

Staff Report

Report To: City Council
Report From: Sabine Robart, Manager of Planning & Heritage
Meeting Date: February 24, 2025
Report Code: CS-25-016
Subject: Recommendation Report – Zoning By-law Amendment (ZBA) No. 54 Hampton Inn, 1750 16th Avenue East

Recommendations:

THAT in consideration of Staff Report CS-25-016, respecting proposed Zoning By-law Amendment No. 54 by 16 Avenue OS Inc. through Ron Davidson Land Use Planning Consultant Inc. proposing a 120-room, six-storey hotel at 1750 16th Avenue East, City Council:

1. In consideration of the staff reports, recommendations, technical reports, and oral and written submissions, including public and agency comments received, finds that the application is consistent with the Provincial Planning 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. 54 to the City's Zoning By-law (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 54) has been submitted by 16 Avenue OS Inc through Ron Davidson Land Use Planning Consultant Inc. proposing a 120-room, six-storey hotel at 1750 16th Avenue East.

- The purpose of the ZBA application is to permit the construction of a 120-room, six-storey hotel on the northern portion of the property. The existing buildings and uses on the southern portion of the property will remain at this time. It is anticipated that the property will be subject to a future consent (severance) application.
- The development and intensification of lands within a settlement area having access to full municipal services, active transportation infrastructure, and transit and that will diversify and support the City's economy is consistent with the policy direction provided by the PPS
- The lands are designated 'East City Commercial' in the City's Official Plan (2021), and a hotel is permitted use the designation.
- The site-specific special provision will provide for an increased maximum height, reduced number of loading spaces and electrical vehicle parking provisions for the hotel.
- The site-specific special provision for the southern portion will implement a Holding provision that will require a market impact analysis for those permitted uses that are less than 465 square metres and greater than 1,400 square metres in accordance with Section 3.5.2.5 of the City's Official Plan (2021). The Holding can be removed subject to the submission of a market retail that meets the requirements of the City's Official Plan subject to a peer review.
- The proposed development is subject to Site Plan Control in accordance with Section 41 of the Planning Act and City By-law 2019-185. Conditions of approval to be applied through the Site Plan Approval process are discussed in the 'Official Plan' and 'Zoning By-law' sections.
- Staff recommend approval of the application.

Strategic Plan Alignment:

Legislated review process.

Climate and Environmental Implications:

There are no anticipated climate or environmental impacts.

The proposed development is located within a designated settlement area serviced by full municipal services.

Of particular note:

- The development maximizes the use of land and existing municipal services, including hard municipal infrastructure such as water and sanitary sewer systems.
- The development has access to active transportation infrastructure and transit.
- The development includes an on-site stormwater management system that will control stormwater quantity and quality.

Previous Report/Authority:

[Ontario Planning Act \(S. 34\)](#)

[Provincial Planning Statement \(2024\)](#)

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

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

Staff Report [CS-25-009](#) – Technical Report – Zoning By-law Amendment (ZBA 54) – Hampton Inn

[Public Meeting Presentation](#) – January 27, 2025 (Item 6.a)

Background:

A complete application for a Zoning By-law Amendment (ZBA 54) has been submitted by 16 Avenue OS Inc through Ron Davidson Land Use Planning Consultant Inc proposing a 120-room, six-storey hotel at 1750 16th Avenue East.

Property Description

The subject property is located on the west side of 16th Ave E at 1750 16th Avenue East, mid-block between 16th St E and 20th St E. The parcel has 229 metres of frontage on 16th Ave E, 75 metres of depth and is 17, 233 square metres (4.2 ac) in area. Surrounding land uses include:

- | | |
|--------|---|
| North: | Industrial lands, including the former PPG building and currently vacant lands designated and zoned for industrial uses |
| East: | Industrial lands, including the former Tenneco building, which now includes, among other tenants Hydrogen |

Optimized, East City Commercial retail and commercial uses

South: East City Commercial retail and commercial uses

West: Regional Shopping Centre - Heritage Place Mall

The subject lands are designated 'East City Commercial' in the City's Official Plan (2006) and are zoned 'General Industrial' (M1) in the City's Zoning By-law (2010-078, as amended).

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 subject lands are fully described in Schedule 'C'.

The Proposal

The purpose of the ZBA application is to permit the construction of a 120-room, six-storey hotel on the northern portion of the property. The existing buildings and uses on the southern portion of the property will remain at this time. It is anticipated that the property will be subject to a future consent (severance) application.

The effect of the application is to amend the current zoning of the subject lands consistent with the East City Commercial designation of the City's Official Plan generally in accordance with the following:

Current Zone	Proposed Zone (North portion– Hotel)	Proposed Zone (South portion – Existing Commercial)
General Industrial (M1)	Retail Commercial with Special Provision 14.141 (C2 14.141)	Retail Commercial Holding (C2-H)

The special provisions for the northern portion of the property (hotel) propose site-specific zoning regulations regarding building height, among other matters.

The Holding provisions on the southern portion require the completion of a retail market analysis, in accordance with Section 3.5.2.5 of the Official Plan, to the satisfaction of the City of Owen Sound prior to the establishment of

any future retail or commercial use that is less than 465 square metres or greater than 1,400 square metres.

Submission & Process Details

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

Submission Item Title	Submission Item Detail
Site Plan including floor plans, elevations, views & shadow study	Prepared by Mataj Architects Inc. dated October 29, 2024
Landscape Plan	Prepared by Adesso Design Inc. dated November 05, 2024
Photometric Plan	Prepared by EJS Engineering, dated October 09, 2024
Civil Engineering Drawings	Prepared by MTE, dated November 05, 2024
Environmental Site Assessment – Phase 1	Prepared by EXP dated September 24, 2024
Servicing Feasibility Report	Prepared by MTE Consultants Inc., dated November 5, 2024
Urban Design Brief	Prepared by Mataj Architects Inc, dated October 2024
Market Study	Prepared by Real Street Advisors, dated October 2024
Transportation Impact Study	Prepared by Paradigm Transportation Solutions Ltd dated November 2024
Planning Justification Report	Prepared by Ron Davidson Land Use Planning Consultants Inc. dated December 16, 2024

The materials related to the application, including all submitted plans and studies are available at: [Active Planning Applications | City of Owen Sound](#) – ZBA 54.

The applicant engaged the City in the Pre-consultation process in June, 2024. Subsequently, the process relating to the formal application has proceeded as follows:

Date	Step	Days
December 5, 2024	Complete Application received	1
December 17, 2024	Request for Comments to City staff and external agencies	13
December 19, 2024	Letter re Complete Application to the applicant	15
January 7, 2025	Notice of Complete Application & Public Meeting	34
February 24, 2025	Public Meeting & Technical Report to Council	82

Analysis:

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 Provincial Planning Statement.

Section 9.1.2 of the City's Official Plan further 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 including the goals, objectives, and policies. Additionally, decisions should consider compatibility with adjacent uses of land and servicing.

The application is subject to review by the City's Development Team, as well as external commenting agencies. Public Notice of the application was given in accordance with the Planning Act, and public input has been included in the overall process. All applicable policies, standards, and comments received are fulsomely reviewed below.

A: Provincial Planning Statement (2024)

The Provincial Planning Statement (PPS, 2024) has been reviewed regarding the proposed application. Decision of Council must be consistent with the PPS.

2.3.1 General Policies for Settlement Areas

1. Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.

2. Land use patterns within settlement areas should be based on densities and a mix of land uses which:

- a) efficiently use land and resources;*
- b) optimize existing and planned infrastructure and public service facilities;*
- c) support active transportation;*
- d) are transit-supportive, as appropriate; and*
- e) are freight-supportive.*

The proposed development is located within a designated settlement area serviced with full municipal services.

2.8 Employment

2.8.1 Supporting a Modern Economy

1. Planning authorities shall promote economic development and competitiveness by:

- a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;*
- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;*
- c) identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;*

d) encouraging intensification of employment uses and compatible, compact, mixed-use development to support the achievement of complete communities; and

e) addressing land use compatibility adjacent to employment areas by providing an appropriate transition to sensitive land uses.

The proposed hotel will supplement the City's economic base by providing additional employment opportunities and supporting the City's existing economic sectors, such as tourism, hospitality, and business.

3. In addition to policy 3.5, on lands within 300 metres of employment areas, development 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.

The proposed hotel is located adjacent to existing industrial operations to east. The lands to the north are also designated and zoned to permit industrial uses. The Province's D-6 Compatibility between Industrial Facilities Guidelines identify that the encroachment of sensitive land uses on industrial land uses is to be avoided or minimized. Sensitive land uses are defined as including those uses where people sleep. A hotel is a sensitive use, and further assessment of land use compatibility will be required through the site plan application process. The Hotel will be required to be designed to ensure that the D-6 Guidelines are met and that the Hotel will not restrict the use of the surrounding lands for industrial activities.

Please see Section 3.5 below for additional analysis.

2.9 Energy Conservation, Air Quality and Climate Change

1. Planning authorities shall plan to reduce greenhouse gas emissions and prepare for the impacts of a changing climate through approaches that:

a) support the achievement of compact, transit-supportive, and complete communities;

d) promote green infrastructure, low impact development, and active transportation, protect the environment and improve air quality;

The proposed development is located on an existing, underutilized lot within the East City Commercial designation and will constitute an infill type of development. Infilling facilitates the efficient use of existing infrastructure

such as transit, water and sanitary sewers. The City's Conventional Transit system has bus stops in close proximity to the subject property at the intersection of 16th Ave E and 17th St E. The property will be connected to the City's active transportation infrastructure in the form of a multi-use path along the 16th Ave E frontage. The site is walkable to many services and amenities in the East City Commercial area.

The site will also include landscaped areas throughout the site, including within parking areas. Further details related to landscape design will be provided with the future site plan application.

3.5 Land Use Compatibility

1. Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.

2. Where avoidance is not possible in accordance with policy 3.5.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other major facilities that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses is only permitted if potential adverse affects to the proposed sensitive land use are minimized and mitigated, and potential impacts to industrial, manufacturing or other major facilities are minimized and mitigated in accordance with provincial guidelines, standards and procedures.

The PPS defines "sensitive land uses" as buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. The Province's D-1-3 Land Use Compatibility: Definitions document further defines sensitive land uses and identifies them as residences or facilities where people sleep. A hotel is a facility where people sleep and is classified as a sensitive use.

Through the future site plan approval application, the applicant will be required to submit a Noise Study as part of a complete application, to address land use compatibility considerations. The Noise Study must confirm that potential adverse affects to the proposed sensitive land use are

minimized or mitigated, and potential impacts to industrial, manufacturing or other major facilities are minimized and mitigated in accordance with provincial guidelines, standards and procedures.

3.6 Sewage, Water and Stormwater

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.

8. Planning for stormwater management shall:

a) be integrated with planning for sewage and water services and ensure that systems are optimized, retrofitted as appropriate, feasible and financially viable over their full life cycle;

b) minimize, or, where possible, prevent or reduce increases in stormwater volumes and contaminant loads;

c) minimize erosion and changes in water balance including through 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;

f) promote best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development; and

g) align with any comprehensive municipal plans for stormwater management that consider cumulative impacts of stormwater from development on a watershed scale.

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

Municipal water and sanitary sewer services are available in the 16th Avenue East road allowance. A Functional Servicing Plan was submitted in support of the ZBA application. Comments from Engineering Services Division note that the report is acceptable for the purposes of the ZBA application and will be refined in support of a future site plan approval application.

A private storm sewer system will be installed on-site to collect rooftop runoff from the building and runoff from the common driveway and parking

areas. The runoff collected in the storm sewers will be directed to the Oil & Grit Separator unit located in the parking area near the northeast corner of the Site and onto the proposed storm sewer in the 16th Avenue East right-of-way. Further stormwater management details regarding the private stormwater collection system will be included as a part of the Site Plan Approval Application. The Developer will be required to meet the City's Site Development Engineering Standards, including water quality and quantity control.

3.9 Public Spaces, Recreation, Parks, Trails and Open Space

1. Healthy, active, and inclusive communities should be promoted by:

a) planning public streets, spaces and facilities to be safe, meet the needs of persons of all ages and abilities, including pedestrians, foster social interaction and facilitate active transportation and community connectivity;

The proposed development will be connected to the commercial uses along 16th Ave E and 16th St E by a multi-use pathway along the property boundary, which will transition to the City's sidewalk system along 16th Ave E and 16th St E.

The development and intensification of lands within a settlement area having access to full municipal services, active transportation infrastructure, and transit and that will diversify and support the City's economy is consistent with the policy direction provided by the PPS.

B: County of Grey Official Plan (2019)

The entire City of Owen Sound is designated as a 'Primary Settlement Area' in the County of Grey Official Plan (County OP).

The County OP requires that 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 Areas. Land use policies and development standards are to be in accordance with the local Official Plan.

The County has been provided notice of the application, in accordance with the requirements of the Planning Act and the City's typical development review process. Comments received from the County indicate no objections to the application.

The application conforms to the policies of the County OP.

C: City of Owen Sound Official Plan

The City's Official Plan establishes the policy framework for review of planning applications. The Official Plan contains a comprehensive list of policies to manage growth and development within the City, which are to be addressed for conformity for all planning applications.

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

The East City Commercial designation generally applies to lands on the north and south side of 16th St E between 9th Ave E and the eastern City boundary at 28th Ave E and comprises the main eastern entrance to the City. The principle planned function of the East City Commercial designation is to accommodate large format retail uses requiring relatively large sites in single or multiple-purpose layouts such as hotels having significant needs for on-site storage and parking (Sec 3.5.1.1a) as well as high-density residential and non-ground oriented multiple dwelling units in combination with uses permitted in Section 3.5.1.1.a.

Section 3.5.1.1 a) includes a hotel as a permitted use in the East City Commercial designation.

The following policies of the East City Commercial designation are applicable to the application:

3.5.2.5 For any application in the East City Commercial designation for the uses listed in Section 3.5.1.1 a) and b) that are less than 465 square metres and greater than 1,400 square metres, the City shall require the following information and studies acceptable to the City:

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:

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

Available commercial property in the River District Commercial area is not economically viable for the intended scale and type of development.

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.

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.

The GFA of the hotel is greater than 1,400 square metres and therefore requires a market analysis to identify the need for the proposed development and the impact of the development on the City's commercial structure. A market study submitted in support of the application has been peer-reviewed by the City's peer reviewer. The peer reviewer's professional opinion is that "the proposed hotel meets the tests outlined in Section 3.5.3.5 of the OP". The Peer Review Comments are attached as Schedule 'E'.

Infrastructure - Transportation

The OP's Transportation Infrastructure policies (Section 5.1) establish the general transportation network requirements and structure to facilitate safe, convenient and reliable movement of people, goods and services within and to destinations beyond the City.

16th Avenue East is designated as a Minor Arterial Road. The OP requires that the minimum road allowance width for arterial roads be generally 30 metres. A 5.0-metre road widening will be required at the time of Site Plan Approval.

A Traffic Impact Study (Paradigm, 2024) was submitted as a part of the ZBA application. Based on the report provided, the consultant indicated:

Existing Traffic Conditions: The study area intersections are operating with acceptable levels of service.

Background Traffic Conditions: The study area intersections are forecast to operate with acceptable levels of service.

Total Traffic Conditions: The study area intersections are forecast to operate with acceptable levels of service.

Auxiliary Left-Turn Lane: A northbound left-turn lane is not warranted on 16th Avenue East at the proposed site access under forecast total traffic conditions.

Transportation Plan: The development is consistent with the City's Transportation Master Plan, Trails Master Plan, Official Plan, and AODA, including provision of bicycle parking, sidewalks, barrier free parking spaces

and barrier free access on-site, and the preparation of a TIS to identify impacts to the surrounding road network.

ESD finds that the Transportation Report is acceptable for the purposes of the ZBA application.

The Arterial Road policies require that sidewalks shall generally be constructed on both sides of arterial roads. As noted above, the subject property is located in a transition area where land uses and Official Plan designations transition from commercial to industrial/employment designation. As shown on Schedule 'B', properties to the north and east are designated as Employment, while adjacent properties to the west and south are designated as East City Commercial. Given the transition of land uses, an alternate road cross section is recommended for the subject property (and subsequently areas to the north).

The proposed road cross-section will provide a transition from the standard arterial road cross-section to a road cross-section that has been implemented previously in the East Ridge Business Park, which includes a 3-metre-wide multi-use path on one side of the road. The 'industrial' road cross-section would be continued north along 16th Ave E as the road is re-constructed in the future and/or properties along that stretch of 16th Ave E re-develop. The proposed road cross-section provides for a complete transportation system including both active (pedestrian, bicycle, etc.) and vehicular transportation modes in a manner that is safe for all forms of transportation and is long-term cost-efficient. The extension of the sidewalk from the subject lands south to 16th St E will be completed by the City using sidewalk reserves. The City will recover these funds at the time the lots between the subject property and 16th St E are developed.

As noted above, the City's Conventional Transit system has a route that includes bus stops near the subject property at the intersection of 16th Ave E and 17th St E.

Infrastructure - Municipal Services

A Servicing Feasibility Report (MTE, 2024) has been submitted in support of the ZBA application. The Servicing Feasibility Report (MTE, 2024) indicated the following:

Existing municipal infrastructure for water, sanitary and storm is available along 16th Avenue East; and,

Additional grading, servicing and stormwater management details will be provided during detailed design.

The SFS did not provide an analysis to confirm the available capacity in the City's wastewater infrastructure. ESD has reviewed our current draft sanitary sewer model and inputted the additional 2.04 L/s for wastewater flow (as per the SFS) determined for the site. Based on a review of the updated model, it appears that there is available capacity in the wastewater collection system during dry weather flow to permit the development, however, during wet weather flow conditions (25-year performance indicator), there are downstream capacity issues within the collection system (pipe surcharging, contained within the structures).

It should be noted that the City's draft wet weather flow model has limited flow monitoring data points for inflow & infiltration (I&I) in this area of the City. Additionally, the City's wastewater model is a tool used by the City, and the results are not definitive of actual conditions, but rather a gauge for system performance under various criteria. The City has committed to the following items in order to permit this development:

- Replacement of wastewater sewer main along 16th Avenue East, 17th Street East to 20th Street East, as a City led Capital Project ([OP-25-2005](#));
 - o The City plans to work with the Developer (and the Developer's engineering consultant) to ensure that both projects can occur concurrently, with sufficient time and space, as necessary. Preliminary conversations between the City and the Developer have already occurred in this regard, and it appears to be a non-issue.
- As a part of the Capital Project, the City's consultant will complete an independent analysis for the wastewater catchment area (upstream/downstream) to provide recommendations for any needed upgrading (including pipe sizing on 16th Avenue East);

The Developer is to provide a contribution of \$15,000.00 to the City for additional monitoring services in relation to the model, to better refine the wet weather wastewater model in this area of the City.

Stormwater Management

A private storm sewer system will be installed on-site to collect rooftop runoff from the building and runoff from the common driveway and parking areas. The runoff collected in the storm sewers will be directed to the oil & grit separator unit located in the parking area near the northeast corner of the Site and onto the proposed storm sewer in the 16th Avenue East right-of-way. Further stormwater management details regarding the private stormwater collection system will be designed as a part of the Site Plan Approval Application, which will require the Developer to meet the City's Site Development Engineering Standards, including water quality and quantity control.

The Servicing Feasibility Report is acceptable for the purposes of the ZBA application; ESG will require that the Servicing Feasibility Study be revised prior to the Site Plan Approval Application to include the additional servicing and stormwater management details and provide recommendations for any off-site improvements required to ensure adequate municipal services for the proposed development.

Environment

6.1.7 Soil Contamination

6.1.7.1 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

A Phase I Environmental Site Assessment was conducted on the subject in September of 2024 for due diligence purposes. The Assessment took into consideration a Phase II Environmental Site Assessment that was carried out in 2013 and a due diligence Phase I Environmental Site Assessment that was later conducted in 2017. The 2024 assessment concluded that based on the current property use, the potential risk to building occupants would be low, and no further investigation (i.e. Phase II ESA) is warranted. However, in the event of future development or a change of use, a Phase II ESA update may be recommended. The proposed hotel development represents a change in use and a Phase II ESA will be required as part of the future site plan approval application.

Urban Design

The OP's Urban Design policies (Section 8.0) 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 OP's urban design policies generally require:

- Parking to be located in a manner appropriate to the size of the site, the optimum relationship of the building to the street, convenient access for users, and adequate landscaping of parking areas.
- On large commercial sites with sufficient depth to provide internal traffic distribution, buildings are encouraged to be located close to the street, with parking located further from the street with appropriate landscape treatment.
- Parking shall be separated from sidewalks by a landscaped buffer.

The site plan shows the hotel located generally in the centre of the site. The Urban Design study submitted in support of the ZBA application notes that the hotel “is in the closest location possible to the front of the site, while maintaining circulation and providing the required 5m road widening” clearance. Planning staff would note that a key marketing feature of a hotel is the main entrance, together with the covered drop-off area. In order to allow vehicle circulation through the drop-off area and across the site, as well as fire route access to the front entrance, an internal drive aisle is required in front of the hotel that then wraps around the building. These factors do limit the location of the hotel. The majority of the parking is located to the sides and rear of the building.

The landscape plan provides for landscaping area along the perimeter of the property, along the east and west building façade, in the parking islands and along the 16th Ave E property boundary. The site plan does propose substantial landscaping along the front lot line, between the parking area and the multi-use path including native shrubs, grasses, perennials, and high-canopy trees. The landscape plan provides for coniferous trees and shrubs which will provide year-round greenery and visual interest. On-site landscaping will be subject to further review and approval through a future site plan approval application.

The accessible parking spaces are located close to the building's main entrance and have a direct connection to the sidewalk adjacent to the building. A sidewalk around the building provides a defined route to its main entrance and is accessible from all parts of the parking area. The proposed

site plan does not provide a pedestrian connection into the site from the City street (16th Avenue East). A recommended condition of the future site plan approval will be that the site plan be revised to provide a defined, protected pedestrian connection from the multi-use path to the sidewalk along the front of the building.

Section 8.6.1.1 of the City's Official Plan emphasizes the design of well-coordinated streetscapes in commercial areas and along arterial roads. 16th Avenue East is a Minor Arterial Road, and the development is located in a commercial area. The site plan provides landscaping along the 16th Avenue East Road frontage, including coniferous and deciduous trees, and appropriately addresses the OP's streetscape policies.

The development will include exterior lighting to illuminate pedestrian pathways, parking areas, and the internal road network. The policies of the OP require dark sky-compliant lighting that minimizes glare and impact on the night sky, public view, and surrounding properties. A photometric plan was provided as part of the Zoning By-law amendment application and includes appropriate lighting fixture locations which demonstrate that significant light and glare are not deflected onto adjacent properties. A detailed Photometric Lighting Plan for the final development design will be required as part of a future site plan approval application. Site lighting will be required to meet the requirements of the City's Zoning By-law which requires, among other matters, that lighting be downward facing and dark sky compliant.

The Urban Design policies of the OP generally require that 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. The Shadow Study submitted in support of the development demonstrates that the height of the proposed 6-storey hotel will not cause significant shadowing on the adjacent properties and is, therefore, compatible with existing development.

Holding Provisions

The application is requesting that a Holding be placed on the southern portion of the lands in order to facilitate the future commercial development of the lands in accordance with Section 3.5.2.5 of the Official Plan. The Holding provisions will require a market impact analysis for those permitted uses that are less than 465 square metres and greater than 1,400 square

metres. The Holding provision will apply only to those situations where a use is proposed that is less than 465 square metres or greater than 1,400 square metres. The uses in the 'sweet spot' between 465 and 1,400 square metres are permitted as of right. The Holding can be removed subject to the submission of a market retail analysis to the satisfaction of the City's peer reviewer. The process to remove the Holding is detailed in the Planning Act, and although it requires the Council to give notice of its intention to lift the Holding, it does not require a public meeting, and only the applicant has appeal rights. This type of Holding has been applied to other properties in the East City Commercial designation (Telfer Creek Square – 2275 16th Street East [CS-23-037](#)). Staff propose to use the same wording.

The proposed development conforms to the City's Official Plan (2021).

D: City of Owen Sound Zoning By-law

The lands are zoned 'General Industrial' in the City's Zoning By-law (2010-078, as amended).

D1: Zoning By-law Amendment No. 54

The effect of ZBA 54 is to rezone the lands to permit the construction of a 120-room, six-storey hotel on the northern portion of the property. The existing buildings and uses on the southern portion of the property are to remain at this time. It is anticipated that the property will be subject to a future consent (severance) application.

The effect of the application is to amend the current zone category applying to the subject lands consistent with the East City Commercial designation of the City's Official Plan generally in accordance with the following:

Current Zone	Proposed Zone (North portion – Hotel)	Proposed Zone (South portion– Existing Commercial)
General Industrial (M1)	Retail Commercial with Special Provision 14.141 (C2 14.141)	Retail Commercial Holding (C2(H) 14.142)

The special provisions for the northern portion (hotel) propose to establish site-specific zoning regulations regarding building height, among other matters.

Special Provision 14.141

The proposed building height is 19.8 m. The maximum building height permitted by the C2 zone provisions is 18 m, and the site-specific special provision (14.141) would permit a maximum building height of 20.0 metres. The building is proposed to be six (6) storeys in height.

As per Section 5.22 Loading Space Regulations, all uses involving shipping and/or receiving goods that are over 3,000 sq m in GFA require two (2) loading spaces. The hotel has a proposed GFA of 6,912 sq m. The original site plan did not show loading spaces, and the application did not request a reduction in the number of loading spaces. A revised site plan has been submitted that provides for one (1) loading space in accordance with the provisions of the Zoning B-law. It is not anticipated that the shipping and receiving needs of the hotel will require two transport trucks to unload at the same time, and therefore, one loading space is sufficient. The special provisions will require a maximum of one (1) loading space for the proposed hotel.

The C2 14.141 zone will also require a minimum electric vehicle parking rate of two (2) spaces where 0-150 parking spaces are required and 3% of total required parking where more than 150 parking spaces are required.

Special Provision 14.142

The Holding provisions of the C2 (H) 14.142 zone on the southern portion will require the completion of a retail market analysis, in accordance with Section 3.5.2.5 of the Official Plan, to the satisfaction of the City of Owen Sound prior to the establishment of any future retail or commercial use that is less than 465 square metres or greater than 1,400 square metres. Once the Holding Symbol is removed, the same electric vehicle parking requirements of the C2 14.141 zone will apply.

The proposed zoning by-law amendment will establish land use permissions for commercial uses in accordance with the East City Commercial policies of the City's Official Plan. The proposed electric vehicle parking requirements implement the OP's parking policies. The site-specific building height of 20 metres is a 2-metre increase from the maximum building height permitted in the C2 zone, and in the site's context, the height will not have adverse impacts on the surrounding uses.

D2: General Zoning Conformity

Planning Staff have undertaken a fulsome review of the proposal in consideration of the general and C2 zoning provisions. The proposed development can comply with all other general and C2 Zone provisions,

E: City Staff & Agency Comments

In response to the Planning & Heritage Division's request for comment, the following comments have been submitted for review regarding the subject applications. All comments are attached hereto as Schedule 'H'.

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. Conditions to be applied through the site plan approval process relevant to the City's Engineering and Public Works Department are summarized in Section 'F'.

City of Owen Sound Fire Prevention

Comment has been received from the City's Fire Prevention Division with no objection to the subject proposal. Conditions to be applied through the site plan approval process relevant to the City's Fire Prevention Division are summarized in Section 'F'.

Grey Sauble Conservation

Comment has been received from GSCA with no objection to the subject proposal. The subject property is not within the GSCA regulated area and a permit is not required for the work related to the construction of a new hotel.

Historic Saugeen Metis

Comment has been received from Historic Saugeen Metis with no objection to the subject proposal. Recommended design considerations for the final site plan application are outlined in the comments attached as Schedule 'H'.

County of Grey

Comment has been received from the County of Grey with no objection to the subject proposal.

F: Public Comments

Comments received at the public meeting on January 27 relate to LEED certification of the building, landscaping, and sustainability considerations such as permeable pavement. At this time, the City does not require LEED

certification for buildings and /or low-impact design features such as permeable pavements. Nonetheless, developers are encouraged to include sustainable design elements to lower carbon emissions, conserve resources, and reduce operating costs.

As discussed above, the proposed landscape plan provides a variety of plantings along the property boundary and the 16th Ave E frontage of the property. On-site landscaping will be subject to further review and approval through a future site plan approval application to ensure that the City standards are met. Stormwater management design will address water quality and quantity. The development is an infill project, maximizing the use of infrastructure, is transit-supportive, and will also support pedestrian access.

One written public comment, attached in Schedule H, was received from an adjacent landowner. As described in detail above, the subject lands are located in an area where land uses shift from commercial uses to industrial/employment uses. The subject property is designated East City Commercial in the City's Official Plan (2021). The East City Commercial designation includes hotels as a permitted use. For lands designated Employment the predominant use of land shall be manufacturing, assembly, fabricating, processing, packaging, printing, warehousing uses, and the storage of goods and materials. Hotels are not permitted in the Employment designation.

G: Site Plan Control Matters

The proposed development is subject to Site Plan Control in accordance with Section 41 of the Planning Act and City By-law 2019-185. Conditions of approval to be applied through the Site Plan Approval process are discussed in the 'Official Plan' and 'Zoning By-law' sections of this report and can be summarized generally as follows:

- Provision of a detailed Landscape Plan, completed by a qualified Ontario Landscape Architect (OLA) to the satisfaction of the City's Planning & Heritage Division and Parks & Open Space Division.
- Provision of a Phase II Environmental Site Assessment for the proposed new land use (Hotel)
- Provision of a Noise Study
- Provision of an updated Photometric Lighting Plan

- Stormwater management report and design
- Revised grading and drainage drawings with standard maintenance notes from the City's Site development Standards and in accordance with the City's Property Standards By-law
- Revised servicing plan
- Revised Servicing Feasibility Report
- That the owner provide payment of \$15,000.00 for additional monitoring services to refine/improve the wet weather wastewater model in this area of the City.
- That the owner acknowledges and agrees to convey the required 5.0m road widening fronting 16th Street East and that the proposed 3.0m multi-use path be revised to be within the road widening.

Financial Implications:

Application fees were collected as part of the ZBA in the amount of 5,370.00 as well as \$4900, for GSCA.

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

Site plan and servicing agreements will be required at the time of site plan approval.

The project will be subject to the collection of development charges in effect at the time of issuance of the building permits.

The developer will construct a multi-use pathway along the frontage of the hotel. The City will connect the sidewalk using reserves. This expense will be recovered from the future development of the parcels between the subject property and 16th St E.

Communication Strategy:

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

Notice of Decision will be given following Council's decision on the matter and a twenty (20) day appeal period will follow the notice. As a result of recent changes to the Planning Act, third party appeal rights are limited to the applicant, public bodies, and specified persons who made oral or written

submissions prior to a decision being rendered. Specified persons generally include energy, road, and telecommunication providers.

Consultation:

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

Attachments:

Schedule 'A': Orthophoto

Schedule 'B': Official Plan and Zoning Map

Schedule 'C': Property Details

Schedule 'D': Plans & Studies:

- Site Plan Package

Schedule 'E': Peer Review Comments – Tate Research

Schedule 'F': Draft Zoning By-law Amendment

Schedule 'G': Staff & Agency Comments

Schedule 'H': Public Meeting Minutes and Public Comments

Recommended by:

Sabine Robart, M.SC. (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, Manager of Planning & Heritage at srobart@owensound.ca or 519-376-4440 ext. 1236.