities, such as kitchens, dining areas, recreational rooms, and/or housing access, such as stairwells or elevators. Congregate housing and crisis care facilities shall be permitted in all areas of the city where residential uses are allowed in accordance with the policies of this Plan, and provided that:

a. Adequate residential amenities and services are available nearby; and,

b. In instances where a group home is greater than 10 people, located within a residential designation, it is of a size and land use character, which is similar to, or compatible with the existing area.

3.1.3.5 The City will plan to assist the County in achieving the growth allocation targets established in the County Official Plan by establishing a target of 15% of new residential units by way of intensification. For the purposes of this Plan, intensification may include: redevelopment and revitalization; enabling 'as of-right' permissions for ARUs in residential areas and residential over retail; the development of vacant and/or underutilized lots within previously developed areas or existing built-up areas; and the expansion or conversion of existing buildings.

3.1.3.6 The City will work in cooperation with the County to monitor the level of intensification throughout the City and support a balanced approach to growth in which the focus for new development will increasingly be shifted to achieve intensification.

3.1.4 Housing Supply

3.1.4.1 An objective of this Plan is to provide for a full range of housing types and densities required to meet projected requirements of current and future residents of the regional market area. Regional market area refers to an area, generally broader than a lower-tier municipality that has a high degree of social and economic interaction. An appropriate range of housing types and densities will be provided by maintaining:

a. The ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment as well as having available lands designated and available for new residential development.

b. Land suitably zoned and with servicing capacity sufficient to provide at least a three year supply of residential units available through intensification, redevelopment and in draft approved and registered plans.

3.1.4.2 In consultation with the County, the land and unit supply maintained by the City shall be based on an allocation of

population and units provided by the County in recognition of the City as a fully serviced urban area and regional centre.

3.1.4.3 The City recognizes that the County has completed a housing and homelessness strategy which identifies targets for affordable housing within the County. The City will work in consultation with the County to achieve the targets of the County of Grey Housing and Homelessness 10-Year Plan when considering new development applications and strategies or plans that would relate to the provision of housing within the City. The City may complete further study specific to the City to provide further direction as it relates to implementation of an appropriate housing strategy for the City.

3.1.5 Affordable Housing

3.1.5.1 Within Grey County, the County is the lead on Housing and Homelessness, directly providing services and support in this area on behalf of all lower tier municipalities. The City will support the County goal of 30 percent of all new housing units meeting the threshold of affordable housing.

3.1.5.2 The City will support the County goal by providing policies that provide for a range and mix of housing options and densities to meet the projected needs of current and future residents of the City.

3.1.5.3 The City will support affordable housing in proximity to transit and amenities to increase mobility and accessibility to goods and services, healthy food retailers, commercial areas, employment, medical and health facilities, recreation, transit, and trails.

3.1.5.4 The City may utilize incentive programs, Community Improvement Plans, Zoning By-laws, to support the construction and maintenance of affordable housing units.

3.1.5.5 The City will support the integration of affordable housing units within the existing community fabric in all designations and Planning Areas, where residential uses are permitted and through development and redevelopment of underutilized commercial and institutional sites.

3.1.5.6 The City may complete an assessment report and work to develop inclusionary zoning policies.

3.1.5.7 For the purpose of this Official Plan, the definition of affordable housing units shall match the provincial definition meaning:

a. in the case of ownership housing, the least expensive of:

   i. housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low- and moderate-income households; or

   ii. housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the municipality;

b. in the case of rental housing, the least expensive of:

   i. a unit for which the rent does not exceed 30 percent of gross annual household income for low- and moderate-income households; or

   ii. a unit for which the rent is at or below the average market rent of a unit in the municipality.

3.1.5.8 The City shall support and incorporate the use of land-banking of public lands and/or housing first disposal of surplus lands policies, whereby lands deemed surplus to County or City needs could be added to a public land bank (i.e. an inventory of available lands) and then may be offered for affordable housing development first, prior to the consideration of other uses. A County or City land bank or inventory may be established for affordable housing needs, to offer low or no-cost lands for such development. These tools could be used in conjunction with incentives through Community Improvement Plans, as per section 9.2.2. of this Plan.

3.1.6 Conversion & Demolition

3.1.6.1 The conversion of rental dwelling units to condominium ownership may be permitted only where the following criteria are addressed through study by a qualified person:

a. The vacancy rates of rental housing in the City is greater than three (3) percent for two (2) or more consecutive years;

b. Existing affordable housing stock is available in the City and neighbouring municipalities;

c. The physical condition of the building stock to be converted to condominium warrants conversion;

d. The suitability of the site to accommodate affordable or rental housing; and

e. The location of the site in proximity to services.

3.1.6.2 The demolition or removal of rental units is discouraged, except where full replacement of rental units is being proposed.

3.1.7 Additional Residential Units (ARUs)

3.1.7.1 ARUs shall be defined as a separate dwelling unit containing a bathroom and separate cooking facilities and contained within the structure of a single detached, semi-detached or row house residential dwelling or in a building or structure ancillary to a single detached, semi-detached or row house residential dwelling and may be established in accordance with the following:

a. Not more than two ARUs are permitted in association with an existing legal dwelling unit on a lot and a lot may not contain more than two ARUs.

b. All requirements of the Zoning By-law, the Ontario Building Code, the Ontario Fire Code, the Property Standards By-law and relevant municipal and provincial regulations can be satisfied.

c. Municipal services and community facilities are adequate to meet the anticipated demand in the neighbourhood to the satisfaction of the City.

d. The outward appearance of the principle dwelling is not changed and the neighbourhood character is maintained.

3.1.8 Residential Intensification

3.1.8.1 The City will support innovative residential development that meets the City's housing objectives.

3.1.8.2 Housing intensification, infill development, and/or conversion of non-residential buildings to a residential use is supported subject to the following policies:

a. The proposed development meets locational and other criteria of this Plan.

b. The type, size and scale of the proposed development is compatible with adjacent development and planned land use.

c. The existing infrastructure, including sewer and water services, can support additional development.

d. The existing community and recreational facilities, such as schools and parks are adequate to meet the additional demand.

e. Required parking can be accommodated.

f. The local road network can accommodate any additional traffic.

g. Intensification of a heritage building or a building in a Heritage Conservation District shall be subject to the protection and preservation of the heritage character of the building or area in accordance with Heritage Conservation policies.

3.1.8.3 The conversion of larger single detached dwellings into multiple units shall be permitted subject to the policies of Section 3.1.8.2 above and the applicable Zoning By-law.

3.1.8.4 To ensure the better use of existing resources, and to enable or facilitate intensification, the City will support the maintenance, rehabilitation and renewal of housing in existing developed areas through such means as:

a. Regular maintenance and/or improvement of the existing water, sanitary and stormwater services.

b. Regular maintenance and/or improvement of existing community and recreational facilities.

c. Use of federal and provincial programs to fund improvements to existing communities.

d. Enforcement of the Property Standards By-law.

3.1.9 Home Business

3.1.9.1 The home business shall be secondary to the residential use of the lot and shall be operated solely by the resident(s) of the property with no employees except those residing within the dwelling unit containing the home based business. The Zoning By-law may include provisions to permit employees not residing within the dwelling unit.

3.1.9.2 An office for a professional person operated as a home business may have one employee not residing in the dwelling unit containing the home based business where one parking space is provided for the non-resident employee.

3.1.9.3 The home business shall be conducted entirely within the dwelling or accessory building and the gross floor area of the home business shall be limited in accordance with the Zoning By-law.

3.1.9.4 The home business shall not introduce unwanted and inappropriate impacts in the residential area, is appropriate for the site and is compatible with the character of the neighbourhood.

3.1.9.5 The outward appearance of the residential use containing the home business shall be compatible with the character of the neighbourhood.

3.1.9.6 The home business shall not adversely impact the residential area in terms of noise, odour, vibrations, outside storage, traffic and parking.

3.1.9.7 Adequate on-site parking can be accommodated.

3.1.9.8 All requirements of the Zoning By-law including required off-street parking provisions, the Ontario Building Code, the Property Standards By-law and other relevant municipal and provincial regulations can be satisfied.

3.1.10 Site Specific Residential Policies

3.1.10.1 In addition to other applicable policies of this plan, on lands located on the west side of 3rd Avenue East (County Road 15), described as Lot 26, Plan 838, Part 1, Plan 16R-2345, a one single detached residential dwelling may be permitted where the site has, among other requirements, access to full municipal services and an approved grading, drainage and storm water management plan, adequate minimum elevation of 178.5, flood proofing and suitable access.

3.1.10.2 In addition to other applicable policies of this plan, on lands located on the west side of 3rd Avenue East (County Road 15), described as Lot 26, Plan 838, Part of Part 11, Plan 16R-639, one single detached residential dwelling may be permitted where the site has, among other requirements, access to full municipal services and an approved grading, drainage and storm water management plan, adequate minimum elevation of 178.5, flood proofing and suitable access.

3.2 General Commercial

A comprehensive commercial framework is established for the City with a series of commercial land use designations to provide for an appropriate diversity of commercial land uses to meet the needs of the City's residents, employees and

businesses. Commercial land use designations have been established with distinct planned function for each commercial area.

3.2.1 Commercial Designations

Lands designated commercial are shown on Schedule 'A' – Land Use Plan. The commercial designation is further divided into a hierarchy of commercial areas, including:

- River District Commercial
- Regional Shopping Centre
- East City Commercial
- West City Commercial
- Arterial Commercial
- Waterfront Mixed Use

3.2.2 Planned Function

The planned function for each commercial designation is described in the policies for each designation. It is not the intent of this Plan to permit all commercial uses in every commercial designation and permitted uses within individual commercial designations may be further defined in the Zoning By-law.

3.2.3 General Policies

3.2.3.1 All commercial development shall be consistent with the City's urban design objectives and policies as set out in this Plan and any supporting implementation studies or documents.

3.2.3.2 Drive-through and curbside pickup facilities may be permitted on lands designated for commercial use. Drive-through facilities are not permitted in the River District. Provisions to permit and/or regulate drive-through facilities will be implemented in the Zoning By-law.

3.2.3.3 All development shall be consistent with the urban design policies of Section 8 and any approved design guidelines.

3.2.3.4 Additional urban design guidelines may be prepared for the continuing development and redevelopment of lands within a Commercial designation, addressing, among other things, access, landscaping, pedestrian connections and signage as well as

gateway opportunities to create an appropriate entrance to the City as described in Section 8.3.2.1.

3.2.3.5 Parking areas and points of access are to be developed in accordance with Section 8.6.6, relevant urban design guidelines and relevant engineering standards.

3.2.3.6 Vehicular access points will be controlled to minimize disruption to traffic flow and new development may be required to share common driveways and provide for maneuverability between sites to reduce traffic impacts on abutting streets.

3.2.3.7 The approval authority will consider the traffic generating characteristics of the proposed use, parking and access requirements and site issues such as building setback in determining the applicable requirements.

3.2.3.8 High traffic generating uses should be located at intersections with larger lots wherever possible to provide greater access options.

3.2.3.9 The zoning of individual sites within the commercial land use designations may not allow the full range of permitted commercial uses or the full extent of development intensity at every location based on site specific factors.

3.2.3.10 The City may impose minimum and maximum size and height with respect to restrictions and special use provisions upon specified uses within the Zoning By-law.

3.2.3.11 Lots adjacent to residential uses shall be developed and used in accordance with Section 8.6.7 and relevant urban design guidelines for compatibility.

3.2.3.12 A strong and diverse commercial sector will be promoted by:

a. Permitting a broad range of shopping opportunities for local residents and employees in a variety of settings.

b. Supporting specialty retailing opportunities that attract tourists and residents of the broader region.

c. Encouraging quality development in terms of type, density and form that is compatible with the character of the area and adjacent uses.

d. Improving public amenities such as transit, parking facilities, street furniture, landscaping, public art, patios, outdoor eating areas, and a high quality pedestrian environment.

e. Encouraging and supporting effective business associations in retail areas.

f. Supporting the development and/or redevelopment of sustainable and efficient buildings for commercial uses.

3.3 River District Commercial

Lands designated as River District Commercial on Schedule 'A' are intended to provide a full range of commercial, institutional, recreational, and residential uses. Generally, this area shall function as the social, cultural, business, and recreational focal point of the City.

3.3.1 Permitted Uses

3.3.1.1 Lands designated River District Commercial may be used for a variety of commercial and non-commercial uses including, but not restricted to the following:

a. A wide range of small and medium scale retail stores, financial institutions, food services.

b. Hotels, motels, visitor accommodations, restaurants, entertainment, bars, nightclubs and theatres.

c. Business, professional, government and medical offices, and clinics.

d. Personal services, excluding body rub parlours.

e. Business services, digital/print media production, and communications services.

f. Service uses, repair stores, and parking.

g. Community facilities such as day care centres, schools, libraries, galleries, places of worship, recreation facilities, emergency shelters and other institutional uses.

h. Other non-commercial uses such as medium or high-density forms of housing, housing combined with commercial uses, or congregate housing.

i. Certain light industrial uses accessory to, or in combination with retail or business uses, where they do not detract from the character of the area and are compatible with adjacent uses.

j. Drive-through facilities are not permitted in the River District.

3.3.2 Intensification

3.3.2.1 Increased densities may be permitted in the River District Commercial area, where:

a. The retail and service component is supported and contributes to a strong and vibrant River District.

b. Intensification of land use is consistent with the heritage character of the area.

c. Intensification of land use compatible in terms of building mass and scale with adjacent development and a pedestrian focused environment is maintained.

d. Adequate parking is available.

e. Adequate infrastructure and community services are available.

f. A high level of urban design is maintained consistent with Design Guidelines established by the City.

3.3.2.2 Intensification of office and residential uses may be appropriate in parts of River District Commercial area. Significant retail uses should not extend east of 3rd Avenue East.

3.3.2.3 Redevelopment for office and higher density residential is encouraged within the River District Commercial area.

3.3.2.4 Redevelopment of the lands abutting the inner harbour should be subject to development criteria consistent with development criteria for the West Harbour and East Harbour Area and may include mixed commercial and live-work opportunities being residential uses with commercial uses at the ground level and housing above, provided the mass and scale of buildings is controlled to maintain public access and views.

3.3.3 Retail

3.3.3.1 In order to maintain the River District Commercial as an active, vibrant City centre, the City will promote the planned function of the River District Commercial area as the primary retail and commercial node in the City.

3.3.3.2 The City will plan and implement appropriate supporting programs to market the River District Commercial area and to promote building and parking improvements. New development should be permitted which supports and contributes to a focused and vibrant commercial area.

3.3.3.3 The River District Commercial area should provide continuous street-front retail shopping and restaurants in a compact pedestrian environment, primarily focused on 2nd Avenue East from 10th Street East to 6th Street East and the adjacent blocks of 8th, 9th and 10th Streets East.

3.3.3.4 The City will encourage the infilling of vacant sites along pedestrian retail frontages and the upgrading of storefronts and signage. The Community Improvement Plan shall continue to provide programs which support these initiatives.

3.3.3.5 The City will encourage the accommodation of uses, such as restaurants, patios and entertainment facilities, to maintain the attraction to both local and tourist business.

3.3.3.6 Redevelopment along 1st Avenue East shall be encouraged to open the rear of main street businesses toward the river and to provide public spaces, restaurant or entertainment uses that create an attractive, lively area and allow public views of the river.

3.3.4 Office and Institutional Use

3.3.4.1 Within the River District Commercial area, office and institutional uses are permitted in accordance with the following:

a. The City shall actively encourage the development of major office and public administration uses within the River District Commercial area as the first location for consideration in the community provided adequately sized parcels are available with appropriate municipal services necessary to service such major office uses.

b. The City shall encourage the location of other support services in the River District Commercial area in sectors such as education and training, community based health, information based businesses, and professional services.

3.3.5 Residential Development

3.3.5.1 Residential development is permitted in accordance with the following:

a. High-density residential development, as defined in Section 3.1.2.2 may be permitted where compatible with adjacent uses, subject to the provisions of Section 3.3.2 of this Plan. Such uses shall be located predominantly above the first

storey of buildings located within the River District Commercial area, with the exception of entrances, lobbies, parking or amenity areas at ground level.

b. In areas of the River District Commercial adjacent to existing residential areas, medium density residential development, as defined in Section 3.1.2, may be permitted as an appropriate transition to the mixed uses of the River District Commercial area subject to the provisions of Section 3.3.

c. Parking must be adequately provided for all residential uses in accordance with the Zoning By-law.

d. Landscaped open space and/or outdoor living areas for higher density residential uses within the River District Commercial area may be provided in rooftop gardens, balconies, patios, interior recreation areas or similar facilities where sufficient space is not available on-site at ground level.

3.3.6 Parking

3.3.6.1 Within the River District Commercial designation, parking uses are permitted in accordance with the following:

a. The City will promote an integrated public parking system in the River District Commercial area that offers adequate affordable on-street and off-street parking in safe and visible locations.

b. Parking in the River District Commercial area should be integrated with development within the blocks in a manner that reduces the street frontage dedicated to parking lots while providing a compatible pedestrian environment, efficient flow of traffic and ease of access.

c. Parking areas should maintain distinct street edges through appropriate mix of landscaping, street furniture, and other appropriate structures.

d. Pedestrian connections to parking areas should be frequent and easily identified with clear directional signage. They should provide safe, well-lit and comfortable access while also providing intermittent rest areas.

e. Loading for adjacent businesses should be integrated within the parking system.

f. New development should contribute, where possible, to the consolidation, improvement, and efficient use of private parking areas.

g. The City may allow for reduced private parking and loading requirements for the development or redevelopment of any use within the River District Commercial area designation.

h. The City will monitor the use of parking in the River District Commercial area and explore opportunities to expand municipal parking when warranted by demand.

i. New development is encouraged to provide electric vehicle (EV) charging stations.

3.3.6.2 New development should not permanently reduce the supply of parking required for the immediate area.

3.3.7 Heritage

3.3.7.1 All development on lands designated River District Commercial shall support and be compatible with the heritage character of the area.

3.3.7.2 The City shall promote and encourage the retention and remediation of heritage features of buildings in the River District Commercial area.

3.3.7.3 The heritage street-front retail area shall be maintained, strengthened and supported.

3.3.7.4 New development shall consider the heritage character of the area and be sympathetic in design. Modern design is encouraged where appropriate.

3.3.8 Urban Design

3.3.8.1 The City will encourage and provide the highest quality of urban design in the River District Commercial area, consistent with the Harbour and Downtown Urban Design/Master Plan Strategy and other applicable design guidelines. Decorative paving, signage, light standards, banners and landscaping all contribute to making this an area of specialized design and visual significance.

3.3.8.2 New development shall be consistent with the scale and height of existing street-front development.

3.3.8.3 Buildings in the River District Commercial area should not exceed eight stories in height. Development in the River District

Commercial area will be subject to the urban design policies identified in Section 8.

3.3.8.4 The City may strengthen the image of the River District Commercial area by creating a node or symbolic point of arrival on 10th Street East, as described in the Harbour and Downtown Urban Design/Master Plan Strategy and in Section 8.3.2.1, which clearly identifies the retail area and leads visitors to parking and destinations such as the Farmers' Market, Roxy Theatre and City Hall.

3.3.8.5 Pedestrian connections and view corridors should be maintained between 2nd Avenue East and the harbour. Street front retail uses should provide a comfortable pedestrian area and definition to the street. On the harbour side, cafés, restaurants and shops related to the harbour location shall be encouraged free standing or as a second façade.

3.3.8.6 Development or redevelopment of the lands adjacent to the east side of the river, along 1st Avenue East is encouraged to be open and provide public spaces, patios, restaurants and entertainment uses which create an attractive, lively area and allow public views of the river.

3.3.8.7 The pedestrian environment of the area shall be strengthened and supported.

3.3.8.8 Public spaces suitable for large events should be developed on both sides of the river, with visual linkages between Queen's Park and the Farmers' Market and 2nd Avenue East.

3.3.8.9 The river open space system should be developed to provide and strengthen connections between the River District Commercial area and the Harbour.

3.3.8.10 Public access to the river edge should be developed and protected throughout this area and linked to other precincts within the River District Commercial area.

3.3.8.11 All development shall be consistent with the Urban Design policies of Section 8 and all relevant design guidelines.

3.3.8.12 The City may undertake further urban design studies of the River District Commercial area and develop detailed urban design guidelines and standards to provide guidance for redevelopment, infill projects, parking and streetscape design where development is proposed.

3.4 Regional Shopping Centre

The Regional Shopping Centre is a commercial designation that contains the existing Heritage Place Mall and is planned to serve as a location for a range of commercial uses, including retail, entertainment uses and appropriate residential.

3.4.1 Permitted Uses

3.4.1.1 Within the area designated Regional Shopping Centre, a Regional Shopping Centre and accessory uses may be developed.

3.4.1.2 The Regional Shopping Centre is planned as group of commercial uses conceived, designed, developed and managed as a single interdependent and inter-related unit intended to serve the City and the surrounding regional market area. The Regional Shopping Centre may include one or all of the following uses to maintain the function as a regional shopping centre: a Major Department Store, a Supermarket, or a Discount/Promotional Department Store. The Zoning By-law will establish the definition of uses and regulations associated with the Regional Shopping Centre.

3.4.1.3 The Regional Shopping Centre designation may permit residential uses, subject to a Zoning By-law Amendment with appropriate studies, to create a well-balanced and integrated, mixed use commercial centre. Residential development shall be subject to provision of the following:

a. Adequate parking for residential and non-residential uses.

b. Appropriate buffering and/or integration of the residential uses and other permitted uses.

c. Analysis of land use compatibility considerations, such as noise and traffic.

d. Implementation of urban design policies, any approved urban design guidelines and objectives of this Plan.

3.4.2 General Policies

3.4.2.1 One Regional Shopping Centre is considered adequate to serve the needs of the City and its surrounding region. Expansion to the existing Regional Shopping Centre or an application to amend the Official Plan to add a second Regional Shopping Centre, the City shall require the necessary studies, including a retail market analysis to address the need for the proposed development and

the impact of the proposed development on the commercial structure of the City and the Region, including all commercial areas within and close to the City.

3.4.2.2 Off-street vehicle parking areas shall be established at a rate that will adequately serve the Regional Shopping Centre, including parking for all employees and customers. Parking areas and points of access are to be developed in accordance with Section 8.6.6 and relevant urban design guidelines.

3.4.2.3 The urban design policies of Section 8.6.5 apply to this area.

3.5 East City Commercial

16th Street East from 9th Avenue East to 28th Avenue East

The East City Commercial designation applies to the major vehicle related commercial area in Owen Sound. It is the main eastern entrance to the City and is a key element in the image of the City. The principle planned function of the East City Commercial designation is to accommodate large format retail uses requiring relatively large sites. Such development serves as a regional destination and may accommodate single or multiple purpose sites. The locational attributes of these sites lend themselves to the accommodation of certain other complementary uses such as offices, large entertainment and community facilities as well as service commercial uses, and high density residential which are also contemplated under this designation.

3.5.1 Permitted Uses

3.5.1.1 The following uses may be permitted within lands designated East City Commercial:

a. Retail uses

b. Uses which are ancillary to and in support retail uses, including personal service uses, financial institutions and services, professional and medical offices, restaurants, and other community facilities, such as day care centres.

c. Hotel and entertainment facilities.

d. High density residential uses and non-ground oriented multiple dwelling units in combination with uses permitted in Section 3.5.1.1a, 3.5.1.1b and 3.5.1.1c.

3.5.2 General Policies

3.5.2.1 The East City Area shall be developed in an orderly and co-ordinated manner to provide a cohesive and attractive pedestrian and vehicle oriented retail environment to serve the community and surrounding region.

3.5.2.2 The area shall be capable of providing both large-scale lots to accommodate large format retail uses and medium scale properties to accommodate service and support businesses.

3.5.2.3 Off-street vehicle parking areas shall be established at a rate that will adequately serve the related commercial facilities, including parking for all employees and customers. Parking areas and points of access are to be developed in accordance with Section 8.6.6 and relevant urban design guidelines for the East City Commercial Area.

3.5.2.4 In order to sustain the planned function for the East City Area, the City may limit the minimum and maximum gross floor area of any permitted use through the Zoning By-law.

3.5.2.5 For any expansion to the East City Commercial designation or rezoning application in the East City Commercial designation for the uses listed in Section 3.5.1.1 a) that are less than 465 square metres, the City shall require the following information and studies acceptable to the City:

a. A retail 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 County. Such a study shall confirm that:

    i. Designated commercial property, suitable for the intended scale and type of development is not available within the River District Commercial area.

    ii. Available commercial property in the River District Commercial area 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 River District Commercial area or impair the function of a designated commercial district as identified in this Plan.

b. An assessment of the traffic, land use, ecological and servicing impacts of the proposed use, including recommended infrastructure improvements necessary to accommodate the proposed use.

c. Site development information to ensure high quality urban design, safe access for pedestrians and vehicles, on-site environmental controls, store size and function, and similar information necessary to assess the impact of the use on the area.

3.5.2.6 Residential uses permitted in Section 3.5.1.1 (c) shall be subject to provision of the following:

a. Adequate parking for residential and non-residential uses.

b. Appropriate buffering and/or integration of the residential uses and other permitted uses.

c. Analysis of land use compatibility considerations, such as noise and traffic.

d. Implementation of urban design policies, any approved urban design guidelines and objectives of this Plan.

3.5.3 Site Specific East City Commercial Policies

3.5.3.1 Commercial development shall be permitted on the Wal-Mart and Home Depot Lands (Part of Park Lot 7 and 8, Range 5, East of the Garafraxa Road) in accordance with the following conditions:

a. That the development is not a Regional Shopping Centre as described in Section 3.4;

b. The maximum permitted size of the major retail store shall not exceed 9,800 square metres;

c. The maximum permitted size of the major home improvement warehouse outlet shall not exceed 12,077 square metres;

d. Individual freestanding commercial building totaling 5,500 square metres maximum may be permitted in addition to the major retail store and major home improvement warehouse outlet;

e. The City may use holding provisions to ensure that appropriate arrangements for improvements to the road system are provided for in terms of sufficient access to the subject lands and lands in the vicinity;

f. Prior to the approval of development of lands adjoining the lands subject to this Section, the City may require an assessment as to appropriate locations for the open space area.

3.5.3.2 Notwithstanding the uses permitted by the "East City Commercial" designation, those lands known municipally as 1300 16th Avenue East and legally described as PART PARK LOT 5 RANGE 5 EAST OF THE GARAFRAXA ROAD PLAN OWEN SOUND PART 1, PLAN 16R8622, may also be used for a "Long Term Care Facility" in addition to all other permitted uses of Section 3.5.1.

3.6 West City Commercial

<u>10th Street West from 6th Avenue West to 9th Avenue West</u>

10th Street West connects the commercial development on the "Sunset Strip" in Georgian Bluffs to the River District Commercial area. It is the main entrance to the City from the west and the north and is an important aspect of the City's image. This area consists mainly of arterial commercial development, with parking areas between the buildings and the street. Typically, the commercial development abuts low-density residential and institutional uses to the rear.

3.6.1 Permitted Uses

3.6.1.1 The following types of uses may be appropriate within the lands designated West City Commercial:

a. A wide variety of small commercial uses such as food services, restaurants, convenience stores, specialty automotive services, commercial and personal services, specialty retail, funeral homes, and motels.

b. Small business, professional and medical offices, and clinics.

c. Non-commercial uses such as medium density forms of housing, congregate housing, churches and other institutional uses.

3.6.2 General Policies

3.6.2.1 The West City Commercial Area should be maintained and developed as a cohesive and attractive pedestrian and vehicle oriented retail and service area to serve local and regional needs.

3.6.2.2 Commercial intensification within the area is encouraged and promoted over an extended period of time.

3.6.2.3 The limited lot depths make this area most suitable for smaller format stores less than 500 square metres in size.

3.6.2.4 In order to sustain the planned function for the West City Area, the City may limit the minimum and maximum gross floor area of any permitted use through the Zoning By-law.

3.6.2.5 Should an expansion of the West City Commercial designation be proposed, the City shall require the following information and studies acceptable to the City:

a. A retail 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 County. Such a study shall confirm that:

    i. Designated commercial property, suitable for the intended scale and type of development is not available within the River District Commercial area.

    ii. Available commercial property in the River District Commercial area 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 River District Commercial area or impair the function of a designated commercial district as identified in this Plan.

b. An assessment of the traffic, land use, ecological and servicing impacts of the proposed use, including recommended infrastructure improvements necessary to accommodate the proposed use and potential impacts on adjacent residential areas.

c. Site development information to ensure high quality urban design, safe access, on-site environmental controls, store size and function, and similar information necessary to assess the impact of the use on the area

3.7 Arterial Commercial

Areas designated Arterial Commercial, located on arterial roads as shown on Schedule 'A' – Land Use, provide for local convenience shopping and certain specialized uses.

3.7.1 Permitted Uses

3.7.1.1 The following types of uses shall be permitted on the lands designated Arterial Commercial:

a. Retail or service businesses of a local convenience nature, generally providing for the local shopping needs of the adjacent residential area. Examples include, but are not limited to, convenience stores, laundromats, personal service, vehicle services, restaurants, food services and other retail and service shops.

b. Specialized uses such as hotel accommodation, medical clinics, professional offices and similar.

c. Non-commercial uses such as medium density forms of housing, congregate housing, places of worship, day care centres and other institutional uses.

3.7.2 General Policies

3.7.2.1 Individual uses should be limited in size so as to minimize their influence on the immediate neighbourhood, limit their traffic generating potential and maintain the planned function of the area.

3.7.2.2 Secondary commercial development intended to accommodate neighbourhood commercial needs should be located on arterial roads in locations where they have minimal impact on adjacent residential development.

3.7.3 Southern Gateway to the City

9th Avenue East from Superior Street to 16th Street East

Major institutions, small commercial development, motel accommodation, and residential uses characterize the main southern entrance to the City.

3.7.3.1 This area should continue to develop with a mixture of commercial, institutional and limited industrial uses, with medium to high density residential intensification encouraged at appropriate locations and on sites of sufficient frontage and area.

3.7.3.2 Access to 9th Avenue East shall be carefully controlled and sited to ensure the arterial function of the street is maintained.

3.7.3.3 The City shall require a high level of urban design within this area to enhance its attractions as a main entrance to the City.

3.7.3.4 At the intersections with east/west streets providing direct access to the River District Commercial area, the City shall encourage the development of gateway nodes in accordance with Section 8.3.2 and design guidelines prepared by the City.

3.7.3.5 Within this area, buildings shall be oriented towards the street with parking areas provided to the side or rear as described in Section 8.6.3.

3.7.3.6 Where redevelopment is undertaken, building height should be considered to reduce the impact of redevelopment on adjacent properties.

3.7.4 Health & Education District

8th Street East from 10th Avenue East to 20th Avenue East

Proposed Commercial areas on 8th Street East (Grey Road 5), east of 9th Avenue East, are intended to serve existing and future residential neighbourhoods, educational facilities and the regional health centre.

3.7.4.1 This area should continue to develop with a mixture of service and convenience commercial, medical clinics, institutional, and medium to high-density residential uses at appropriate locations and sites of sufficient frontage and area.

3.7.4.2 Access to 8th Street East shall be carefully controlled and sited to maintain the arterial function of the street. To that end, the City and/or County may require a road widening along 8th Street East as a condition of applicable planning approvals to achieve the desired road standard outlined in this Plan.

3.7.4.3 Any retail development involving convenience stores, food outlets or recreation aimed at school aged children should encouraged to be located on the north side of 8th Street East or accessible only at a traffic light crossing.

3.7.4.4 Site design shall address integration of land uses, transition tactics, and buffering/screening of the adjacent residential use and similar urban design objectives of the City.

3.7.5 Site Specific Arterial Commercial Policies

3.7.5.1 The Owen Sound Jail lands, municipally known as 1235 and 1259 3rd Avenue East, are designated Arterial Commercial to facilitate the adaptive reuse of the existing heritage buildings, which may accommodate specialized and other commercial uses of a different role and character than are otherwise generally contemplated within the Arterial Commercial designation. In addition to the permitted uses outlined within Section 3.7.1, the following additional uses may also be permitted:

a. An entertainment and event venue.

b. Visitor accommodation and places of entertainment.

c. Community facilities such as gallery, museum and other institutional uses.

d. Business services.

3.7.5.2 Lands municipally known as 1235 and 1259 3rd Avenue East contain the historic Courthouse, Jail, Jail yards and walls, and two-storey redbrick Governor's Residence. The City recognizes the architectural, historic, and contextual value of these properties and their role as a former judicial precinct that is important in defining and maintaining the City's unique cultural heritage. Through the development approvals process, the City may require that the Owner entre into agreements with the City to provide protection for these built heritage resources, which may include designation under Part IV of the Ontario Heritage Act and/or a heritage conservation easement, pursuant to the policies of Section 7.1.2 of this Plan.

3.7.5.3 The presence of natural heritage features associated with habitat of threatened species has been identified on lands municipally known as 1235 3rd Avenue East, containing the historic Courthouse. Specifically, a Chimney Swift roost has been observed on the subject property. Chimney Swifts are identified

as a threatened bird species by the provincial Endangered Species Act and federal Species at Risk Act. Redevelopment of these lands shall consider the retention of the existing chimney to the greatest extent feasible for the benefit of Chimney Swift. Any demolition, removal, or alteration to the chimney that would impair its use for Chimney Swift shall be justified by a qualified environmental consultant with experience in the field and occur in accordance with all applicable provincial and federal requirements.

3.7.5.4 The following matters shall be addressed to the satisfaction of the City through an application for Site Plan Approval for lands at1235 and 1259 3rd Avenue East:

a. A Parking Management Strategy will be required as part of a complete application and shall outline strategies and requirements for the delivery of off-site parking and implementation of other recommendations identified within the Parking Justification Study. Matters to be addressed through the Parking Management Strategy shall include, but not be limited to, parking arrangements and/or agreements with off-site partners, the use of municipal facilities to provide parking, and/or payment-in-lieu of parking pursuant to the policies of Section 9.7.5 of this Plan.

b. The Parking Management Strategy will be implemented through a Site Plan Agreement or other Agreement to the satisfaction of the City.

c. Additional noise mitigation measures associated with on-site loading will be evaluated for potential implementation. Mitigation measures may include but are not limited to the provision of a noise attenuation fence along the north property line, as recommended by the Land Use Compatibility Study.

d. The provision of a Landscape Plan completed by a qualified professional is required as part of a complete application and shall include landscaping details, to the satisfaction of the City, sufficient for buffering the proposed development from neighbouring properties and the City street.

3.8 Waterfront Mixed Use

The Waterfront Mixed Use designation applies within four distinct areas, the West Harbour Planning Area, the East Harbour Planning Area, the West Waterfront Study

Area and the East Waterfront Study Area as set out on Schedule 'B' – Planning and Study Areas and described in Section 4, Planning Areas.

3.8.1 Permitted Uses

The Waterfront Mixed Use designation is intended to integrate a broad array of industrial, residential, office, retail and service uses, institutions, entertainment, recreation and cultural activities, and parks and open space, in a compact urban form, at higher development densities. With appropriate separation from industrial uses, medium to high density residential uses, alone and in combination with commercial uses such as offices and retail, will be accommodated throughout a large area of the waterfront.

An active harbour is to be retained with small boat marinas. Activities and uses that support recreation and tourism, such as hotels, convention facilities, restaurants, theatres, parks and museums would be appropriate to locate here. This new neighbourhood will also include a future vehicular bridge connection with the West Harbour Planning Area as well as supportive retail, institutional and service uses.

3.8.2 General Policies

3.8.2.1 Redevelopment in the Harbour Area is intended to support the River District Commercial area through physical and visual linkages.

3.8.2.2 Redevelopment will be permitted that supports the objectives of existing master plans of the City and applicable design guidelines.

3.8.3 Public Parks and Access

3.8.3.1 The River District Commercial area and harbour area is intended to be a focus for recreational and tourist activity.

3.8.3.2 Public access to the water's edge is a key objective for the Harbour Area in the development of tourism, recreational and industrial opportunities. The water's edge land should be developed for public enjoyment with park use, walkways, and access to water activities as set out in Section 3.11.5.

3.8.3.3 The City supports the provision of special events and activities within the Harbour Area as a means to facilitate economic development and tourism initiatives in the City. It will encourage public and private initiatives to expand existing special events and development of new special events on public lands where such events are consistent with the policies of the City and the

impact on adjacent residential areas can be addressed to the satisfaction of the City.

3.8.4 Water Activities

The City supports the creation of a vital active harbour with small craft facilities, fishing opportunities and dockage for larger boats such as cruise ships and freighters.

3.8.4.1 Convenient short-term mooring and boat launch facilities should be provided for visiting boaters, rental boat operators and fishing charter operators. These facilities should be centrally located close to the River District Commercial area for convenience shopping.

3.8.4.2 The harbour should provide for the docking of ships such as bulk freighters for loading and unloading to existing industries on the waterfront and winter mooring for large commercial vessels. Storage facilities for shipped goods and materials should also be accommodated.

3.8.4.3 The Harbour should provide a wide range of water activities designed to bring recreational boats to the centre of the City while accommodating the working harbour, such as the mooring of larger vessels.

3.8.5 Residential Development

3.8.5.1 Certain sites within the Waterfront Mixed Use designation may be suitable for higher density residential development, alone or in a mixed-use context.

3.8.5.2 In areas adjacent to existing residential areas, low-rise townhouse development may be permitted as an appropriate transition to the mixed uses of the Harbour Area.

3.8.5.3 In the process of change from previous industrial uses to residential uses, it is necessary to be sensitive to the impacts of incompatible uses. Where a development is proposed close to an existing industrial use, the proponent should provide studies, satisfactory to the City, of noise, traffic, air quality and potential health risks related to the industrial use with necessary mitigation measures.

3.8.5.4 Where existing low density residential uses are being redeveloped and/or lots are being consolidated, individual units should not be left isolated by piecemeal lot development.

3.8.6 Commercial Development

3.8.6.1 Larger office buildings that cannot be accommodated in the River District Commercial area would be appropriately located on the East Harbour Planning Area.

3.8.6.2 New commercial uses along 2nd Avenue East should, where possible, be incorporated within mixed commercial/residential developments.

3.8.6.3 Direct water-related uses such as marinas, boat rental, boat launch and boat tour facilities and associated services and repair uses should be clustered in specific locations that have suitable access from land and water.

3.8.7 Marine Industrial Uses

3.8.7.1 Industrial uses that rely on shipping are encouraged to operate in the Harbour Planning Areas.

3.8.7.2 New industrial uses that are not dependent on water access are not appropriate to locate in the Waterfront Mixed Use designation and shall instead be accommodated in the Industrial Park on lands designated Employment.

3.8.7.3 Loading facilities for ships should be designed to optimize continuous pedestrian access along the water's edge. In areas of active ship unloading and loading, safe pedestrian passage along the waterfront should be provided.

3.8.7.4 When marine related industries cease to operate in a waterfront location, the City shall consider suitable alternative uses for the land within the objectives of the Harbour and Downtown Urban Design/Master Plan Strategy.

3.8.8 East Waterfront Study Area

3.8.8.1 The East Waterfront Study Area consists of former industrial lands and areas of limited residential and commercial development north of 20th Street East, as shown on Schedule 'B' – Planning and Study Areas. The water and wastewater treatment plants are located here.

3.8.8.2 The lands designated Waterfront Mixed Use in this area provides a 150-metre buffer between the wastewater treatment plant and adjacent land uses. Redevelopment must comply with recommended buffer separation guidelines as presented in the

Ministry of the Environment, Conservation and Parks (MECP) D-2 Guideline or its successor document, for compatibility between wastewater treatment facilities/wastewater treatment works. Lands outside of the buffer within the East Waterfront Study Area may be suitable for recreational use, hotel and convention facilities or limited commercial uses.

3.8.9 West Waterfront Study Area

3.8.9.1 The shoreline is publicly accessible through Kelso and Newash Parks and through the municipally operated boat launch. To the north, development consists of two private marinas, high density residential buildings and low-density housing.

3.8.9.2 The West Waterfront Study Area has limited development potential. Redevelopment of this area should be subject to an Amendment to this Plan.

3.9 Employment

Employment lands in the City of Owen Sound fall within three categories. For lands designated Employment Area, the predominant use of land shall be for employment area uses and shall be protected for manufacturing, research and development in connection with manufacturing, warehousing, goods movement and ancillary uses. Lands designated Flexible Employment Area shall be utilized for a range of uses including manufacturing, assembly, fabricating, processing, packaging, printing, warehousing uses, and the storage of goods and materials, sales and service uses ancillary to employment uses, offices and research establishment and recreational uses such as fitness centres. Industrial Transition Areas have historically been planned for industrial uses and are now contemplated to permit a wider mix of land uses and may be subject to planning studies to determine the new land use designation.

3.9.1 Permitted Uses

3.9.1.1 Where lands are designated Employment Area on Schedule 'A' – Land Use, the predominant use shall be for employment area uses as defined in the Provincial Planning Statement. The following primary uses are permitted:

a. Manufacturing;

b. Research and development in connection with manufacturing;

c. Warehousing;

d. Goods Movement; and

e. Ancillary uses associated with the primary uses listed above, including:

   i. Retail; and

   ii. Office

3.9.1.2 Where lands are designated Flexible Employment Area on Schedule 'A' – Land Use, the predominant use shall be for employment uses and ancillary sales and service uses including the following uses:

a. Wide range of employment and business uses including but not limited to manufacturing, fabricating, packaging, and warehousing.

b. Controlled outdoor storage, including contractor yards.

c. Commercial self-storage facilities.

d. Food and Beverage Production and Cannabis Production Facilities.

e. Retail sales accessory to a manufacturing use.

f. Utilities, technology and industrial innovation centres.

g. Vehicle service stations, vehicle repair, auto body paint and repair, car washes, transportation depots.

h. Commercial schools.

i. Sports, health and fitness recreational centres.

j. Adult entertainment and body rub parlours.

k. An accessory sleeping quarters for a custodian or maintenance person.

l. Open space.

3.9.2 General Policies

3.9.2.1 Employment lands will be developed in accordance with the following:

a. The focus of employment development will be the retention of existing employment uses and attraction of a wide range of employment and business uses within the Employment Lands.

b. In locations adjacent to residential areas, light employment and ancillary uses that would have a limited impact on the surrounding area will be permitted, subject to Provincial

separation guidelines for noise, odour and vibration and the following:

i. Locating off-street parking, open storage and loading spaces to minimize impact on adjacent uses including requiring enclosed storage areas.
ii. Situating driveway access to public streets to ensure safe traffic movements.
iii. Directing lighting and building openings to minimize impacts on adjacent residential uses and requiring buffering and screening and urban design improvements.
iv. Providing enhanced landscape and other buffering techniques to ensure separation of incompatible uses.

3.9.2.2 Proposals for the designation of new employment lands shall be evaluated based on the following criteria:

a. The availability of access to arterial or major collector roads.
b. Access to public transit or other means of pedestrian access to the area.
c. Full municipal services including sewer, water, stormwater management and utilities are available.
d. Compatibility with existing and proposed uses in the surrounding area.
e. Demand and need for the lands based on availability of existing employment lands.

3.9.2.3 Accessory retail and commercial uses shall not exceed 10% of the total building floor area. Freestanding retail and commercial uses shall not be permitted within the Employment designation.

3.9.2.4 Noxious uses meaning the use of premises in any manner that causes a nuisance or is offensive by the creation or transmission of noise, vibration, illumination, emissions, fumes, odour, dust or radiation, or any combination of these, beyond any lot lines of the premises shall be limited on lands designated Employment in accordance with MECP D-6 Guidelines.

3.9.2.5 Where lands are subject to intermittent flooding along natural or engineered drainage courses, appropriate drainage controls and facilities to eliminate any potential hazard to development are required, which may include at-source stormwater retention, control of water quality and quantity, or similar treatment.

3.9.2.6 This plan recognizes that some areas within the City may be appropriate to transition from one use, such as industrial to another use during the planning horizon of this Plan.

To facilitate this transition, certain areas within the City that have historically been designated and/or zoned for industrial uses are illustrated on Schedule 'A' – Land Use as Industrial Transition Areas. These areas are now contemplated to permit a wider mix of land uses and may be the subject of planning studies to determine appropriate land use designations. Where industrial uses exist or historically existed within the Industrial Transition Areas, it is considered in this Plan that the industrial use may cease to exist in the long term.

Where it is necessary or desirable to zone lands to a zone category that would permit new land uses in conformity with the Official Plan designation prior to the industrial facility ceasing operation or where the City requires documentation to resolve any concerns with respect to soil contamination, the City may apply site-specific zoning provisions to limit permitted uses and/or may utilize holding provisions to restrict development in conjunction with the implementing zoning for the area. Removal of holding provisions will be contingent on the completion of appropriate studies.

Should an application to amend this Plan be proposed to expand the range of uses from industrial to other appropriate land use designations for sites within the Industrial Transition Areas the application will be subject to study acceptable to the City which will address:

a. An assessment of the following:

   i. condition of soil in accordance with the Environmental Protection Act;

   ii. impact on existing industrial uses and land use compatibility associated with any new use;

   iii. and existing infrastructure and any recommended infrastructure improvements required to accommodate the proposed use.

b. An assessment of traffic, transportation (active and vehicle), servicing, ecological and land use impacts of the proposed use will also be required. A retail market analysis may be required should commercial and retail uses be proposed.

c. The scope of such required studies may be determined through a Pre-Submission Consultation meeting or formal Planning Act application with City staff.

The application and studies will be considered in accordance with the policies of this Plan and the requirements of provincial policy. The City may require a peer review for any of the studies and costs related to the peer review will be covered by the proponent.

3.9.2.7 To support employment uses, the City may acquire lands for industrial and business activity purposes and encourage development of new compatible employment opportunities in the City owned Industrial/Business Park.

3.9.3 Employment Area

3.9.3.1 Lands within 300 metres of lands designated Employment Area shall avoid, or where avoidance is not possible, minimize and mitigate potential impacts on the long-term economic viability of employment uses within existing or planned employment areas, in accordance with provincial guidelines.

3.9.3.2 The following uses are prohibited in the Employment Area designation:

a. Residential uses
b. Commercial uses including retail and office uses that are not associated with a permitted use
c. Institutional uses

3.9.3.3 Lands may only be removed from the Employment Area designation where a study has been completed to demonstrate the following criteria has been met:

a. there is an identified need for the removal of the lands from the Employment Area designation and the land is not required for employment uses over the long term;
b. the proposed uses would not negatively impact the overall viability of the employment area by:
    i. avoiding, or where avoidance is not possible, minimizing and mitigating potential impacts to existing or planned employment area uses in accordance with policy 3.5 of the Provincial Planning Statement (2024);
    ii. maintaining access to major goods movement facilities and corridors;

c. existing or planned infrastructure and public service facilities are available to accommodate the proposed uses; and
d. the City has sufficient employment lands to accommodate projected employment growth to the horizon of this plan.

3.9.3.4 Where an area of land is designated Employment Area, the area shall be considered an area of employment even if the area of land includes one or more parcels of land that are subject to official plan policies authorizing the continuation of a use that is excluded from being a business and economic use under the definition of "area of employment" in the Provincial Planning Statement, provided that the use was lawfully established on the parcel of land before October 20, 2024.

3.9.4 Flexible Employment Area

3.9.4.1 Adult entertainment and body rub parlours are permitted on lands designated Flexible Employment Area subject to site specific rezoning and the establishment of applicable licensing requirements to protect public health and safety.

3.9.4.2 Where an area of land is designated Flexible Employment Area, the area shall be considered an area of employment even if the area of land includes one or more parcels of land that are subject to official plan policies authorizing the continuation of a use that is excluded from being a business and economic use under the definition of "area of employment" in the Provincial Planning Statement, provided that the use was lawfully established on the parcel of land before October 20, 2024. Flexible Employment Area uses which were lawfully established prior to October 20, 2024 shall be subject to Section 3.9.3.3 of this Plan.

3.9.4.3 Should an application to amend this Plan seek to remove lands from the Flexible Employment Area, the application will be subject to study acceptable to the City which will address:

a. An assessment of:
   i. the need and rationale for the removal of land from the Flexible Employment Area;
   ii. the condition of soil in accordance with the Environmental Protection Act;
   iii. impact on existing industrial uses and land use compatibility associated with any proposed new use; and,
   iv. existing infrastructure and any recommended infrastructure improvements required to accommodate the proposed use.

b. An assessment of traffic, transportation (active and vehicle), servicing, ecological and land use impacts of the proposed use will also be required. A retail market analysis may be required should commercial and retail uses be proposed.
c. The scope of such required studies may be determined through a Pre-Submission Consultation meeting or formal Planning Act application with City staff.

The application and studies will be considered in accordance with the policies of this Plan and the requirements of provincial policy. The City may require a peer review for any of the studies and costs related to the peer review will be covered by the proponent.

3.9.5 Employment Site Specific Policies

3.9.5.1 The Gord Close and WD Keeling Printers lands on the west side of Highway 6 & 10, south of 9th Avenue East are designated Employment to recognize the existing employment uses with water but no sewer services. Any expansion of the existing employment uses will be limited.

3.9.5.2 In addition to the uses permitted by Section 3.9.1, home improvement showroom and warehouse uses shall also be permitted on lands located at the northwest corner of Highway 26 and 28th Avenue East and designated Employment. Prior to development of these lands, the City shall determine through an urban design study special architectural features, landscaping and signage, which will reflect the gateway character of this area of the City.

3.10 Institutional

The Institutional designation is intended primarily for public and private institutions including community, environmental treatment and protection, educational, health care, governmental or religious purposes, and may include uses that are limited in scale and accessory to the principal use. Certain ancillary and support uses may be permitted if they do not interfere with the development or operation of the area for institutional uses and are compatible with abutting land uses.

3.10.1 Permitted Uses

3.10.1.1 Where lands are designated Institutional on Schedule 'A' – Land Use, the predominant use shall be for institutional uses and ancillary commercial uses, including but not limited to the following uses:

a. Community institutional uses including community centres, civic arenas, libraries, publicly operated museums, art galleries and theatres or similar cultural centres, day care centres, and open space associated with community institutional uses.

b. Educational institutional uses, including public and private schools, including colleges and specialized training facilities.

c. Student Residences.

d. Innovation, research facilities and non-industrial uses.

e. Healthcare institutional uses including hospitals, long-term care facilities, specialized healthcare facilities, hospice, and clinics.

f. Public uses including government offices and facilities operated by or on behalf of federal, provincial or local governments and may include government services such as libraries, postal, fire, ambulance and police stations.

g. Religious institutional uses shall include places of worship and the homes of religious orders such as monasteries and convents.

h. Accessory commercial uses shall include offices, small retail and personal service stores that are accessory to health care or institutional uses.

i. Ancillary uses which are of an appropriate scale and intended to service the main permitted use, such as a variety store, gift shop, financial institution, pharmacy or residence.

j. Uses accessory to any of the permitted uses in the Institutional designation are permitted.

3.10.2 General Policies

3.10.2.1 Joint or multiple use of community and educational facilities as well as the grouping of these facilities is encouraged.

3.10.2.2 Institutional uses should be located to adequately serve the principle user groups. Adequate site area should be provided to accommodate buildings, off-street parking, and landscaping, with suitable access to an arterial or collector road to discourage traffic from using local roads. Consideration should be given to ensuring safety and mobility for pedestrians and alternative modes of transportation.

Institutional uses should be located only where they are complementary to adjacent land uses.

3.10.2.3 Elementary and secondary schools shall be located with good access to arterial or major collector roads and, where feasible, adjacent to areas of public open space and generally shall be located in areas where the safety of children can be protected.

Appropriate visual screening, planting and/or fencing shall be provided between institutional uses and adjacent residential uses.

3.10.2.4 Where an existing use in an Institutional designation ceases, Council may consider the redesignation of the site to an appropriate alternative designation after examination of the following options for part or all of the site:

a. The use of the site for a suitable alternative institutional purpose.

b. Acquisition of the site or a portion of it by the City for institutional or open space, based on the park needs of the surrounding area.

c. The use of the site to meet housing targets, including the consideration of partnerships for affordable housing.

d. The subject property is designated under the Ontario Heritage Act or is listed on the City's Heritage Register and the proposal represents an adaptive reuse option that ensures longevity for the heritage asset.

3.10.2.5 Where institutionally designated lands are located in areas designated predominantly for residential land use and/or are occupied by a building, Council may, subject to the residential policies of this Plan, permit the conversion of the existing building for residential use or permit the use of any part of these lands for residential purposes without requiring an amendment to this Plan, by rezoning where Council has determined to its satisfaction that:

a. There is no suitable alternative institutional purpose for the lands.

b. The proposed residential use is appropriate and compatible with the surrounding uses.

c. The subject property is designated under the Ontario Heritage Act or is listed on the City's Heritage Register and the proposal

represents an adaptive reuse option that ensures longevity for the heritage asset.

3.10.2.6 The lands located south of 6th Street East, west of 9th Avenue East and north of 4th Street East are used currently for publicly and privately owned housing for the elderly and persons who require supervised or extended care. This Plan recognizes the existing uses and encourages the expansion of these facilities which would include various types of housing based on various levels of care, from self-sufficient apartments to complete nursing care.

3.10.2.7 The lands located north of 8th Street East, east of 16th Avenue East, and south of 16th Street East are known as the Grey Bruce Regional Health Centre. This Plan recognizes the Health Centre as a significant facility and encourages its existing uses and the expansion of the Centre. In addition to the uses permitted in accordance with Section 3.10.1, the Plan provides for the redevelopment of surplus areas of the site for a variety of uses, including a full range of residential housing types. In addition, limited commercial uses such as pharmacy and personal service uses as associated with the health use would also be permitted. Residential and limited commercial uses are subject to rezoning where Council has determined to its satisfaction that:

a. The use, density, height and character of the development is compatible with adjacent uses.

b. The site can accommodate necessary facilities and amenities, such as parking and landscaping.

c. The site can be serviced by municipal water mains and sanitary sewers or the proponent shall commit to extending services at no cost to the City.

d. The use shall be subject to site plan control, in accordance with the policies of Section 9.3.4 of this Plan.

e. The lands to be redeveloped are surplus to the long term needs of the facility.

3.10.2.8 The lands located north of 8th Street East, west of 16th Avenue East, and south of 10th Street East are known as Georgian College. This Plan recognizes this institution as a regional educational facility, recognizing the existing uses and encouraging the expansion of the College. This Plan promotes a variety of residential housing and densities to support student and faculty residency.

3.11 Open Space

The open space system constitutes the principle resource to achieve the City's recreation objectives as set out in Section 2.2.6 Equity, Diversity and Inclusion. It is made up of all publicly and privately owned parks, playgrounds, recreational lands, natural preserves, schools, cemeteries and such which are available for public use for recreation and enjoyment.

3.11.1 Permitted Uses

3.11.1.1 Lands designated as Open Space on Schedule 'A' – Land Use are to be used primarily for recreational and cultural purposes, both indoor and outdoor. Lands designated Open Space may be used for a variety of recreational and cultural uses including the following:

a. Active and passive parks, trails, beaches, playgrounds, skate and bike parks, splash pads, resource preserves, and athletic fields.

b. Stadiums, swimming pools, arenas, sports facilities, community gardens, and community centres.

c. Golf courses, tennis courts, lawn bowling and curling facilities.

d. Campgrounds, cemeteries, zoological facilities, marinas, boat launches, and race courses.

e. Ancillary uses such as event and programming grounds, food services and boat/equipment rentals.

3.11.2 General Policies

3.11.2.1 The City will encourage multiple permitted use of publicly owned open space areas to serve a wide variety of users.

3.11.2.2 Where possible, space for cultural activities and events shall be provided in public spaces, parks and public buildings.

3.11.2.3 Lands designated Open Space will be used to facilitate the development of linked trail systems for walking, cycling, snow-shoeing and/or cross-country skiing.

3.11.2.4 Generally, only buildings and structures necessary to establish and support permitted uses should be allowed in open space areas.

3.11.2.5 Where natural wooded areas exist on publicly owned lands designated Open Space, they shall be managed and improved in accordance with the policies of this Plan.

3.11.3 Provision of Parks and Open Space

3.11.3.1 A variety of types of public parks and open space shall be provided to meet the differing needs of users.

3.11.3.2 Public Parks and open space shall provide the following minimum standards of provisions in accordance with the Recreation Parks and Facilities Master Plan:

Park Classification	Standard Provision	Walking Distance / Radius Served
Neighbourhood Park	0.5 hectares per 1000 population	0.5 km
Community Park	1.5 hectares per 1000 population	1.5 – 2.5 km
City Park	1.5 hectares per 1000 population	N/A
Open Space Corridor	Strategic Linkages	N/A
Regional Park	No minimum requirement	N/A

a. Neighbourhood Parks are generally a small open space area serving a local neighbourhood area of 2,000 to 3,000 people, and contain recreation facilities and complementary services primarily for younger children and their parents or guardians.

b. Community Parks provide a range of recreational facilities and services primarily for teenaged children and adults. These include larger recreational services for the community like sports fields and major green spaces and serve a community of between 4,000 and 10,000.

c. City Parks provide unique, specialized recreational facilities and services for the whole community. Harrison Park, Victoria Park, Kelso Beach and the Kiwanis Soccer complex all play this role as well as serving their immediate communities.

d. Open Space Links are linear parks and trails that provide connection between the various park and open space elements. They often serve as wildlife corridors, riverbanks and recreation trails.

e. Regional Parks are usually major nature preserves as well as recreational facilities or areas for residents and visitors from a large surrounding area and are usually provided by a senior level of government or a Conservation Authority. Within the City, West Rocks is an open space that fits within this category.

3.11.4 Sydenham River

The Sydenham River provides the opportunity for a continuous open space through the River District Commercial area. It links the River District to the Harbour. It is a unique feature of the River District area. It is a hard-packed natural path that runs along the Sydenham River (and local streets) and connects Harrison Park to the Owen Sound Harbour pathway.

3.11.4.1 A large part of the riverbanks are designated Hazard Lands and may be integrated into an open space linkage system.

3.11.4.2 The Sydenham River is an important natural heritage feature that shall be maintained and enhanced.

3.11.4.3 The City will protect the Sydenham River and a continuous open space system along its banks from the Mill Dam to the Harbour. A footpath connection should be developed from 8th Street to the Mill Dam.

3.11.4.4 The open space system within the River District Commercial area should be developed in a manner that will support recreation, public special events and provide a continuous pedestrian connection along or in proximity to the Sydenham River.

3.11.5 Waterfront Parklands

3.11.5.1 In order to provide continuous access to the waterfront, a public multi-modal path should be developed along the entire shoreline in accordance with the Recreation Trails Master Plan. Pedestrian

connections from the road to the walkway should be frequent at not more than 500 metre intervals.

3.11.5.2 The City will seek to secure, in public ownership, a continuous strip of land, adequate to accommodate a public walkway and bicycle path and associated parkland, along the entire east shore north of 10th Street East and along the west shoreline from 10th Street West to the north end of Kelso Beach. This land should be acquired by the City through dedication, as part of a development project or reserved for this use on lands leased by the City to others. Where present agreements or ownership do not provide for this, the City will seek to secure a right of access for this use across these lands.

3.11.5.3 In addition to the waterfront trail, the City should acquire lands along the waterfront to link areas of public open space and natural areas where possible.

3.11.5.4 New parkland and trails on the waterfront should be located and developed in accordance with a Parks, Recreation and Culture Master Plan and applicable urban design guidelines.

3.11.5.5 Where parkland is proposed to transition from a passive to an active park or where an existing park is proposed to contain new amenities, such transition or addition/change of amenities shall not be considered a change of use in the context of the implementation of this Plan or the Recreation, Parks and Facilities Master Plan.

3.11.6 Private Recreation

3.11.6.1 Private recreational facilities shall be encouraged to develop in a manner that will complement public recreational uses.

3.11.6.2 Privately owned lands that are designated Open Space are not regarded as free and open to the general public. Where a proposal to redevelop any such lands is made, and the City or other government agency does not wish to purchase the lands to maintain the open space, redesignation of the lands to an alternative appropriate land use will be given due consideration by the City.

3.11.7 Development of the Open Space System

3.11.7.1 The City may purchase, or secure by agreement, further lands for Open Space use in accordance with its objectives and policies for the provision of public parks and recreation facilities. The

redesignation of such lands would proceed through an amendment to this Plan.

3.11.7.2 The development of any Open Space lands shall be done in a manner that protects and enhances the natural features, plants and wildlife and of the site, retains a maximum amount of useable open space and avoids negative impacts on adjacent lands.

3.11.7.3 The City may enter into contracts with private businesses or other public agencies for the operation, maintenance and/or development of lands and facilities on lands designated Open Space, including, but not limited to, trail development, food service and rental services.

3.11.7.4 Disposition of any park of the City of Owen Sound shall be considered through a public process detailed in the Recreation Parks and Facilities Master Plan.

3.12 Rural

The Rural designation is intended to prevent the premature urbanization of lands outside of urban designations and to encourage the continuation of agricultural and other appropriate land uses. The primary land uses permitted on lands designated Rural are agricultural and uses related to agriculture and other uses including limited residential, agricultural related commercial or industrial, non-intensive recreation, stewardship and environmental protection activities, municipally owned sanitary landfill/waste disposal and public uses.

3.12.1 Permitted Uses

3.12.1.1 Where lands are designated Rural on Schedule 'A' – Land Use, the predominant use shall be for agricultural and rural uses including but not limited to the following uses:

3.12.1.2 Other permitted uses include:

i. Nurseries, greenhouses, forestry and recreational uses.

ii. Agricultural-related limited commercial and limited industrial uses.

iii. Limited non-farm single-detached dwellings and additional residential units on lots having a minimum area of 10 hectares on individual on-site wastewater and water services,

iv. Home business subject to Section 3.1.9.

v. Low intensity, space extensive, outdoor recreational uses such as golf courses and sports fields.

vi. Municipally owned sanitary landfill/waste disposal, transfer stations and composting sites.

vii. Cemeteries.

3.12.2 General Policies

3.12.2.1 At such time as lands designated Rural are required for urban development, this Plan shall be amended to place these lands into an appropriate land use category.

3.12.2.2 The Province regulates the land application of manure, biosolids and septage in accordance with the Nutrient Management Act and the Environmental Protection Act. Land application of manure, biosolids and septage shall address the requirements of the above noted legislation, as appropriate.

3.12.2.3 Restricted rural home businesses including bed and breakfast establishments may be permitted subject to rezoning if the site has approved individual on-site wastewater services and individual on-site water services with sustainable capacity.

3.12.2.4 New or expanding uses on lands designated Rural shall be compatible with adjacent uses and may require the submission and approval by the City of an analysis of the potential impacts of the proposed development on surrounding properties such as odours, noise, dust, water and wastewater servicing, traffic, visibility, emissions, chemical storage, safety, character, scale and visual impact and the identification of any required mitigation and approvals under the Nutrient Management Act.

3.12.2.5 New lot creation, on lands designated Rural, will generally be discouraged, except for minor boundary adjustments. Any consent for severances for minor boundary adjustments shall not have any adverse impacts on surrounding uses or create a separate building lot or undersized lot.

3.12.2.6 Creation of lots should not result in any costs to a public authority, including costs associated with the extension of any service.

3.12.2.7 Combined public and private partial services shall be discouraged on lands designated Rural.

3.12.2.8 Reforestation and improvement of existing natural wooded areas that fall within lands designated Rural shall be encouraged.

Programs for such improvement shall be developed in accordance with this Plan, and in co-operation with the Ministry of Natural Resources and Forestry (MNRF) and conducted under good forestry practices, in accordance with the provisions of the City or Grey Sauble Conservation Authority Tree By-law. Management and harvest of timber in a woodlot pursuant to provincial statutes and regulations and municipal by-laws, if applicable, may be permitted. When such cutting is proposed, the effect upon wildlife and water management, recreation should be considered.

3.12.2.9 The City will discourage the removal of topsoil and limit the addition of non-native topsoil/fill onto rural lands to material that may enhance the soil structure and meets applicable legislation. Consideration will be given to regulating such activities through a Topsoil Preservation By-law or Fill By-law. Rehabilitation of the lands from which the topsoil has been removed, if taken from with the City, should be a consideration.

3.12.2.10 Wayside pits may be permitted on lands designated Rural provided appropriate access is available, adequate setbacks can be provided from abutting uses, and a permit or license is obtained from the MNRF. The City should ensure that adequate arrangements and provisions are made to guarantee rehabilitation of the site for subsequent land uses. The City should consider the nature of future land uses for such an area when determining the appropriateness of such an operation.

3.12.2.11 A municipally owned sanitary landfill/waste disposal, transfer station or composting facility may be established provided such use is developed in accordance with the requirements of various government ministries, and that the City obtains all necessary approvals in accordance with applicable legislation including the Environmental Assessment Act. Adequate protection from site noise and other nuisances should be given to all adjacent lands through proper setbacks, screening, and buffer planting.

3.12.2.12 Low intensity, outdoor recreational uses may require site plan approval and must satisfy the following criteria:

a. The principal activity or pastime shall be conducted out-of-doors.

b. The principal activity or any accessory activity shall not require the use of motorized vehicles or equipment.

c. Buildings and other structures accessory to the principal activity shall be primarily for the use of persons engaged in

the principal activity, and shall be small in scale and occupy a relatively small portion of the subject property.

d. The principal activity, including associated buildings and structures shall be compatible with uses on surrounding lands, and shall not result in any noise, odour, fumes, lighting or similar effect, detrimental to the activity, amenity or general rural character on surrounding lands.

3.13 Hazard Lands

The Hazard Lands designation is intended primarily for the preservation and conservation of lands in their natural state. Lands designated Hazard Lands are lands having qualities that, in combination with their location, present a risk to human safety, potential for property damage, or have physical limitations to development. Hazard Lands within the City include those lands that are susceptible to flooding, wave uprush, erosion or slope instability and in many cases are characterized by steep slopes, organic soils or poor drainage.

3.13.1 Permitted Uses

3.13.1.1 Where lands are designated Hazard Lands on Schedule 'A' – Land Use, the predominant use shall be for preservation and conservation including the following uses:

a. No buildings or structures other than those necessary for flood or erosion control, and conservation purposes and related private access.

b. Passive and active outdoor recreation uses, including trails for walking, cycling or cross-country skiing provided they can operate without adversely affecting the hazardous conditions of Hazard Lands or be subject to excessive damage due to potential hazardous conditions.

c. Existing at-grade parking as of the date of the approval of this Plan where Hazard Lands are subject to periodic flooding but which otherwise would be suitable for development

d. Minor additions to an existing flood vulnerable structure subject to the approval of the Grey Sauble Conservation Authority and any other concerned public agency and on condition that the extension or enlargement conforms with the policies in Section 3.13.2.

e. Municipal utilities subject to any required approvals by authorized agencies

3.13.2 General Policies

3.13.2.1 Flood plain mapping has been completed for some areas of the City. In the absence of such mapping the Grey Sauble Conservation Authority has delineated lands that may be susceptible to flooding on Schedule 'A' – Land Use. This Plan shall be amended if necessary to adjust the boundaries of the Hazard Land designation to bring the designation into conformity with the flood plain mapping, consultation with Grey Sauble Conservation Authority.

3.13.2.2 The Hazard Lands designation is intended to be consistent with guidance developed by the Province as amended from time to time. Where Hazard Lands are under private ownership, it shall not be construed as implying that the Hazard Land areas are free and open to the general public nor will they be purchased by the City or other government agency.

3.13.2.3 An application for the redesignation of hazard lands for other purposes may be given due consideration by the City, in consultation with the Grey Sauble Conservation Authority and in accordance with Provincial planning policies and technical guidelines.

3.13.2.4 The designation of a Special Policy Area, and any change or modification to the official plan policies, land use designations or boundaries applying to Special Policy Area lands, must be approved by the Ministry of Municipal Affairs and Housing and the Ministry of Natural Resources and Forestry prior to the approval authority approving such changes or modifications; or where the development is limited to uses which by their nature must locate within the floodway, including flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flows.

The following types of development are not permitted to locate in hazardous lands, hazardous sites and flood plains:

a. An institutional use, including hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools;

b. An essential emergency service such as fire, police and/or ambulance stations and electrical substations;

c. Uses associated with the disposal, manufacture, treatment or storage of hazardous substances.

3.13.2.5 Along the shoreline of Owen Sound Bay and the Sydenham and Pottawatomi Rivers, this Plan encourages, where necessary, the placement of appropriate devices and materials to control erosive forces and/or prevent erosion. In determining the nature of such materials, the City should consider aesthetics of such materials, the severity of the localized problem and any wave up rush potential. These provisions would not prevent the establishment of docks and marinas adjacent to and on such lands and in the water, subject to receipt of all necessary approval from the MNRF, Grey Sauble Conservation Authority, and other applicable agencies, and recreational areas such as beaches, trails, and boat launches.

3.13.2.6 Planting of trees and other vegetation to stabilize slopes, the placement of topsoil and other fill materials in accordance with approved engineering plans to prevent or control erosion, and the placement of appropriate devices to guard against or correct erosion problems are encouraged.

3.13.2.7 Tree cutting shall be prohibited in accordance with the City Tree By-law where the stability of the slope would be affected and management of treed areas to ensure continued slope stability should be encouraged.

3.13.2.8 The City will require that lands designated Hazard Lands be set aside for environmental protection purposes. The City will encourage public conveyance of these lands through the development approval process, land trusts, easements, development agreements or other means at its disposal. This land is not considered part of the required parkland dedication.

3.13.2.9 Where development lands are adjacent to steep slopes designated Hazard Lands, development shall proceed in accordance with the following:

a. Hazard Lands shall be set aside for environmental protection purposes. The City will encourage public conveyance of these lands through the development approval process, land trusts, easements, development agreements or other means at its disposal. No buildings or structures shall be located within Hazard Lands.

b. New subdivisions located adjacent to steep slopes should be designed in accordance with the following:

i. Lot lines should not extend into the hazard zone unless the hazard land block is small or cannot be consolidated with

other hazard lands under (or to become under) public ownership. Wherever possible, lot lines should be setback from hazard zone to accommodate access for maintenance and to guard against abuse of the sloped lands by abutting landowners.

ii. Lots adjacent to steep slopes generally should be deeper to increase the separation between the slope and future buildings.

iii. If the potential of slope failure exists, the City and the Conservation Authority, as a condition of approval of a plan of subdivision, may require the developer to complete a soils study to ascertain the potential for slope failure, and possibly to carry out remedial works if recommended. If such works are not feasible, the City may require the subdivision be designed with lot setbacks greater than those set out above.

iv. If the potential for negative impacts to the natural hazards and/or related natural heritage features exist, the City and the Conservation Authority shall require the completion of an impact study as part of a complete planning application as described in Section 6.1.5 of this Plan.

3.13.2.10 As a condition of development of lands adjacent to steep slopes, the City should endeavour to acquire significant areas of sloped lands particularly if such lands can be consolidated with other lands that are to be or have been acquired by the City to protect such lands as Hazard Lands.

3.13.2.11 Considerable development has occurred beyond the stable slope line or close to the base of a slope throughout the City within the hazard fringe. Expansion of such existing buildings closer to the slope shall not be allowed. Where reconstruction is proposed without relocation outside the stable slope line, the City's Chief Building Official may require an engineer's report on slope stability and the means by which reconstruction can occur safely. The City shall encourage maintenance of the adjoining slope in a manner that will ensure its continued stability.

3.13.2.12 Lands designated Hazard Lands and located west of 3rd Avenue East, north of 32nd Street East, may be subject to consideration for future City ownership should the lands be required for erosion control or other purposes related to protection of persons and/or property. Acquisition of these lands by the City may be pursued

through purchase from willing sellers or as parkland dedication pursuant to development.

3.14 Niagara Escarpment Plan Area

The Niagara Escarpment is a prominent landform feature and ecological area in the City of Owen Sound. Special legislation for the preservation of the Niagara Escarpment was passed the Province of Ontario in 1973. The Niagara Escarpment Plan provides for the maintenance of the Niagara Escarpment and land in its vicinity substantially as a continuous natural environment, and ensures that development is compatible with that natural environment.

In 1990, the United Nations Educational, Cultural, Scientific and Cultural Organization (UNESCO) designated the Niagara Escarpment Plan (NEP) area as a World Biosphere Reserve. This designation recognizes the natural features and the ecological importance of the Escarpment and endorses the Niagara Escarpment Plan in its protection of the Escarpment environment.

The Niagara Escarpment Plan, as amended from time to time, prescribes designations, policies and development criteria to regulate the use of land within the Niagara Escarpment Plan Area within the City. The outer boundary of the Niagara Escarpment Plan Area is fixed and inflexible and shall only be changed by an amendment to the Niagara Escarpment Plan. The Niagara Escarpment Plan Area is shown on Map 8 of the NEP.

Development within the Niagara Escarpment Area of Development Control is regulated by the Niagara Escarpment Commission through the issuance of development permits.

The Niagara Escarpment Plan contains policies and a framework for the Niagara Escarpment Plan Area. It shall be the policy of the City to support the development of the Niagara Escarpment Parks and Open Space System.

In the event of a conflict between the policies of the Owen Sound Official Plan and the policies of the Niagara Escarpment Plan, those of the Niagara Escarpment Plan will prevail, unless the policies of the City of Owen Sound Official Plan are more restrictive, then the more restrictive policies will prevail.

4. Planning Areas

This Section contains secondary plans for certain areas of the City identified as Planning Areas, as shown on Schedule 'B' – Planning and Study Areas. These secondary plans provide more specific policies to plan for the growth and development in terms of density, type, form, timing, scheduling and servicing of future development. Secondary Plans may be prepared in accordance with the criteria outlined in Section 9.2.1.

Land use policies established in secondary plans are consistent with the general policies established in Section 3, Land Use, Section 5, Infrastructure, Section 6, Environment and Section 7, Culture and Community, are intended to be read in conjunction with the entire Official Plan.

4.1 East Bluffs Planning Area

The purpose of this section is to provide more specific development policies for the area described as the East Bluffs Planning Area to guide decisions on development applications and to establish a framework for the provision of services to the area. Section 4.1 East Bluffs Planning Area must be read in conjunction with the entire Official Plan.

The East Bluffs Planning Area is outlined on Schedule 'B', Planning and Study Areas.

4.1.1 Permitted Uses

4.1.1.1 The East Bluffs Planning Area shall primarily accommodate residential land uses together with compatible institutional, commercial and open space uses to support and service the local residential area in accordance with the policies of Section 3.1 of this Plan. This area shall also provide for a community park to service the northeast portion of the City and a small portion of industrial land adjacent to the designated industrial area to the east.

4.1.1.2 The distribution of residential, institutional, commercial, open space (parkland), hazard, and industrial uses shall generally conform to the plan set out on Schedule 'A1', East Bluffs Secondary Plan.

4.1.1.3 In areas designated for high density residential, low density residential and medium density residential uses shall also be permitted. In areas designated for medium density residential, low density residential uses shall also be permitted. With appropriate consideration of specific site conditions, small-scale

medium density residential uses may be permitted in areas designated Low Density Residential adjacent to 3rd Avenue East.

4.1.1.4 The residential development of lands north of 26th Street East and east of the existing housing on 9th Avenue East may not proceed until a joint service corridor, emergency access and pedestrian walkway are secured to link the proposed cul-de-sac to 9th Avenue East.

4.1.1.5 Residential development will occur at medium and low densities, approximately 55 hectares of land is intended for housing which will provide for an area population of approximately 2,119 persons.

4.1.1.6 Local institutional uses such as day cares centres and churches may be permitted in areas designated low density residential, medium density residential and high density residential provided access to such facilities from arterial or collector streets is readily available and subject to a rezoning and the policies of Section 3.10, Institutional, of this Plan.

4.1.1.7 Schools operated by a School Board, including the use of a day care centre located in a school, may be permitted in areas designated low density residential, medium density residential and high density residential.

4.1.1.8 In areas designated Commercial on Schedule 'A1', convenience stores and other neighbourhood commercial uses that serve the needs of local residential areas and/or are compatible with residential uses shall be permitted. As an alternative to, or in combination with commercial uses, such lands may be used for residential uses at the densities permitted on adjacent residential lands.

4.1.1.9 Certain light industrial uses may be permitted within the area designated Industrial in Schedule 'A1'. Such uses shall be limited to light industrial, quasi-industrial and other compatible uses that are least likely to impact negatively on the nearby residential areas. In particular, air emissions, noise and visual impacts should be considered in accordance with MECP D-6 Guidelines. To assist in buffering the industrial land uses from the residential areas, the hazard lands that constitute the Kenny Drain and a local park shall be employed as buffers by virtue of separation distances, plantings, berms and other measures.

4.1.2 Parkland

4.1.2.1 The City shall use the area designated Open Space on Schedule 'A1' and labelled "Stoney Orchard Park" for a Community Park. This park will cater to the needs of persons beyond the bounds of the East Bluffs Planning Area, but will be developed in a manner to also provide local service. The Park will be developed to preserve the natural character of the site and park amenities including parking will be established through the future parks master plan.

4.1.2.2 The City will develop a linear park at a minimum of 15 metres, where possible, in width above the rock face along the top of the East Bluff to facilitate continuation of the link and public walkway from High (Timber-McArthur) Park north to link with Stoney Orchard Park and the rail trail.

4.1.2.3 Two neighbourhood parks are to be provided west of 9th Avenue East that will provide for the local parkland needs of residents in this part of the planning area. The southerly park is of adequate size to provide for a range of active and passive activities. The park area north of 26th Street East is smaller and partially within the flood plain of the Kenny Drain. The park will have to be designed and developed in recognition that at times these lands will be subject to flooding.

4.1.2.4 Parkland dedication in the form of land may be considered if there is no existing park of an appropriate nature within 500 metres of the proposed development and there is a sufficient land base associated with the dedication to create one or more meaningful neighbourhood parks (0.5 hectares or greater).

4.1.2.5 The lands designated Hazard Lands east of 9th Avenue East form part of the flood plain of the Kenny Drain, a permanent stream system that serves a large portion of the industrial park and lands north of 16th Street East. It is intended that these lands be developed to handle regional storm events in a manner whereby erosion is controlled. In addition, due to the need for these lands to buffer residential from industrial uses, tree planting will be encouraged. Due to the linear nature of these lands, a trail system will be encouraged to provide for alternative recreation activities for the area residents.

4.1.2.6 Lands designated Hazard Lands will not be considered as parkland dedication.

4.1.3 Road System

4.1.3.1 All lands shall be developed in general conformity with the schematic road system plan illustrated on Schedule 'A1', subject to the policies contained herein. For local roads, the road system plan may be considered illustrative only and changes to the location and configuration of such streets shall be permitted without amendment to this Plan, provided the planned street does not adversely impact the development ability of adjoining lands or the general traffic flow system provided, and the layout is in accordance with proper design principles.

4.1.3.2 Development of a property fronting onto a County road shall be in accordance with Section 5.1.3.

4.1.4 Services

4.1.4.1 The City shall ensure that, as development occurs, measures to reduce the impact of runoff and manage storm water quality are undertaken, particularly on the Kenny Drain and works downstream in accordance with stormwater management policies contained in Section 5.2.4 of this Plan.

4.1.4.2 The City will extend existing water supply and sewers with adequate capacity as development occurs at the applicants cost.

4.1.5 Implementation

4.1.5.1 Where any lands are proposed for development and a significant tree community is located on the same lands, the City may require, as a condition to the approval of development of such land, that a study be carried out by a qualified individual to identify any species at risk and to ascertain methods of preserving as many trees as possible in accordance with City by-laws. Any procedures related thereto may be set out in a Terms of Reference or development or subdivision agreement to the satisfaction of the City, including the preparation of a removals plan and/or planting plan.

4.1.5.2 Where the City or the Grey Sauble Conservation Authority determine that a proposed development project will require extensive blasting that may pose a hazard to adjacent lands, or that the proposed development project is in close proximity to the East Bluff and may pose or be subject to a potential hazard, the developer shall be required to conduct a geo-technical study to the satisfaction of the Conservation Authority and the City.

Such study must ascertain the impact of the proposed development activity upon adjacent lands and/or the bluff. The development project shall be designed and the services installed in accordance with the directives of the approved geo-technical study.

4.2 Sydenham Heights Planning Area

The Sydenham Heights Planning Area is located in the south eastern portion of the City and has been intended and planned for development since being incorporated within the City boundary.

The purpose of this secondary plan is to provide the basis for the development of a diverse community area in a manner that has the greatest positive impact on the quality of life in Owen Sound. The secondary plan provides more specific development policies for the Sydenham Heights Planning Area to guide decisions on development applications and to incorporate the findings of the recently completed engineering studies for the Planning Area.

4.2.1 Secondary Plan Vision

The Sydenham Heights Planning Area is proposed to be largely a residential mixed use community. The Planning Area is to be distinguished by its natural environmental features, existing major institutional uses, a mixed use node at 16th Avenue East and 8th Street East and residential development to accommodate future growth in the City.

4.2.2 Permitted Uses

4.2.2.1 The Sydenham Heights Phase I and II Planning Areas shall primarily accommodate residential land uses together with a mix of compatible institutional, commercial and open space uses to support and service the local residential area in accordance with the policies of Section 3.1 of this Plan.

4.2.2.2 This area shall provide for a Future Mixed Use Node, Arterial Commercial, higher order commercial development such, as East City Commercial, and create open space and trail systems in accordance with the Recreation Parks and Facilities Master Plan. A proposed trail network through the boundary of the Phase I and Phase II Planning Areas connect three proposed parks between Superior Street and 16th Street East. Development will respect the Hazard lands and Escarpment lands within the Planning Area.

4.2.2.3 The distribution of land uses shall generally conform to the plan set out on Schedule 'A2', Sydenham Heights Planning Area.

4.2.2.4 A range of low density, medium density and high density dwelling types are anticipated for the Sydenham Heights Planning Area.

4.2.2.5 The overall density target for the Planning Area is not less than 25 units per net hectare. This target shall be planned for in an equitable manner across the entire secondary plan area.

4.2.2.6 A future mixed use node is planned for the intersection of 16th Avenue East and 8th Street East to provide services to the surrounding community and create opportunity for higher density to support transit. The following land uses are permitted in the mixed use node, in accordance with the land use policies in Section 4.2 of this Planning Area:

- Institutional
- Arterial Commercial
- Residential - Medium Density
- Residential – Medium / High Density

4.2.2.7 Development within the mixed use node shall be considered on the basis of:

a. mixed use multi-storey buildings in the Arterial Commercial designation and encourage these types of buildings along the street frontages;

b. appropriate height transitions between buildings in the node to surrounding residential uses;

c. pedestrian linkages between institutional, residential and open space uses;

d. a density and mix of uses that supports transit;

e. building locations to frame the intersection as a focal point; and,

f. implement urban design guidelines and objectives of the City.

4.2.2.8 Local institutional uses such as churches may be permitted in areas designated Residential provided access to such facilities from arterial or collector streets are readily available, are subject to rezoning and the policies of Section 3.10 of this Plan.

4.2.2.9 Schools operated by a School Board, including the use of a day care centre located in a school may be permitted in areas designated Residential.

4.2.2.10 In areas designated East City Commercial on Schedule 'A2', development shall take place in accordance with Section 3.5 of this Plan. The East City Commercial designation is generally an extension of this land use as located in the area south of Highway No. 26 and west of 20th Avenue East.

4.2.2.11 In areas designated Arterial Commercial on Schedule 'A2', development shall take place in accordance with Section 3.7 of this Plan. Designation of new Arterial Commercial areas is not permitted without an amendment to this Plan, in accordance with the applicable policies.

4.2.3 General Policies

4.2.3.1 The Sydenham Heights Planning Area is comprised of a mix of residential, commercial and open space designations with a future mixed use node. Low-medium density residential development may be primarily located north of 8th Street East, adjacent to the hazard lands and the trail system. Medium and Medium/High density residential is focused to the mixed use node.

4.2.3.2 The City may require a study to assess the impact of proposed development on the heliport's flight paths.

4.2.3.3 To minimize the potential land use conflict between lands designated medium density and medium/high density residential development should be adequately buffered and/or physically separated. This can be accomplished with screening, fencing, tree buffering and landscaping. The City may require a study to assess any noise impacts.

4.2.4 Parkland

4.2.4.1 The County maintains a trail along the former railway corridor that bisects the Sydenham Heights Planning Area. Appropriate setbacks may be required as development occurs within this area. Potential relocation of the trail to facilitate development of abutting lands may be permitted without amendment to this Plan provided the trail remains continuous in a linear fashion with safe road crossings, the design is consistent with the needs of a variety of trail users, and the potential relocation does not

conflict with the County's long-term goals and objectives for the former railway corridor. Any potential trail relocation shall require agreements with and approval from the County of Grey.

4.2.4.2 Neighbourhood parks with links to the trail system are to be provided as identified in the Recreation Parks and Facilities Master Plan to provide local parkland needs of residents in the Sydenham Heights Planning Area. The southerly park is adjacent to lands designated Niagara Escarpment Plan Area on Schedule 'A2' and shall be designed and developed for passive recreational activities for the area residents. The City may require the completion of a landscape plan for any park area and may enter into a development or subdivision agreement for the construction of a park.

4.2.4.3 The lands designated Hazard Lands form part of the flood plain of a tributary of Bothwell's Creek. It is intended that these lands be maintained to manage regional storm events in a manner whereby erosion is controlled. Appropriate setbacks are required from the hazard lands. Prior to development, the City may request an Engineered Floodplain Study in accordance with the policies of Section 6.1.5, should the lands abut the hazard lands designation. The City and the Grey Sauble Conservation Authority will review the setbacks. Correction to hazard land boundaries are permitted without amendment to this plan.

4.2.4.4 The trail system that will follow the former railway corridor will bisect the north portion of the Hazard Lands, allowing the trail system to continue uninterrupted as it traverses the Sydenham Heights Planning Area.

4.2.4.5 Lands designated Hazard Lands will not be considered as parkland dedication.

4.2.5 Road System

4.2.5.1 All lands shall be developed in general conformity with the schematic road system plan illustrated on Schedule 'A2', subject to the policies contained herein. For local and collector roads, the road system plan may be considered illustrative only and changes to the location and configuration of such streets shall be permitted without amendment to this Plan, provided the planned street does not adversely impact the development ability of adjoining lands or the general traffic flow system provided, and the layout is in accordance with suitable design principles.

4.2.5.2 The portion of Highway No. 26 (16th Street East) located within the Sydenham Heights Planning Area is a Provincial highway connecting link. Access to this portion of the highway may be restricted and will be subject to approval of the City and may include consultation with the Ministry of Transportation and address any applicable permit requirement.

4.2.5.3 There are three collector roadways within this Planning Area:

a. A collector road (20th Avenue East) is proposed from 16th Street (Highway No. 26) extending in a north-south direction to 8th Street East (Grey County Road 5).

b. A second collector roadway shall provide an alternative route between 28th Avenue East and 8th Street East.

c. A third collector road will be the extension of 10th Street East from 18th Avenue East to 20th Avenue East. This collector road may be 20.5 metres in width.

These collector roads are conceptual and changes to their alignment are not subject to an official plan amendment. The City or County may request a traffic study to determine the alignment

4.2.5.4 Direct access from individual lots in low and medium density residential developments onto connecting links and arterial streets is strongly discouraged.

4.2.5.5 Between 16th Street East and 8th Street East, new road access across the proposed trail system (abandoned railway corridor) and the Hazard Lands is prohibited due to environmental constraints.

4.2.5.6 The City may require noise impact studies for lands adjacent to major roads prior to final approval of residential development to determine the need for noise attenuation and buffering in accordance with the Ministry of the Environment, Conservation and Parks (MECP) requirements.

4.2.5.7 Development of a property fronting onto a County road shall be in accordance with Section 5.1.3.12. The City will consult with the County on new development applications to assess impacts on the County Road system.

4.2.6 Services and Infrastructure

4.2.6.1 All development within the Sydenham Heights Planning Area shall proceed on the basis of full municipal wastewater and water services.

4.2.6.2 The East Owen Sound Master Servicing Study serves as a base reference document for the City and property owners wishing to undertake development relative to servicing the remaining land in the eastern part of the City to allow for orderly development.

4.2.6.3 Parts of three drainage basins named Kenny Drain, Telfer Creek West Branch and Bothwell's Creek are within the Sydenham Heights Planning Area. The Stormwater Management Strategy developed as part of the East Owen Sound Master Servicing Study contains servicing strategies for Kenny Drain, Telfer Creek West Branch and Bothwell's Creek. The following provides a summary of the directions which are to be considered as part of development applications for the lands:

a. Criteria for design of SWM facilities.

b. Recommendation to establish centralized SWM facilities at low points in the local topography to service more than one development.

c. Identification of preliminary SWM facility locations.

4.2.6.4 Where an adequate and secure storm water outlet is not available, interim private on-site storm water management will be required.

4.2.6.5 Phasing of developments will be linked to the extension of the sanitary services as identified in the East Owen Sound Master Servicing Study as the introduction of developments proceed.

4.2.6.6 The East Owen Sound Master Servicing Study identified a deficiency in available water servicing capacity from the East Hill Booster Pumping Station (EHBPS) and required upgrades to accommodate new growth. These upgrades (EHBPS and trunk watermain) have been completed and development may now proceed in the Phase 1 area. Additional water storage may be required when development proceeds in Phase 2 of the Secondary Plan but a location of this facility is recommended to be identified and sited within the Phase 1 area subject to the updated East Owen Sound Master Servicing Study.

4.2.6.7 If required, the East Hill Pressure Zone Water Storage Facility (Phase 2) location has not been finally determined. Site selection analysis has been completed and generally locates the water tower in the northwestern portion of the Phase I Planning Area along 8th Street East between the Grey Bruce Regional Health Centre and Georgian College, as shown on Schedule 'A2'. Given the development potential for these lands, engineering solutions

can be developed to find an alternate location in the general area, or within the vicinity of the general area, for the required water storage facility. Prior to any development approval, the City shall be satisfied that a location has been identified for the water storage facility that will not affect the construction or the operation of the facility.

4.2.7 Phasing of Development

4.2.7.1 To provide for the orderly development and extension of physical services into the Sydenham Heights Planning Area, priority development areas and phasing has been established. The Sydenham Heights Planning Area includes two (2) phases, as outlined on Schedules 'B' and 'A2'.

4.2.7.2 Phase 1 development is projected to accommodate a range and mix of unit types in support of the overall planned density target, excluding any infill, intensification or redevelopment. The City will monitor the unit numbers and density target through the development approvals process.

4.2.7.3 No development will be permitted beyond Phase 1 as shown on Schedule 'A2' until development in Phase 1 is substantially complete, there is justification for additional development and the necessary water and wastewater infrastructure construction has proceeded such that Phase 2 can be adequately serviced. No amendment will be required to the plan for additional growth beyond Phase 1 provided the development is within the servicing capacity and the above-noted criteria have been satisfied.

4.2.7.4 The City may use a holding provision to phase development or alternatively maintain the existing Rural and/or Agricultural zoning on lands until such time as servicing is available and the land is needed to satisfy growth projections.

4.2.8 Implementation

4.2.8.1 It is a policy of this secondary plan that new development shall be responsible for the cost of upgrades to existing infrastructure and new infrastructure that will benefit such new development. Area Specific Development Charges for the Sydenham Heights Development Area are identified in Schedule C and Schedule D of the City's Development Charges By-law (By-law No. 2020-112) to recover costs the City incurred to extend water and sanitary to service lands in Phase 1.

4.2.8.2 Where any lands are proposed for development and a significant tree community is located on the same lands, the City may require, as a condition to the approval of development of such land, that a study (i.e., tree inventory and management plan, EIS) be carried out by a qualified professional to ascertain methods of preserving as many trees as possible. Any procedures related thereto may be set out in development or subdivision agreements.

4.2.8.3 The City may require the completion of Master Plan or Block Plan for submission with a plan of subdivision. This plan shall identify the proposed development and illustrate how the development is planned to integrate with surrounding lands.

4.2.8.4 Existing legal uses are recognized and shall be permitted in accordance with Section 9.3.2.8 of this Plan.

4.2.9 Site Specific Policies

4.2.9.1 Notwithstanding the policies of Section 3.1.2.1 and Section 4.2.2.4, the maximum residential density, for those lands 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 and designated 'Residential-High Density', shall be 130 units per hectare.

4.3 West Harbour Planning Area

The purpose of this section is to provide more specific development policies to guide decisions on development applications and to establish a framework for the provision of services to the area identified as the West Harbour Planning Area, on Schedule 'B', Planning Areas, of this Plan.

The West Harbour Planning Area is generally located between the water's edge and 2nd Avenue West and between 10th Street West and 15th Street West. It includes sites of former industrial uses and provides significant opportunities for redevelopment and intensification. It is described on Schedule 'A3' of this Plan.

4.3.1 Permitted Uses

4.3.1.1 The West Harbour Planning Area shall primarily accommodate mixed land uses together with compatible residential, institutional, commercial and open space uses. It also includes hazard lands along the Pottawatomi River.

4.3.1.2 The distribution of land uses shall generally conform to the plan set out on Schedule 'A3', West Harbour Planning Area.

4.3.1.3 In areas designated Waterfront Mixed Use on Schedule 'A3'; development generally shall take place in accordance with Section 3.8 except that no new industrial uses shall be permitted within this designation. Development will proceed in an orderly fashion and any development application will need to address any impacts related to existing industrial uses.

4.3.1.4 In areas designated Residential on Schedule 'A3', development shall take place in accordance with Section 3.1 of this Plan.

4.3.1.5 In areas designated Industrial on Schedule A3; the primary industrial uses shall be limited to those that rely on shipping and access to the harbour. Other accessory industrial uses as identified in Section 3.9 may be permitted where compatible and appropriate with other permitted uses. Reasonable measures will be undertaken to ensure that noise and dust emissions from industrial uses are minimized.

4.3.1.6 In areas designated Open Space on Schedule 'A3'; development shall take place in accordance with Section 3.11 of this Plan.

4.3.1.7 In areas designated Hazard Land on Schedule 'A3', development shall take place in accordance with Section 3.13, Hazard Land, of this Plan.

4.3.1.8 Former industrial sites in the West Harbour Planning Area may be developed for uses permitted under the land use designation shown on Schedule 'A3' of this Plan, provided that remediation and remedial measures are taken, in accordance with the Environmental Protection Act.

4.3.1.9 The City may limit the extent of retail and shopping centre development permitted in the West Harbour Area where traffic access concerns, driveway configuration and land use conditions are not appropriate for such uses and will detract from the planned function of the River District Commercial area.

4.3.2 Parkland

4.3.2.1 The City shall encourage the development of a continuous public park along the harbour edge east of 1st Avenue West. It shall also encourage transient small craft public dockage and appropriate marina support facilities, particularly between 11th and 12th Streets West.

4.3.2.2 The City shall require parkland dedication as a condition of development of lands within the West Harbour Planning Area in accordance with the provisions of Section 9.7.4 of this Plan. Where the City does not require dedication of land for park purposes, cash-in-lieu of parkland dedication shall be required with such funds used to provide for physical improvements to lands within the West Harbour Planning Area.

4.3.3 Road System

4.3.3.1 Where significant redevelopment is proposed for former industrial lands or major development with a regional focus is proposed within the West Harbour Planning Area, the City may require a comprehensive traffic analysis to assess impacts on the area. To that end the City may require the developer to execute an agreement with the City and/or the County providing for financial contributions to provide for any improvements to the traffic system necessary to support the development.

4.3.3.2 Traffic improvements that may be required by the City and/or the County may include, but are not limited to, intersection improvements, road widening, pedestrian access and contributions to future bridge construction. The City shall ensure bridge corridors, consistent with the Transportation Plan, are maintained, free of significant development, through the lands east of 1st Avenue West at the end of 14th Street West and north of 11th Street West so as to leave various options open for a future bridge across the inner harbour.

4.3.3.3 Development of a property fronting onto a County road shall be in accordance with Section 5.1.3.12.

4.3.4 Urban Design

4.3.4.1 The design of any proposed buildings or improvements shall be consistent with the policies of Section 8 and reflect the urban design guidelines set out for this area. The development will provide a scale of building, site organization and quality of detail in the streetscape and site development that is commensurate with the importance of this significant waterfront site.

4.3.4.2 The streetscape shall be developed in a manner consistent with the design standards identified in the West Harbour Redevelopment Plan, the Harbour and Downtown Urban Design/Master Plan Strategy and such further urban design

studies which the City may undertake or adopt. The design theme is intended to identify the area's proximity to the River District Commercial area and inner harbour and to emphasize its importance for activities, events and tourism.

4.3.4.3 Design standards shall include sidewalk improvements, benches, banners, waste receptacles, light standards, landscaping and similar features intended to support and encourage pedestrian walkability and access in the area and tourism activities.

4.3.4.4 Buildings should be sited in a manner that recognizes the character of nearby residential areas and maximizes views of the inner harbour.

4.3.4.5 The City shall ensure that any capital works or maintenance of public infrastructure in the West Harbour Planning Area occurs in a manner consistent with area design requirements.

4.3.5 Implementation

4.3.5.1 The City supports the provision of special events and activities within the West Harbour Area as a means to facilitate economic development and tourism initiatives in the City. The City supports public and private initiatives to expand existing special events and development of new special events on public lands where such events are consistent with the policies of the City and the impact on adjacent residential areas can be addressed to the satisfaction of the City.

4.3.5.2 Where deemed appropriate by City Council, the City may employ the "holding" zoning provisions of the Planning Act as referred to in Section 9.1.2 of this Plan.

4.4 East Harbour Planning Area

The purpose of this section is to provide more specific development policies to guide decisions on development applications and to establish a framework for the provision of services to the area identified as the East Harbour Planning Area on Schedule 'B', Planning Areas, of this Plan.

The East Harbour Planning Area is located west of 3rd Avenue East between 11th Street East and 20th Street East. It includes sites of former industrial uses and provides significant opportunities for redevelopment and intensification. It is described on Schedule 'A4', East Harbour Planning Area, of this Plan.

4.4.1 Permitted Uses

4.4.1.1 The East Harbour Planning Area shall primarily accommodate a mix of waterfront mixed use, residential, institutional, neighbourhood commercial, marine industrial and open space uses, with continuous public access to the waterfront through a walkway/bike path/park connection along the waterfront with linkages to 1st Avenue East.

4.4.1.2 The distribution of land uses shall generally conform to the plan set out on Schedule 'A4', East Harbour Planning Area.

4.4.1.3 In areas designated Waterfront Mixed Use "A" on Schedule 'A4'; residential, neighbourhood commercial and institutional uses shall be permitted in accordance with Section 3.8 of this Plan. Development and intensification in an integrated manner is encouraged with the vision of medium and high density residential uses as the primary uses. Commercial and institutional uses are permitted as secondary uses to support the residential uses. This designation strongly encourages medium and high-density residential uses.

4.4.1.4 In areas designated Waterfront Mixed Use "B"; neighbourhood commercial, institutional and marine related industrial uses shall be permitted in accordance with Section 3.8 of this Plan. The intent is to incorporate an array of development opportunities while supporting the marine related industrial uses of the working harbour. Within this designation the Grey Bruce Health Unit is located at the south side of 17th Street East. Development is to proceed in an orderly fashion and any development application will need to address impacts related to existing former industrial uses. Appropriate setbacks are necessary and are subject to the MECP regulations.

4.4.1.5 Former industrial sites in the East Harbour Planning Area may be developed for uses permitted under the land use designation shown on Schedule 'A4' of this Plan, provided that remediation and remedial measures are taken, in accordance with the Environmental Protection Act.

4.4.1.6 In areas designated Residential on Schedule 'A4', low density residential development shall take place in accordance with Section 3.1 of this Plan. This land use will encourage a variety of housing types including single, semi-detached and duplex dwellings.

4.4.1.7 In areas designated Open Space on Schedule 'A4'; development shall take place in accordance with Section 3.11 of this Plan. Where indicated, marine industrial uses may be permitted within open space areas to permit loading and unloading of ships. This reflects the importance of this activity in maintaining an active working harbour. Storage buildings not associated with shipping and load/unloading shall not permitted within this area. A major open space is to be maintained on the Bayshore Community Centre lands.

4.4.2 General Policies

4.4.2.1 Continuous public access to the harbour is to be promoted and maintained. A variety of open spaces, destinations and places for recreation experiences are to be developed along the waterfront.

4.4.2.2 Land uses are to be selected that encourage a year round active waterfront with commercial, residential, institutional, recreational and tourism uses occurring simultaneously. Active ground floor uses are essential to the pedestrian nature of the waterfront. Uses must respect the current active industrial uses of the harbour.

4.4.3 Parkland

4.4.3.1 The City shall require parkland dedication as a condition of development of lands within the East Harbour Planning Area in accordance with the Parkland Dedication provisions of this Plan. Where the City does not require dedication of land for park purposes, cash-in-lieu of parkland dedication shall be required with such funds used to provide for physical improvements to lands within the East Harbour Planning Area.

4.4.4 Road System

4.4.4.1 Where significant redevelopment is proposed within the East Harbour Planning Area, the City may require a comprehensive traffic analysis to assess impacts on the area. To that end the City may require the applicant to execute an agreement with the City and/or the County providing for financial contributions to provide for any improvements to the traffic system necessary to support the development.

4.4.4.2 Traffic improvements that may be required by the City may include, but are not limited to, intersection improvements, road

widening and contributions to future bridge construction. The City shall ensure bridge corridors, consistent with the Transportation Plan, are maintained, free of significant development, through the lands west of 1st Avenue East at the ends of 11th Street East and 12th Street East to leave various options open for a future bridge across the inner harbour.

4.4.4.3 The City will prioritize the improvement of the 2nd Avenue East corridor from 12th Street East to 18th Street East to a multiple use urban cross-section in accordance with Section 8.4.2.

4.4.4.4 New development should provide for expanded pedestrian and bicycle access connections particularly along the harbour shoreline while maintaining adequate vehicular circulation and parking opportunities. These pedestrian and bicycle connections will be dedicated to the City as development of the lands occur.

4.4.4.5 Development of a property fronting onto a County road shall be in accordance with Section 5.1.3.12.

4.4.5 Urban Design

4.4.5.1 New developments and open spaces are to consider the mass, scale, texture, proportion and history of the adjacent uses at the City. Buildings should generally step down to the waterfront. Smaller parcels and building floor plates should be encouraged. Development should occur in tandem with a unified urban skyline when viewed from across the harbour.

4.4.5.2 Design standards shall include sidewalk improvements, benches, banners, patios, waste receptacles, light standards, landscaping and similar features intended to encourage pedestrian traffic in the area and create a pleasing streetscape conducive to the conduct of pedestrian oriented events and tourism activities.

4.4.5.3 Buildings located near property lines are to be designed at a scale that recognizes and accommodates pedestrian access from adjacent streets and sidewalks. Buildings should be sited in a manner that recognizes the character of nearby residential areas and maximizes views of the inner harbour.

4.4.5.4 The City shall ensure that any capital works or maintenance of public infrastructure in the East Harbour Planning Area occurs in a manner consistent with area design requirements.

4.4.5.5 The east-west axial relationship between the inner harbour and the City is quintessential to the City’s urban structure. Views of

the harbour are vital. Development proposals are to protect street views corridors and encourage physical open space connections from east-west routes.

4.4.5.6 The City will encourage a focal point or Node as shown on Schedule 'A4', East Harbour Planning Area, within this area at the northwest corner of 2nd Avenue East and 17th Street East. The City will encourage a pedestrian connection that will contribute to the vista of the East Harbour and a prominent entrance to this area.

4.4.5.7 New developments are to preserve and incorporate the historic industrial character of the waterfront.

4.4.5.8 The City may request an urban design study to accompany a development application within this area.

4.4.6 Implementation

4.4.6.1 Where deemed appropriate by City Council, the City may employ the "holding" zoning provisions of the Planning Act as referred to in Section 9.1.2 of this Plan.

5. Infrastructure

5.1 Transportation

The City's transportation network is designed to facilitate the safe, convenient and reliable movement of people, goods and services between within the City and to external destinations. Ensuring the future of the transportation network requires an emphasis on managing travel in order to reduce reliance on the automobile in favour of transit and active transportation.

5.1.1 General Policies

5.1.1.1 The City shall establish a coordinated transportation system in accordance with Schedule 'C' – Transportation Plan, designed to facilitate the satisfactory movement of both people and goods. The transportation system is intended to facilitate safe and efficient movement of powered vehicles and public transit plus active transport modes between areas within the City as well as to ensure traffic movement through the City and external linkages with the overall transportation system in the regional setting.

5.1.1.2 The Transportation Master Plan should be considered for an update following the Official Plan review to update existing and projected traffic conditions and confirm whether the conclusions are still valid and achieve the City's goal of ensuring an efficient, reliable and safe transportation system.

5.1.1.3 The City will endeavour to coordinate transportation planning initiatives and activities with other levels of government and transportation agencies in order to maximize the efficiency of the transportation system.

5.1.1.4 The City shall ensure a bridge corridor is maintained, free of significant development, through 12th Street West so as to leave an option open for a future bridge across the inner harbour. An alternative bridge route is along 11th Street West/11th Street East. Where private lands are proposed for development within this corridor the City may require the dedication of land for the purposes of securing ownership of the said corridor. The final route is to be determined by the Transportation Master Plan referred to in Section 5.1.1.2. The final route as determined by Council may require an amendment to this Plan.

5.1.1.5 The planning and construction of all transportation services are to support the policies of this Plan. Approval in accordance with the Environmental Assessment Act may be required for improvements to transportation services.

5.1.1.6 Abandoned Rail corridors into the City through to industrial areas shall be preserved and re-used, where possible. Rail corridors along the waterfront and River District Commercial area may be transferred, relocated and redeveloped where a more favourable waterfront location or similar site preserving public access is determined.

5.1.1.7 Adverse environmental effects, such as noise, vibration and air quality deterioration, will be mitigated in the planning, design and construction of the transportation system and for development in proximity to transportation links. This shall apply to all air, road and water transportation facilities.

5.1.1.8 The City will continue to develop a viable public transit system that integrates alternate modes of transportation, including walking and cycling, and facilitates a land use pattern that reduces vehicular reliance by lowering total vehicle trips (number and length). In addition, the City will consider the Ministry of Transportation's Transit Support Guidelines, which aim to create an environment that is supportive of transit, when developing services and programs to increase transit ridership

5.1.1.9 The City will continue to develop an Active Transportation Network that is safe, efficient, convenient, equitable, and based upon good policy and planning principles that will serve present and future generations and that can easily expand as the city grows.

5.1.1.10 Travel Demand Management (TDM) is intended to encourage greater reductions in vehicle travel through coordination of alternative modes. The City acknowledges the important role of public transit, walking and cycling in TDM.

5.1.1.11 Where development is proposed the City may require a comprehensive traffic analysis to assess impacts on the area. Costs related to peer review to evaluate the proposal are to be covered by the proponent. The City may require the developer to execute an agreement with the City providing for financial contributions to provide for any improvements to the transportation system necessary to support the development. Transportation improvements required by the City may include

but are not limited to intersection improvements, road widening, and integrating the proposed development into the surrounding public access system of roads, walkways, bicycle paths and transit facilities. Development applications, where appropriate, should make provision for pedestrian and cycling facilities in accordance with the Transportation Master Plan.

5.1.1.12 New developments will be designed to ensure the safe access for vehicles and emergency vehicles. Single access to new residential developments will be considered up to 85 units. New residential developments with 85 to 150 units will need to have at minimum a full access plus a secondary emergency access. New residential developments greater than 150 units will need to have two or more full accesses. Access to new residential developments will be considered through the phasing of the development however the above thresholds will be used to consider the design and phasing of the accesses. This policy shall not be interpreted to limit intensification or increased density; however, where the above standards for multiple accesses cannot be met, it shall be demonstrated that suitable and safe access can be provided to the satisfaction of the road authorities and emergency services.

5.1.1.13 The City will encourage the use of future technologies that will support a safe and efficient transportation system.

5.1.1.14 When undertaking capital works projects, the City will improve the streetscape and implement accessibility standards through urban design and amenity features in accordance with Section 8.4.2.

5.1.2 Movement of Goods

5.1.2.1 Employment areas shall have an appropriate level of road service.

5.1.2.2 Commercial areas are to be serviced by roads having appropriate levels of traffic capacity.

5.1.2.3 The City may pass by-laws that establish truck routes along Provincial Highways, arterial roads and major collector roads avoiding truck traffic on local residential roads and environmental impacts on residential areas.

5.1.2.4 Community safety is to be protected by facilitating the efficient movement of goods by road, water and air by improving and maintaining an appropriate level of service.

5.1.2.5 An appropriate balance between the growth of the community and the improvements to the transportation system are to be achieved.

5.1.3 Roads

5.1.3.1 Existing and proposed roads shall be classified and maintained on the basis of their function and design as shown in Appendix 'A':

a. Provincial Highway/Connecting Links

b. County Roads

c. Arterial Roads

d. Collector Roads

e. Local Roads

5.1.3.2 Roads shall be built according to principles of proper engineering design and incorporate tree planting, landscaping, crosswalks, bicycle paths, safe pedestrian interfaces, median strips and boulevards where appropriate as shown in Appendix 'A'.

5.1.3.3 The City will endeavour to promote the principles of "Living Streets" by:

a. Reducing potential pedestrian conflict with vehicles and separating pedestrian paths from roadways where possible;

b. Considering the reduction of vehicular speeds on local roads;

c. Allowing narrower pavement widths and incorporating boulevard design or other appropriate design measures in subdivision design.

d. Enhancing landscaping and landscaped areas.

e. Facilitating multi-modal transportation systems.

f. Discouraging the use of cul-de-sacs and dead-end public and private roads in favour of grid road networks.

5.1.3.4 Roads within settlement areas and built-up areas should be designed as living streets to support all user groups and a variety of travel modes.

5.1.3.5 Access control by-laws for specific City roads may be enacted in areas of high traffic levels.

5.1.3.6 Road access points shall be designed to the satisfaction of the City in locations that will not create a hazard due to poor sight lines or other geometric, transportation or land use planning

consideration. Shared vehicular entrances are encouraged for commercial and industrial uses located on arterial and collector streets.

5.1.3.7 Minimum right-of-way widths are provided for each classification of road. In certain circumstances the City may consider alternate development standards including reduced right-of-way widths. In particular, alternate development standards may be considered in the River District Commercial area to reduce impacts of the transportation system on heritage buildings, open pedestrian areas and the general character of the area, or in other areas in order to facilitate efficient cost effective development in accordance with the policies of this Plan.

5.1.3.8 Land shall be dedicated to the City where additional land is required for road widening and extension and for intersections in accordance with the minimum right-of-way widths provided for each classification of road.

5.1.3.9 Intersections on all roads shall achieve adequate separation in accordance with accepted engineering and planning principles.

5.1.3.10 The Transportation Master Plan shall be updated as necessary to provide a continuing program of improvements to road alignments, surfaces and widths and the acquisition of lands for road improvements and extensions.

5.1.3.11 <u>Provincial Highways/Connecting Links</u>

Highways 6, 10, 21 and 26 are Provincial Highways leading into the City (shown on Schedule 'C' – Transportation) are under the jurisdiction of the Ministry of Transportation. The Provincial Highway routes as they go through the City are connecting link designations and are the City's responsibility.

a. Development adjacent to controlled access roads shall be set back in accordance with the requirements of the Ministry of Transportation.

b. The City shall pursue access control to the Provincial Highway corridor connecting links through the City and in particular the most easterly section of Highway 26 provided the highway infrastructure has been upgraded and maintained to an acceptable standard.

c. The City will endeavour to maintain a connecting link agreement with the Ministry of Transportation that will outline jurisdiction and design control.

d. Where a *Connecting link* agreement is in place, the City should consider accommodating a variety of transportation modes in order to integrate with the complete transportation system.

5.1.3.12 County Roads

County roads are designed to collect and carry traffic to the Provincial Highways, other arterial roads and collector roads. Existing County roads are shown on Schedule 'C' - Transportation.

a. The road allowance width for County Arterial and County Collector roads is generally 30 metres.

b. New individual lot access onto County roads shall be strictly controlled and limited in number.

c. On street parking will also be limited as determined by the City in consultation with the County.

d. Access from abutting properties to County roads shall require the approval of the County.

e. The City will generally require the design and construction of County Roads within the City to address the approved City standards for an urban road. The City and the County shall collaboratively determine the design and construction standards of County Roads within the City where an alternative to an urban road is being considered.

5.1.3.13 Arterial Roads

Arterial roads shown on Schedule 'C' – Transportation are the main traffic routes through the City that are intended to carry large volumes of traffic from Provincial Highways and other County roads to the collector road system to destinations within or beyond the City.

a. Arterial roads are to be designed in accordance with the general design standards in Appendix 'A'.

b. Arterial roads may be constructed up to four lanes in width plus turning lanes.

c. The minimum road allowance width for arterial roads shall generally be 30 metres. The City may acquire as a condition of development or redevelopment the dedication of road widenings along any arterial road in order to achieve required road allowance width.

d. Access from abutting properties to arterial roads shall be approved by the City.

e. Shared vehicular entrances are encouraged for commercial and industrial uses located on arterial and collector streets.

f. New/additional vehicular access to 2nd Avenue East between 8th Street East and 10th Street East will not be permitted.

g. In the River District Commercial area, traffic and on street parking needs on arterial roads shall be balanced between the need to effectively move vehicles to and within the core and maintaining an adequate supply of public parking to support business.

h. Frontage, abutting land uses, access and curb use shall be controlled. Access to a property on an arterial road shall be from a collector or local road where possible.

i. Sidewalks shall generally be constructed on both sides of an arterial road and in the River District Commercial area pedestrian access along sidewalks shall be provided for within wider public spaces with traffic calming and other design initiatives applied to maintain and enhance the pedestrian space while providing for adequate traffic movement.

j. On-street parking is generally not permitted on arterial roads; but may be permitted where location and time restrictions are enforced in specific instances, for example, adjacent to schools or during peak periods of traffic demand.

k. Boundary road agreements are to be maintained with adjacent municipalities.

5.1.3.14 <u>Collector Roads</u>

Collector roads shown on Schedule 'C' – Transportation provide the two functions of carrying moderate levels of traffic between points of origin and the arterial road system and to provide access to abutting properties.

a. Collector roads are to be designed in accordance with the general design standards in Appendix 'A'.

b. Collector roads may be constructed with two to four lanes in width.

c. The minimum road allowance width for City collector roads shall generally be 25 metres.

d. Collector roads are to ensure that free flow of traffic is provided but with appropriate traffic control measures to ensure such traffic does not impact abutting lands uses to the extent that development opportunity is significantly reduced.

e. Direct access to collector roads shall be permitted subject to geometric design considerations.

f. On-street parking may be permitted on collector roads where location and time restrictions are enforced in specific instances, for example, adjacent to schools or during peak periods of traffic demand.

g. Sidewalks shall generally be constructed on both sides of collector roads.

5.1.3.15 Local Roads

Local roads shown on Schedule 'C' – Transportation are designed to provide access to abutting properties and to discourage through traffic.

a. Local roads are to be designed in accordance with the general design standards in Appendix 'A'.

b. Local roads shall generally have a minimum road allowance width of 20 meters. However the use of cul-de-sacs and crescents may require an increase in this width. The City may consider a reduction in the right-of-way width consistent with accepted engineering standards where it is considered unnecessary to provide an allowance of 20 metres.

c. Sidewalks shall generally be required on one side of local roads.

d. On-street parking may be permitted on local roads although location and time restrictions may be enforced in specific instances, for example, adjacent to schools, during peak periods of traffic demand or during winter months.

5.1.3.16 All new residential subdivisions should, where possible, be designed with a curvilinear or modified grid/curvilinear street system within an overall basic grid pattern. Arterial road systems and to a lesser degree collector road systems should follow a general grid pattern layout.

5.1.3.17 All new roads should be designed consistent with accepted engineering standards to provide satisfactory road gradients, facilitate the provision of safe vehicle movement, facilitate the

provision of in ground and aboveground municipal services, provide proper access to adjacent lands, accommodate emergency and maintenance and transit vehicle access, accommodate pedestrian and bicycle access, provide safe street intersections, and discourage the creation of double fronting lots, and single loaded roads except adjacent to arterial roads where sound planning principles suggest that access to arterial roads should be restricted.

5.1.3.18 Intersections should be spaced adequately to provide proper traffic flow and should generally be at minimum distances of 80 to 100 metres apart. However, larger intersection spacing should be considered on heavier volume roads.

5.1.3.19 As traffic conditions warrant, and coincident with construction or reconstruction, improvements in the form of jog eliminations, regulations for turning movements, sight-line upgrades, proper signage, installation of traffic signals, marking of traffic lanes and channelization, will be undertaken at the intersections.

5.1.4 Parking

5.1.4.1 On-street parking may be permitted on collector and local roads and may be restricted by the time of day, and time of year to facilitate snow removal.

5.1.4.2 In determining whether street parking should be permitted, Council should consider the parking needs of the area that will be served by street parking including alternate parking arrangements within the area, ease of traffic movement on the street and the effect of street parking on such traffic movements, active transportation and safety related matters.

5.1.4.3 All new development and redevelopment including the reuse of existing buildings shall be required to provide adequate off street parking and loading spaces in accordance with the standards established in the Zoning By-law. Access and egress to all off street parking or loading spaces shall be limited in number and designed to minimize danger to vehicular and pedestrian traffic.

5.1.4.4 The City may prepare a parking management and development plan for the Harbour and River District Commercial areas that will include monitoring the parking inventory, utilization and supply/demand balance, setting rates and duration for parking that are the minimum necessary to facilitate appropriate

operations, and the acquisition of property for parking and construction of public parking structure when required.

5.1.4.5 All new development or redevelopment in the River District Commercial area shall be encouraged to provide sufficient parking on site to accommodate the proposed use. If such parking cannot be provided, the City may collect cash-in-lieu pursuant to Section 40 of the Planning Act to be used expressly for the provision of additional parking spaces in an appropriately defined area. In addition, the City may choose to require parking be provided at a lower rate within the River District Commercial area.

5.1.4.6 Municipal and private commercial parking facilities shall be buffered and screened and located to minimize the conflict with adjacent land uses and traffic flow. Access to public parking areas shall be from arterial or collector roads except where Council approves otherwise.

5.1.4.7 The City may identify areas where parking facility expansions or improvements are required to satisfy the demands resulting from development or redevelopment. To finance such expansions or improvements in the areas identified, the City may require from a proponent of commercial development or redevelopment, a cash payment to the City in lieu of any part of the parking requirement, specified under the Zoning By-law, that the proponent is not able to satisfy. In this regard the City shall enter in to an agreement with the proponent in accordance with the provisions of the Planning Act. Council may use revenues from other appropriate sources including user fees, and levies against commercial properties within the defined areas to finance such parking facility expansions.

5.1.4.8 Where off street parking is required, the City may develop and enforce design criteria and guidelines to provide for:

a. Safe vehicular access.

b. Pedestrian safety and convenience.

c. Adequate lighting, signage and landscaping.

d. Controlled visual impact by appropriate location on the site.

5.1.4.9 Parking should be located in a manner appropriate to the size of the site, the optimum relationship of the building and the sidewalk to the street and convenient access for users as described in Section 8.6.

5.1.4.10 Access points should be clearly visible and distinguishable, limited in number and designed in a manner that will minimize hazards to pedestrian and motor traffic in the immediate area. The City may require consolidation of adjacent parking areas to provide appropriate spacing of access points on arterial roads.

5.1.4.11 Pedestrians should have a safe, well-lit, clear route from vehicle to building at all times of the year. Pedestrian connections to parking areas should be frequent and easily identified with clear directional signage. They should provide safe, well-lit and comfortable access. Larger developments should provide sitting areas for pedestrians awaiting pick-up.

5.1.4.12 Parking areas are to be adequately landscaped in accordance with urban design guidelines. Parking areas should maintain distinct street edges through appropriate landscaping or structures.

5.1.4.13 Parking areas are to be designed in accordance with the City's Multi-year Accessibility Plan and AODA requirements.

5.1.4.14 Parking and charging stations for electric vehicles is required in new development and redevelopment. The provision for future parking and charging stations is also encouraged and may be considered at the time of site plan review.

5.1.4.15 The City may consider reducing the required number of parking spaces needed for development or redevelopment where the following criteria have been justified:

a. Demonstration that the proposed use does not require the stated level of parking (e.g., affordable housing whereby car ownership would be low), or

b. An agreement has been registered on title to provide off-street parking.

5.1.5 Active Transportation

5.1.5.1 New developments will be designed to be walkable and bike friendly by including multi-use trails, sidewalks, and/or paved shoulders where appropriate to integrate with the overall complete transportation system.

5.1.5.2 The City shall promote sustainable, healthy, active living through well-connected and maintained streets, paths and trails that are able to safely accommodate different modes of transportation.

Pedestrian links and bicycle trails may be located on public road allowances, parks, City or government owned lands and rights-of-way acquired over or through privately held lands as indicated on Schedule 'D' – Active Transportation and Recreation Trails Master Plan. Consideration should be given to providing connections between pedestrian links/bicycle trails and residential streets and areas of open space, schools and public transit facilities.

5.1.5.3 The City shall maintain and regularly update Schedule 'D' – Active Transportation and Recreation Trails Plan to provide for paths and trails.

5.1.5.4 Accessibility for all people shall be considered in the design of pedestrian links and trails in accordance with the City's Multi-year Accessibility Plan, Transit Accessibility Plan and AODA requirements.

5.1.5.5 The City shall work towards providing sidewalks and bicycle trails separated from the roadway on existing and proposed arterial roads and on abandoned rail corridors and within parks and open spaces as appropriate.

5.1.5.6 The City will encourage and facilitate where possible the use of cycling on local and collector roads.

5.1.5.7 The City shall provide for the development of continuous trail systems along the waterfront and along the Sydenham River to the inner and outer Harbour to ensure public access.

5.1.5.8 The City through a by-law may control direct snowmobile/ATV/equestrian access to specified city access points. Access points shall be identified, encouraged and regularly reviewed.

5.1.5.9 The City will support the integration of pedestrian and cycling facilities into existing and new development areas.

5.1.5.10 The City will support tourism and recreational developments that support active transportation.

5.1.5.11 The City will encourage new development to include accessible, age-friendly and transit supportive design elements such as:

a. A system of walkways (sidewalks, paved shoulders, and trails) and bicycle paths (paved shoulders and trails) linking the subdivision internally as well as externally to other walkways and bicycle paths, and to other public areas;

b. Design that includes living streets, active transportation, and safety.

5.1.6 Public Transit

5.1.6.1 Planning for new developments and built-up areas should include consideration for public transit which may include requirements for bus bays, elimination of street parking for bus stops, streets planned and designed to accommodate transit vehicles, installation of bus shelters subject to requirements in Transit Accessibility Plan. The City shall encourage greater population densities along and in the vicinity of transit routes.

5.1.6.2 All major development proposals and changes and additions to the road network will be evaluated with respect to their impact on existing or proposed transit services.

5.1.6.3 The City shall encourage the retention of the public transit system to provide a viable alternative to the use of the private vehicle.

5.1.6.4 The public transit system is to be inclusive of the needs of all people by:

a. Ensuring that transit facilities, routes and vehicles are accessible.

b. Modifying existing transit stops and shelters to become more accessible over time.

c. Ensuring transit stops and shelters have an accessible sidewalk that connects directly to the transit stop.

d. Ensuring that all transit stops and shelters consider the safe unloading and loading of passengers.

e. Supplementing the conventional transit system with specialized services.

f. Implementing recommendations from the City's Multi-year Accessibility Plan and Transit Accessibility Plan.

5.1.6.5 The City may undertake a transit study to determine transit routes and transit facility locations. The recommendations of this study provide a framework for consideration of planning applications and transportation planning.

5.1.6.6 Through the review and approval of development applications the City may require the dedication of land or request financial resources for installation of transit infrastructure.

5.1.6.7 The City will cooperate with the County and adjacent municipalities in developing an integrated transit system.

5.1.7 Water Transportation

5.1.7.1 Owen Sound Harbour provides an important opportunity for goods movement, ferrying opportunities and recreational transportation.

5.1.7.2 The docking of ships, such as bulk freighters, related repair and service uses, loading, unloading and storage facilities and apparatus, navigational safety and training apparatus, sales and service operations ancillary to these uses, maintenance and utility functions, road access shall be permitted in the inner harbour area subject to approval from Transport Canada.

5.1.7.3 The planning and development of port, docking, harbour and associated road facilities whether initiated by federal, provincial and other agencies, or the private sector, should be carried out comprehensively and should consider such matters as the:

a. Coordination of associated facilities, such as Customs facilities.
b. Environmental impacts both during and after construction.
c. Public use of and access to port facilities.
d. Most effective intermodal linkages with transportation facilities.
e. Integration of functions into multi-use facilities.
f. Land use planning considerations.
g. Traffic impacts and the coordination of roads and parking.
h. Stormwater management.
i. Coastal and port engineering.
j. Economic and municipal fiscal impacts.

5.1.7.4 The City shall encourage development and improvement to small craft dockage, launching and related services along the waterfront and inner harbour.

5.1.7.5 The City shall encourage the continuing viability of lake freight operations.

The retention and promotion of the Owen Sound Harbour is encouraged to support the overall complete transportation system.

5.1.8 Air Transportation

The Major-General Richard Rohmer Meaford International Airport is located about 5 km east of Owen Sound on Highway 26. Located on the airport lands are a terminal building, hangers, and a north-south main runway.

In emergency situations patients are flown into the heliport at the Grey Bruce Regional Health Centre. It is vital to ensure the continuing operation of the heliport.

5.1.8.1 The City shall protect flight paths to the Grey Bruce Regional Health Centre heliport as required by Section 4.2 Policies.

5.1.9 Rail Transportation

5.1.9.1 The Provincial Planning Statement states that rail facilities should be protected from new development by ensuring new development is designed, buffered, and/or separated from each other. Although the City no longer has rail, there are a number of former rail corridors that are primarily being used for trails.

5.1.9.2 The City supports the maintenance and improvement of abandoned rail corridors for trail and recreational uses and will collaborate with the County on the potential transition of a rail corridor to a trail or recreational use.

5.1.10 Telecommunications

5.1.10.1 The City supports the provision of high quality telecommunications services throughout the entire City, including broadband/fibre and cellular services.

5.1.10.2 For new developments, the installation of fibre or conduit for future fibre should be installed to connect or eventually connect to the overall fibre network currently being developed by the County and SWIFT.

5.1.10.3 Lot creation for telecommunication towers will be discouraged and instead easements, rights-of-way, or long-term leases will be encouraged. In situations where lot creation is needed it will be necessary for the applicant to demonstrate that the proposed lot will have minimal impact on agricultural, environmental, or aggregate lands, within the City.

5.1.10.4 The City shall work to ensure the communication and transmission corridors are constructed, maintained and operated to minimize their impact on the community.

5.1.10.5 The City shall promote and encourage the shared and multiple use of telecommunications towers and corridors for utility uses.

5.1.10.6 The City shall cooperate with commissions and utilities responsible for the regulation, transmission and delivery.

5.1.10.7 In considering proposals to locate telecommunications facilities/towers, the City shall consider the following:

a. Preliminary consultation shall be required between the proponents and the City to outline the process to be followed including the requirements for public consultation as well as the documents, drawings and fees required.

b. Proposed towers shall be encouraged to locate in hydro corridors, industrial areas, and building roof-tops within commercial areas and maximize their distance from residential areas.

c. Sight lines to the Owen Sound Harbour, the Sydenham and Pottawatomi Rivers and the River District Commercial area should be protected from the development and redevelopment of towers.

d. Locate facilities/towers to:

i. Avoid areas of topographical prominence.

ii. Avoid natural features, vegetation and hazard lands.

iii. Provide a 250 metre setback from residential, public and institutional facilities such as schools, hospitals, community centres, day care facilities and senior's retirement residences.

iv. Address compatibility with adjacent uses.

v. Provide appropriate site access.

vi. Avoid the flight paths to the Grey Bruce Regional Health Centre heliport as required by Section 4.2 Policies

5.1.10.8 Require removal of deactivated, inactive, or abandoned towers.

5.1.10.9 Require proponents provide notice and undertake public consultations where a facility is closer than 300 metres or six times tower height to a dwelling or residential designation, unless the facility is building mounted and does not exceed 25% of the building's height;

5.1.10.10 Require proponents enter into agreements for the purpose of addressing matters of interest to the City.

5.1.11 Community Emergency Planning

5.1.11.1 The City shall, in accordance with the Emergency Readiness Act, implement the Emergency Management Plan to govern the provision of necessary services during an emergency and work towards attaining a comprehensive level of readiness that includes:

a. The implementation of guidelines for risk based land use planning.

b. The development of a comprehensive community evacuation plan.

c. The designation and implementation of community dangerous goods routes.

5.2 Municipal Services

5.2.1 General Policies

5.2.1.1 Development will be permitted in areas that can be adequately serviced by municipal services, municipal water and wastewater services, stormwater management and emergency services.

5.2.1.2 The sequence of the provision of servicing shall be based upon orderly patterns of development as may be determined or required by and approved by Council.

5.2.1.3 Services shall be installed completed and maintained in accordance with the engineering standards of the City in accordance with applicable legislation including the Environmental Assessment Act.

5.2.1.4 The City may require as a condition of reviewing any development proposal an analysis by a qualified professional of the capacity, availability and appropriateness of any municipal service, including a stormwater management plan.

5.2.1.5 In areas designated Rural where municipal services are not available; development on existing lots may be permitted in accordance with the Zoning By-law.

5.2.1.6 The City will endeavour to maintain an Asset Management Plan with a minimum five year projection.

5.2.1.7 The City may undertake Class Environmental Assessments or other master plan studies for water and sanitary servicing and stormwater management. The consideration of development

applications will be in accordance with recommendations of these studies.

5.2.2 Water and Wastewater Treatment

The City has an excellent and up to date potable water and wastewater treatment system with capacity to service the growth of the City. The municipal potable water supply and wastewater treatment system for the City also serves a limited number of people outside the City limits to address areas of failed service under agreement with the City.

5.2.2.1 The City shall ensure that both municipal water supply and wastewater systems perform within permitted operating standards. It is recognized that improvement projects are necessary to meet the projected future needs. The City shall continue to monitor supply and treatment capacities and operational effectiveness of municipal services.

5.2.2.2 Development in proximity to the water treatment plant and waste water treatment properties shall adhere to the separation distances and standards of the appropriate MECP guidelines.

5.2.2.3 Priority shall be given to the development of land that is presently serviced by municipal piped water and sewer systems or those areas that can most easily be serviced.

5.2.2.4 Infilling of vacant areas that are already provided with full municipal services is encouraged and shall be a criterion when evaluating proposed plans of subdivision and consents, with respect to the extension of services or utilities.

5.2.2.5 Where the existing municipal potable water supply and wastewater treatment system for the City serves lands outside the municipal boundary, the City shall not permit new connections to the said municipal water and wastewater systems except in accordance with an agreement between the City and any or all of the property owner(s) and municipality within which the property is located, establishing appropriate conditions which may include, but are not limited to the following:

a. Where municipal water and sewer services are to be extended beyond the City's current limits, boundary adjustments shall be encouraged that correspond with the area that can be serviced by the capacity of these services.

b. Partial services shall not be extended beyond the limits of the City except to address failed services identified in a formal

proposal from the adjacent municipality. Where partial service is extended at the sole discretion of the City, boundary adjustments and other payments and fees shall be coordinated between affected municipalities, but in principle, the user of the partial service shall be required to pay full cost of installing and maintaining that services including a proportionate share of trunk systems and facilities. Overall capacity within the City system must be maintained. Further connections shall not be permitted on services extended pursuant to this subsection.

c. In considering whether to permit new connections to the City's water or wastewater system, development and land use patterns that would hinder the efficient expansion or development on the City shall not be permitted.

5.2.2.6 Notwithstanding this section or the Municipal Act (or other similar legislation), where an existing municipal service outside the City limit extends past a property that is not connected to the service, the City shall be under no obligation to permit connection except in accordance with the requirements of this section.

5.2.2.7 The City shall ensure that water and sanitary sewer treatment services are provided in a manner that prepares for the impacts of a changing climate and promotes water conservation and water use efficiency.

5.2.3 Servicing Capacity

5.2.3.1 When 80 percent of the existing servicing capacity has been allocated, the City shall defer the processing of the planning application until such capacity is available or until a servicing agreement is in place to ensure that capacity will be available to service the development within one year of the granting of the planning approval. Draft approved plans of subdivision may only proceed to registration if sufficient servicing capacity exists.

5.2.3.2 The timing of development shall be based on the following:

a. Logical extension of municipal services that allows for the contiguous development of lands whereby there are not large undeveloped tracts of land between the developed area and the proposed development.

b. Compact form and pattern of development is maintained.

c. Provision of municipal services, as appropriate, proceeds in an economically viable manner.

d. Priority is given to reserving servicing capacity for infilling, intensification and redevelopment.

5.2.3.3 When conditions of development approval, draft plan approval or otherwise are not fulfilled within a reasonable time period, the City may not support the extension of development approval and assign the servicing allocation to other developments or areas of the City, or hold the capacity in reserve.

5.2.4 Stormwater Management

The City shall apply best management practices in dealing with stormwater management.

5.2.4.1 Stormwater should be managed onsite where practical minimizing stormwater volumes and contaminant loads, and maintain or increase the extent of vegetative and pervious surfaces. No new development shall have a negative impact on the drainage characteristics of adjacent land.

5.2.4.2 Stormwater management facilities shall be designed to manage stormwater quality and quantity, at an appropriate level as determined in consultation with the Grey Sauble Conservation Authority.

5.2.4.3 The integration of natural vegetative features in new facilities shall be pursued and the naturalization of existing stormwater management facilities, through Low Impact Design (LID) solutions, is encouraged. The City shall require the implementation of approved plans through the development process.

5.2.4.4 The City shall ensure that the design of stormwater management facilities considers long-term maintenance and safety requirements.

5.2.4.5 In accordance with the MECP guidelines and policies, best management stormwater practices will be encouraged including such components as infiltration, source control and detention facilities where practical and acceptable to the City to manage the quality and control the quantity of urban run-off. In areas of identified groundwater recharge capabilities, on-site infiltration will be required to the maximum extent feasible where development is permitted.

5.2.4.6 The City shall require new developments or redevelopment projects to have a stormwater management plan in place prior to the construction. These plans should address such matters as:

a. The physical characteristics of the site including slope gradient, slope length, soil texture, soil drainage and vegetative cover.

b. Pre-development and post-development runoff expected based on guidelines provided by the City and/or Grey Sauble Conservation Authority.

c. Quantity and quality control in conformity with sub watershed plans.

d. Methods to be used to control runoff and erosion both during and after construction, emphasizing at-source measures.

5.2.4.7 Oil and grit interceptors in public streets may be required as a condition of subdivision development.

5.2.4.8 Oil and grit interceptors may be required as a condition of site plan approval for commercial, industrial, or institutional developments through a Site Plan Agreement.

5.2.4.9 The City should develop and implement stormwater management policies and practices for all phases of their operations including maintenance and construction.

5.2.4.10 The City may develop or require submission of master drainage plans for all major drainage systems in response to new development or prior to major capital expenditures. The design of stormwater management facilities shall also be in accordance with any Ministry design manuals, approved City standards, subwatershed management plans or other approved master plans.

5.2.4.11 Where possible, natural features should be incorporated into master drainage plans and individual stormwater management plans for areas of new development and redevelopment. This may include preserving the existing physical watercourse configuration and at-source stormwater management techniques.

5.2.4.12 Wherever possible stormwater management ponds shall be incorporated into open space areas with a naturalized form, landscaped features and, where available, amenity and recreational space.

5.2.4.13 The City with the assistance of the County and the Grey Sauble Conservation Authority will develop policies related to cross-boundary matters regarding stormwater runoff. Stormwater management reports related to major developments that would outlet through the City shall be required and subject to the review and approval by the City.

5.2.5 Waste Management

5.2.5.1 Waste diversion/reduction, waste disposal and waste as a potential resource shall be components of the City's waste management program.

5.2.5.2 The City will implement residential composting and methods to reduce, reuse and recycle.

5.2.5.3 The City shall promote public awareness of waste issues, including diversion.

5.2.5.4 Composting, recycling and waste diversion shall be encouraged.

5.2.5.5 The City will support and comply with changes in legislative requirements, including the reduction, reuse and recycling of blue box materials that will be encompassed under the blue box regulations.

5.2.5.6 The City will comply with future modifications to the Provincial waste management system to meet applicable legislation.

5.2.5.7 The City will investigate implementing new waste management technologies to deal with waste management, including the reduction of non-compostable waste and all non-recyclable and single-use plastics, reuse of waste, recycling of waste, green box programs for composting or biodegrading of organic waste, and handling sludge.

5.2.5.8 Through a Waste Management Strategy or Study, the City will outline ways to invest in progressive waste management programs and technologies.

5.2.5.9 The City will actively participate in discussions around opportunities to develop a regional waste management strategy with the County of Grey.

5.2.5.10 The City shall co-operate with other levels of government and other agencies in promoting public awareness of waste issues and in promoting waste diversion strategies as well as other alternative waste management techniques.

5.2.5.11 The collection of household hazardous wastes shall be accommodated by maintaining hazardous waste drop-off locations as per MECP regulations.

5.2.5.12 Redevelopment of closed waste disposal sites may be permitted by way of Official Plan and Zoning By-law amendments upon the City consulting with the MECP and/or other appropriate jurisdiction. MECP approval is required for any land use to be permitted on lands identified as a closed waste disposal site, if the closure occurred within the past twenty-five (25) year period from the effective date of this Official Plan.

6. Environment

6.1 Environmental Management and Sustainability

6.1.1 General Policies

To achieve the environmental goals and objectives of this Plan the City shall where possible:

6.1.1.1 Protect, restore and enhance the health of the natural ecosystem and support biodiversity in the City,

6.1.1.2 Plan and manage the natural heritage system as a connected natural heritage system both within Owen Sound and in co-operation with adjoining communities,

6.1.1.3 Enhance and expand the natural heritage system outlined on Schedule 'A' – Land Use by designating and protecting significant components and natural linkages with other green spaces. Linkages are mapped in the County Official Plan. Policies for these linkages shall defer to the County Plan, unless otherwise defined by the City.

6.1.2 Climate Change and Action Plan

6.1.2.1 The City will complete a Climate Action Plan to establish targets for, plan for, implement and monitor improvements in energy efficiency and greenhouse gas emissions associated with municipal assets. This may be done independently or in partnership with the County of Grey.

6.1.2.2 The City will partner and work with other levels of governments, other municipalities, community members, and local businesses to implement a Climate Action Plan.

6.1.2.3 The City will encourage individuals, residents, homeowners, businesses and industries to implement actions to address a changing climate.

6.1.2.4 The City will implement urban design and development standards to reduce climate change impacts on public works and infrastructure including roads, bridges, water and wastewater systems and energy distribution systems.

6.1.2.5 The City will consider the potential impacts of climate change that may increase the risk associated with natural hazards when evaluating development applications and infrastructure projects.

6.1.3 Urban Forest

To develop and protect the Urban Forest, the City shall where possible:

6.1.3.1 Preserve and enhance a healthy urban forest through naturalization and tree planting programs.

6.1.3.2 Implement a tree-planting program and budget to ensure trees are continuously planted to improve streetscapes throughout the City.

6.1.3.3 Develop a City Tree By-law that regulates the destruction, injuring or removal of trees in hazard lands, rights of way, public lands and significant woodlots.

6.1.3.4 The City will complete the necessary study for public works to determine the extent of tree removals with the objective that no trees shall be unnecessarily removed. Consideration must be given to the replacement of trees that must be removed as a result of any public work. The City will incorporate a tree-planting component within street reconstruction projects.

6.1.3.5 Where new development is proposed, consideration shall be given to locations of existing trees in the preparation of the site plan, and to the retention of as many existing trees as possible, subject to other appropriate design considerations.

6.1.3.6 The City will establish a baseline and monitor the tree cover on private and public lands using GIS in support of maintaining and increasing the City's urban forest

6.1.4 Significant Woodlands

6.1.4.1 Significant Woodlands are a development constraint identified in the County Official Plan. The criteria for the identification of Significant Woodlands were developed by the County of Grey with assistance from the MNRF. The identification was primarily a desk-top based Geographic Information Systems (GIS) exercise and the County acknowledges that inaccuracies or omissions in the mapping may be present. As a result site visits by qualified individuals may be required at the application stage to scope any potential studies.

6.1.4.2 In order to be considered 'significant' a woodland must be greater than or equal to four (4) hectares in size.

6.1.4.3 No development or site alteration may occur within Significant Woodlands or their adjacent lands unless it has been

demonstrated through an Environmental Impact Study, that there will be no negative impacts on the natural features or their ecological functions. Notwithstanding, projects undertaken by a Municipality or Conservation Authority may be exempt from the Environmental Impact Study requirements, provided said project is a public work or conservation project.

6.1.4.4 Notwithstanding 6.1.3.2, where it can be proven that a woodland identified as significant has ceased to exist, or ceased to exhibit characteristics of significance, prior to November 1, 2006, an Environmental Impact Study will not be required. Site photographs or a site visit by a qualified individual may be necessary to determine that a woodland no longer exists.

6.1.4.5 Notwithstanding 6.1.3.2, woodlot management, tree cutting and forestry will be permitted in accordance with any applicable By-laws.

6.1.4.6 Notwithstanding 6.1.3.2 and 6.1.3.4, fragmentation of significant woodlands shall generally be avoided and connectivity between significant woodlands and other natural features and areas shall generally be maintained and restored, wherever possible.

6.1.5 Environmental Impact Study

6.1.5.1 Where there is an application for development purposes to re-designate Hazard Lands or a significant development is proposed adjacent to Hazard Lands, Open Space or any significant natural heritage feature, the City shall require the preparation of an Environmental Impact Study in accordance with the provisions of this section and in consultation with the County of Grey and/or Grey Sauble Conservation Authority.

6.1.5.2 A comprehensive Environmental Impact Study, where required by the City must demonstrate that the proposed development will have no negative impacts on the natural features or on their ecological functions, will avoid or mitigate any negative effects on the identified feature(s) and where feasible will result in a net benefit to the environment and shall include:

a. Determination of boundaries, including the environmental buffer, of the Hazard Lands.

b. An inventory of the natural features and resources which may be affected directly or indirectly, and which may include vegetation, fisheries, wildlife, groundwater, and any other

considerations as determined by the City or other authorized agency to be relevant to the evaluation.

c. The interrelationships of the natural features with the proposed development and to adjacent lands.

d. An assessment of the impacts of the proposed development on existing conditions of the natural features and their surroundings.

e. Sufficient detail to facilitate proper implementation of recommendations.

f. A description of the manner in which negative impacts will be avoided or mitigated and how the ecological integrity of the natural features and functions will be maintained and if feasible improved.

6.1.5.3 An Environmental Impact Study may be scoped to address site-specific environmental issues where the negative impacts can be easily ascertained and where mitigation requirements are well understood. The City in consultation with affected agencies shall approve scoped Environmental Impact Studies through a Terms of Reference (TOR).

6.1.5.4 The City may consider waiving the requirement for the preparation of an Environmental Impact Study when one or more of the following applies:

a. A development is subject to a duplicate or similar environmental assessment process;

b. A development is minor in nature; or

c. The site conditions for a development are such that the preparation of an Environmental Impact Study would serve no useful purpose for the protection of significant environmental features.

6.1.5.5 The City may obtain independent advice as to whether: the proposed development is minor in nature; and Environmental Impact Study would serve any useful purpose; and/or the adequacy of a duplicate environmental assessment process.

6.1.5.6 For the purposes of this Plan, ‘adjacent lands’ means those lands, contiguous to a specific natural heritage feature or area where it is likely that development or site alteration would have a negative impact on the feature or area. The Provincial Planning Statement directs that development or site alteration is not

permitted on adjacent lands unless the ecological function of the adjacent lands has been evaluated and it can be demonstrated (through an Environmental Impact Study or equivalent study) that there will be no negative impacts on the natural features or their ecological functions.

6.1.5.7 The following table summarizes provincial recommendations regarding the extent of adjacent lands for evaluating ecological functions and determining negative impacts on natural heritage features or areas.

Natural Heritage Feature or Area Adjacent Land Width

Significant Habitat of Endangered and Threatened Species	120 metres
Significant Wetlands	120 metres
Fish Habitat	120 metres
Significant Woodlands	120 metres
Significant Valleylands	120 metres
Significant Wildlife Habitat	120 metres
Significant Area of Natural and Scientific Interest – Earth Science	50 metres
Significant Areas of Natural and Scientific Interest – Life Science	120 metres
Core Areas	120 metres

6.1.5.8 Where an Environmental Impact Study is required, the City shall consult with Indigenous Communities and consider their rights and interests.

6.1.6 Offsetting

6.1.6.1 The City, in collaboration with the County of Grey and Grey Sauble Conservation Authority, may choose to develop and use ecological/ecosystem offsetting (also called biodiversity offsetting) policies or procedures for private land development proposals and/or public infrastructure undertakings. Consideration for offsetting may only be applicable where it is

consistent with the appropriate legislation, regulations and supporting policies and guidelines (Provincial Planning Statement, Provincial Plans, Official Plans, Forest Management Plans, Forest Management By-laws, Tree-Cutting By-laws, etc.).

6.1.6.2 Offsetting must follow the mitigation hierarchy of Avoid, Minimize, Mitigate, then Offset. It should only be applied after a detailed analysis, such as an Environmental Impact Study, has determined that avoidance, minimization, and mitigation of loss is not possible or feasible. This tool shall not replace or negate the requirements of other legislation applicable to impacts to species or ecosystems at the municipal, regional, provincial, or federal levels. Protection, and ideally restoration and improvements of existing natural systems remains the primary goal of natural heritage systems planning (as per Section 4.1 of the Provincial Planning Statement).

6.1.6.3 Offsetting policies or procedures should target an ecological (net) gain. Where determined to not be feasible, they should ensure no-net-loss and fully replace the same level of lost ecosystem structure and function in proximity to where the loss occurs.

6.1.6.4 Where other compensation or offsetting programs exist (i.e., tree cutting by-laws that speak to tree replacement planting or funds), efforts shall be made to coordinate the separate processes to limit duplication. All programs of this nature should offer a comprehensive approach to restoring unavoidable losses.

6.1.7 Lake Filling

6.1.7.1 Lake filling projects are generally discouraged but may be supported only where:

a. The land created will be used for public recreational purposes or essential public works.

b. The project has been the subject of an Environment Assessment.

c. Approval of Department of Fisheries and Oceans, Grey Sauble Conservation Authority, and Transport Canada.

6.1.7.2 Minor Lake filling activities, subject to Development, Interference with Wetlands and Alterations to Shorelines and Watercourses permits from the Grey Sauble Conservation Authority and construction permits from the City, will be supported, where appropriate, for the purposes of:

a. Stabilizing slope and shoreline

b. Creating or enhancing aquatic habitat

c. Naturalizing the shoreline

d. Improving water quality

e. Providing public access to the water's edge

6.1.7.3 The City shall, prior to approving planning applications or infrastructure projects impacting areas at or below the high-water mark of any body of water, require a marine archaeological assessment to be conducted by a licensed marine archaeologist, pursuant to the Ontario Heritage Act. Any marine archaeological resource that is identified shall be reported to the Ministry of Citizenship and Multiculturalism (MCM).

6.1.8 Soil Contamination

6.1.8.1 The City will require the submission of a Record of Site Condition where development is proposed on, or adjacent to, a known or potentially contaminated site per the Environmental Protection Act.

6.1.8.2 Contaminated sites shall be remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no adverse effect.

6.1.8.3 The City will encourage the environmental clean-up and re-use of contaminated lands where existing infrastructure is underutilized in accordance with the Environmental Protection Act and its regulations.

6.1.8.4 The redevelopment of contaminated industrial sites shall recognize and implement where appropriate the provisions of Provincial Brownfield initiatives and legislation. The City may offer a brownfields tax incentive program to encourage the redevelopment of these sites in accordance with the provisions of the Community Improvement Plan.

6.1.8.5 Former industrial sites in the Harbour and River District Commercial area including former railway corridors may also be considered for redevelopment in accordance with the City's Community Improvement Plan for the Harbour and River District Commercial area.

6.1.8.6 The City may apply "holding" provisions as provided for in Section 9.1.2 of this Plan to contaminated lands in order to

ensure that prior to development of these lands, all requisite studies and works are undertaken in accordance with the policies of this Plan to ensure future land uses are appropriate.

6.1.8.7 Where "holding" provisions are employed subject to Sections 6.2.3.5 and 9.1.2 of this Plan, the City may pass a by-law to remove the "H" symbol upon the following:

a. Acknowledgement and notification is received from the Province that of a record of site condition is satisfactory, as completed by a qualified professional consulting engineer in accordance with the Environmental Protection Act and its regulations.

b. Execution of an agreement with the City containing clauses to deal with proposed land use, site design, public walkway dedication, grading and drainage, and similar development requirements.

c. Confirmation that development can occur in accordance with Provincial guidelines and that the lands have been made suitable for the proposed use. The content, procedures and recommendations of any decommissioning or site remediation program will follow the guidelines established by the Province.

6.1.9 Air Quality

6.1.9.1 The City will prepare and adopt by-laws to contribute to the reduction of volume of emissions within the City. In accordance with the Provincial Planning Statement and in addition to Section 6.1.11 of this Plan, the City shall promote land use and development patterns which will support energy efficiency and improved air quality.

6.1.9.2 The City may require air treatment controls to be installed and confirmed to the satisfaction of the City to ensure no impacts occur to adjacent sensitive land uses.

6.1.10 Water Quality and Conservation

6.1.10.1 The City will protect and/or restore the quality and quantity of water by:

a. Evaluating and preparing for the impacts of a changing climate to water resource systems at the watershed level;

b. Minimizing potential negative impacts, including cross-jurisdictional and cross-watershed impacts;

c. Protecting all municipal drinking water supplies;

d. Protecting, improving or restoring surface and ground water features and their hydrological functions;

e. Planning for the efficient and sustainable use of water resources, through practices for water conservation and sustaining water quality; and,

f. Ensuring stormwater management practices minimize stormwater volumes and contaminant loads, and maintain or increase the extent of vegetative and pervious surfaces.

g. Protecting Riverbanks with bioremediation or a similar environmentally sensitive approach to maintain the natural ecosystem and protect its flora and fauna.

6.1.11 Energy Conservation

6.1.11.1 The City shall encourage the reduction of energy consumption and reliance on carbon-based fuels for energy, and support and encourage innovative energy producing options, green industry and green building designs and construction practices.

6.1.11.2 The City shall encourage new buildings to be oriented so as to take advantage of site-specific microclimates in order to optimize opportunities for active and passive solar space heating and water heating.

6.1.11.3 The City will investigate tools and incentives to encourage the retrofit of existing buildings to improve energy efficiency.

6.1.11.4 Road systems, arrangement of land uses and densities are to be planned to minimize travel distances.

6.1.12 Community Gardens

6.1.12.1 The City recognizes community gardens as valuable community resources that provide open space and a local food source, offer recreational and educational opportunities, and build social connections. The location of community gardens shall give consideration to compatibility, other parks uses, prior and adjacent land uses and lot area.

6.1.12.2 The City will support community gardens through initiatives which may include:

a. Promoting the awareness of community gardening;

b. Where appropriate, offering City-owned lands as community garden sites, such as undeveloped parcels, City parkland, and unopened road allowances; and,

c. Collaboration with the County.

6.1.12.3 Regulation for community gardens will be implemented through:

a. The Community Gardens Policy, which should include a list of City lands suitable for community gardening initiatives endorsed by Council; and

b. The Zoning By-law and Recreation Parks and Facilities Master Plan, which shall regulate the siting and sizing of buildings and structures associated with community gardens and shall permit community gardens where appropriate.

6.1.13 Source Water Protection Planning

The City shall require that all decisions, including those made under the Planning Act and Condominium Act, conform to the significant drinking water threat policies found in the Grey Sauble Source Protection Plan approved by the MECP on October 16, 2015, as may be amended.

6.1.13.1 The following policies acknowledge and protect municipal drinking water sources:

a. Municipal Intake Protection Zones (IPZs) as identified through the Drinking Water Source Protection (DWSP) program are shown in the County Official Plan and shall be considered a special protection area within which the requirements of Section 6.1.13b must be fulfilled prior to new development or redevelopment in these areas.

b. Municipal IPZ boundaries may be modified by Amendment to the County Official Plan where the geographic extent of the Municipal IPZ is modified through further study. Further it is acknowledged that these boundaries may be subject to change or refinement as part of the DWSP process. The City will endeavor to work with the County to keep the information current and will consult with DWSP staff on an application, or site-specific basis, where required. Establishment of a new Municipal IPZ shall be subject to an amendment concurrently with the Class Environmental Assessment process.

c. Any Planning Act applications proposed within IPZs be subject to a review by the City and the City's Risk Management Official to assess the risks of such uses to potentially

contaminate groundwater or surface water and, based on this assessment, to determine whether or not a Hydrogeological Study or Environmental Impact Study is required to the satisfaction of the City and the City's Risk Management Official. A Hydrogeological Study must be completed by qualified individuals.

d. Where a Hydrogeological Study is required to identify any impacts or mitigation measures on the Municipal IPZs; the study will be scoped based on the nature of the development being proposed.

6.1.13.2 That the City shall appoint a Risk Management Official to ensure source protection administration, which may be a City Staff person or other qualified body, such as the Grey Sauble Conservation Authority.

7. Culture and Community

7.1 Cultural Heritage

Cultural heritage resources are built or natural features which may have design or physical value, associative or historic value and/or contextual value. Cultural heritage resources provide social, economic environmental and educational value that contribute to the City's identity and character.

7.1.1 General Policies

7.1.1.1 The Municipal Heritage Committee shall advise and assist Council on matters relating to the Ontario Heritage Act and such other heritage matters as Council may request.

7.1.1.2 The City may develop a plan for the identification and assessment of cultural heritage resources, their conservation and protection, and the means to interpret and apply these resources. Such a Plan may include all or part of the following:

a. Identify and inventory cultural heritage resources including archaeological sites, historical sites, and buildings or structures of unique and/or important historical and/or architectural significance;

b. Determine the significant heritage attributes of the identified resources;

c. Propose opportunities for plaques, interpretive signage and heritage walks, particularly around the River District Commercial and Harbour areas;

d. Include community stakeholder input, representatives of historical societies, museums, cultural organizations, tourism and business;

e. Propose mechanisms to review, monitor and update the plan as required.

7.1.1.3 The City shall engage with Indigenous Communities and consider their interests when identifying, protecting and managing cultural heritage and archeological resources.

7.1.2 Built Heritage Resources

Built heritage resources are generally located on property that has been designated under Parts IV (individual property), V (heritage conservation district), or VI (archaeological sites) of the Ontario Heritage Act, or that is

subject to a heritage conservation easement, or that has been included on local, provincial and/or federal registers using evaluation criteria. The identification, listing, evaluation and protection of built heritage resources is an ongoing process that will continue in accordance with the provisions of the Ontario Heritage Act and the policies of this Plan for the benefit of present and future residents of the community, as well as tourists and visitors.

7.1.2.1 The Evaluation Criteria for assessing the cultural heritage value or interest of built heritage resources has been established by the Province of Ontario under Ontario Regulation 9/06. The identification and evaluation of built heritage resources must be based on the following core values:

a. Design or physical value;

b. Historical value or associative value; or,

c. Contextual value.

7.1.2.2 The City will recognize and conserve its built heritage resources and will encourage appropriate settings within and around all such sites.

7.1.2.3 The City will designate all City-owned built heritage resources of merit under the Ontario Heritage Act and prepare strategies for their care, management, and stewardship.

7.1.2.4 The City will acquire heritage easements, and enter into development agreements for the conservation of built heritage resources where appropriate.

7.1.2.5 The City will maintain a Register of Properties of Cultural Heritage Value or Interest ("Heritage Register") within the City, that are considered significant and which are valued by the community, by one or more of the following means:

a. Designated under the Ontario Heritage Act;

b. Protected by a heritage conservation easement under the Ontario Heritage Act;

c. Identified as a UNESCO World Heritage Site or World Biosphere Reserve, such as the Niagara Escarpment;

d. Identified by the Federal Heritage Building Review Office as a Recognized Federal Heritage Building, or listed under the Historic Railway Station Protection Act; and/or,

e. Endorsed by the City Council as having cultural heritage value or interest.

7.1.2.6 All new development and public works shall have regard for significant built heritage resources identified on the City's Heritage Register. The City encourages, wherever possible, and may require, where appropriate, incorporation of these resources into development or redevelopment plans that may be proposed.

7.1.2.7 The City will protect and conserve built heritage resources in accordance with cultural resource management best practices including, but not limited to, the Standards and Guidelines for the Conservation of Historic Places in Canada, as amended from time to time, and the Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI) eight guiding principles in the conservation of built heritage properties.

7.1.2.8 The City will use the tools provided by legislation, policies and programs, particularly the Ontario Heritage Act, the Planning Act, the Environmental Assessment Act and the Municipal Act in conserving built heritage resources. This may include the following:

a. Developing a Heritage Conservation and Interpretation Master Plan in accordance with policy 7.1.1.2;

b. Designating real property under Part IV (individual property) or V (heritage conservation districts) of the Ontario Heritage Act;

c. Encouraging individual property owner's to apply to have their properties designated under Part IV of the Ontario Heritage Act and/or encouraging the Province to designate real property under Part VI of the Ontario Heritage Act;

d. Requiring, as a condition of any approval, the retention of any built heritage resources found within a plan of subdivision, a plan of condominium, or on any parcel created by consent, or other land division approval;

e. Using Zoning By-law provisions as appropriate and provided under Section 34 of the Planning Act to conserve identified built heritage resources;

f. Using site plan control provisions of Section 41 of the Planning Act and urban design guidelines adopted by Council to ensure that new development on adjacent properties is compatible with the adjacent identified built heritage resources;

g. Ensuring that archaeological resources are evaluated and conserved prior to any ground disturbance, in accordance with the Provincial Planning Statement and provincial regulations.

h. Using heritage easements as a means to protect significant built heritage resources, where appropriate.

7.1.2.9 The City will undertake the following actions to conserve and protect built heritage resources:

a. Using fiscal tools and incentives, where budget permits, to facilitate heritage conservation including, but not limited to, the Community Improvement Plan, Façade and Structural Improvement Grant Program, grants and loans pursuant to the Ontario Heritage Act, and the heritage property tax rebate program pursuant to the Municipal Act. The Community Improvement Plan shall continue to provide a property tax relief program for eligible heritage properties.

b. Cooperating with neighbouring municipalities, other levels of government, conservation authorities, local boards, not-for-profit organizations, corporations and individuals in the conservation of built heritage resources within the City.

c. Enhancing opportunities for public awareness of building heritage resources by initiating and supporting promotional and education City program or events such as heritage plaques and Doors Open Ontario.

7.1.2.10 The City may require that a Heritage Impact Assessment be prepared by a qualified person to the satisfaction of the City for any development proposal that has the potential to impact a built heritage resource. The scope of the heritage impact assessment is determined in consultation with the City and must include information and assessment relevant to the circumstances, including alternative development approaches or mitigation measures to address any impact to the built heritage resources and its heritage attributes.

7.1.2.11 A heritage impact statement may be required where construction, alteration, demolition, or addition to a property designated under the Ontario Heritage Act or protected by a heritage conservation easement under the Ontario Heritage Act is proposed that is not consistent with conservation standards outlined in policy 7.1.2.7.

7.1.2.12 The City may also require a heritage impact assessment for any request to de-designate a protected heritage property. The

assessment must address the current cultural heritage value of the property and any impacts that de-designation of the property will have on the cultural heritage value of the area.

7.1.2.13 In the event that demolition, salvage, dismantling, relocation or irrevocable damage to a built heritage resource or a cultural heritage landscape is found to be necessary as determined by Council, in consultation with the Municipal Heritage Committee, archival documentation is required to be undertaken by the applicant and made available to the City for archival purposes.

7.1.2.14 The above-noted archival documentation must be prepared by a qualified person and include the following, at a minimum, and additional matters as specified by the City:

a. Architectural measured drawings; and,

b. Photographs, maps, and other available material about the built heritage resource in its surrounding context.

7.1.3 Protected Heritage Properties

The term 'protected heritage properties' refers to real property that is designated by by-law or subject to a heritage easement under the Ontario Heritage Act. The term also includes any buildings, structures, monuments, installations or remains of significance that are located on the property and which have been identified by the City.

7.1.3.1 The City will lead the community in the management of its cultural heritage resources. It is the intent of this Plan that the City will:

a. Protect and maintain City-owned cultural heritage resources in accordance with heritage conservation best practices set out in policy 7.1.2.6;

b. Integrate city-owned built heritage resources into the community and facilitate their adaptive re-use where feasible and practical;

c. In the event that the ownership of a city-owned heritage resource changes, the City may register a heritage easement on title to ensure the continuous care of these resources;

d. When the potential change in use or function of a city-owned built heritage resource is being contemplated, the potential adverse impacts must be carefully considered and mitigated, and preparation of a heritage impact statement by a qualified person may be required.

7.1.3.2 All options for on-site retention of protected heritage properties must be exhausted before resorting to relocation or removal. On-site retention of a protected heritage property in the original use or an adaptive re-use, and integration with the surrounding or new development shall be given top priority.

7.1.3.3 A Heritage Impact Assessment, prepared by a qualified person in accordance with policy 7.1.2.10, will be required as part of a proposal to relocate or remove a part of or full protected heritage property.

7.1.3.4 The City, where warranted, may require a peer-review of a Heritage Impact Assessment required by policy 7.1.3.3 at the expense of the applicant.

7.1.3.5 The City may, through Property Standards By-laws, establish minimum standards for the maintenance and repair of heritage attributes of protected heritage properties in accordance with the Ontario Heritage Act and Ontario Building Code.

7.1.3.6 For the purposes of this section, the term Adjacent Lands when used in evaluating potential impacts of development and site alteration on protected heritage properties means:

a. Contiguous (abutting) properties;

b. Properties within 50 metres of a protected heritage property;

c. A property that is separated from a protected heritage property by a narrow strip of land used as a municipal road, right-of-way, walkway, greenspace, park and/or easement and where the recognized heritage attributes of a protected heritage property would be impacted by the proposed development and/or site alteration; and/or

7.1.3.7 A property otherwise identified in the Official Plan as having cultural heritage value. Development and site alterations may be permitted on adjacent lands to protected heritage properties where the proposed development and site alteration has been evaluated and it has been demonstrated through the preparation of a heritage impact assessment by a qualified person, that the heritage attributes of the protected heritage property will be conserved. Mitigation measures and/or alternative development approaches may be required in order to conserve the heritage attributes of the protected heritage property affected by the adjacent development or site alteration.

7.1.3.8 The City must administer the Accessibility for Ontarians with Disabilities Act, the Ontario Building Code and related codes and regulations to permit maximum conservation and re-use of built heritage resources while ensuring the health and safety of the public.

7.1.4 Cultural Heritage Landscapes

A cultural heritage landscape usually involves a geographically defined grouping of features that are both human-made and natural. These geographical areas can be natural or may have been modified and characterized by human activity and collectively create a unique cultural heritage. They are valued for their historical, architectural and contextual significant, and for their contribution to the understanding of the social, economic and political influences that have shaped the community.

Cultural heritage landscapes may include such features as heritage conservation districts designated under Part V of the Ontario Heritage Act, villages, parks, gardens, cemeteries, lakes, rivers, main streets, neighbourhoods, indigenous communities, shorelines, vegetation and scenic vistas.

7.1.4.1 Significant cultural heritage landscapes within the City, which are valued by the community, shall be conserved for the benefit of present and future residents as well as tourists and visitors.

7.1.4.2 To identify significant cultural heritage landscapes, the City may undertake a Cultural Heritage Landscape Study. The City will designate significant cultural heritage landscapes pursuant to the Ontario Heritage Act.

7.1.4.3 The City may use parkland dedication provisions to secure a cultural heritage landscape.

7.1.5 Heritage Conservation Districts

Heritage Conservation Districts are the most common type of cultural heritage landscape. Designation under Part V of the Ontario Heritage Act enables the protection of a heritage district while at the same time allowing for compatible new development.

To preserve the character of older neighbourhoods, districts and areas of the City that have significant heritage value, such as the River District Commercial and Harbour Area, and to encourage the conservation and rehabilitation of existing housing stock, the City may designate an area as a Heritage Conservation District in accordance with the policies of this Plan.

7.1.5.1 Prior to designating an area as a Heritage Conservation District under Part V of the Ontario Heritage Act, the City must undertake a Heritage Conservation District Study. During the study period, alteration, demolition or removal of properties in the study area is subject to such limitations as may be specified by by-law.

7.1.5.2 A Heritage Conservation District Study should accomplish the following:

a. Examine the character and appearance of the area, including buildings, structures and other property features to determine if the area should be preserved as a Heritage Conservation District;

b. Recommend the geographic boundaries of the heritage conservation district;

c. Recommend the objectives of the designation and the content of the Heritage Conservation District Plan required under section 41.1 of the Ontario Heritage Act;

d. Recommend actions which should be taken to conserve the heritage features of the area;

e. Recommend policies and guidelines for ensuring that new development will fit in well with the existing buildings;

f. Recommend any changes that will be required to the municipality's official plan and to any municipal by-laws, including any zoning by-laws.

7.1.5.3 On the basis of a Heritage Conservation Study, the City may, by by-law under section 41 of the Ontario Heritage Act, designate one or more Heritage Conservation Districts together with a Heritage Conservation District Plan for each district.

The plan would set out the objectives of the designation, an explanation of the cultural heritage value or interest of the district, the heritage attributes of the district, guidelines for achieving the objectives and managing change in the designated district, and a description of the types of minor alterations that may be carried out on properties within the designated district without obtaining a permit from the municipality.

7.1.6 Archaeological Resources

Archaeological Resources includes artifact, archaeological sites and marine archaeological sites, as defined under the Ontario Heritage Act.

7.1.6.1 The City will encourage the conservation of archaeological resources as may be identified by the City, the Province, or other group and agency, and will continue to enforce municipal and provincial legislation with respect to lands containing archaeological resources or areas of archaeological potential and/or the discovery of items of archeological or historic interest on a property.

7.1.6.2 Development and site alteration shall only be permitted on lands containing archaeological resources or areas of archaeological potential if the significant archaeological resources have been conserved by removal and documentation, or by preservation on site. Where significant archaeological resources must be preserved on site, only development and site alteration that maintains the heritage integrity of the site may be permitted.

7.1.6.3 The City may require studies, such as an Archaeological Assessment Report, prepared by a qualified person, to identify and protect archaeological resources from destruction or alteration through development or public works operations.

7.1.6.4 The City will encourage consultation with Indigenous Communities in areas identified with significant archaeological potential both before and during the archaeological assessment process.

7.1.6.5 All archaeological assessment reports must be provided to the Province, as per the Standards and Guidelines for Consultant Archaeologists, as amended from time to time, and to the City for information purposes. All correspondence from the MCM on their review/acceptance of any archaeological assessment will be provided to the City.

7.1.6.6 Council shall support viable and fiscally responsible public, non-profit and private agencies acting as repositories for archaeological resources and historical artifacts and promoters of local heritage. City support may be in areas of funding, partnership, marketing or similar initiatives as determined by Council.

7.1.7 Cemeteries

7.1.7.1 Cemeteries are sensitive and important cultural heritage resources, and include vegetation and landscapes of physical/design, historical/associative and contextual values.

7.1.7.2 The City intends to designate, conserve and maintain all city-owned heritage cemeteries.

7.1.7.3 The City will encourage owners of private cemeteries to designate and adequately maintain their properties.

7.1.7.4 The City may develop standards and guidelines for cemetery conservation including, but not limited to, the design of appropriate fencing and commemorative signage in accordance with the Greenwood Cemetery By-law.

7.1.7.5 Impacts and encroachments on known cemeteries or burial sites must be assessed by an archaeological assessment and mitigated under applicable legislation and policy.

7.2 Community Services

7.2.1 General Policies

7.2.1.1 The City shall encourage the provision of an appropriate range and distribution of health, safety, educational, cultural and recreational facilities and services throughout the community.

7.2.1.2 The City will accommodate the location of regional services and facilities within the City in partnership with other agencies and boards.

7.2.1.3 The needs of people of all areas of diversity shall be considered in the provision of community services and facilities, reflecting the demographic changes in the community.

The City will develop and encourage partnerships in the provision of public health, leisure and recreation services.

7.2.1.4 Public health, leisure and recreation services and programs will be distributed throughout the City so they may be convenient and accessible to the intended users. The location of such facilities will mainly be based on accessibility to the area to be served, easy access for vehicles from main streets, suitability of the property for the intended use and minimum impact on neighbouring uses.

7.2.1.5 The City may prepare Master Plans for the provision of any community service.

7.2.2 Health, Safety and Public Administration

7.2.2.1 The City shall, in partnership with a variety of organizations, adopt a healthy living strategy incorporating, among other matters, improved fitness, activity, nutrition, health and well-being of all residents.

7.2.2.2 In order to promote a healthy community with access to a range of health services, the City will support the location of local and regional public health facilities such as hospitals, clinics and public health offices in convenient and accessible locations within the City.

7.2.2.3 In order to maintain a safe environment for its residents and visitors, the City will provide adequate police and fire prevention services. Police stations, fire stations, ambulance and similar public and non-profit services shall be situated to provide ease of public access and safe traffic movement to and from the site.

The City will provide such public administration and service buildings and depots as are required to support its municipal services. It will also accommodate public administration facilities for other levels of government in convenient and accessible locations within the City.

7.2.3 Education

7.2.3.1 The City will consult with and support the school boards in planning for suitable locations for new schools and the retention of existing schools. The primary considerations for locating schools should be convenient and safe access from the immediate neighbourhood or service area, access for busses and cars from the road network with safe loading areas, availability of outdoor recreation space and minimal impact on or from the neighbouring uses.

7.2.3.2 The City encourages multiple and shared use of school facilities in support of community recreational, cultural and educational use. Additionally, the City encourages the use of recreational fields and parks by schools under an agreement with the City.

7.2.3.3 The City shall plan for new elementary schools as needed in new neighbourhood development. Elementary schools should be located centrally in the serviced neighbourhood so as to provide safe access by foot.

7.2.3.4 Where a school is to be rebuilt or relocated or a new facility is proposed, locations with easy access to public transportation and other amenities and services necessary to the needs of students and staff shall be encouraged.

7.2.3.5 The City supports the retention and expansion of post-secondary level educational programs and facilities within the City.

7.2.3.6 The City supports the provision of a wide range of public and private educational and training opportunities in locations that serve the needs of area residents and communities.

7.2.3.7 The City encourages the appropriate re-use of educational facilities that have been determined to no longer be required, and the preservation of associated open spaces.

7.2.3.8 The City supports the re-use of former school sites for new school developments or other institutions.

7.2.4 Day Care Centres

7.2.4.1 For the purpose of this Plan, a day care centre shall mean a day nursery as defined in the Childcare & Early Years Act, or subsequent legislation.

7.2.4.2 Day care centres shall be permitted on lands designated Institutional, Residential, and Commercial on lands as shown on Schedule 'A' – Land Use, and be subject to the relevant policies under the specific land use designation within which the day care centre is located.

7.2.4.3 The Zoning By-law shall regulate the siting and sizing of a day care centre, and shall include a requirement for provision of minimum landscaped open space dedicated to the use.

7.2.4.4 In considering an application to amend a Zoning By-law to permit the establishment of a day care centre, the City shall be satisfied that the following requirements relevant to the specific application will be fulfilled:

a. The proposed day care centre shall generally be located on a collector or arterial roads or, where it is determined that the traffic and parking generated will not adversely affect the neighbouring uses, may be located on local roads in the interior of residential neighbourhoods.

b. The proposed day care centre will be designed so as not to seriously impact the surrounding area. In this regard,

consideration shall be given to matters such as the noise, traffic and exterior lighting generated by the proposed facility.

c. Where applications involve the renovation of an existing residential dwelling in an area designated Residential by this Plan, the proposed day care centre should not substantially alter the residential appearance of the property.

d. The site of the proposed day care centre is of appropriate size and shape to accommodate on-site parking, pick-up and drop-off facilities and outdoor play areas.

e. Neighbouring uses to the proposed day care centre pose no threat to the health and welfare of the occupants of the proposed facility. In this regard, consideration shall be given to the noise, odour, vibration and traffic generated by neighbouring uses.

7.2.4.5 Consideration may be given to preventing an undue concentration of day care centres in specific areas of the City.

7.2.4.6 Day care centres may be subject to site plan control.

7.2.4.7 A day care centre shall be licensed under the Day Nurseries Act.

7.2.4.8 A home day care centre shall be permitted accessory to a residential use, which shall be regulated through the Zoning By-law as a Home Business.

7.3 Culture and Arts

7.3.1 Facilities and Programs

7.3.1.1 Recognizing the leading role cultural and arts activities play in maintaining the exceptional quality of life in this community and in providing an attraction and focus for visitors, the City will support cultural activities and events within the community by encouraging and facilitating the provision and operation of museums, art galleries, libraries, theatres, arenas, concert halls, community centres and other suitable facilities within the City.

7.3.1.2 The City will promote and support festivals, shows and other events reflecting the cultural richness and history of Owen Sound. The City will support the planning of locations for such events by promoting the inclusion of spaces for cultural activities and events in public spaces, parks and public buildings, particularly in the River District Commercial area.

7.3.1.3 In order to provide guidance in the promotion and support of cultural initiatives, the City has developed a Cultural Master Plan that establishes City's strategy for achieving mutual cultural goals and establishes the City's role in the expression of culture in the community.

For the purposes of the Cultural Master Plan, the City has adopted the following definition of culture:

Culture is a sharing of ideas and learning through individual and community expression in the visual, literary and performing arts and heritage.

7.3.1.4 The City's Zoning By-law will define and permit 'Event Grounds/Facilities' where appropriate. The City may license and regulate public events on private lands.

7.4 Parks and Recreation

7.4.1 General Policies

7.4.1.1 The City shall promote health in its population by providing for and supporting a variety of public recreational uses, programs and facilities throughout the City, accessible to people of all areas of diversity. The City will also play a leadership and partnering role in the provision of recreational services and facilities on a regional level.

7.4.1.2 The major components of City recreational services shall consist of a system of open space, public parks, trails, sports facilities and recreation facilities, as well as the programming of these resources. Expansion, redevelopment and extension of facilities, parks and trails and associated programs will be encouraged where financially feasible partnerships are developed and community needs are addressed.

7.4.1.3 In order to adequately plan for the recreational needs of the community, the City shall continue to update the Recreation, Parks and Facilities Master Plan. Updates to the Plan shall:

a. Review the current and projected recreation needs of the Owen Sound community in the context of the demand for recreational services from surrounding communities, tourism needs and usage trends for various types of recreational activities.

b. Assess the capacity and adequacies of the existing public and private facilities to meet these needs.

c. Provide direction to the City in the development, improvement and expansion of the public park system and recreational facilities including such matters as the provision of indoor swimming facilities for the community.

d. Provide the basis for long-term strategies and master plans for Victoria Park, Kelso Beach Park and Harrison Park and other potential open space options.

e. Identify appropriate recreation program ideas for the City and recreation partners.

f. Provide comprehensive plan or strategy for the design, use, maintenance and development of the trail systems within the City, under the general framework of the Tom Thomson Trail on the east side, Nature Trail on the west side, and Freedom Trail at the south end of the City.

g. The City shall maintain and regularly update Schedule 'D' – Trails to provide for paths and trails.

7.4.2 Park Provision

7.4.2.1 In order to ensure that an appropriate amount of public parkland is available within the community, and with the understanding that the developed nature of the City may not always allow it, the City will try to achieve the minimum standards in accordance with Section 3.11.3.2.

7.4.2.2 Parks shall be defined and classified in accordance with Section 3.11.3.2.

7.4.2.3 All parks shall have a minimum frontage of 12 metres.

7.4.2.4 The City will look to secure parks and open space through various mean including, but not limited to:

a. Parkland dedication;

b. Acquisition through cash-in-lieu fees;

c. Partnerships with public or private organizations;

d. Public trusts / donations;

e. Restrictive covenants;

f. Easements.

While it is preferred that these lands be in public ownership, where it is not possible, the City should seek to secure a right of access across these lands for public use

7.4.3 Parkland Dedication

7.4.3.1 In areas planned for new residential development, the City shall establish park requirements adequate to meet the needs of the projected population. The City shall determine appropriate sizes and locations for new neighbourhood and community parks and such open space links and trails as may be appropriate. These facilities should be identified in the Recreation, Parks, and Facilities Master Plan with appropriate measures to secure lands for public use.

7.4.3.2 The City will, as a condition of the subdivision or the development or redevelopment of land:

a. For residential and institutional purposes, require 5 percent of all the land proposed for development or redevelopment, or alternatively require up to one hectare for each 600 dwelling units proposed be conveyed to the City for parkland. A multi-use pathway may be accepted for parkland purposes, subject to the City acceptance based on justification and the need for the multi-use pathway;

b. For commercial and industrial development, require a maximum of 2 percent of the land proposed for development or redevelopment be conveyed to the City for parkland, open space or multi-use pathway purposes; or,

c. For mixed use development, require land to be conveyed to the City for parkland, open space or multi-use pathway purposes in accordance with a) and b) for each type of use.

d. For affordable housing development, parkland dedication shall not exceed 5 per cent of the land multiplied by the ratio of non-affordable units to total units in the development.

7.4.3.3 In place of the dedication of land, the City may require cash-in-lieu of land at a rate appropriate to the value of the required land. For the purposes of collecting parkland conveyance as cash-in-lieu, the value of the land will be determined as of the day an application for site plan approval was made in respect of the development or redevelopment. If the development or redevelopment is not subject to site plan approval, the value of the cash-in-lieu shall be determined on the day an application for

an amendment to the Zoning-By-law was made in respect of the development or redevelopment. If the development or redevelopment is not subject to Site Plan Approval or a Zoning By-law Amendment, the value of the cash-in-lieu shall be determined on the day a building permit was issued in respect of the development or redevelopment or, if more than one building permit is required for the development or redevelopment, the day the first permit was issued.

7.4.3.4 The City may decline any offer of land that does not specifically meet the City's requirements regarding size, shape, location, topography or suitability for the intended park or open space use. Stormwater management ponds and Hazard Lands may be part of a park system but will not be included as the parkland dedication required by this Plan.

7.4.3.5 Where a public park is not required in a new industrial or commercial development, the City may also accept the provision of equivalent landscaped recreation areas for employees and visitors secured by agreement and owned and maintained by the owner of the balance of the lands.

7.4.3.6 Where a park is required within a new residential development according to a secondary plan, which exceeds the required area determined for parkland dedication, the City shall compensate the developer for the excess land required.

7.4.3.7 The City may collect parkland conveyance through the Site Plan Control process in accordance with the Planning Act.

7.4.3.8 The City may establish a Parkland Dedication Policy and By-law to include provisions for parkland dedication requirements, which may also consider reductions or exemptions from parkland dedication requirements for the purposes of achieving intensification and other objectives of this Plan.

7.4.4 River District Commercial and Harbour Planning Areas

7.4.4.1 Redevelopment plans for the River District Commercial and Harbour Planning Areas should focus on improving recreational opportunities and providing linkages through elements of developed parkland, walking trails and recreational facilities. It is the City's objective that all of the water's edge be maintained in public ownership or with full public access for recreational uses and to provide a continuous waterfront trail.

7.4.5 Park Design Standards

7.4.5.1 The City may establish park design standards for neighbourhood, community and City parks, which create a sense of place, highlight the natural environment, provide safe and accessible environment for recreational use. These standards may identify variations in the treatment of different types of active or passive park areas and may be supplemented with more specific standards for particular areas such as the Harbour. The establishment of these standards should precede redevelopment of lands adjacent to proposed park, open space or recreational trail areas.

7.4.6 Recreation Facilities on Private Land

7.4.6.1 Generally, recreational facilities provided on private lands, such as curling rinks, tennis courts, swimming pools, golf courses, school playgrounds, etc., are not considered to support the City's public recreational needs.

7.4.6.2 The City may require the inclusion of recreational facilities in large multiple unit residential developments. The facilities should be proportionate in size and nature to the scale of the development they serve. They should be appropriate to the projected needs of the future residents and would not be considered as part of the land dedication requirements for parkland.

7.4.7 Recreational Trails

7.4.7.1 The City intends to support and develop a recreational trail system throughout the City which links to the Bruce Trail and the developing regional trail networks within the Counties of Grey and Bruce and Grey Sauble Conservation Authority trails. This should include citywide trail systems for pedestrians and cyclists providing safe and convenient connections between and through neighbourhoods and significant City locations such as the River District Commercial area and the harbour. It should provide linkages between major elements of the City's open space system suitable to year round uses.

7.4.7.2 Access for snowmobiles or other motorized recreational vehicles will be limited to specific routes, as per City by-laws, legislation, and/or agreements with trail owners.

7.4.7.3 The City supports maintaining and improving abandoned rail corridors for trail and recreational uses and will continue to collaborate with the County on using the rail corridor as a trail or recreational use in accordance with the County's long-term goals and objectives for the former railway corridor.

7.4.7.4 The City has completed a Recreation Trails Master Plan that contemplates a comprehensive and interconnected system that supports transportation, environmental, social, cultural and recreational functions. The City will plan and design the system to be flexible and adaptable to respond to anticipated changes in demand and to serve the needs of the community as possible and appropriate. The Recreation Trails Master Plan will serve as the standard for the future planning and development of an integrated Active Transportation and Recreation Trail System throughout the City.

7.4.7.5 Through the review of development applications, the City will plan for an integrated trail network, which may include multi-use pathways, sidewalks, pedestrian connections, and other infrastructure, such as on-street bicycle lanes. The City will support the use of paved or hard surfaces to optimize accessibility for all users.

7.5 Tourism

7.5.1 General Policies

7.5.1.1 The City will promote tourism and sustainable tourism development in the City by encouraging the following:

a. Development proposals and infrastructure that address the needs of visitors to the City.

b. Encourage linkages between the harbour and the River District Commercial area and ensure that the River District Commercial area offers attractive streetscaping and evening and weekend street life for residents and visitors.

c. Promote and support the revitalization of River District Commercial area as a unique tourist destination and regional tourism hub offering unique services and opportunities to regional visitors on a year-round basis including accommodation and food service, entertainment and sport, festivals and events, and conference facilities.

d. Promote and support opportunities to increase conference capacity

e. Support the implementation of regional tourism strategy in collaboration with destination marketing organizations, tourism agencies, businesses and associations.

f. Promote the City based on its authentic, natural, and historic, heritage and lifestyle features and resources.

8. Urban Design

8.1 Scope of Urban Design

The Urban Design policies and objectives contained in this Plan establish the general design vision for the City and establish design criteria for the City to evaluate new development proposals in accordance with the provisions of the Planning Act and Council direction. The City's Urban Design policies and objectives may be further specified through more detailed Council-approved design guidelines, site plan guidelines, direction found within area studies or by studies required for a specific development.

8.1.1 General Policies

8.1.1.1 The City may require urban design studies, project specific design guidelines, context plans and master plans, in support of proposed development. Such studies shall have regard to the objectives and policies of this Plan and may be used to guide site plan development.

8.1.1.2 The City shall promote a high standard of design in its public works and in the design of private and public development to achieve an appealing, comfortable, accessible, safe living and work environment for the residents and visitors of Owen Sound. Particular attention will be given to development within the River District Commercial area, the harbour area, new residential areas, major commercial areas and gateways to the City.

8.1.1.3 The City will develop standards for the development or redevelopment of areas or properties within the City through the development of urban design guidelines, development standards, master plans, area plans or the Zoning By-law, and through the policies of this Plan.

8.1.1.4 The City may determine, through area studies such as the Harbour and Downtown Urban Design/Master Plan Strategy, the

appropriate urban design features or strategies that should apply to any particular area of the City.

8.1.1.5 Design guidelines may, among other matters, deal with issues such as building siting, massing, heights; architectural features; building materials; points of access; location and design of site features such as parking areas, service uses, pedestrian walkways; tree management and landscaping; and, elements of street furniture, signage, fencing and lighting.

8.2 Natural Features

8.2.1 Access and Protection

8.2.1.1 Development and redevelopment shall be encouraged that protects and enhances natural features and the opportunities to enjoy them, including the river valley and escarpment setting.

8.2.1.2 The City will maintain public accessibility to the water's edge to the greatest extent possible, and identify and protect view corridors to and across the water where possible.

8.2.1.3 New development should be designed so as to protect and enhance this natural setting. Significant natural features such as river valleys, ravines, wetlands escarpments and woodlands within or adjacent to any development should be protected with suitable setbacks, access points and visibility.

8.2.1.4 Parks, streets, playgrounds and public spaces should be designed to reflect this natural setting with appropriate landscaping, providing a suitable balance between the human-made and the natural world.

8.2.1.5 The protection and replacement of mature trees throughout the City is encouraged, particularly on the slopes of the escarpment and along the streets.

8.2.1.6 Where new development is proposed, locations of existing mature trees should be considered in the preparation of a site plan. Through the implementation of the Tree Preservation Policy, the City will ensure tree protection in maintaining healthy trees. The City will require the planting of street trees in new development areas through a tree survey planting plan.

8.3 Experiencing the City

8.3.1 Objectives

8.3.1.1 It is the City's intention to strengthen the positive image of Owen Sound as an attractive and liveable City by making the impression on entering and the experience of passing through the main streets enjoyable and easily understood.

8.3.1.2 The City intends to maintain a simple and easily understood plan structure based on nodes of intensive commercial, industrial and service activity joined together by an arterial road system. Secondary service uses should primarily be located along these arterial routes.

8.3.1.3 The City will consider higher standards for permitted uses and the design of buildings and streetscapes along the main arterial streets. Design guidelines should be developed for uses fronting on these arterial streets, with appropriate building setbacks and points of access.

8.3.1.4 The image and structure of Owen Sound is most readily understood through the long views made possible by the high surrounding hills. The City will consider identifying viewing points within the City, usually at the top of a hill, which provide important views of the landmarks of the City, such as the harbour. It is the City's intention to protect these long views from being blocked/interrupted by inappropriately located tall buildings and structures.

8.3.2 Gateways and Nodes

8.3.2.1 The City may identify certain points of entry into the City and certain key intersections as Gateways and Nodes. These are points that may be used to create a sense of welcome and arrival, assist in orientation and create a memorable image of the City. The primary locations are at the highway entrances at Highway 26 in the east, Highways 6/10 in the south and Highways 6/21 in the west and nodes identified in area studies such as the Harbour and Downtown Urban Design/Master Plan Strategy. These locations may be marked with special structures, landscaping or signage that reflects the unique character of the City. Design opportunities and the integration of these elements into the surrounding area may be identified through Urban Design studies.

8.3.2.2 Certain key intersections may be identified as Nodes or points of arrival through area studies such as the Harbour and Downtown Urban Design/Master Plan Strategy. They may feature architectural and landscaping treatments together with appropriate signage.

8.3.2.3 The City will employ clear directional signage to inform visitors of the route to reach the main centres of the River District Commercial area, harbour, east side commercial and west side commercial areas and to reach highway linking points. Signage should also identify the routes to other landmark destinations such as major parks, the library, art gallery and hospital.

8.4 Pedestrian Environment

8.4.1 Objectives

8.4.1.1 The City will seek to secure a safe and accessible pedestrian environment in public and private development through the development and use of design guidelines which provide standards for clear visibility in public places, appropriate lighting, safe movement around vehicles, barrier free sidewalks and building entrances and such other measures as may be appropriate.

8.4.2 Living Streets

8.4.2.1 Promote the objective of "Healthy Communities" through program and facility development. New neighbourhood streets should be designed to limit the speed of traffic and to create a continuous pattern of pedestrian connections, consistent with the principles of Living Streets. Sidewalks should, where possible, be separated from the roadway by landscaped boulevards.

8.4.2.2 The City will promote the principles of "Living Streets" by:

a. Encouraging walking throughout the City.

b. Providing continuous safe and comfortable walking routes.

c. Reducing potential pedestrian conflict with vehicles and separating pedestrian paths from roadways where possible.

d. Reducing vehicular speeds on local roads.

8.4.2.3 Any renovation or new construction of public buildings or structures shall be designed to support accessibility by all citizens in compliance with the Ontario Building Code and AODA.

8.4.2.4 The City will promote public and private development that provides a comfortable, human scale environment, supports social interaction and which addresses the issues of year round use.

8.4.2.5 In developing design guidelines and in public works, the City will promote an interesting and inspiring public environment through a high standard of building and landscape design, the inclusion of public art in accessible and visible locations and the preservation of heritage features.

8.4.2.6 In retail areas, the City will promote the provision of a comfortable pedestrian environment suitable for shopping, with wide sidewalks and some weather protection. Retail areas should provide opportunities to meet people or to sit in outdoor cafes. Sidewalks should not be utilized for snow storage.

8.4.2.7 The City will promote public and private development that achieves the optimum conditions of sun, shade and wind conditions throughout the seasons in all outdoor pedestrian areas. Conditions should be suitable for the expected activities, whether active, such as walking or passive, such as sitting. Optimum conditions may be achieved through the appropriate siting of buildings and open spaces, the shape of taller buildings, the use of building elements such as awnings and walls and the use of landscaping elements to provide windbreaks and shade. In areas where taller buildings may be built or where there is direct exposure to open water, the City may require wind testing and shadow studies of proposed development and the adjacent pedestrian areas and public spaces.

8.5 Public Spaces

8.5.1 Objectives

8.5.1.1 The City will maintain and develop a network of attractive public spaces within the City, particularly in the River District Commercial and harbour areas. These spaces include areas related to public buildings such as the City Hall and the Market, park areas, harbour-side walkways and links to public parking. Public spaces should be designed to provide places for people to meet, to gather for public events, to sit and to enjoy.

8.5.1.2 The City will encourage the design of public spaces that improve the character and perception of an area, provide inviting, inclusive and accessible spaces, strengthen the image and

identify of an area, and embrace and highlight the natural environment.

8.5.1.3 The City encourages the development of open spaces adjacent to major institutional buildings for recreational and leisure use. It supports the provision of benches and seating that provide comfortable rest areas, water features such as fountains and pools and public art as integral features of public spaces. Public spaces should be designed for year round use with plans for snow clearing and storage and protected sun traps for cold weather use.

8.6 Streetscape

8.6.1 Objectives

8.6.1.1 The City will seek to achieve well-coordinated and designed streetscapes throughout the City, particularly in the commercial areas and along arterial roads. They should provide comfortable pedestrian environments, safe vehicular movement, reinforce the desired or established character of the area and, where appropriate, incorporate trees for shade.

8.6.1.2 The City may determine standards of appropriate streetscape through the development of area specific guidelines such as those proposed in the Owen Sound Harbour and Downtown Urban Design/Master Plan Strategy, and through more general guidelines.

8.6.1.3 The City may define, within any development area, building heights and setbacks or, in some cases, 'build to' lines that are consistent with the intended form of development and relevant guidelines. Within a residential area, such heights and setbacks should be consistent with the general form of existing development. Increased setbacks may be required where high buildings are proposed.

8.6.1.4 The City may provide, or may require of new development, enhancement of the public right of way consistent with the character of the neighbourhood and applicable urban design guidelines, using streetscaping elements such as special lighting, landscaping, paving stones, street furniture, public art and other complimentary features and fixtures.

8.6.1.5 Streetscape adjacent to parks, open space, natural areas or waterfront should be designed to visually extend the natural elements and spaces

8.6.1.6 In order to maintain an orderly and attractive streetscape and minimize visual clutter, the City may use a sign by-law to control the erection of signs in respect of location, size, permanence and such other relevant aspects.

8.6.2 Street Front Retail

8.6.2.1 In areas of high pedestrian traffic, particularly in the River District Commercial area, the existing form of continuous retail frontage is to be retained and continued through infilling.

8.6.2.2 Buildings shall be located without setback at the street edge with few gaps between buildings except to provide access to parking.

8.6.2.3 Street Front Retail development requires some on-street parking and separate parking areas generally located within the development block. Vehicular access shall generally be limited to a few locations within a block. Pedestrian access to the street front may be through gaps between buildings or through rear entrances to the businesses.

8.6.3 Side or Rear Yard Parking

8.6.3.1 In an area where existing development is less than 10 m from the sidewalk or where a higher level of landscaping is desired to present a more attractive street edge, non-residential buildings should be kept at a fairly uniform distance from the street, with parking located behind the line of the front of the building.

8.6.3.2 The area between the building and street should be landscaped in accordance with applicable design guidelines.

8.6.3.3 Sidewalks may be set back from the road with landscaped boulevards where appropriate.

8.6.3.4 A barrier-free path of travel shall connect City sidewalks to main, accessible entrances.

8.6.4 Front Yard Parking

8.6.4.1 In this form of development, parking shall be separated from the sidewalk by a landscaped buffer. Sidewalks may also be set back from the road with landscaped boulevards where appropriate.

These areas should be landscaped in accordance with any applicable design guidelines.

8.6.4.2 Parking with this form of development should be aggregated into larger units in order to address issues of access as set out in Section 8.6.6.

8.6.4.3 In a retail commercial area, consideration should be given to continuous pedestrian access along the building fronts and connecting to adjacent development. Safe and comfortable pedestrian points of access from the street should be provided at regular intervals.

8.6.5 Large Lots

8.6.5.1 In order to create an attractive street edge, buildings on large commercial, industrial or institutional lots with sufficient depth to provide internal traffic distribution are encouraged to be located close to the street with parking located further from the street with appropriate landscape treatment as specified in the City's Site Plan Submission and Approval Guidelines.

8.6.5.2 Buildings close to the street could be developed in a form similar to that described in Section 8.6.3.

8.6.5.3 Consideration should be given to continuous pedestrian access along the building fronts near the street and connecting to adjacent development. Safe, comfortable, accessible and barrier-pedestrian points of access from the street should be provided at regular intervals to all buildings on the lot.

8.6.5.4 A connect City sidewalks to main, accessible entrances.

8.6.5.5 In this form of development, parking shall be separated from sidewalks by a landscaped buffer. Sidewalks may also be set back from the road with landscaped boulevards where appropriate. These areas should be landscaped in accordance with applicable design guidelines.

8.6.6 Parking and Access

8.6.6.1 Where off street parking is required, the City may develop and enforce design criteria and guidelines to provide for:

a. Safe vehicular access.

b. Pedestrian safety, convenience and accessibility.

c. Adequate lighting, signage and landscaping.

d. Controlled visual impact by appropriate location on the site.

8.6.6.2 Parking should be located in a manner appropriate to the size of the site, the optimum relationship of the building to the street and convenient access for users as described in Section 8.6.

8.6.6.3 Access points should be clearly visible and distinguishable, limited in number and designed in a manner that will minimize hazards to pedestrian and motor traffic in the immediate area. The City may require consolidation of adjacent parking areas to provide appropriate spacing of access points on arterial roads.

8.6.6.4 Pedestrians should have a safe, well-lit, clear route from vehicle to building at all times of the year. Safe, comfortable, accessible and barrier-free pedestrian points of access should be frequent and easily identified with clear directional signage. Larger developments should provide sitting areas for pedestrians awaiting pick-up.

8.6.6.5 Parking areas are to be adequately landscaped in accordance with urban design guidelines. Parking areas should maintain distinct street edges through appropriate landscaping or structures.

8.6.7 Adjacent Uses

8.6.7.1 The City shall consider matters of potential impact on adjacent uses when considering any application for a change of use.

8.6.7.2 The City shall consider the potential impact of abrupt changes in building height and scale on surrounding uses and protected views when considering zoning by-laws and site plan approvals. Generally, the City will seek compatible building forms.

8.6.7.3 Where the height or mass of a proposed building may significantly shadow or cause increased wind conditions on an adjacent open space or solar collector, the City may require a study be undertaken to assess the impact and may develop and enforce setback requirements, site plan requirements and design guidelines to ameliorate the problem.

8.6.7.4 Wherever a residential type of use abuts an industrial use, a commercial use, an institutional use, a parking area, a loading area or any other incompatible use, the City may develop and enforce setback requirements, site plan requirements and design guidelines to provide adequate visual and aural separation and privacy for the residential use in accordance with MECC.

8.6.7.5 Generally, where a non-residential site abuts a residential use, the location of access lanes, parking areas, loading areas and waste storage close to the residential use should be avoided. A landscaped buffer and appropriate screening should be required along the adjoining lot lines. Additional screening may be required where noise levels generated by the non-residential use are considered unusually high and would negatively impact the residential use.

8.6.7.6 Protection of adjacent uses may require support of compatibility studies in accordance with Schedule 'E'.

8.6.8 New Residential Development

8.6.8.1 New residential development should be planned in neighbourhoods through Planning Areas, creating identifiable areas of the City with simple street patterns, a coherent built form, a well-connected and safe pedestrian system and accessible local amenities such as a neighbourhood park, convenience shopping and institutional uses.

8.6.8.2 Buildings should be sited to provide relatively consistent streetscapes within an area, with similar setbacks, defining the visual width of the streets. Street trees should be planted in accordance with an appropriate plan.

8.6.8.3 In new comprehensively designed residential development, the City may permit building setbacks and lot sizes which vary from surrounding development where these are determined to be appropriate to the proposed form of development in accordance with accepted design guidelines.

8.6.8.4 New development should support the maintenance of a continuous open space system and provide appropriate pedestrian access.

8.6.9 Outdoor Lighting

8.6.9.1 New development and redevelopment shall be designed with responsible lighting practices that create safe outdoor environments and minimize glare and impact to night sky, public view and surrounding properties.

8.6.9.2 The City may regulate public and private site lighting types through a regulatory by-law or design guidelines.

8.6.10 Landscape Design

8.6.10.1 Landscaping shall be designed to enhance the presence of each building and used as a major visual element to unify the proposed building, streetscape and surrounding environment.

8.6.10.2 Landscaping design shall utilize a diversity of plant material that are appropriate for the site conditions in all seasons, including a focus on native plant material where appropriate, and avoid the use of invasive species in accordance with City policies and guidelines.

8.6.11 Signage

8.6.11.1 Site signage shall be designed to complement and enhance the building and site design. Building signage shall be in scale with the building design, proportionate to the building façade and architecturally integrated with the building design. Ground related signage is to be integrated with landscape plans. Further direction may be provided through Urban Design Guidelines or Sign Guidelines.

8.6.11.2 The City may require sign master plans developments to reinforce a project theme with consideration for various types of signage.

8.7 Safety and Security

8.7.1 Public Safety in the Built Form

8.7.1.1 New development and redevelopment shall be designed to promote safe, comfortable and accessible environments for all users.

8.7.1.2 Public spaces will be designed using materials and tactics that invite diverse users, foster feelings of safety, and facilitate social networking.

8.7.1.3 Physical design measures such as adequate lighting and clear sightlines should be used as basic design elements.

8.7.1.4 The unintended consequences of erecting physical barriers, which may cause to inhibit the use of public space, or altering existing spaces to displace specific users must be considered in every decision.

8.7.2 Community Wellbeing & Inclusion

8.7.2.1 The City will continuously work to design public spaces that:

a. Promote physical and social mobility,

b. Reject social and racial segregation, and

c. Contribute to physical and mental health.

d. Are accessible to all people.

8.7.2.2 The City will work continuously to execute civic engagement that is inclusive and reaches all citizens, regardless of circumstance or identity.

9. Implementation

The City shall maintain all approval authority and implement the Official Plan by utilizing its authority conferred upon them by the Planning Act, the Municipal Act, and other applicable statutes. The City's Comprehensive Zoning By-law provides the mechanism in which to implement the policies of this Plan.

9.1 By-laws

9.1.1 Zoning By-law

9.1.1.1 The City shall adopt a Comprehensive Zoning By-law in conformity with this Plan to establish development standards and regulate growth patterns within the municipality in conformity with the policies of this Plan. Zoning By-laws shall establish zones, set out permitted uses and establish appropriate development criteria for such land uses that reflect the policies and land use designations of this Plan.

9.1.1.2 The City may amend the Zoning By-law where, in the opinion of the City, sufficient justification exists. Amendments must be in conformity with the policies of this Plan. When considering whether an amendment to the Zoning By-law is appropriate, the City should consider the goals, objectives and policies of this Plan.

9.1.1.3 The City may consider a "Deferred Development" zoning category for certain areas in order to delay their development until such time as the areas are required for development or until conditions or standards appropriate to the zoned area can be satisfied or until the nature of future uses has been determined, or when the area is required for development, or when the standards or conditions have been achieved, or upon receipt of an application for development which is considered suitable by the City and is in accordance with the policies of this Plan, the "Deferred Development" category may be replaced with an appropriate zoning category by amendment to the By-law.

9.1.1.4 Use of land which exists on the date of the adoption of this Plan but which does not conform to this Plan may be zoned to permit the use existing on that date as well as uses which are as compatible or more compatible with the area and surrounding land uses. The recognized existing use or other permitted uses must not constitute a danger to surrounding land uses and persons by virtue of their hazardous nature or generated traffic,

and must be subject to appropriate performance standards which limit the expansion potential of the permitted use(s) to only those uses which does not adversely impact on abutting lands.

9.1.2 Minor Zoning By-law

9.1.2.1 The City has the authority under the Planning Act to delegate approval of minor zoning bylaw amendments to a committee of council or an individual who is an officer, employee, or agent of the municipality. Such minor bylaws may include:

a. a by-law to remove a holding symbol; and
b. a by-law to authorize the temporary use of land, buildings or structures in accordance with subsection 39 (1) of the Planning Act.

9.1.3 Holding Provisions

9.1.3.1 The City has the authority under the Planning Act to zone lands for a specific use, but delay development to a later date, when certain identified conditions have been satisfied. Therefore, the City may consider the use of a holding symbol "H" in front of the zoning category applicable to specific lands. The by-law may specify the land use(s) and applicable regulations to be permitted until removal of the "H".

9.1.3.2 The Zoning By-law must clearly specify the use(s) that are permitted while the holding zone is in place. It is generally intended that all interim uses will be limited to those uses which are existing, and to minor extensions or expansions of existing uses which do not require large capital investments and which will not adversely affect the future development of the lands. The City may choose to permit a broader range of interim uses where policies of this Plan are complied with and the City's interest is protected.

9.1.3.3 The actions or requirements for the removal of the "H" or holding provision shall be set out in the Zoning By-law or amendment and may include but not be limited to the following: a) The allocation of municipal servicing capacity by the City. b) The phasing and logical progression of development in accordance with the necessary approvals and the orderly progression of "hard services" such as sanitary sewers, waterlines, roads or other similar municipal services. c) The provision of parkland and other soft services. d) The completion and confirmation that

environmental contamination remediation has occurred on site, or that satisfactory verification of suitable environmental site condition is received by the City. e) The completion of an appropriate supporting study to the satisfaction of the City, in consultation with other agencies as required. f) The completion of a servicing agreement or the subdivision of land, including the execution of a development or subdivision agreement. g) The granting of site plan approval by the City and the execution of a site plan agreement. h) Compliance with the policies of this Plan.

9.1.3.4 When conditions relating to the holding provision have been satisfied, the City may pass a by-law removing the holding symbol upon compliance with the requirements of the Planning Act.

9.1.3.5 City Council may elect to apply the "holding" provisions as provided under 8.1.2 of the Official Plan for the lands designated Residential located west of 3rd Avenue East (County Road 15), Part Lot 26, Plan 838, Part 1, Plan 16R-2345. The purpose of this is to ensure that prior to residential development of these lands that the following is complete: a) prior to development occurring, execution of a servicing agreement, if necessary, and the payment of applicable frontage charges to the satisfaction of the City; b) submission of an engineered site plan containing the lot grading, drainage and storm water management plan for the subject lands as well as a minimum final grade of 178.5 metres and flood-proofing to 179.5. The site plan will also identify appropriate erosion control measures to be implemented during construction to the satisfaction of the City.

9.1.3.6 City Council may elect to apply the "holding" provisions as provided under 8.1.2 of the Official Plan for the lands designated Residential located west of 3rd Avenue East (County Road 15), Part Lot 26, Plan 838, Part of Part 11, Plan 16R-639. The purpose of this is to ensure that prior to residential development of these lands that the following is complete: a) prior to development occurring, execution of a servicing agreement, if necessary, and the payment of applicable frontage charges to the satisfaction of the City; b) submission of an engineered site plan containing the lot grading, drainage and storm water management plan for the subject lands as well as a minimum final grade of 178.5 metres and flood proofing to 179.5. The site plan will also identify appropriate erosion control measures to be implemented during construction to the satisfaction of the City.

9.1.4 Temporary use By-laws

9.1.4.1 The City may pass a Temporary Use By-law to allow the use of land, building(s) or structure(s) for a purpose set out in a by-law where the City considers it appropriate that such use be permitted only on a temporary basis. Use of such a by-law may be made where the temporary use is in accordance with the land use provisions of this Plan and:

a. The use to be established is of a temporary nature where the investment is not to such an extent that the owner may be put to undue hardship upon termination of the temporary use provisions.

b. The proposed use would be in existence on a one time basis or for a short period of time on a periodic basis where it is considered by the City not to be appropriate to zone for permanent use on a continuing basis, but where it is considered that such a use occurring for a limited time would be appropriate taking into account the duration of the use, abutting lands, traffic and access characteristics, parking provisions, economic impacts, necessity and alternatives.

9.1.4.2 The City shall consider the following when enacting a Temporary Use By-law:

a. The compatibility of the proposed use with the surrounding land uses.

b. The adequacy of any services that may be required for the proposed use.

c. Access and parking requirements.

d. Traffic impacts.

9.1.5 Interim Control By-law

9.1.5.1 Where the City has determined that a critical land use issue warrants the review of particular land use policies in a specified area of the municipality, the City may adopt an Interim Control By-law in accordance with the relevant sections of the Planning Act, in order to control the use of land, buildings or structures within specifically identified areas. Interim Control By-laws are to be used only in situations where there is urgency to ensure that proper planning principles are utilized.

The effective period of an Interim Control By-law shall not exceed one year except that City may amend the By-law to extend the period provided the total effective period of the By-law does not exceed two years from the date of passing of the original Interim Control By-law. When an Interim Control By-law ceases to be in effect, the City may not pass a further Interim Control By-law on the subject lands for a minimum period of three years.

9.1.6 Sign By-law

9.1.6.1 A Sign By-law may be established to prohibit and/or regulate the type, form size, location, erection and construction and alteration of signs and other advertising devices.

9.1.7 Property Standards By-law

9.1.7.1 In accordance with the Ontario Building Code Act a Property Standards By-law may be established to ensure minimum standards for the maintenance and occupancy of all buildings and properties. Such a by-law may apply to part of the City or to the entire City as determined by the City. These by-laws should have regard for any or all of the following matters and set appropriate standards or conditions for:

a. The physical conditions of vacant land, yards, and passageways including the accumulation of debris and rubbish.

b. The adequacy of sanitation including drainage, waste disposal, garbage and pest control.

c. The physical condition of accessory buildings.

d. The physical conditions of dwellings or dwelling units, institutional, commercial and/or industrial buildings, structures and properties.

9.1.7.2 A Property Standards By-law may prohibit the occupancy or use of any property that does not conform to the standards, require that repairs be effected to any noncomplying property and that such property be maintained in accordance with the standards, require that debris, refuse, abandoned or derelict vehicles be removed from the property, require that non-complying buildings or structures be demolished and levelled if appropriate repairs are not affected, and that such property is to be left in a graded and levelled condition.

9.1.8 Sewer Use By-law

9.1.8.1 The City may establish a Sewer Use By-law to regulate the discharge of wastes into the municipal wastewater system, drains and/or treatment works.

9.1.9 Heritage Building Standards By-law

9.1.9.1 In accordance with the Ontario Heritage Act the City may establish a Heritage Building Standards By-law provided the City has passed a by-law under Section 15.1 of the Building Code Act setting out minimum standards for the maintenance of property in the City. The Heritage Building Standards By-law may be established to ensure minimum standards for the maintenance of the heritage buildings in the City designated under Sections 29 or 34.5 of the Ontario Heritage Act.

9.1.10 Heritage By-law

9.1.10.1 The City may pass by-laws pursuant to the Ontario Heritage Act to designate any property in the City, which, in the opinion of the City, has sufficient, architectural, historical or other significance to warrant its specific designation as provided for under the Ontario Heritage Act. Prior to passing any such by-law, the City should consult with the Municipal Heritage Committee, if any, or any other similar committee, which the City has established.

9.1.10.2 The City may consider and adopt a by-law pursuant to the Ontario Heritage Act to create a heritage conservation district, but before passing such a by-law, the City shall conduct appropriate studies, prepare a proposed plan and consult with the Ministry of Citizenship and Multiculturalism, and the Local Architectural Advisory Committee, if any, or any other similar committee to obtain input and advice on such an undertaking.

9.1.11 Alteration to Grade By-law

9.1.11.1 The City may regulate any alterations to grade in accordance with the Municipal Act subject to notice provisions.

9.1.11.2 Alteration to grade is discouraged prior to development approvals being granted.

9.2 Plans for Planning Areas

9.2.1 Planning Areas

9.2.1.1 Plans for Planning Areas shall be prepared to plan for growth and development on large tracts of land within the City to provide further guidance regarding density, type, form, timing, scheduling and servicing of future development or redevelopment areas. Planning Areas are shown on Schedule 'B' – Planning and Study Areas. The following shall apply to the preparation of planning areas plans:

a. The establishment of a secondary plan area shall account for any existing uses within the area.

b. Unique or more detailed land use policies or land use designations than that of this Plan may be established in Planning Areas.

c. The location of key community services and amenities including schools, and parks shall be established in Planning Areas.

d. Planning Areas are considered amendments to this Plan and will be added to this Plan as additions to Section 4.

e. The preparation of a secondary plan and establishment of a secondary plan area must be approved by the City.

f. The goals, objectives and policies of this Plan shall be maintained in any secondary plan.

9.2.1.2 Background information for the preparation of a secondary plan may include the following reports:

a. Determination of environmental protection and natural heritage areas.

b. Master servicing plan.

c. Stormwater management study.

d. Traffic impact analysis.

e. Urban design master plan.

f. Planning rationale report.

g. Archaeological Assessments

9.2.1.3 The planning rationale required by Section 9.2.1.2 shall address the following:

a. Integration of proposed new development with the existing Development.

b. The distribution of proposed land uses.

c. The range of housing styles and densities.

d. Neighbourhood commercial and institutional uses to serve the residential areas.

e. Linkages between the residential areas, parks, schools, recreational areas and institutional facilities.

f. Any particular issues that the secondary plan area and proposed policies may pose for adjacent land uses including consideration of impact on existing industrial areas.

g. Proposed sanitary sewer, water and stormwater management servicing of the new development.

h. Traffic analysis of the new development recommending any road upgrades.

i. Commercial Needs Assessment if the proposal is to redesignate lands to a commercial designation.

j. The need for land for employment purposes over the long term and the need for conversion from employment land if the proposal is for the conversion of employment land.

9.2.1.4 Boundary expansions resulting in the addition of lands to an existing Planning Area or Study Area or a new Planning Area or Study Area, shall address the applicable boundary expansion policies of the Provincial Planning Statement.

9.2.2 Community Improvement Areas

9.2.2.1 The City shall where warranted provide for the maintenance, rehabilitation and redevelopment of selected residential, commercial and industrial areas by identifying Community Improvement Areas, adopting Community Improvement Plans, and implementing Community Improvement Projects pursuant to the provisions of the Planning Act.

9.2.2.2 Community improvement shall be accomplished through the following:

a. The ongoing maintenance, rehabilitation, redevelopment and upgrading of areas characterized by deficient, obsolete and/or deteriorated buildings, land use conflicts, environmental

contamination, deficient municipal hard services, social, community, recreational services, or economic instability.

b. The establishment of programs to encourage private sector redevelopment and rehabilitation that addresses economic development, land development, environmental, housing, and/or social development issues.

c. The designation by by-law of Community Improvement Project Areas, the boundary of which may be the City or any part thereof.

d. The preparation, adoption and implementation of Community Improvement Plans, pursuant to the Planning Act.

9.2.2.3 The designation of Community Improvement Project Areas shall be based on one or more of the following conditions being present:

a. Building, building facades and/or property, including buildings, structures and land of heritage and/or architectural significance in need of preservation, restoration, repair, rehabilitation, or redevelopment.

b. Non-conforming, conflicting, encroaching or incompatible land uses or activities.

c. Deficiencies or deterioration in physical infrastructure including, but not limited to, the sanitary sewer system, storm sewer system, and/or water main system, roads, parking facilities, sidewalks, curbs, gutters, streetscapes and/or street lighting.

d. Poor road access and/or traffic circulation.

e. Deficiencies in community and social services including, but not limited to, public open space, municipal parks, neighbourhood parks, community centres, libraries, arenas, other recreational facilities, and public social facilities.

f. Known or suspected environmental contamination.

g. Poor overall visual quality, including but not limited to, streetscapes, urban design and other physical amenities.

h. Built or natural heritage resources that need to be preserved, rehabilitated or renewed.

i. High commercial or industrial vacancy rates.

j. Shortage of land to accommodate widening of existing rights-of-way, building expansion, parking and/or loading facilities.

k. Any other economic, environmental or community development reasons.

9.2.2.4 Community Improvement Plans shall be prepared and adopted to:

a. Encourage the renovation, repair, rehabilitation, remediation, redevelopment or other improvement of land and/or buildings.

b. Encourage residential and other types of infill and intensification.

c. Upgrade and improve municipal services and public utilities such as sanitary sewers, storm sewers, water mains, roads and sidewalks.

d. Encourage the preservation, restoration, adaptive reuse and improvement of built heritage resources.

e. Encourage the construction of a range of housing types and the construction of affordable housing.

f. Encourage energy efficiency and sound environmental design.

g. Improve traffic circulation.

h. Encourage off-street parking and provide municipal parking facilities where feasible and appropriate.

i. Promote the ongoing viability and revitalization of the River District Commercial and Harbour areas as the focus of pedestrian oriented retail, commercial, office, civic, cultural, entertainment and government uses.

j. Facilitate and promote community economic development

k. Improve social, community or environmental conditions.

l. Improve community quality, safety, landscaping, accessibility and sustainability.

9.2.2.5 Available to the City when implementing Community Improvement Plans within designated Community Improvement Project Areas is the following range of actions:

a. The municipal acquisition of land and/or buildings within Community Improvement Project Areas.

b. Provision of public funds such as grants, loans and other financial Instruments.

c. Application for financial assistance from senior level government Programs.

d. Participation in any senior level government programs that provide assistance to private landowners for the purposes of Community Improvement including the province's Brownfields initiatives.

e. Provision of information on municipal initiatives, financial assistance programs and other government assistance programs.

f. Supporting heritage conservation through the Ontario Heritage Act and the Owen Sound Heritage Committee.

g. Supporting the efforts of the Chamber of Commerce and Business Improvement Associations regarding the River District Commercial areas through the implementation of various programs.

h. Encouraging off-street parking and providing municipal parking facilities where feasible and appropriate.

i. Enforcing the Property Standards By-law.

j. Co-operating with school boards, local municipal boards, service clubs, business organizations, educational institutions and other organizations to promote and facilitate the utilization of existing facilities and where feasible, to rehabilitate these facilities to offer new and/or better services to the community.

k. Encouraging the rehabilitation of private buildings by advising property owners of government subsidies and programs, and assisting where possible, the property owners in obtaining grants.

l. Where conflicting land uses occur in Community Improvement Project Area, endeavouring to limit the expansion of these uses and encouraging and/or assisting in the relocation of the offensive use.

9.2.2.6 Through the identification of a Community Improvement Project Areas and the development of a Community Improvement Plan, the City shall involve the residents of the affected areas in the identification of service level deficiencies and priorities.

9.3 Development Control

9.3.1 Official Plan Amendments

9.3.1.1 The City may require any and all plans and studies outlined in Schedule 'E' prior to considering an application complete.

9.3.1.2 The City shall consider the following criteria when reviewing applications to amend this Plan:

a. Ensuring amendments have regard to provincial interests and are consistent with Provincial Planning Statement and conform to the goals, objectives and policies of this Plan and the County of Grey Official Plan.

b. Ensuring amendments are consistent with the Niagara Escarpment Plan.

c. Impact on the provision of and demand for municipal services, infrastructure and facilities.

d. Adequacy of the proposed hard and soft services in accordance with the servicing policies of this Plan.

e. Impact on surrounding land uses, the transportation system, municipal services and community amenities and services.

f. Impact on cultural and/or Natural Heritage features.

g. Any other information as determined appropriate and applicable by the City or other agency.

9.3.2 Committee of Adjustment

9.3.2.1 In accordance with the relevant provisions of the Planning Act, the Committee of Adjustment shall deal with all applications for minor variances, to the provisions of the Zoning By-law and other by-laws, which implement this Plan, applications for consent and changes to non-conforming uses.

9.3.2.2 Plans of subdivision shall be the preferred method of land division. Consents should only be granted when it is clearly not necessary or in the public interest that the land be developed by plan of subdivision. Plans of subdivision will be required and applications for consent will not be approved under the following circumstances:

a. More than three lots (two severed and one retained) from a land holding are being created.

b. Lots created require a new public road for the provision of access.

c. The provision or extension of municipal services (water and/or sewer) is required.

d. Other matters that may arise during the review of the proposed development.

9.3.2.3 Notwithstanding Section 9.3.2.2a) the requirement for a plan of subdivision may be waived for infilling or redevelopment of lots having frontage on a public road that is maintained on a year round basis in an area serviced by municipal water and sanitary sewers subject to the provisions of section 9.3.3 of this Plan.

9.3.2.4 Regard shall be had to the following criteria when considering an application for consent:

a. The lands front onto an existing, assumed public road that is maintained on a year round basis.

b. The consents shall have the effect of infilling in existing areas and not extending existing development.

c. Creation of the lot does not compromise the long-term use of the remaining land or retained parcel.

d. The size of the parcel of land created by consent should be appropriate for the use proposed.

e. Soil and drainage conditions are suitable or can be made suitable to permit the proper siting of buildings.

f. Impact on any adjacent built heritage or archaeological resource.

9.3.2.5 No parcel shall be created which does not conform to the provisions of the Zoning By-law except where a minor variance has been approved.

9.3.2.6 On the granting of an application for consent, appropriate conditions may be imposed, including necessary road widening, which may include the entering into of agreements with the City to ensure fulfillment of the conditions and/or City policies.

9.3.2.7 Subject to the specific policies of this Plan, consents may be permitted for the purpose of making lot boundary corrections, granting easements, conveyances and consolidations and other such administrative or technical matters provided that such matters are minor in nature.

9.3.2.8 Nothing in this Plan shall adversely affect the continuance of any use(s) legally existing on the date this Plan was adopted by the City.

9.3.2.9 The City may recognize the existing use of land in the implementing Zoning By-law. The City, in co-operation with landowners, will attempt to reduce the number of non-conforming uses whenever and wherever possible according to the policies of this Plan.

9.3.2.10 The City may enact delegation of powers under the Planning Act for select Committee of Adjustment applications.

9.3.3 Draft Plan of Subdivision and Condominium Approval

9.3.3.1 The provisions of the Planning Act relating to subdivision control, including subdivision agreements, shall be used to ensure that the land use designations and policies of this Plan are complied with and that a high standard of design is maintained in all development. The subdivision approval process is to be used to ensure logical and orderly development in accordance with the intent of this Plan and the maintenance of a sound financial position for the City.

9.3.3.2 Prior to approval of an application for plan of subdivision or plan of condominium approval the City will confirm the availability of adequate servicing, infrastructure, allocation, waste collection, disposal services and roads.

9.3.3.3 Applications for plan of subdivision or plan of condominium approval shall be considered premature if appropriate services and servicing capacity is not available. The City may consider other criteria as reason to deem an application for plan of subdivision or plan of condominium approval to be premature.

9.3.3.4 All lots within a plan of subdivision shall have frontage on a public road maintained on a year round basis, constructed to an acceptable City standard. Plans of condominium shall have access to a public road maintained on a year round basis, however, it is recognized that development within the condominium plan may occur on private roads.

9.3.3.5 Plans of subdivision and plans of condominium shall be appropriately phased to ensure orderly and staged development.

9.3.3.6 All plans of subdivision and plans of condominium shall be subject to a development agreement between the City and the

applicant for, but not limited to parkland dedication, road development, sidewalk construction, service installation, land reserves, administration fees, lot levies and other appropriate requirements.

The City has completed the following documents, the Residential Subdivision Policies and the Subdivision and Condominium Approval and Development Policies and Procedures to assist in the standardization and criteria requirements as needed for this process as amended from time to time and will establish what constitutes a complete application under the Planning Act.

9.3.4 Site Plan Control

9.3.4.1 The City has the authority under the Planning Act to delegate approval of site plan applications to an individual who is an officer, employee, or agent of the municipality.

9.3.4.2 The City may require any and all plans and studies outlined in Schedule 'E' prior to considering an application complete.

9.3.4.3 All the lands within the limits of the City of Owen Sound are designated as a Site Plan Control Area in accordance with provisions of the Planning Act.

9.3.4.4 Where any residential development will contain no more than 10 residential units, Site Plan Control shall not apply unless the parcel of land is located in a prescribed area as defined in the Planning Act.

9.3.4.5 Within the proposed site plan control area, the City may pass by-laws designating the whole or any part of such an area as a site plan control area.

9.3.4.6 The City may apply conditions as provided for in the Planning Act to the approval of the of a site plan and may require that certain standards of design be applied. Where the City deems necessary to ensure the fulfillment of such conditions and implementation of the City's policies through a site plan agreement the provision of appropriate security and documentation can be required of the applicant. The site plan agreement may contain provisions relating to the timing of a project, future obligations of the owner and the City, security deposits and road widenings.

The City has completed the Site Plan Submission and Approval Guidelines to assist in the standardization and criteria requirements as needed for this process.

9.3.4.7 As a condition to the approval of plans for lands under a site plan control by-law the County may require the dedication of lands for the widening of the County roads where such lands abut a County road and the City may require the dedication of lands for the widening of highways which such lands abut the following streets:

a. 10th Street West, west of 6th Avenue West to 9th Avenue West (City limits) by acquiring approximately three meters from lands along each side of 10th Street West between 6th Avenue West and the City limits.

b. 16th Street East, east of 9th Avenue East to the City limit by acquiring approximately three meters from land along each side of 16th Street East, east of 9th Avenue East to the City limits.

c. 9th Avenue East between 10th Street East and 16th Street East by acquiring up to three metres of land along each side of 9th Avenue East.

d. Any major intersection where in the interest of providing appropriate turning lanes, widening is necessary. Major intersections are defined as any intersection of two or more streets where any one of the streets is designated as an arterial street by this Plan. The maximum extent of the widening shall be a depth of three meters from the property line along the arterial street with a length no greater than twenty-five meters from the intersection of the intersecting property lines.

9.3.4.8 Where site plan control applies to a residential building with fewer than 25 dwelling units, the applicant may be required to provide the following for each building:

a. Plans showing the location of all buildings and structures to be erected and showing the location of all facilities and works to be provided in conjunction with the building and structures, and of all facilities and works required as follows:

   i. Widenings of highways that abut the land.

   ii. Subject to the Public Transportation and Highway Improvement Act, facilities to provide access to and from the land such as access ramps and curbings and traffic direction signs.

iii. Off-street vehicular loading and parking facilities, either covered or uncovered, access driveways, including driveways for emergency vehicles, and the surfacing of such areas and driveways.

iv. Walkways and walkway ramps, including the surfacing thereof, and all other means of pedestrian access.

v. Facilities designed to have regard for accessibility for persons with disabilities.

vi. Facilities for the lighting, including floodlighting, of the land or of any buildings or structures thereon.

vii. Walls, fences, hedges, trees, shrubs or other groundcover or facilities for the landscaping of the lands or the protection of adjoining lands.

viii. Vaults, central storage and collection areas and other facilities and enclosures for the storage of garbage and other waste material.

ix. Easements conveyed to the municipality for the construction, maintenance or improvement of watercourses, ditches, land drainage works, sanitary sewage facilities and other public utilities of the municipality or local board thereof on the land.

x. Grading or alteration in elevation or contour of the land and provision for the disposal of storm, surface and waste water from the land and from any buildings or structures thereon.

9.3.4.9 Where site plan control applies to a residential building with 25 dwelling units or more, the applicant may be required to provide the following for each building:

a. Plans showing the location of all buildings and structures to be erected and showing the location of all facilities and works to be provided in conjunction with the buildings and structures, and of all facilities and works required under Section 9.3.4.8.a of this Plan, including facilities designed to have regard for accessibility for persons with disabilities.

b. Drawings showing plan, elevation and cross-section views for each building to be erected, which are sufficient to display:

i. the massing and conceptual design of the proposed building;

ii. the relationship of the proposed building to adjacent buildings, streets, and exterior areas to which members of the public have access;

iii. the provision of interior walkways, stairs, elevators and escalators to which members of the public have access from streets, open spaces and interior walkways in adjacent buildings;

iv. matters relating to building construction required under a by-law referred to in section 97.1 of the Municipal Act, 2001,

v. the sustainable design elements on any adjoining highway under a municipality's jurisdiction, including without limitation trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities; and

vi. facilities designed to have regard for accessibility for persons with disabilities.

9.3.5 Niagara Escarpment Development Control

9.3.5.1 Niagara Escarpment Development Control is in effect for parts of the Niagara Escarpment Plan (NEP) area in the City. A Development Permit is required for any development within the area of Development Control.

9.3.5.2 Where municipal zoning is in effect with the NEP area in the City, zoning shall be in conformity with the NEP, as per Sections 13 and 14 of the Niagara Escarpment Planning and Development Act which states the following:

- 13. (1)(b) No municipality having jurisdiction in the Niagara Escarpment Planning Area shall pass a by-law for any purpose, that is in conflict with the Niagara Escarpment Plan.
- 14. Despite any other general or special Act, where the Niagara Escarpment Plan is in effect and where there is a conflict between any provision of a local plan or any provision of a Zoning By-law covering any part of the Niagara Escarpment Planning Area, then the provision of the Niagara Escarpment Plan prevails.

9.3.6 Development Permit System

9.3.6.1 The City may utilize Section 70.2 of the Planning Act to establish a Municipal Development Permit System for lands outside of Development Control of the Niagara Escarpment Commission. The City may describe one or more areas as being Municipal Development Permit Areas and designate such areas by way of a Municipal Development Permit By-law.

9.4 Development Applications

9.4.1 Pre-Consultation

9.4.1.1 The owner/applicant may request the completion of a Pre-Consultation Application in advance of an owner/applicant submitting development applications.

9.4.1.2 Through the Pre-consultation process the City will identify information and materials, including those identified in Schedule 'E', that are required in order to support and accept an application as complete under the Planning Act.

9.4.2 Information for Complete Application

9.4.2.1 The Planning Act provides that the City may require additional information and supporting studies in order for an application to be considered complete. The City may not accept an application for a Plan of Subdivision, a Plan of Condominium, an Official Plan Amendment, a Zoning By-law Amendment, a Consent and/or Site Plan for processing unless the development application is considered to be a complete application. To be deemed complete, an application must satisfy all applicable statutory requirements, including the submission of the prescribed information and the requirements as listed on the application forms; the prescribed fee; and the required studies and plans and/or drawings as may be identified in Schedule 'E'.

9.4.2.2 The City may refuse other information and materials submitted if the materials were not prepared by a person authorized to practice a prescribed profession and it considers the quality of the submission unsatisfactory.

9.4.2.3 The City may conduct a peer review of any part of the submission or other information and materials submitted where necessary to determine whether the quality of the submission is satisfactory. Such peer review will be completed by an appropriate agency or

professional consultant retained by the City at the owner/applicant's expense. Additional information or reports may be required, as part of the complete application in addition to the other information and materials listed in Policy 9.4.2.2, or through the review process where circumstances necessitate the need for such information in the decision-making process.

9.4.2.4 Terms of Reference may be required to scope the area of review for any plan or study and shall be developed in partnership with agencies or a City peer reviewer.

9.5 Public Consultation

9.5.1 General Policies

9.5.1.1 The City will encourage the involvement of residents, businesses, agencies, stakeholders and other levels of government in the planning process.

9.5.1.2 The City will follow the public notification procedures and regulations regarding planning matters that are contained in the Planning Act. Notwithstanding, the City may exceed these requirements as deemed appropriate.

9.5.1.3 Where a notice of a public meeting or a notice of a development application is required, notice will be given in accordance with the applicable requirements of the Planning Act, and in some cases notice may exceed those requirements.

9.5.1.4 The City will make the Official Plan, the Zoning By-law, Master Plans and other planning policies and guidelines of Council available to the public, in order to foster greater awareness and knowledge of planning matters.

9.5.2 Indigenous Consultation

9.5.2.1 The City must consult with Indigenous Communities on development applications where there are aboriginal treaty rights and aboriginal interests or in accordance with any established consultation protocol.

9.5.2.2 The City of Owen Sound recognizes the Indigenous Communities traditional use of the waterways, shorelines and lands in and around the City's boundaries. All future development and development currently under processing for permitting in the vicinity of shorelines will not impede access of the Indigenous Communities to these traditional areas. In order to better

understand and mitigate the potential impact of such developments, the City of Owen Sound will consult the Indigenous Communities.

9.6 Committees and Boards

9.6.1 Community Services Committee

The Community Services Committee is a planning advisory committee that consists of members appointed from the general public and elected representatives from the City. The functions of the Community Services Committee as determined by the City may include but not be limited to the following:

9.6.1.1 To advise Council on all matters realign to built heritage resources and significant cultural heritage landscapes.

9.6.1.2 Provide recommendations to Council regarding the designation of properties under the Ontario Heritage Act regarding proposed alteration to designated buildings.

9.6.1.3 Provide recommendations regarding the Community Improvement Plan and programs thereunder.

9.6.1.4 Where requested by Council, assess the suitability of development projects proposed for the City and assess the merits and provide recommendations on development applications within the City.

9.6.1.5 Monitor the City's policies with regard to land use planning heritage planning and provide recommendations.

9.6.1.6 Monitor and evaluate the implementation of this Official Plan.

9.6.2 Accessibility Advisory Committee

The Accessibility for Ontarians with Disabilities Act 2005 authorizes the City to appoint a Committee to carry out the requirements under the Act. The Committee advises Council each year about the preparation, implementation and effectiveness of the City's Multi-year Accessibility Plan and Transit Accessibility Plan. The City's Multi-year Accessibility Plan and Transit Accessibility Plan outlines the City's current practice in dealing with accessibility issues.

9.6.3 Operations Advisory Committee

The Operations Advisory Committee is an advisory committee to advise Council on policy matters related to the City's built infrastructure (including roads, in ground services, and parks) and equipment management. A

function of the Operations Advisory Committee, as determined by Council, may include but not be limited to establishing and advising Council of a five year Capital Works Program for construction and reconstruction (maintenance) for the City infrastructure.

9.6.4 Other Boards and Committees

The Municipal Act, the Planning Act, and other statutes authorize the City to appoint specific boards or committees to carry out specific responsibilities and to appoint adhoc boards or committees which the City feels are necessary to carry out any function which can be delegated legally to the board or committee.

Examples would include, but not be limited to a Municipal Heritage Committee, Committee of Adjustment and adhoc committees that the City may appoint from time to time. This Plan supports the appointing of special boards and committees and adhoc committees to provide for implementation of this Plan. The City should ensure that a solid framework for communication between the City and the committee or board is provided.

9.7 Plan Administration

9.7.1 Non-Conforming Uses

9.7.1.1 Any land use existing on the date this Plan was adopted by the City that does not conform to the land use designations or policies contained herein shall be considered to be non-conforming.

9.7.1.2 Non-conforming uses should ultimately cease to exist so that the land affected may revert to a use in conformity with the intent of this Plan.

9.7.1.3 Pursuant to the Planning Act the City may adopt a by-law to permit the extension or enlargement of a non-conforming use to avoid unnecessary hardship.

9.7.1.4 Prior to passing a by-law permitting the extension or enlargement of a nonconforming use the City shall be satisfied that the proposed extension or enlargement will:

a. Not unduly aggravate the situation already created by the existence of the use especially with regard to the policies of this Plan and requirements of the Zoning By-law.

b. Be in appropriate proportion to the size of the non-conforming use.

c. Not create or increase a disturbing amount of noise, vibration, fumes, smoke, dust, odour, lighting and/or traffic.

9.7.1.5 A by-law permitting the extension or enlargement of a non-conforming use may require:

a. Landscaping, buffering or screening, appropriate setbacks for building and structures.

b. Screening or prohibition of outside storage.

9.7.1.6 The City may require the submission of an application for site plan approval for the extension or enlargement of a non-conforming use in accordance with Section 9.3.4.

9.7.1.7 The City shall not be obligated to grant permission to extend or enlarge a nonconforming use under any circumstances.

9.7.1.8 The City shall notify the property owners in the vicinity of the non-conforming use in order to obtain their views on the proposed extension or enlargement.

9.7.1.9 Where any lands are designated Hazard Land or are in environmentally sensitive areas, the City shall consult the Grey Sauble Conservation Authority and the MNRF and where appropriate the MECP.

9.7.1.10 Legal non-conforming uses which have been destroyed or partially destroyed by fire, flood, or wind, may be replaced or repaired provided that written permission is given by the City and in the case of lands designated Hazard Land or in environmentally sensitive areas also by the Grey Sauble Conservation Authority and the MNRF and where appropriate the MECP.

9.7.1.11 Prior to granting permission to repair or replace the non-conforming use and in order to minimize the detrimental effects of the non-conforming use, the City may require the submission of an application for site plan approval in accordance with Section 9.3.4.

9.7.1.12 The City shall not be obligated to grant permission to replace or repair a nonconforming use under any circumstance.

9.7.2 Non-Compliance

9.7.2.1 Where an existing use of land is permitted within the applicable zone in the Zoning By-law, but the lot, buildings or structures located on the property do not meet one or more of the

provisions or regulations of the applicable zone, the use shall be considered to be legal non-complying

9.7.2.2 Applications for the expansion, alteration or addition of the non-complying use shall be considered by way of Zoning By-law amendment or minor variance.

9.7.3 Land Acquisition

9.7.3.1 The City may acquire land to implement any element of this Plan in accordance with the provisions of the Municipal Act, the Planning Act, or any other applicable Act.

9.7.3.2 Municipal land assembly shall be permitted for residential, commercial, industrial or institutional uses, provided such activity complies with the policies of this Plan.

9.7.4 Parkland Dedication

9.7.4.1 In accordance with the Planning Act, the City shall as a condition of development or redevelopment require the conveyance of parkland, or cash-in-lieu thereof, as identified in Section 7.4.3.

9.7.5 Payment-in-lieu of Parking

9.7.5.1 Where a zoning by-law requires that on-site parking be provided as a condition to the development or establishment of a use, the City, at its sole discretion may enter into an agreement with the owner of such lands exempting the owner from the provision of on-site parking subject to the payment to the municipality of a sum of money which shall be used to acquire lands and provide and maintain public parking facilities.

9.7.5.2 Payment-in-lieu of parking monies may be paid in one lump sum or may be paid in yearly instalments as provided for in the agreement.

9.7.5.3 Payment-in-lieu of parking should be employed only in the River District Commercial area where, in the opinion of the City, there is sufficient concentration of uses and/or public demand to warrant the establishment of public parking. Subject to the foregoing, the City may use this alternative where any of the following conditions exist:

a. The subject property is too small to accommodate the amount of parking required.

b. Provision of on-site parking would result in poor site planning that would detract from the subject and area properties (the development would be out-of-character with the form of development evident in the vicinity of the subject property).

c. Attempts are being made to consolidate lands for public use, where the owner agrees to make available to the municipality, surplus lands for such consolidation.

d. The owner will undertake such additional works as the City may agree to which ordinarily would be beyond the normal and standard requirements of the City.

9.8 Public Works and Capital Forecast

9.8.1 General Policies

The extension or construction of capital or public works shall be carried out in accordance with the policies of this Plan, the City's Asset Management Plan and Provincial requirements.

9.8.2 Five-Year Capital Forecast

Council shall prepare annually and adopt without amendment to this Plan, a five-year capital works program in accordance with the policies of this Plan. This program shall be cognizant of changing conditions of supply and demand for services, and significant changes in economics and technology.

9.9 Monitoring and Review

9.9.1 General Policies

9.9.1.1 The City shall monitor and review this Plan in accordance with the requirements of the Planning Act. An initial review will be completed 10 years into the Plan, with subsequent reviews every five years thereafter. The City may choose to review the Plan more frequently than the requirements of the Planning Act. The City may review any other master plans or studies in coordination with the review of the Official Plan.

9.9.1.2 The five and ten-year review of this Plan shall meet the public meeting requirements of the Planning Act and be held by City Council or a designated Committee of Council.

9.9.1.3 Notice of the public meeting for a ten year review shall be provided in accordance with Provincial legislation including but

not limited to advertisement in the local newspaper, notice to applicable government agencies and authorities and others who have filed in writing a request for notification.

9.9.1.4 Review of this Plan shall include both subjective and objective measures of the success and failure of the Plan. Examples of subjective measures may include such things as quality of life, environment, improved urban design, and similar. Examples of objective measures may include such things as Provincial performance measures, population growth, infrastructure improvements, housing unit creation, vacancy rates, traffic and similar. Objective measures shall be compared against identified and accepted municipal, regional, provincial and national standards.

Schedules

Appendices

Appendix A – Transportation Cross Sections