

Staff Report

Report To: Committee of Adjustment
Report From: Dave Aston and Aleah Clarke, MHBC Planning
Meeting Date: April 22, 2025
Report Code: CS-25-040
Subject: Minor Variance A05-2025 for 1990 20th Ave East & 2010 16th Street East

Recommendations:

THAT in consideration of Staff Report CS-25-040 respecting Minor Variance A05-2025 by MORGAN Planning & Development on behalf of the U-Haul Co. (Canada) Ltd. for the property known as 1990 20th Avenue East & 2010 16th Street East, the Committee of Adjustment approves the minor variance as amended, as the Committee concludes that the requested variance maintains the general intent and purpose of the City's Official Plan and Zoning By-law, is minor in nature, and desirable for the appropriate development and use of the lands, subject to the conditions outlined in Schedule 'E'.

Highlights:

- A minor variance application has been submitted by MORGAN Planning & Development on behalf of the owners U-Haul Co. (Canada) Ltd. for the property known as 1990 & 2010 16th Street East.
- The application is requesting relief from Section 5.18.2 and 5.19.1 of the Zoning By-law to permit 29 parking spaces with 2 spaces being accessible.
- The proposed development supports the planned function of the 'General Industrial' (M1) and 'Retail Commercial' (C2) designation to accommodate Indoor Storage and Automobile Rental Establishment.

- Staff Recommend approval of the application to permit a parking rate of 0.10 per 100 m2 of Indoor Storage area.
- Staff recommend approval of the application, subject to conditions.

Strategic Plan Alignment:

[Strategic Plan](#) Priority: This report supports the delivery of Core Service.

The subject application represents a legislated review process.

Climate and Environmental Implications:

This supports the objectives of the City's Corporate Climate Change Adaptation Plan by creating conditions to minimize health and safety risks.

Previous Report/Authority:

[City of Owen Sound Official Plan](#)

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

Background & Proposal:

The subject property is located at 1990 20th Avenue East & 2010 16th Street East in the City of Owen Sound. The property fronts 20th Avenue East with a lot frontage of 119.1 meters and a lot depth of 143.1 meters. It is proposed that the development will be accessed off 20th Avenue East. The site is currently a vacant lot with existing trees and vegetation.

The Surrounding land uses include:

North: North of the property is public right of way 17th St East which is surrounded by existing woodlots.

East: Directly east of the property are additional vacant lands owned by the applicant. No development is currently proposed for these eastern parcels. Further east are industrial commercial uses including a newly built storage facility.

South: A range of commercial uses exist in the commercial plaza on the south side of 16th Street East, known as Heritage Grove Centre.

West: To the immediate west of the property are various commercial uses including restaurants.

The subject lands are designated 'East City Commercial' in the City's Official Plan (OP) and are zoned 'General Industrial' (M1) and 'Retail Commercial' (C2) by 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'. A full description of the property is included in Schedule 'C'. A Site Plan illustrating the proposal is provided in Schedule 'D'

The applicant is proposing to develop the subject lands to provide a self storage and vehicle rental facility consisting of four buildings with an approximate total Gross Floor Area of 11,139.3 m². Buildings A and B are proposed to be utilized for indoor storage facilities that are accessed internally. Buildings C and D are external access storage facilities which are accessible through surface level exterior doors. There is also a shunting area proposed that will be used as storage of fleet vehicles that are rented out by customers.

Section 5.18.2 of the Zoning By-law does not identify a specific parking rate for Indoor Storage, but the By-law identifies that the parking rate for 'All Other Industrial Uses' is 5 plus 1 space per 90 m² of Gross Floor Area (GFA). A portion of the proposed GFA is proposed to be utilized as an Automotive Rental Establishment. Section 5.18.2 of the Zoning By-law identifies a minimum parking rate of 4 spaces plus 1 space per 28 m² GFA. Given the proposed 364.2 m² Dispatch and Return (D&R)/Showroom area for the vehicle rental component of the proposed development, a total of 17 parking spaces are required. The remaining 10,775.1 m² of GFA for indoor storage would require 125 parking spaces. In total the proposed development would require 142 parking spaces. The applicant is proposing 29 parking spaces which is a deficiency of 113 parking stalls.

To facilitate the proposal, the following variances are requested to Section 5 General Provisions:

Regulations	Required	Proposed	Variance
5.18.2 Off-Street Parking Requirements	142	29	113

Regulations	Required	Proposed	Variance
5.19.1 Number of Required Accessible Stalls	6	2	4

The Zoning By-law calculates parking based on floor area; therefore, staff recommend approval of the variance as an amendment to the required parking rate, rather than an amendment to the required number of parking spaces for the site. In accordance with the submitted Parking Justification Study prepared by C.F. Crozier & Associates Inc., staff recommend a parking rate of 0.1 spaces per 100m² of GFA for the Indoor Storage use. This represents an amendment to the description of the minor variance. Staff support for the variance is based on this amended description.

The zoning by-law calculates the required number of accessible parking spaces based on the total number of parking spaces required. As a result of the reduced parking rate, an amendment to section 5.19.1 of the Zoning By-law will not be required for accessible parking spaces.

A fulsome review and analysis of the proposed minor variance is outlined below.

Analysis:

As stipulated in the *Planning Act* (Sec. 45(1)), a minor variance may be authorized by the Committee of Adjustment, provided that the four tests of a variance are met. All decisions with respect to a planning matter must also be consistent with the Provincial Policy Statement.

Provincial Policy Statement

The Provincial Planning Statement (PPS, 2024) has been reviewed with regard to the proposed application. The PPS promotes a mix of land uses within settlement areas that efficiently use land and resources, infrastructure and public services, while encouraging intensification and regeneration on lands with existing servicing. Settlement areas shall be the focus for growth and their vitality and regeneration shall be promoted.

Policy 2.3.1 identifies that land use patterns within settlement areas should be based on densities and a mix of land uses which efficiently use and optimize existing and planned infrastructure. The policy also identifies that

planning authorities shall support general intensification and redevelopment to support the achievement of complete communities.

Policy 3.6 of the PPS identifies that municipal sewage and water services are the preferred form of servicing for settlement areas and stormwater management is directed to be designed in accordance with best practices.

The subject lands are within an existing settlement area and have access to full municipal services. The development represents efficient use of infrastructure and the City's engineering staff have confirmed that there are no servicing concerns related to the proposed minor variance application, as detailed in Schedule 'F'. The amended variance is consistent with the above direction provided by the PPS, subject to recommended conditions.

The following provides an analysis of the tests for a minor variance:

Test 1: Conformity with the Official Plan

The subject property is designated 'East City Commercial' in the Owen Sound Official Plan, which permits large format retail and service commercial uses such as garden centres, warehouse stores and vehicle services.

Under Policy 3.5.2.3 of the Official Plan, off-street vehicle parking areas for uses in the 'East City Commercial' designation, shall be established at a rate that will adequately serve the related commercial facilities, including parking for all employees and customers. The applicant is proposing a reduction in parking that is suitable for the proposed use of the site.

A parking study prepared by C.F. Crozier & Associates, was submitted by the applicant and concluded that on average 0.10 parking spaces are required per 100 m² of GFA for self-storage facilities, and 12 parking spaces are needed to adequately serve the proposed self-storage facility for customers and employees. The study also noted that 17 spaces for the U-Haul vehicle rental operations will be provided and the number of fleet vehicles is expected to fluctuate as operations largely consist of one-way vehicle rentals as renters collect fleet vehicles in one location and return to another.

Section 3.5.2.5 of the City's Official Plan requires a retail market analysis for applications that are greater than 1,400 m². A Retail Market Study has been prepared by Cushman & Wakefield and submitted by the applicant. The study concluded that the proposal for the subject property satisfies the City's Official Plan policy regarding new retail-commercial development within the East City Commercial designation.

Section 5.1.4.14 of the Official Plan requires parking and charging stations for electric vehicles through new development and redevelopment. The provision of parking and charging stations is also encouraged at the time of site plan review. As the requested variance relates to parking, a condition is recommended to require a minimum of 1 electric vehicle parking and charging stations for any Indoor Storage use to be confirmed through the Site Plan Approval application.

Section 5.2 of the Official Plan provides policies related to Municipal Services. Development is permitted in areas where it can be adequately serviced by municipal services, municipal water and wastewater services, stormwater management and emergency services. The subject lands have access to existing municipal services including water, wastewater and stormwater sewers. City engineering staff have not identified any servicing concerns related to the proposed minor variance application and there have been no issues raised related to emergency services. Please refer to Schedule 'F' for detailed comments. Through comments to the preliminary consultation submission, it was identified that a contribution by the applicant to construction of the intersection and 20th Avenue East will be required as a condition of any future Site Plan Approval.

Section 6 of the OP provides policies related to the environment. Section 6.1.4 includes policy direction for lands designated as Significant Woodlands in the County of Grey Official Plan. As noted in the County of Grey Comments included in Schedule 'F', a portion of the subject lands are designated Significant Woodlands. A scoped Environmental Impact Study will be required to be prepared as part of the future Site Plan Approval application.

The Official Plan includes policies related to development and protection of the urban forest within the City including, that wherever new development is proposed, consideration will be given to locations of existing trees in the preparation of the site plan, and to the retention of as many existing trees as possible (Sec.6.1.3.5). As part of a complete Site Plan Approval application, the developer must submit a tree preservation and planting plan to the satisfaction of the Community Services Department to demonstrate that efforts to retain the existing trees on the subject lands have been made and to confirm how compensation will be provided where trees must be removed.

Section 8 of the Official Plan provides urban design policies. The proposed development shall consider protection of mature trees, the creation of a comfortable pedestrian environment, safe pedestrian points of access from

the street and vehicles to main building entrances, orientation of the main buildings towards the street, and the provision of landscaping around parking areas. Landscape buffers have been proposed around the site. The detailed landscape treatment and site design will be finalized through the Site Plan Approval application

The proposal conforms with the City's Official Plan.

Test 2: Conformity with the Intent and Purpose of the Zoning By-law

The subject lands are zoned 'General Industrial' (M1) and 'Retail Commercial' (C2) by the City's Zoning By-law (2010-078, as amended) with Indoor Storage and Automobile Rental being among the uses permitted within the 'General Industrial' (M1) zone and Automobile Rental being permitted within the 'Retail Commercial' (C2) zone.

The proposed application is requesting relief from Section 5.18.2 and 15.19.1 of the Zoning By-law to permit 29 parking spaces with 2 being accessible parking spaces.

A parking study prepared by C.F. Crozier & Associates, was submitted by the applicant and concluded that based on a review of proxy sites, a parking rate of 0.10 spaces per 100 m² of self-storage GFA is appropriate. The proposed parking rate of 0.10 spaces per 100 m² of GFA would require 12 parking spaces for the proposed indoor storage buildings. The report also noted that 17 parking spaces will be provided for the vehicle rental use.

The applicant is proposing to reduce the required number of accessible parking spaces from 6 to 2. The Zoning By-law requires that developments with 13-100 required parking spaces must provide 4% of parking spaces as accessible spaces. Based on the reduced overall parking rate for the Indoor Storage use, only 2 accessible parking spaces are required. Staff are satisfied that 2 accessible parking spaces is sufficient based on the proposed reduction to the indoor storage parking rate for the subject lands.

The reduction in parking stalls is not anticipated to have negative effects on the surrounding land uses and will provide adequate parking for the storage and vehicle rental facility.

The proposal maintains the general intent and purpose of the City's Zoning By-law 2010-08, as amended, subject to the recommended conditions.

Test 3: Minor in Nature

The request for relief from the Zoning By-law to reduce the amount of parking stalls on site can be considered minor in nature as the submitted Parking Justification Study has demonstrated that the requested variance provides sufficient vehicle parking for the indoor storage use and is not expected to impact the ability of the site to support the commercial development proposed.

As such, the proposal is deemed to be minor in nature.

Test 4: Desirable for the Development and Use of the Lands

The subject property is located within an existing built-up area of the City adjacent to other commercial uses. The proposed development represents development on an existing underutilized site, which is desirable in the City's settlement area and consistent with the policy direction provided by the PPS and the City's OP. The development is in keeping with the permitted uses of the M1 and C2 zones and will provide additional services and jobs within an existing built-up area.

The proposal is deemed to be desirable for the development and use of the lands.

Comments Received:

In accordance with the requirements of the Planning Act (Sec. 45, O. Reg. 200/96), Notice of the subject application was provided on April 7, 2025 to the public and prescribed bodies. Comments received by the Secretary-Treasurer as of the writing of this report are described below and included in Schedule 'F'.

City of Owen Sound Engineering & Public Works Department

Comment has been received from the City's Engineering & Public Works Department recommending approval of the application.

Historic Saugeen Metis

Comment has been received from the Historic Saugeen Metis with no objection to the proposed minor variance and encouraging native tree species plantings be added to the plans.

Grey County

Comment has been received from the County's Planning Ecology staff identifying that the subject lands contain and/or are adjacent to potential 'Habitat of Threatened or Endangered Species', 'Significant Woodlands', 'Significant Wildlife Habitat' and a 'Pond'. Additionally, the property is considered an area that influences Highly Vulnerable Aquifers and an Intake Protection Zone. County staff have reviewed and approved a Terms of Reference for the scoped Environmental Impact Study (EIS). The EIS should include justification as to why the woodland does not meet the significance criteria per the NHRM and the County OP. While the County doesn't request replacement trees for removal of non-significant woodlands, please consult Owen Sound's policies for woodland removal and include these details within the EIS.

A scoped EIS will be required to be prepared as part of the future complete Site Plan Approval application.

Grey Sauble Conservation Authority (GSCA)

Comment has been received from GSCA with no objection to the proposed minor variance.

City of Owen Sound Building Division

Comment has been received from the Building Division with no objection to the proposed minor variance.

Financial Implications:

None to the City.

Communication Strategy:

Notice of the minor variance application was given in accordance with Section 45(5) of the Planning Act and Ontario Regulation 200/96.

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': Property Details
Schedule 'D': Site Plan, Grading and Drainage Plan, Landscape Plan
Schedule 'E': Conditions of Approval
Schedule 'F': Agency Comments

Recommended by:

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