

Staff Report

Report To: Committee of Adjustment
Report From: Margaret Potter, Senior Planner
Meeting Date: May 27, 2025
Report Code: CS-25-054
Subject: Consent B08-2025 for 240 2nd Street East (Grey Rose Inc.)

Recommendations:

THAT in consideration of Staff Report CS-25-054 respecting a consent for lot creation for property known as 240 2nd Street East, the Committee of Adjustment approves Consent Application B08-2025 by Grey Rose Inc. subject to the conditions outlined in Schedule 'E'.

Highlights:

- A Minor Variance Application has been received from Grey Rose Inc. for the property known as 240 2nd Street East
- The applicant is proposing to demolish the existing dwelling and construct two (2) semi-detached dwelling units, one on each of the retained and severed lots.
- A minor variance (A08-2025) is proposed to provide relief related to building setbacks for the severed and retained lots and is considered separately under Staff Report CS-25-052.
- Staff recommends approval of the consent application, subject to conditions.

Strategic Plan Alignment:

The subject application represents a legislated review process.

Climate and Environmental Implications:

The subject application represents infill development and efficient use of municipal servicing.

There are no anticipated climate or environmental impacts.

Previous Report/Authority:

[City of Owen Sound Official Plan](#)

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

Background & Proposal:

An application for Consent to create one new lot (B08-2025) has been submitted by Grey Rose Inc. Related Minor Variance application (A08-2025) is addressed through a separate report CS-25-052).

Property Description

The subject property is located at 240 2nd Street East in the City of Owen Sound. The property is a corner lot with a current frontage of approximately 31.57 m along 2nd Street East and 20.20 m of frontage along 3rd Avenue East. The property is approximately 637.71 m² (6,856.61 ft²) in area. The site contains an existing house.

Surrounding land uses include:

North: Residential

East: Residential and the Sydenham River

South: Residential and Harrison Park

West: Residential

The subject lands are designated 'Residential' in the City's Official Plan (OP) and are zoned 'Low Density Residential' (R2) 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'. A full description of the property is included in Schedule 'C'.

The Proposal

The applicant is proposing to sever the subject lands to create one (1) new residential lot. The applicant is proposing to demolish the existing dwelling and construct two (2) semi-detached dwelling units, one unit on each of the retained and severed lots.

The severed lot is proposed to have approximately 15.77 m of frontage on 2nd Street East, 20.20 m of lot depth, and 318.97 m² of lot area.

The retained lot is proposed to have approximately 15.80 m of frontage on 2nd Street East, 20.20 m of frontage on 3rd Avenue East, and 319.14 m² of lot area.

The submitted Site Plan is attached in Schedule 'D'.

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

Analysis:

The subject consent is required to 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 Planning 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, as well as external commenting agencies. All applicable policies, standards, and comments are reviewed below in the context of the subject application.

Provincial Policy Statement

The Provincial Planning Statement (PPS, 2024) has been reviewed with regard to 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 growth and development within settlement areas and 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 full serviced, designated settlement areas and requires contiguous development that minimizes land consumption and servicing costs. The proposal represents growth within a Settlement Area that makes use of existing infrastructure and minimizes negative impacts.

All applications must demonstrate that the lands can be serviced with full municipal water and sanitary services and are designed with stormwater management best practices to ensure consistency with the PPS (Section 1.6.6). Full municipal service infrastructure and capacity are available for the proposed development.

The proposal is consistent with the direction provided by the PPS, subject to the conditions. All conditions can be found attached hereto as Schedule 'E'.

County of Grey Official Plan

The subject property is designated 'Primary Settlement Area' in the County of Grey Official Plan (County OP, 2019). 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 to be in accordance with the local Official Plan. The County has been consulted on the proposal and Planning staff have no objection to the application.

The proposal conforms with the County of Grey Official Plan (2019).

City of Owen Sound Official Plan

The subject property is designated 'Residential' in the Owen Sound Official Plan. The Residential designation permits a range of residential uses including semi-detached dwellings.

Section 9.3.2.

The OP permits lot creation through Consent where less than three (3) new lots are created and where the proposed lots represent infilling or redevelopment, have frontage on an open road, are maintained year-round, and are in an area serviced by municipal water and sewer.

The proposed severance to create one (1) new building lot plus one retained lot represents infilling and redevelopment. Based on comments from the City's Engineering Services Division, the subject lands have access to existing municipal services.

Section 9.3.2.4 outlines criteria for the consideration of a consent:

a. The lands front onto an existing, assumed public road that is maintained on a year-round basis.

The proposed retained and severed lots both front on and would have driveway access to 2nd Street East. The retained lot would also have frontage on 3rd Avenue East.

Both 2nd Street East and 3rd Street East are identified as 'Local Roads' by the Official Plan Schedule 'C'.

b. The consent shall have the effect of infilling in existing areas and not extending existing development.

The subject property is within an existing built-up area of the City.

c. Creation of the lot does not compromise the long-term use of the remaining land or retained parcel.

The severed and retained lots are each proposed to be developed for one half of a semi-detached residential building. A single dwelling unit will result for each lot. The proposed retained and severed lots each provide sufficient lot area and lot frontage for a semi-detached dwelling unit.

The retained lot is not large enough to meet the minimum lot size requirements of the Zoning By-law for a single detached dwelling. A recommended condition of consent requires the removal of the existing single detached dwelling and any associated accessory structures.

d. The size of the parcel of land created by consent should be appropriate for the use proposed.

The proposed semi-detached use is permitted in the R2 zone and proposed lots achieve the minimum required lot area and frontage.

A minor variance (A08-2025) is being requested to address reduced setbacks for the design of the building proposed. The minor variance is reviewed under report CS-25-025 which finds that the proposed variances meet the four tests of the Planning Act, and staff recommend approval of the application. The minor variance is not required for the creation of the new lot.

e. Soil and drainage conditions are suitable or can be made suitable to permit the proper siting of buildings.

As the lot size exceeds the minimum requirement of the zoning by-law, and no relief is requested for coverage, there is no anticipated concern for the applicant to provide appropriate grading and drainage.

It is the applicant's responsibility to design the lot grading and drainage to be appropriate for the siting of the building proposed. A lot grading and drainage plan is a standard recommended condition.

f. Impact on any adjacent built heritage or archaeological resource.

There are no known built or archaeological resources on the subject lands, however proximity to water sources is an indicator of archaeological potential.

Comment from Saugeen Ojibway Nation (SON) Environment Office indicates that 240 2nd Street East will need to undergo an archaeological assessment.

City staff have contacted SON to discuss this request with respect to the existing development on the lot and to clarify process but they did not respond by the time this report was written.

A condition has been recommended requiring this study demonstrating consultation with SON and accepted into the provincial register.

Information about archaeological assessments and a list of licensed archeologists is available from the province:

<https://www.ontario.ca/page/archaeological-assessments>

Parkland Dedication

The Planning Act authorizes Planning Authorities to collect parkland conveyance or payment of cash-in-lieu through the consent application process. Staff have included a recommended condition of approval that requires the developer to pay cash-in-lieu of parkland at the current rate per the City's Fees and Charges By-law No. 2024-075.

The proposed consent conforms to the policies of the City of Owen Sound Official Plan subject to recommended conditions.

City of Owen Sound Zoning By-law

The subject lands are zoned Low Density Residential 'R2' in the City's Zoning By-law (2010-078, as amended), with semi-detached dwellings being among the permitted uses in this zone.

The retained lot is not large enough to meet the minimum lot size requirements of the Zoning By-law for a single detached dwelling. A recommended condition of consent requires the removal of the existing single detached dwelling and any associated accessory structures, unless the applicant can demonstrate compliance with zoning.

A zoning conformity check has been completed as part of the application.

As noted, a minor variance application (A08-2025) is being processed concurrently with this consent application.

The minor variance is being requested from the Zoning By-law to address proposed deficient setbacks for the proposed semi-detached dwelling units.

The minimum required lot area and minimum required lot frontage are exceeded by the proposed lot configuration. No minor variance is required for the creation of the lots.

The proposed consent application meets the requirements of the City's Zoning By-law, subject to conditions.

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. 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. The City's Engineering & Public Works Department recommends approval of application B08-2025, subject to the following recommended conditions:

1. The Applicant is to decommission the existing driveway that appears to be within the City's 3rd Avenue East road allowance, east of the existing dwelling, and reinstate as boulevard with topsoil/sod/seed.
2. That the applicant prepare and submit a grading and drainage plan for both the retained and severed lots for the severed lot in accordance with applicable zoning, to the satisfaction of the City's Public Works and Engineering Department (Engineering Services Division) and the

Community Services Department (Planning and Heritage Division) prior to the issuance of a Building Permit.

3. That the applicant prepare and submit a servicing plan for both the retained and severed lots and provides to the Secretary-Treasurer written confirmation from the City's Public Works and Engineering Department (Engineering Services Division) that servicing arrangements acceptable to the City have been made for each of the separate lots (which will include the execution of a Special Services Application between the applicant and the City) and payment of applicable servicing charges and fees.
 - a. The SSA is to also include the driveway accesses to the severed and retained lots.
4. The applicant is to provide an existing condition drawing for the site to ensure that the existing dwelling does not impact the severed lot (i.e. entirely located on the retained lot) or demolish the existing building to the satisfaction of the Manager of Planning and Heritage and the Manager of Engineering Services.
5. That the applicant pay outstanding frontage charges for watermain required by the City's Public Works and Engineering Department (Engineering Services Division) to the Secretary-Treasurer relevant to the severed lot. The rate established by policy of City Council applicable at the time of this decision is \$84.00 per metre of lot frontage (15.77 metres total length).
6. That the applicant pay outstanding charges for wastewater sewer required by the City's Public Works and Engineering Department (Engineering Services Division) to the Secretary-Treasurer relevant to the severed lot. The rate established by policy of City Council applicable at the time of this decision is \$84.00 per metre of lot frontage (15.77 metres total length).
7. That the applicant pay outstanding charges for storm sewer required by the City's Public Works and Engineering Department (Engineering Services Division) to the Secretary-Treasurer relevant to the severed lot. The rate established by policy of City Council applicable at the time of this decision is \$71.00 per metre of lot frontage (15.77 metres total length).

8. That the applicant pay outstanding charges for sidewalk required by the City's Public Works and Engineering Department (Engineering Services Division) to the Secretary-Treasurer relevant to the severed lot. The rate established by policy of City Council applicable at the time of this decision is \$128.00 per metre of lot frontage (15.77 metres total length).
9. That the applicant pay outstanding charges for urban roadway with curb & gutter required by the City's Public Works and Engineering Department (Engineering Services Division) to the Secretary-Treasurer relevant to the severed lot. The rate established by policy of City Council applicable at the time of this decision is \$62.00 per metre of lot frontage (15.77 metres total length).
10. Payment of the Engineering Review Fee for a Consent to Sever Application.

These conditions have been included in Schedule 'E' recommended conditions with the exception of the condition respecting the existing dwelling which Planning has modified since the existing dwelling will not meet zoning once the new lots are created, the Planning Division recommends a more strict condition that the dwelling must be demolished prior to the consent being finalized or the applicant demonstrates compliance with zoning.

City of Owen Sound Building Division

Comment has been received from the Building Division with no objection to the proposed minor variance. Detailed comments included in Schedule 'F' include considerations for the applicant's building permit application.

Saugeen Ojibway Nation (SON)

Comment from SON Environment Office indicates that 240 2nd Street East will need to undergo an archaeological assessment.

A condition has been recommended requiring this study demonstrating consultation with SON and accepted into the provincial register.

Additional information on conducting archaeology, including a guide for archaeological works within the Saugeen Ojibway Nation Territory, is available on the SON Environment Office website:

<https://www.saugeenojibwaynation.ca/resources>

Historic Saugeen Metis

Comment has been received from the Historic Saugeen Metis with no objection to the proposed minor variance.

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.

Financial Implications:

Through the consent approval, the applicant will be required to provide levies and charges as described in the Engineering and Public Works comments and Schedule 'E' recommended conditions of approval. Future development may be subject to City and County Development Charges prior to the issuance of a Building Permit.

Communication Strategy:

Notice of the consent application was given in accordance with Section 53 of the *Planning Act* and Ontario Regulation 197/96.

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
- Schedule 'E': Conditions of Approval
- Schedule 'F': Agency Comments

Recommended by:

Margaret Potter, MCIP, RPP, Senior Planner

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.