

Staff Report

Report To: City Council
Report From: Sabine Robart, Senior Planner
Meeting Date: May 30, 2022
Report Code: CS-22-075
Subject: Technical Report for ZBA 37 – 1665 18th Avenue East

Recommendations:

THAT in consideration of Staff Report C2-22-075 respecting a proposed laundromat at 1665 18th Avenue East, City Council directs staff to continue to process Zoning By-law Amendment No. 37 in accordance with the *Planning Act*, including holding a Public Meeting on or after June 13, 2022.

Highlights:

- A complete application for a Zoning By-law Amendment (ZBA 37) has been submitted by Peter Van Dolder to permit a laundromat at 1665 18th Avenue East
- The purpose of the application is to permit a laundromat on the subject lands.
- The effect of the application is to amend the site-specific zone provisions applying to the subject lands to add 'Laundromat' as a permitted use. The existing zone category, being 'General Industrial' (M1) with Special Provision 14.88, will continue to apply to the subject lands.
- A Public Meeting has been scheduled for June 13, 2022.
- The pending recommendation report will assess the proposal's conformity with applicable provincial, County and City policies.

Strategic Plan Alignment:

This is a technical report for a legislated review process under the Ontario *Planning Act*. An assessment of the subject application's alignment with the City's Strategic Plan will be conducted in the recommendation report to follow.

Previous Report/Authority:

[Zoning By-law 2010-078](#)

[Ontario Planning Act, R.S.O. 1990, c. P.13](#)

Background & Proposal:

A complete application for a Zoning By-law Amendment (ZBA 37) has been submitted by Peter Van Dolder to permit a laundromat at 1665 18th Avenue East.

Property Description

The subject property is located at 1665 18th Avenue East in the southeast quadrant of the 18th Avenue East and 17th Street East intersection. Surrounding land uses include:

North: Industrial (former Tenneco site)

East: Commercial, light industrial

South: Commercial

West: Commercial

The subject lands are designated 'East City Commercial' in the City's Official Plan (2021) and are zoned 'General Industrial' (M1) with Special Provision 14.88 in the City's Zoning By-law (2010-078, as amended).

Please see the Orthophoto in Schedule 'A' for location context and surrounding land uses. Please see the Official Plan and Zoning Map in Schedule 'B' for the planning policy context. The subject lands are fully described in Schedule 'C'.

The Proposal

The purpose of the application is to permit a laundromat on the subject lands.

The effect of the application is to amend the site-specific zone provisions applying to the subject lands to add 'Laundromat' as a permitted use. The existing zone category, being 'General Industrial' (M1) with Special Provision 14.88, will continue to apply to the subject lands.

Submission & Process Details

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

Submission Item Title	Submission Item Detail
Planning Justification Report	Prepared by Ron Davidson Land Use Planning Consultant Inc, dated May 02, 2022
Market Impact Report (February 2022) & Addendum (March 2022)	Prepared by J. C. Williams Group dated February/March 2022

The applicant engaged the City in the Pre-consultation process in June 2021. Subsequently, the process relating to the formal application has proceeded as follows:

Date	Step
May 03, 2022	Submission of complete application and fees
May 06, 2022	Letter of Complete Application to Applicant
May 17, 2022	Notice of Complete Application given to the public via posting on the subject property and mailed courtesy notice to landowners within 120 m of the subject property
May 24, 2022	Notice of Public Meeting given to the public via posting on the subject property and mailed courtesy notice to landowners within 120 m of the subject property

Technical Review:

The subject proposal must meet all development standards and policies applicable to projects within the City of Owen Sound. The proposal must be consistent with the Provincial Policy Statement and in conformity with the City Official Plan and Zoning By-law. The application is subject to review by the City's Development Team and external commenting agencies.

All applicable policies, standards, and review comments will be fulsomely reviewed in the Staff Recommendation Report (anticipated to come before Council on June 27, 2022). The review below describes the proposal more completely and outlines the key considerations, evident to staff at this time, relevant to the subject application(s).

A: Provincial Policy Statement

The 2020 Provincial Policy Statement (PPS) has been reviewed about the subject application. Municipal decisions on planning matters are required to be consistent with the PPS.

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

The PPS requires planning authorities to promote economic development and competitiveness by providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet the long-term needs of the municipality. Downtowns are to be maintained, and where possible, the vitality and viability of the downtown and main streets are to be enhanced.

The pending recommendation report will assess the consistency of the proposal with the PPS.

B: County of Grey Official Plan

The subject property is designated 'Primary Settlement Area' in the County of Grey Official Plan (County OP). Settlement areas with full municipal services are the focus of the majority of growth within the County.

The County OP promotes a full range of residential, commercial, industrial, recreational, and institutional land uses within Primary Settlement Area. Land-use policies and development standards are to be in accordance with the local Official Plan.

The pending recommendation report will assess if the proposal conforms to the policies of the County OP.

C: City of Owen Sound Official Plan

The subject property is designated 'East City Commercial' in the 2021 Owen Sound Official Plan (OP).

The East City Commercial designation identifies lands in the east part of the City that is the main eastern entrance to the City and is a critical element in the image of the City. The primary function of the designation is to accommodate large format retail uses requiring relatively large sites. These sites serve as a regional destination and may include single or multi-purpose sites. Permitted uses in the designation include:

- Large format retail and service commercial use (3.5.1.1 a.).
- Limited smaller scale retail on underutilized or infill type lots, service commercial and personal uses, financial institutions and services, business, professional and medical offices, restaurants, entertainment and other community facilities, such as daycare centres, ancillary to and in support of large format retail and service commercial uses (3.5.1.1 b.).

Sec. 3.5.2.5 of the OP applies when a rezoning application is received within the East City Commercial designation for commercial use that is less than 465 square metres and greater than 1,400 square metres. The application applies to a 216 square metres within the existing building. Sec. 3.5.2.5 stipulates that the applicant must provide a market analysis/study to demonstrate the need for the proposed development and the impact of the proposed use on the commercial structure of the City and the Region, including all commercial areas within and close to the City. The 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 five-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. of the Downtown, or impair the function of a designated commercial district as identified in this Plan.

The applicant has submitted a retail market impact study. A peer review by MHBC Planning Consultants (Tate Economic Research) is underway.

The reports and studies will be evaluated in the Recommendation Report following the Public Meeting. The pending recommendation report will assess if the proposal conforms to the policies of the City's OP.

D: City of Owen Sound Zoning By-law

The subject property is zoned 'General Industrial' (M1) and is subject to Special Provision 14.88 in the City's Zoning By-law (2010-078, as amended). Permitted uses in the M1 zone include a wide range of light industrial type uses. The site-specific provisions permit a vehicle sales establishment and the uses permitted in the M1 zone. The M1 zone does not permit laundromats.

The purpose of the application is to permit a laundromat on the subject lands. The effect of the application is to amend the site-specific zone provisions applying to the subject lands to add 'Laundromat' as a permitted use. The existing zone category, being 'General Industrial' (M1) with Special Provision 14.88, will continue to apply to the subject lands.

The recommendation report following the Public Meeting will assess if the proposal meets the purpose and intent of the City's Zoning By-law and if the other site metrics are compliant.

Next Steps:

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

Anticipated Date	Step
June 13, 2022	Public Meeting

Anticipated Date	Step
June 27, 2022	Recommendation Report to Council
July 11, 2022	Enacting By-laws to Council
July 13, 2022	Notice of Decision Given
August 2, 2022	End of Appeal Period

Financial Implications:

No financial implications to the City are anticipated.

Communication Strategy:

Notice of Complete Application was given as required by the *Planning Act*.

Consultation:

The public meeting is scheduled for June 13, 2022. Members of the public are welcome to attend and make oral submissions at the public meeting or submit comments in writing before the public meeting. Comments received before the Public Meeting date will be included in the Public Meeting Council agenda package.

In addition to the public notice, the Planning Division also sent a request for comments to the City's Development Team and external commenting agencies, further detailing the nature of the applications.

All comments will be considered as part of the Staff Recommendation Report.

Attachments:

- Schedule 'A': Orthophoto
- Schedule 'B': Official Plan and Zoning Map
- Schedule 'C': Property Details
- Schedule 'D': Site Plan

Recommended by:

Sabine Robart, M.SC. (PL), MCIP, RPP, Senior Planner

Amy Cann, M. PL. MCIP, RPP, Manager of Planning & Heritage

Pam Coulter, BA, RPP, Director of Community Services

Submission approved by:

Tim Simmonds, City Manager

For more information on this report, please contact Sabine Robart, Senior Planner at srobart@owensound.ca or 519 376 4440 x. 1236.