

Staff Report

Report To: City Council
Report From: Sabine Robart, Manager of Planning & Heritage
Meeting Date: May 29, 2023
Report Code: CS-23-067
Subject: Recommendation Report – ZBA No. 47 – 1032 2nd Avenue West (Masonic Temple)

Recommendations:

THAT in consideration of Staff Report CS-23-067 respecting the proposed Zoning By-law Amendment No. 47 by Owen Sound Masonic Temple (Bill Moran) through Ron Davidson Land Use Planning at 1032 2nd Avenue West to permit the residential conversion of the existing building, City Council:

1. In consideration of the staff reports, recommendations, technical reports, and oral and written submissions including public and agency comments, finds that the application is consistent with the Provincial Policy Statement; conforms to the goals and objectives of the City's Official Plan; and represents good planning; and
2. Directs staff to bring forward a by-law to pass Amendment No. 47 to the City's Zoning By-law No. 2010-078, as amended and provide notice in accordance with Section 34 of the *Planning Act*.

Highlights:

- A complete application for a Zoning By-law Amendment (ZBA 47) has been submitted by Owen Sound Masonic Temple (Bill Moran) through Ron Davidson Land Use Planning for the residential conversion of the existing building at 1032 2nd Avenue West.
- The purpose of the application is to permit the conversion of the existing building, which formerly contained a day nursery, to

contain two residential dwelling units as a 'Dwelling, Duplex'. One unit is located on the main floor and the second unit is located on the second storey.

- The effect of the application is to amend the zone category applying to the subject lands from 'Institutional' (I) to 'Medium Density Residential' (R4).
- Planning staff recommend approval.

Strategic Plan Alignment:

Legislated review process.

Climate and Environmental Implications:

This supports the objectives of the City's Corporate Climate Change Adaptation Plan by considering climate adaptation in the development of the City's strategies, plans, and policies.

Of special note:

- The development density maximizes the use of land and servicing;
- The development is walkable and transit-supportive.

Previous Report/Authority:

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

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

[CS-23-045 Technical Report](#) – ZBA 47- 1032 2nd Avenue West (Masonic Temple)

[Public Meeting - May 8, 2023](#)

Background & Proposal:

A complete application for a Zoning By-law Amendment (ZBA 47) was submitted by Owen Sound Masonic Temple (Bill Moran) through Ron Davidson Land Use Planning for the residential conversion of the existing building at 1032 2nd Avenue West.

Property Description

The subject lands are located north of the 2nd Ave W and 10th St W intersection. The building was the former, long-time location of the Inglenook Creche Childcare Centre.

The 991 square metre parcel has 15 metres of frontage on the west side of 2nd Ave W. The parcel contains an existing two-storey 253 square metre building and an existing paved parking area at the rear of the parcel. A portion of the front yard and southern side yard is grassed and includes a number of mature trees and shrubs along the property line.

The subject property shares a driveway with adjacent property to the north (982 1st Ave W – Owen Sound Masonic Lodge). Mutual easements across the shared driveway provide ingress/egress to the respective parking areas to/from 2nd Avenue West.

The subject property is located at 1032 2nd Avenue West. Surrounding land uses include:

North:	Masonic Temple & single detached residential
East:	residential & commercial (office & retail)
South:	multi-unit residential & commercial (office)
West:	M'Wikwedong Indigenous Friendship Centre, commercial (10 th St W) & residential

The subject lands are designated 'Residential' in the City's Official Plan (2021) and are zoned 'Institutional' (I) in the City's Zoning By-law (2010-078, as amended). 2nd Avenue West is a County Road and described as a minor arterial in the City's Official Plan.

For location context and surrounding land uses, please see the Orthophoto in Schedule 'A'. For the planning policy context, please see the Official Plan and Zoning Map in Schedule 'B'.

The Proposal

The purpose of the application is to permit the conversion of the existing building, which formerly contained a day nursery, to contain two residential dwelling units as a 'Dwelling, Duplex'. One unit is located on the main floor and the second unit is located on the second storey.

The effect of the application is to amend the zone category applying to the subject lands from 'Institutional' (I) to 'Medium Density Residential' (R4).

As the proposed development is for less than 10 residential units, Site Plan Approval does not apply.

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 Report	Prepared by Ron Davidson, Land Use Planning Consultant, dated March 14, 2023

The applicant engaged the City in the Pre-consultation process in February 2023. Subsequently, the process relating to the formal application has proceeded as follows:

Date	Step	Days
March 16, 2023	Submission of a complete application together with supporting materials & fees	1
April 13, 2023	Letter Re: Notice of Complete Application to the Applicant Request for Comments to City Staff & external Agencies	29
April 18, 2023	Notice of Complete Application & Public Meeting mailed to property owners within 120 metres of subject lands and by posting a sign on the property	34
May 08, 2023	Public Meeting & Technical Report	54
May 29, 2023	Recommendation Report to Council & Enacting By-laws to Council	75

The application has been processed within the prescribed timelines of the Planning Act.

Technical Review:

The Planning Act and the City's Official Plan establish criteria for evaluating an application to amend the City's Zoning By-law. In making land use planning decisions, Council must consider the matters of Provincial interest as described in Section 2 of the Planning Act. Section 3 of the Planning Act also prescribes that the decision of Council on a planning matter shall be consistent with the policy statements issued under the Act, which includes, among others, the Provincial Policy Statement.

The City's Official Plan (OP 9.1.1.2) provides that the City may amend the Zoning By-law where sufficient justification exists in the opinion of Council. Amendments must conform to the policies of the Official Plan. When considering an amendment, the City should consider the Official Plan's goals, objectives, and policies. Additionally, decisions should consider the compatibility with adjacent uses of land and servicing (transportation, sewer, and water).

The application was subject to review by the City's Development Team and external commenting agencies. Public notice has been given, and public input will be included in the overall process.

All applicable policies, standards, and review comments have been fulsomely reviewed in this report. This report is intended to describe the proposed Zoning By-law Amendment and outline the key policy considerations relevant to the evaluation of the subject application.

Provincial Policy Statement

In making land use planning decisions, Council must consider the matters of Provincial interest as described in Section 2 of the Planning Act.

The matters described include, among others, the protection of natural areas, supply and efficient use of water, adequate provision of transportation, sewage and water services as well as waste management, orderly development and healthy communities, accessibility for persons with disabilities; the adequate provision of a full range of housing, including affordable housing; the protection of public health and safety; appropriate

location of growth and development; the promotion of development that is designed to be sustainable, to support public transit and oriented to pedestrians.

The 2020 Provincial Policy Statement (PPS) provides direction on matters of provincial interest. Municipal decisions on planning matters are required to be consistent with the PPS.

The PPS supports a comprehensive, integrated, and long-term approach to planning and recognizes linkages among policy areas. The PPS is to be read in its entirety and relevant policies applied to each situation. When more than one policy is relevant, decision-makers must consider all relevant policies and how they work together.

The following PPS policies are highlighted concerning this application:

1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 Healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
- d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas*
- e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs*

- f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;*
- g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;*
- h) promoting development and land use patterns that conserve biodiversity;*
and
- i) preparing for the regional and local impacts of a changing climate.*

1.1.3 Settlement Areas

1.1.3.1 Settlement areas shall be the focus of growth and development.

1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;*
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*

1.1.3.6 New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

Comment:

The proposal is located within the City's Settlement Area with access to full municipal services. The application proposes two purpose-built rental housing units re-using an existing building which will contribute to the range and mix of residential unit types available in the City.

The Core transit route travel past the subject property on 2nd Ave W and the Brooke route travels on 10th St W in close vicinity to the property. The Owen Sound Transit Terminal provides access to the City's five transit routes. 2nd Avenue West includes municipal sidewalks on both sides of the road which provide pedestrian connectivity to the River District and other parts of the City.

The proposed development represents an appropriate location for intensification and redevelopment and provides for efficient use of land and infrastructure.

1.6 Infrastructure and Public Service Facilities

1.6.6.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.

1.6.6.7 Planning for stormwater management shall:

- a) be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term;*
- b) minimize, or, where possible, prevent increases in contaminant loads;*
- c) minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure;*
- d) mitigate risks to human health, safety, property and the environment;*
- e) maximize the extent and function of vegetative and pervious surfaces; and*
- f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.*

Comment:

The subject lands are located within the City's urban area and full municipal service infrastructure and capacity are available for the proposed development. The existing structure is connected to municipal services.

As a requirement of the building permit required for conversion, a scoped Servicing Feasibility Study (SFS) will be required prior to the re-development to demonstrate that the proposed use can be supported by the existing service lateral capacity.

Stormwater management is in the form of two existing catch basins that are located in the paved parking area that is shared with the property to the north through mutual easements. A stormwater collector sewer fronts the property on 2nd Avenue West. No change is anticipated to the paved area as a result of the proposed development.

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

County of Grey Official Plan (2019)

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 most of the 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 of Grey Official Plan (2019).

City of Owen Sound Official Plan

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

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.

Comment:

The application is proposing to convert the existing building to contain two residential dwelling units in the form of a duplex. One unit is located on the main floor and the second unit is located on the second storey. A duplex is a permitted use in the Residential designation.

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.

Comment:

The existing structure is connected to municipal services and no significant changes to the site or servicing scenario are anticipated as a result of the conversion to two residential dwelling units. As part of the building permit process for the internal conversion, the developer will be required to demonstrate that the proposed use can be supported by existing sanitary and water service laterals and that they are sized appropriately.

3.1.5 Attainable & Rental Housing

3.1.5.1 The City will support a range of attainable housing development 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.

Comment:

The subject property is ideally located to support a housing development. The site has convenient access to the City's transit system, social services such as health and educational facilities and is within walking distance to the City's River District which provides a wide range of amenities and services.

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.*

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.

Comment:

The proposed development proposes the conversion of a non-residential building to a residential use. The lands are designated as Residential and the proposed duplex is a permitted use.

The existing building is a former two-storey detached dwelling that was used as a day nursery. The built form along the west side of 2nd Ave W is dominated by two-storey single detached dwellings. No changes are anticipated to the outside of the existing building and the building is compatible with adjacent development. The proposed zoning amendment to facilitate the residential conversion is compatible with surrounding land uses.

Comments from Engineering Services indicate that the existing infrastructure can support additional development subject to possible minor upgrades as part of the building permit process.

As discussed above, the property is ideally located in close proximity to community and recreational facilities. These facilities are anticipated to be able to support the increased demand of two residential units.

The lot can support the required parking of two residential units given the large, paved area to the rear of the building. 2nd Avenue West is designated as a Minor Arterial Road – County Highway. The subject property shares an access with the adjacent property and no new entrance is proposed. Grey County Transportation has reviewed the application and has no concerns. As such, it is anticipated that the road network can accommodate any additional traffic as a result of the conversion.

The proposed conversion meets the policies of the Official Plan with respect to residential conversions.

The proposed Zoning Amendment conforms to the policies of the City of Owen Sound Official Plan (2021)

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

The subject property is zoned 'Institutional' (I) in the City's Zoning By-law (2010-078, as amended).

The Institutional zoning on the subject lands recognizes that the property was the location of the Inglenook Creche Childcare Centre from approximately 2005 to 2020.

The purpose of the application is to permit the conversion of the existing building, which formerly contained a day nursery, to contain two dwelling units as a 'Dwelling, Duplex'.

The effect of the application is to amend the zone category applying to the subject lands from 'Institutional' (I) to 'Medium Density Residential' (R4).

As discussed above, the lands are designated as Residential, and a duplex is a permitted use. Surrounding lands designated as Residential are zoned 'Medium Density Residential' (R4) and as such applying the R4 zone to the subject lands is appropriate in this situation.

The existing buildings meets or exceeds all applicable R4 site and building regulations. Any future development on the site will be required to conform to the applicable regulation in force and effect at that time.

The proposal meets the requirements of the City's Zoning By-law 2010-078, as amended.

Site Plan Control Matters

The proposed development is not subject to Site Plan Control in accordance with Section 41 of the *Planning Act* and City By-law 2019-185. The proposal comprises a residential development with less than ten (10) units and as per Section 41 (1.2) of the Planning Act does not constitute 'development'.

A building permit will be required prior the re-development commencing.

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 'F'.

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. The comments are attached and have been referenced within the various policy sections. The City's Engineering & Public Works Department recommends approval of application ZBA 47.

Grey County

Comment has been received from Grey County 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.

Historic Saugeen Metis (HSM)

Comments have been received from HSM with no objection to the subject proposal.

Public Comments

A Public Meeting was held on May 8, 2023. There were no comments received from the public.

Financial Implications:

Application fees were collected as part of the ZBA in the amount of \$3,330.00 as well as \$830.00 for GSCA.

The subject lands are already serviced, including hard services (roadway, water, sanitary and storm).

Communication Strategy:

A Notice of Complete Application and Public Meeting was given in accordance with the *Planning Act*.

Notice of Decision will be given subject to Council's decision and a twenty (20) day appeal period will follow 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': Site Plan
- Schedule 'D': Draft Zoning By-law Amendment
- Schedule 'E': Public Meeting Minutes & Public Comments
- Schedule 'F': Agency Comments

Recommended by:

Sabine Robart, M.SC. (PL), MCIP, RPP, Manager of Planning & Heritage

Submission approved by:

Pam Coulter, BA, RPP, Director of Community Services

For more information on this report, please contact Sabine Robart, Manager of Planning & Heritage at srobart@owensound.ca or 519-376-4440 ext. 1236.