

## Staff Report

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**Report To:** City Council  
**Report From:** Sabine Robart, Planner  
**Meeting Date:** June 27, 2022  
**Report Code:** CS-22-087  
**Subject:** Recommendation Report – ZBA 37 Andpet Realty  
Laundromat at 1665 18th Avenue East

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### Recommendations:

THAT in consideration of Staff Report CS-22-087 respecting Zoning By-law Amendment No. 37 at 1665 18th Avenue East, proposing a laundromat, City Council:

1. Finds that the application is consistent with the Provincial Policy Statement and the goals and objectives and intent of the City's Official Plan and in consideration of the staff recommendations and the written and oral submissions made; and
2. Directs staff to bring forward a by-law to adopt Amendment No. 37 to the City's Zoning By-law No. 2010-078 and give notice in accordance with Section 34 of the Planning Act.

### Highlights:

- A complete application was received from Andpet Realty to amend the Comprehensive Zoning By-law 2010-078, as amended to permit a laundromat on the subject lands. In accordance with the prescribed process in the Planning Act, the application was deemed complete, circulated, and a public meeting was held on June 13, 2022.
- Through peer review, the City finds that the submitted Retail Impact Study satisfies the tests of the City's Official Plan for adding new permitted uses within the East City Commercial designation.

- Staff recommend approval of the application.

## **Strategic Plan Alignment:**

Legislated review process.

## **Previous Report/Authority**

[City of Owen Sound Official Plan \(2021\)](#)

[City of Owen Sound Zoning By-law 2010-078](#)

## **Background & Proposal:**

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

### **Property Description**

The subject property is located at 1665 18<sup>th</sup> Avenue East in the southeast quadrant of the 18<sup>th</sup> Avenue East and 17<sup>th</sup> 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:

<b>Submission Item Title</b>	<b>Submission Item Detail</b>
Planning Justification Report	Prepared by Ron Davidson Land Use Planning Consultant Inc, dated May 2, 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:

<b>Date</b>	<b>Step</b>
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 by mailed 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 by mailed notice to landowners within 120 m of the subject property

<b>Date</b>	<b>Step</b>
June 13, 2022	Public Meeting
June 27, 2022	Recommendation Report

## **Analysis:**

The proposal must meet all development standards and policies applicable to projects within the City of Owen Sound. The proposal is required to be consistent with the Provincial Policy Statement and in conformity with the City Official Plan and Zoning By-law. The application is subject to review by City Planning, Engineering and Building Staff and external agency partners. All applicable policies, standards, and review comments are reviewed below in the context of the subject application.

### **Provincial Policy Statement**

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

The PPS directs development to be full serviced, designated settlement areas and requires contiguous development that minimizes land consumption and servicing costs. The proposal achieves these requirements by virtue of being within an existing developed commercial sector of the City and having access to full municipal services.

The PPS requires planning authorities to promote economic development and competitiveness by providing 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 will be enhanced. The direction of the PPS is implemented in the City's 2021 OP Sec. 3.5.2.5 and is discussed in greater detail below.

The proposal is consistent with the direction provided by the PPS.

### **County of Grey Official Plan**

The subject property is designated 'Primary Settlement Area' in the 2019 County of Grey Official Plan (County OP). Settlement areas with full municipal services are to be the focus of the majority of growth within the County.

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

The proposal conforms to the policies of the County's Official Plan.

### **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 key element in the image of the City. The planned function of the designation is to accommodate large format retail uses requiring relatively large sites as well as smaller scale retail on infill type lots, including service and commercial uses (3.5.1.1 a and 3.5.1.1 b).

The laundromat is proposed to be located within an existing multi-unit commercial development and will conform to the uses listed in 3.5.1.1.b.

The existing 'General Industrial' (M1) with Special Provision 14.88 zoning on the property does not permit a laundromat; consequently, a zoning amendment is required to permit the proposed laundromat. Sec. 3.5.2.5 of the OP applies when a rezoning application is received within the East City Commercial designation for commercial use less than 465 square metres and greater than 1,400 square metres. The application applies to a 216 square metres area 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 City and the County's commercial structure.

The study shall confirm that:

- i. Designated commercial property, suitable for the intended scale and type of development, is unavailable 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.*

Through the pre-consultation process, the developer was made aware of the submission requirements, including a Terms of Reference for the required market impact study and the peer-review process. As part of a complete application, a Market Impact Report for Andpet Realty completed by J.C. Williams Group (dated February 2022 & March 2022) was submitted to support the proposed development. A peer review dated April 22, 2022, by Tate Economic Research Inc. (TER) through MHBC Planning Ltd was completed on behalf of the City.

The peer-review noted the following:

- Based on the analysis presented in the JCWG Addendum and TER's market expertise and professional judgement, the City's peer reviewer (TER) agrees with the JCWG sentiment that there would be challenges associated with locating the proposed laundromat in the Downtown (River District).
- The application is for re-tenanting an existing building with a small-scale, service-oriented use. As such, it can be expected to have limited impacts on the planned function of the River District.

The peer review concluded that "in the context of the scale and type of development proposed, TER concurs with the sentiment expressed on Page 4

of the JCWG Report that the proposed rezoning to permit the laundromat will not ‘...undermine the economic viability or planned function of a significant commercial component of the Downtown or impair the function of the commercial district’”. Neither the market impact report nor the peer review recommended implementing minimum and maximum gross floor areas provision through the ZBA. Based on the results of the market impact study and peer review, it is not anticipated that the proposed laundromat will have a negative impact on the commercial structure of the City and the County.

In addition to the market impact study, OP policies require that a zoning by-law amendment application assess the traffic, land use, ecological, cultural heritage, and servicing impacts of the proposed use, including recommended infrastructure improvements necessary to facilitate the development. The development proposes to re-use portions of an existing building, and no modifications to the site or parking area layout are proposed. The proposed laundromat is not anticipated to have a more significant/different impact on the City’s services; therefore, the various assessments were not required.

The proposal conforms to the policies of the City’s Official Plan.

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

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 types. The site-specific provisions permit a vehicle sales establishment and the uses permitted in the M1 zone. The M1 zone does not permit a laundromat.

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. Special Provision 14.88 also permits a ‘Vehicle Sales Establishment’ as a permitted use in addition to the uses permitted in the M1 zone to the subject lands. The proposed rezoning will be best executed by adding a new special provision number to the subject parcel. The new special provision will carry the provisions of 14.88 forward and add a laundromat as a permitted use. No changes to the required site and building regulations are proposed.

As discussed in the OP section above, a laundromat is permitted in the East City Commercial designation. Based on the market impact study and peer review, it is not anticipated that the proposed laundromat will negatively impact the City's commercial structure or the Region.

The building exists, and the internal conversion to facilitate the laundromat will not require any external changes. The existing parking scenario provides surplus parking spaces for the current uses and the proposed laundromat. No modifications to the site or parking area layout are proposed. All site and building regulations are met or exceeded.

The proposal meets the general intent and purpose of the City's Zoning By-law.

### **City Staff & Agency Comments**

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

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

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

<b>Engineering Detail</b>	<b>Staff Comments</b>
Stormwater Management (SWM)	There are no anticipated changes to the approved Stormwater Management Plan.
Servicing Feasibility Study	A Servicing Feasibility Study is not required.  There are no anticipated changes to the existing site servicing.
Traffic	A Traffic Impact Study is not required for this development as it does not meet the minimum requirements under Section 5.8 of the Site Development Engineering Standards. The impact on



<b>Engineering Detail</b>	<b>Staff Comments</b>
	the adjacent street system will be negligible.
Site Access	<p>The site access is provided by the main entrance to the development from 18th Avenue East.</p> <p>No changes to the approved, existing site access are anticipated.</p>

The City's Engineering & Public Works Department recommends approval of application ZBA 37.

### **Grey County**

Grey County has received a comment with no objection to the subject proposal.

### **Saugeen Ojibway Nation Environment Office (SON)**

Comment has been received from SON with no objection to the subject proposal.

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

Comment has been received from GSCA with no objection to the subject proposal.

### **Public Comments**

One public comment in support of the application was received.

### **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:

<b>Anticipated Date</b>	<b>Step</b>
July 11, 2022	Passing of amending by-law and Notice of Decision

## **Financial Implications:**

None.

## **Communication Strategy:**

Notice of Complete Application was given on May 17, 2022, in accordance with the Planning Act.

Notice of the Statutory Public Meeting was given on May 24, 2022, in accordance with the Planning Act. The Public Meeting was held on June 13, 2022.

Notice of Decision will be given after the Zoning By-law Amendment is passed, which is anticipated to occur on July 11<sup>th</sup>. **A twenty (20) day appeal period follows the notice.**

## **Consultation:**

The application was circulated to various City Departments and our commenting agencies as part of the consultation process.

## **Attachments:**

- Schedule 'A': Orthophoto
- Schedule 'B': Official Plan and Zoning Map
- Schedule 'C': Concept Plan
- Schedule 'D': Peer Review Process
- Schedule 'E': Draft Zoning By-law and Schedule
- Schedule 'F': Public Meeting Minutes & Public Comments
- Schedule 'G': Agency Comments

## **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.