

Staff Report

Report To: City Council
Report From: Jacklyn Iezzi, Manager of Planning & Heritage
Meeting Date: September 14, 2026
Report Code: CS-26-077
Subject: Recommendation Report – Zoning By-law Amendment No. 59 (ZBA 59) – Part 1, Plan 16R-12308 and 1038 6th Ave W

Recommendations:

THAT in consideration of Staff Report CS-26-077, respecting a proposed Zoning By-law Amendment (ZBA No. 59) by Barry's Construction and Insulation Ltd., to permit a semi-detached dwelling on lands municipally known as 1038 6th Avenue West, and lands legally described as Part 1, Plan 16R-12308, City Council:

1. In consideration of the staff reports, recommendations, technical reports, and oral and written submissions, including 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 by-laws and provide notice in accordance with Section 34 of the *Planning Act* to:
 - a. Pass Amendment No. 59 to the City's Zoning By-law 2010-078, as amended up to and including Amendment No. 56 (amending by-law 2025-079 being the last site-specific amendment); and
 - b. Pass Amendment No. 59 to the City's Zoning By-law, as amended up to and including Amendment No. 57 (amending By-law No. 2026-030 known as the 2026 Update).

Highlights:

- A complete application for a Zoning By-law Amendment (ZBA 59) has been submitted by Barry's Construction and Insulation Ltd.
- The requested ZBA applies to two (2) separate properties; one (1) municipally known as 1038 6th Avenue West, currently containing an existing single detached dwelling, and one (1) that does not yet have a civic address assigned, legally described as Part 1, Plan 16R-12308, created by Consent in 2025 (City File No. B01-2025).
- Through a future consent application, the applicant is proposing to sever the southern interior side yard of 1038 6th Avenue West. The lands proposed to be severed, and the lands legally described as Part 1, Plan 16R-12308, are proposed to be developed for a semi-detached dwelling.
- The lands are zoned 'Retail Commercial' (C2) by the City's Zoning By-law. Semi-detached dwellings are not a permitted use in the C2 Zone.
- The effect of the application is to apply a site-specific zoning provision to the lands, to permit a semi-detached dwelling, and provide site-specific site and building regulations for lot area, lot coverage, and front and rear yard setbacks.
- A Public Meeting to consider the application was held on July 27, 2026, in accordance with the requirements of the *Planning Act*.
- No comments have been received from members of the public. Comments received from external agencies and internal departments have been considered, together with the policy framework in assessing the application.
- Staff recommend approval of ZBA 59.

Strategic Plan Alignment:

[Strategic Plan](#) Priority: The recommendation contributes to core service delivery or a corporate initiative that enables service delivery for one or more strategic priorities.

Previous Report/Authority:

[CS-26-076](#) – Technical Report – Zoning By-law Amendment No. 59 – Part 1, Plan 16R-12308 and 1038 6th Avenue West

[Public Meeting Presentation](#) – July 27, 2026

[CS-26-081](#) – Consent B11-2026 to B13-2026 for Part 1, Plan 16R-12308 and 1038 6th Avenue West

[Ontario Planning Act](#)

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

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

[2026 Urban Design Directions](#)

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

Official Plan and Zoning By-law Updated (2025-2026)

[2026 Adopted Official Plan Amendment](#), adopted by Council, not yet approved or in effect.

[2026 Approved Zoning By-law Amendment No. 57](#), approved by Council, not yet in force and effect.

On April 13, 2026, City Council passed By-law No. 2026-029 for the purpose of adopting Official Plan Amendment No. 14 and passed By-law No. 2026-030 for the purpose of adopting Zoning By-law Amendment No. 57. These represent City-initiated updates to the Official Plan and Zoning By-law following a five-year review.

At the time of writing this report, these amendments were not yet in full force and effect.

ZBA 57 (By-law No. 2026-030) will conform with Official Plan 2026 on the day that Official Plan 2026 comes into full force and effect. Accordingly, pursuant to subsections 24(2) and (2.1) of the *Planning Act*, this by-law is conclusively deemed to conform with Official Plan 2026 on and after the day this by-law is passed, if Official Plan 2026 comes into effect; and, this by-law is of no force and effect if Official Plan 2026 does not come into effect.

Background & Proposal:

A complete application for a Zoning By-law Amendment (ZBA 59) has been submitted by Barry's Construction and Insulation Ltd. for lands on the west side of 6th Avenue West, approximately 12.8 metres north of the intersection

with 10th Street 'A' West, and 40 metres north of the intersection with 10th Street West.

The requested Zoning By-law Amendment applies to two (2) separate properties; one (1) municipally known as 1038 6th Avenue West, and the other which does not yet have a civic address assigned, legally described as Part 1, Plan 16R-12308.

The lands are shown on the Orthophoto attached as Schedule 'A'.

The lands, legally described as Part 1, Plan 16R-12308, were created by Consent in 2025 (City File No. B01-2025). The lands were severed from the adjacent property to the south, municipally known as 1010 6th Avenue West. The parcel created by Consent (Part 1, Plan 16R-12308) has 12 metres of frontage along 6th Avenue West, 20.6 metres of lot depth, and 249 square metres of lot area and is currently vacant. The retained lot (1010 6th Avenue West) is a corner lot with approximately 16.5 metres of frontage on 6th Avenue West, 20.3 metres of frontage on 10th Street West, and 338.4 square metres of lot area and contains an existing two-storey red brick single detached dwelling with an attached garage. An accessory residential unit (ARU) within the existing dwelling is currently under construction (Building Permit No. 2026-0047). The retained lot has a driveway access via 10th Street West and 6th Avenue West.

The lands, municipally known as 1038 6th Avenue West, have approximately 26 metres of frontage along 6th Avenue West, 20.3 metres of lot depth, and 558 square metres of lot area, and currently contain an existing single detached dwelling. The lands front and gain vehicular access via 6th Avenue West. Parking for the existing single detached dwelling is provided within a private driveway. A variety of mature trees and an existing wooden fence exist along the northern interior side and southern rear lot lines.

Surrounding land uses include:

North: unopened City lane, residential along 6th Avenue West and 11th Street West

East: residential on the east side of 6th Avenue West and along 10th Street 'A' West, hazard lands (escarpment)

South: commercial and institutional uses existing on the southside of 10th Street West (automotive repair, offices, place of worship), residential along 6th Avenue West, south of 10th Street West

West: commercial uses existing on the northside of 10th Street West (commercial plaza with a restaurant, hotel, car wash)

The subject lands are designated 'West City Commercial' by the City's 2021 Official Plan and are zoned 'Retail Commercial' (C2) by the City's Zoning By-law (2010-078, as amended).

The land use designation remains unchanged under the City's 2026 Official Plan and the lands remain zoned 'Retail Commercial' (C2) by the City's Zoning By-law, as amended by ZBA No. 57.

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 (see Schedule 'D')

As noted above, the lands legally described as Part 1, Plan 16R-12308 were created by Consent in 2025 (City File No. B01-2025). The Consent application was approved by the City's Committee of Adjustment on January 28, 2025, subject to conditions. Conditions of the consent approval were fulfilled, and the deeds were stamped by the City's Secretary-Treasurer on March 4, 2026. At the time of consent approval, the lands were also subject to Minor Variance A01-2025, which had the effect of providing relief from the minimum lot area requirements of the City's Zoning By-law for the retained and severed parcels to facilitate the proposed lot creation, and the maximum lot coverage and minimum front and rear yard setback provisions, to facilitate the construction of a single detached dwelling on the severed parcel. Minor Variance A01-2025 was approved by the City's Committee of Adjustment and is in full force and effect.

Through a future Consent application, the applicant is proposing to sever the southern interior side yard of the lands municipally known as 1038 6th Avenue West, for the purposes of a new residential building lot. A lot addition is also proposed that will sever a 0.88 metre wide by 20.5-metre-long strip of land from the lands legally described as Part 1, Plan 16R-12308, and convey it to the proposed severed parcel such that each lot has approximately 11 metres of frontage on 6th Avenue West, 20.5 metres of lot depth, and 230 square metres of lot area.

The proposed Consent for lot creation and a lot addition will facilitate development of the lands for a semi-detached dwelling. This proposal

replaces that previously contemplated through Consent B01-2025 and Minor Variance A01-2025, which was to facilitate the construction of a single detached dwelling.

The proposed retained lot will contain the existing single detached dwelling on 1038 6th Avenue West and is proposed to have approximately 18.3 metres of frontage on 6th Avenue West, 20.7 metres of lot depth, and 379 square metres of lot area.

A Site Plan illustrating the proposal is attached as Schedule 'D'.

The lands are zoned 'Retail Commercial' (C2) by the City's Zoning By-law (2010-078, as amended). Semi-detached dwellings are not among the uses permitted in the C2 Zone.

The effect of the requested Zoning By-law Amendment is to apply a site-specific zoning provision to the lands, to permit a semi-detached dwelling, and provide site-specific site and building regulations with respect to lot area, lot coverage, and front and rear yard setbacks.

The proposed zoning provisions are summarized as follows:

Zoning Provision	Part 1, Plan 16R-12308 (Proposed Semi-Detached Dwelling)	Severed Lot (Proposed Semi-Detached Dwelling)	Retained Lot (1038 6th Avenue West) (Existing Single Detached Dwelling)
Lot frontage	11 m	11 m	18.3 m
Lot area	230 m ²	230 m ²	379 m ²
Lot coverage	46%	47%	23%
Front yard setback	6 m	6 m	0.5 m (existing)
Rear yard setback	4 m	4 m	8.1 m (existing)
Interior side yard setback	0.9 m / 0 m (common party wall)	0.9 m / 0 m (common party wall)	0.9 m (south side)

Exterior side yard setback	N/A	N/A	9.2 m (north side)
Building height	< 10 m	< 10 m	< 10 m (existing)

Submission & Process Details

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

Submission Item Title	Submission Item Detail
Cover Letter	Dated June 10, 2026 by Barry's Construction and Insulation Ltd.
Planning Justification Report, including Draft Zoning By-law Amendment	Dated June 2026 by Cobide Engineering Inc.
Fully dimensioned Site Plan with complete site statistics	Dated March 3, 2026, by GEI Consultants Canada Ltd.

Given the minor nature of the proposal, pre-consultation was not required for the proposed Zoning By-law Amendment.

Subsequently, the process relating to the formal application has proceeded as follows:

Date	Step	Days
June 10, 2026	Submission of application forms and supporting plans and studies.	0
June 12, 2026	Submission of required application fees (complete application)	1
June 22, 2026	Letter regarding Notice of Complete Application to the applicant.	11

Date	Step	Days
	Request for comments circulated to City staff and external agencies.	
July 2, 2026	Notice of Complete Application & Public Meeting mailed to property owners within 120 metres of the subject lands and notice posted on the property.	21
July 27, 2026	Public Meeting and Technical Report to Council.	46
September 14, 2026	Recommendation Report to Council.	95

These submission items can be found online under heading ZBA No. 59 at www.owensound.ca/development.

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 policy statements issued under the Act.

Policies within the Official Plan are intended to be consistent with the policies of the relevant Provincial agency, in conformity with the Grey County Official Plan, and address requirements and regulations of other agencies and related regulating authorities.

The City's Official Plan (policy 9.1.1.2) provides that the City may amend the Zoning By-law where, in the opinion of Council, sufficient justification exists. Amendments must conform to the policies of the Official Plan. When

considering an amendment, the City should consider the goals, objectives, and policies of the Official Plan. Additionally, decisions should consider the compatibility with adjacent uses of land and servicing (transportation, sewer, and water).

The application is subject to review by the City's Development Team and external commenting agencies. Public notice of the application has been given and a public meeting to consider the application was held on July 27, 2026, in accordance with the requirements of the *Planning Act*.

The technical report ([CS-26-076](#)) prepared for the subject ZBA application, outlined the key policy considerations relevant to the evaluation of the subject application. The purpose of this report is to assess the application in consideration of the applicable policies and standards, as outlined in the technical report, and comments received from staff and external agencies. No comments from members of the public have been received with respect to the application.

A: Provincial Planning Statement (PPS) & Matters of Provincial Interest

In making land use planning decisions, Council must consider the matters of Provincial interest as described in Section 2 of the *Planning Act*. These matters include (but are not limited to) the orderly development of safe and healthy communities, the appropriate location of growth and development, and the promotion of development designed to be sustainable, support public transit, and be oriented to pedestrians.

The 2024 Provincial Planning Statement (PPS) provides direction on matters of provincial interest and has been reviewed with regard to the subject application. The vision of the PPS includes that:

"Ontario will increase the supply and mix of housing options, addressing the full range of housing affordability needs. Every community will build homes that respond to changing market needs and local demand. Providing a sufficient supply with the necessary mix of housing options will support a diverse and growing population and workforce, now and for many years to come."

The PPS recognizes that municipal Official Plans are the most important vehicle for implementation of the PPS and for achieving comprehensive, integrated, and long-term planning. It further identifies zoning by-laws as

important for the implementation of the PPS directing that they should be forward-looking and facilitate opportunities for an appropriate range and mix of housing options for all Ontarians.

The PPS requires that settlement areas be the focus for growth and development and land use patterns within settlement areas should be based on densities and mix of land uses which efficiently use land and resources, optimize existing and planned infrastructure and public service facilities, and support active transportation. Planning authorities are required to support general intensification and redevelopment to support the achievement of complete communities.

Policy 2.2.1 of the PPS further requires planning authorities to provide an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:

- Permitting and facilitating:
 - **All housing options** required to meet the social, health, economic and well-being requirements of current and future residents;
 - **All types of residential intensification**, including the development and redevelopment of underutilized sites, development and introduction of new housing options within previously developed areas, and redevelopment which results in a net increase in residential units
- Promoting densities for new housing which efficiently use land, resources, infrastructure, and public service facilities, and support the use of active transportation; and,
- Requiring transit-supportive development and prioritizing intensification in proximity to transit.

The PPS defines housing options as meaning **a range of housing types and tenures including**, but not limited to, **single and semi-detached dwellings**, townhouses, multi-residential buildings, additional residential units, life lease and land lease communities, and affordable housing.

The subject lands are within a fully serviced settlement area. The proposed Zoning By-law Amendment to permit a semi-detached dwelling and future residential lot creation with access to full municipal services, public transit, parks, and amenities, supports the type of efficient, cost-effective

development that is envisioned by the PPS. The proposal represents residential intensification and infill development within a settlement area that contributes to providing a range and mix of housing options to meet the needs of current and future residents, as required by the PPS.

The proposal is consistent with the PPS.

B: County of Grey Official Plan

The subject property is designated 'Primary Settlement Area' in the 2019 County of Grey Official Plan (County OP). Settlement areas with full municipal services are the focus of the majority of growth within the County. The County OP promotes a full range of residential, industrial, recreational, and institutional land uses within Primary Settlement Areas. The County has been provided notice of the subject ZBA application, in accordance with the requirements of the *Planning Act*, and have indicated no concerns.

The proposal conforms to the County of Grey Official Plan.

C: City of Owen Sound Official Plan

The subject property is designated 'West City Commercial' on Schedule 'A' – Land Use of the City's 2021 Official Plan. The Official Plan and Zoning By-law mapping is attached as Schedule 'B'. Lands on the north and south sides of 10th Street West, from 9th Avenue West to 6th Avenue West are within this designation. This area is considered a main entrance/gateway into the City from the west and north, connecting the "Sunset Strip" in the Township of Georgian Bluffs to the River District Commercial Area, and is an important aspect of the City's image.

Within the West City Commercial designation, medium density forms of housing are among the uses permitted. The lands subject to the requested ZBA (1038 6th Avenue West and lands legally described as Part 1, Plan 16R-12308), together with lands municipally known as 1010 6th Avenue West to the south, at the corner of 10th Street West and 6th Avenue West, comprise a 0.11-hectare (0.28 acre) block, within the West City Commercial designation. An existing single detached dwelling with an accessory residential unit (two units total) exist at 1010 6th Avenue West, an existing single detached dwelling exists at 1038 6th Avenue West, and the requested ZBA will allow lands legally described as Part 1, Plan 16R-12308 and a parcel proposed to be severed from 1038 6th Avenue West to be developed for a semi-detached dwelling (two units total), for a total of five (5) units. This results in a net

residential density of 45.5 units per hectare, which is considered to be medium density residential development in accordance with policy 3.1.2.1 of the OP.

In accordance with policy 3.6.2.1, the West City Commercial area should be maintained and developed as a cohesive and attractive pedestrian and vehicle-oriented retail and service area to serve local and regional needs. The proposal for medium density residential development on the southern fringe of the West City Commercial designation provides an appropriate transition between existing low density residential land uses on the east side of 6th Avenue West and north of the subject lands, and existing commercial uses to the west. The proposal for minor residential intensification will support additional pedestrian activity within the area, that supports the continued viability of commercial land uses.

Roads & Parking

In accordance with policy 5.1.3.6 of the OP, road access points are required to be designed to the satisfaction of the City in locations that will not create a hazard due to poor sight lines or other geometric, transportation or land use planning consideration. All new development or redevelopment is required to provide adequate off-street parking and loading spaces, in accordance with the standards established in the Zoning By-law (policy 5.1.4.3). Access points are required to be clearly visible and distinguishable, limited in number, and designed in a manner that will minimize hazards to pedestrian and motor traffic. (policy 5.1.4.10).

Off-street parking for the proposed semi-detached dwellings is proposed to be provided within individual attached garages and individual driveways with access off 6th Avenue West. The existing single detached dwelling at 1038 6th Avenue West has an existing driveway with access via 6th Avenue West. The lands are in proximity to the intersection of 10th Street West and 6th Avenue West. Comments received from the City's Engineering Services Division indicate that the driveway proposed for the southern lot (Part 1, Plan 16R-12308), is at the northern limit of the property, therefore, maintaining a buffer from the intersection to the south. Comments received from Engineering Services do not indicate any concerns with the proposed width/length of the driveway proposed for each lot.

Municipal Services

In accordance with Section 5.2 of the OP, development will be permitted in areas that can be adequately serviced by municipal services, municipal water and wastewater services, stormwater management, and emergency services (policy 5.2.1.1). Stormwater should be managed on-site where practical, minimizing stormwater volumes and contaminant loads and maintain or increase the extent of vegetative and pervious surfaces. No new development shall have a negative impact on the drainage characteristics of adjoining land (policy 5.2.4.1). The City shall require new development projects to have a stormwater management plan in place prior to construction (policy 5.2.4.6).

The proposed semi-detached dwelling will be serviced via existing municipal services (water and wastewater) available within the 6th Avenue West road allowance. Confirmation of separate municipal services to the proposed severed and retained parcels will be required as a condition of a future Consent application. As well, a Minor Servicing Agreement will be required, including the provision of securities equal to 100 per cent (100%) of the value of the off-site works, to facilitate the installation of new municipal services (water, wastewater, stormwater), and the restoration of affected City lands (i.e., boulevard, sidewalk).

As part of the subject ZBA application, a Grading and Drainage Plan prepared by a qualified professional engineer was submitted which demonstrates that surface drainage from lands legally described as Part 1, Plan 16R-12308 will be directed to a drainage swale within the rear yard and northern interior side yard of lands proposed to be severed from 1038 6th Avenue West, and eventually discharge to an existing City storm sewer on 6th Avenue West. A Consent application will be required to establish a formal grading and drainage easement. The registration of easement agreements on title of both the benefitting (Part 1, Plan 16R-12308) and dominant lands (1038 6th Avenue West) addressing apportionment of the ownership and responsibility for maintenance of the stormwater management, grading and drainage systems, as well as access over and to the system by future owners, will be required as a condition of Consent approval.

Consent Policies

Through a future Consent application, the applicant is proposing to sever the southern interior side yard of the lands municipally known as 1038 6th

Avenue West, for the purpose of a new residential building lot. A lot addition is also proposed that will sever a 0.88 metre wide by 20.5-metre-long strip of land from the lands legally described as Part 1, Plan 16R-12308, and convey it to the proposed severed parcel, subject that each lot has approximately 11 metres of frontage on 6th Avenue West, 20.5 metres of lot depth, and 230 square metres of lot area.

The proposed retained lot will contain the existing single detached dwelling on 1038 6th Avenue West and is proposed to have approximately 18.3 metres of frontage on 6th Avenue West, 20.7 metres of lot depth, and 379 square metres of lot area.

Consent applications are considered by the City's Committee of Adjustment. A separate recommendation report ([CS-26-081](#)) was brought forward to the City's Committee of Adjustment at its meeting on September 1, 2026, respecting the proposed consent for lot creation (B11-2026), a lot addition (B12-2026), and a grading and drainage easement (B13-2026). The consent applications were approved by the Committee, subject to conditions, including that ZBA No. 59 be approved by City Council and confirmed to be in full force and effect.

Section 9.3.2 of the OP provides the policies that shall be considered when evaluating an application for consent. In accordance with policy 9.3.2.2 of the OP, plans of subdivision shall be the preferred method of land division. Consents should only be granted where less than three lots (two severed and one retained) are being created, in an area of the City that has existing access to a publicly maintained road on a year-round basis and is serviced by existing municipal services (water and wastewater). The application is proposing the creation of one (1) new lot, and one (1) retained lot in an existing built-up area of the City that has access to full municipal services. The lands front onto 6th Avenue West, which is an assumed public road maintained on a year-round basis therefore, it is appropriate to consider the proposed land division by way of Consent.

Policy 9.3.2.4 requires regard for the following criteria when considering an application for consent:

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

As noted, the lands front onto 6th Avenue West, which is an existing assumed public road maintained on a year-round basis.

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

The subject lands are located within an existing, built-up area of the City with access to existing municipal services (water and wastewater). The proposed lot creation has the effect of infilling.

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

The proposed retained lot will contain the existing single detached dwelling on 1038 6th Avenue West and is proposed to have approximately 18.3 metres of frontage on 6th Avenue West, 20.7 metres of lot depth, and 379 square metres of lot area. While the size of the retained parcel is proposed to be slightly reduced (by 21 square metres), the lot area remains sufficient for accommodating the intended use of a single detached dwelling with rear and side yard amenity space and off-street parking.

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

Through the subject ZBA application, the applicant is proposing to establish site specific site and building regulations with respect to lot area, lot coverage, and front and rear yard setbacks for the proposed semi-detached dwelling to be constructed on lands legally described as Part 1, Plan 16R-12308 and lands to be severed from 1038 6th Avenue West. The requested site-specific zoning provisions maintain the general intent and purpose of the Zoning By-law, as discussed further below in the 'City of Owen Sound Zoning By-law' section of this report. The size of the parcel proposed to be severed from 1038 6th Avenue West together with a lot addition from lands legally described as Part 1, Plan 16R-12308 is appropriate for the development of the lands for a semi-detached dwelling.

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

A Grading and Drainage Plan was submitted in support of the subject ZBA application. As noted in the Municipal Services section above, a future Consent application will be required to establish a formal grading and drainage easement, and the registration of related

easement agreements on title, to facilitate the proposed grading and drainage approach. Comments received from the City's Engineering Services Division request minor changes to the submitted Grading and Drainage Plan, which will be implemented as a condition of Consent approval.

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

The subject lands are not adjacent to any built heritage resources nor any identified archaeological resources.

Urban Design

The Urban Design policies of the OP promote a high standard of urban design in private and public development to achieve an appealing, comfortable, accessible, safe living and work environment for the residents and visitors of Owen Sound. Particular attention will be given to development within major commercial areas and gateways to the City (policy 8.1.1.2).

As noted, the lands are within the western gateway of the City, as identified in policy 8.3.2.1 of the OP. Gateways are points that may be used to create a sense of welcome and arrival, assist in orientation, and create a memorable image of the City. These locations may be marked with special structures, landscaping, or signage that reflects the unique character of the City.

Development of the subject lands will not serve to improve the commercial streetscape or sense of arrival along 10th Street West, however, will result in minor residential intensification along 6th Avenue West that is compatible with existing residential land uses on the east side of 6th Avenue West and to the north of the subject lands.

In accordance with policy 8.6.1.1 of the OP, the City will seek to achieve well-coordinated and designed streetscapes throughout the City, particularly in the commercial areas and along arterial roads. They should provide comfortable pedestrian environments, safe vehicular movement, reinforce the desired or established character of the area and, where appropriate, incorporate trees for shade. The City may define, within any development area, building heights and setbacks or, in some cases, 'build to' lines that are consistent with the intended form of development. Within a residential area, such heights and setbacks should be consistent with the general form of existing development (policy 8.6.1.3). For new residential development,

buildings should be sited to provide relatively consistent streetscapes within an area, with similar setbacks, defining the visual width of the streets (policy 8.6.8.2).

Through the subject ZBA application, the applicant is proposing to establish reduced front and rear yard setbacks for the proposed semi-detached dwelling. A front yard setback of 6 metres is proposed whereas 6.5 metres is required when considering the General Residential (R5) Zone provisions. Existing dwellings in proximity to the subject lands have reduced front yard setbacks from the street. The existing single detached dwelling at 1038 6th Avenue West, for example, has a front yard setback of only 0.5 metres. Therefore, the proposed front yard setback, though reduced, is not anticipated to have an impact on the character of the area. The proposal maintains consistency of the streetscape, consistent with the urban design policies of the OP.

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

D: City of Owen Sound Zoning By-law

The subject property is zoned 'Retail Commercial' (C2) by the City's Zoning By-law 2010-078, up to and including ZBA No. 56, being the last site-specific zoning amendment. Under Zoning By-law 2010-078, as amended by ZBA No. 57, the lands remain zoned C2.

Semi-detached dwellings are not among the uses permitted in the C2 Zone.

The effect of ZBA 59 is to apply a site-specific zoning provision to the lands (14.145), to permit a semi-detached dwelling, and provide site-specific site and building regulations with respect to lot area, lot coverage, and front and rear yard setbacks.

The recommended draft Zoning By-law Amendments are attached as Schedule 'E'.

The following discusses each effect of the requested ZBA:

Permit a semi-detached dwelling

The request to permit a semi-detached dwelling as a use on the subject lands is appropriate in consideration of the West City Commercial policies of the City's Official Plan, discussed above, which permit medium density forms of housing. The subject ZBA will facilitate the construction of two (2) additional residential units. Three (3) units are existing within this 0.11-

hectare block of lands on the northwest corner of the intersection of 6th Avenue West and 10th Street West, for a total of five (5) units. This constitutes a net residential density of appropriately 45.5 units per hectare which is considered medium density residential development in accordance with policy 3.1.2.1 of the OP.

Site-specific site and building regulations for lot area, lot coverage, and front and rear yard setbacks

The requested site-specific site and building regulations to facilitate the construction of the proposed semi-detached dwelling are summarized in the table below:

Zoning Provision	As required by General Residential (R5) – By-law 2010-078, up to and including ZBA No. 56 <in force and effect>	As required by Medium Density Residential (R2) – By-law 2010-078, up to and including ZBA No. 57 <not yet in force and effect>	Proposed
Minimum Lot Area	300 sq. m. / unit	300 sq. m. / unit	230 sq. m. / unit
Maximum Lot Coverage	40%	40%	47%
Minimum Front Yard Setback	6.5 m	6.5 m	6 m
Minimum Rear Yard Setback	7.5 m	7.5 m	4 m

The requested ZBA proposes to require a minimum lot area of 230 square metres per unit for the proposed semi-detached dwelling. The minimum lot area provisions of the Zoning By-law are intended to ensure a compatible built form and that the size of a parcel created is sufficient for accommodating the intended land use, together with required parking areas and amenity space.

The size of the proposed semi-detached dwelling lots, while reduced (by 70 square metres), are sufficient for accommodating the proposed land use together with front and rear yard amenity space and off-street parking within individual attached garages and surface driveways. Lots within this 0.11-hectare block of lands at the northwest corner of 10th Street West and 6th Avenue West will all be similarly sized as a result of the requested ZBA and proposed future lot creation. As well, similar sized lots exist in proximity to the subject lands including north on 6th Avenue West, at 11th Street 'A' West, and on the south side of 10th Street 'A' West.

The lot coverage, front and rear yard setback provisions of the Zoning By-law are intended to ensure:

- That adequate front and rear yard amenity area is maintained, and pervious surface is provided for grading and drainage,
- consistency of the streetscape, and
- a required off-street parking stall with a minimum length of six metres can be accommodated within the front yard.

As noted in the Official Plan section of this report, the proposed 6 metre front yard setback maintains consistency of the streetscape, as required by the Urban Design policies of the OP.

The proposed site-specific rear yard setback, while reduced, continues to provide adequate rear yard amenity space. The Grading and Drainage Plan submitted in support of the application demonstrates that stormwater will be managed through a drainage swale to the rear (west) and northern interior side yard of lands to be severed from 1038 6th Avenue West. Minor revisions to the Grading and Drainage Plan and the registration of easement agreements will be required to implement the grading and drainage approach proposed and can be effectively addressed through conditions of a future consent application. The proposed site-specific lot coverage of 47 per cent therefore maintains the general intent of the Zoning By-law.

Existing single detached dwelling

The requested ZBA also serves to recognize the existing single detached dwelling on 1038 6th Avenue West as a permitted use with a reduced lot area of 379 square metres, whereas 400 square metres is required for a single detached dwelling in the General Residential (R5) Zone, and an existing front yard setback of 0.5 metres. As outlined in the Official Plan section of this report, the lot area of the proposed retained parcel remains sufficient for

accommodating the intended land use of a single detached dwelling, together with front and rear yard amenity area and off-street parking within an individual driveway with access via 6th Avenue West.

E: City Staff & Agency Comments (Schedule 'F')

In accordance with the requirements of the *Planning Act*, notice of the subject application was provided on July 2, 2026, to the public and prescribed bodies by the Deputy Clerk. The Planning and Heritage Division also requested comments from those departments and agencies likely to have an interest in the application on June 22, 2026.

Comments received from staff and agencies as of the writing of this report as attached 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 requested ZBA. The following matters will be required by the City's Engineering Services Division, as a condition of a future Consent application:

- A revised Grading and Drainage Plan showing:
 - The yard catch basin (CB) proposed at the swale outlet at the road allowance relocated to private property.
- Registration of easements and related agreements to implement the approved Grading and Drainage Plan.
- A revised Servicing Plan showing:
 - One wastewater cleanout on the property line for City access.
- Execution of a Minor Servicing Agreement with the City to facilitate the installation of new municipal services (water, wastewater, stormwater), and the restoration of affected City lands (i.e., boulevard, sidewalk). A Minor Servicing Agreement requires the provision of securities equal to 100 per cent (100%) of the value of the off-site works.

Ministry of Transportation (MTO)

Comment has been received from MTO with no objection to the requested ZBA. The subject property is located beyond MTO's permit control area.

Canada Post

Comment has been received from Canada Post with no objection to the requested ZBA.

Bell Canada.

Comment has been received from Bell Canada with no objection to the requested ZBA.

City of Owen Sound Fire Prevention Division

Comment has been received from the City's Fire Prevention Division with no objection to the requested ZBA.

Grey County

Comment has been received from Grey County with no objection to the requested ZBA.

Hydro One

Comment has been received from Hydro One with no objection to the requested ZBA.

F: Public Comments

A Public Meeting to consider the application was held on July 27, 2026, in accordance with the requirements of the *Planning Act*. No members of the public gave oral representations at the meeting and as of the writing of this report, no written public comments have been received.

G: Consent Matters

The proposed development is not considered a class of development requiring Site Plan Approval in accordance with Section 41 of the *Planning Act* and the City's Site Plan Control By-law (2019-185).

A future Consent application is required to implement the proposed lot creation and grading and drainage approach. Report [CS-26-081](#) was brought forward to the City's Committee of Adjustment at its meeting on September 1, 2026, respecting the proposed Consent for lot creation, a lot addition, and grading and drainage easement. The following matters were to be implemented as conditions of a future consent approval:

- Provision of a revised Grading and Drainage Plan and Servicing Plan, to the satisfaction of the City's Engineering Services Division, including:
 - Confirmation of separate municipal services to the severed and retained parcels.
 - The yard catch basin (CB) proposed at the swale outlet at the road allowance relocated to private property.
 - One wastewater cleanout on the property line for City access.
- Execution of a Minor Servicing Agreement with the City, including the provision of securities equal to 100 per cent (100%) of the value of the off-site works.
- Payment of cash-in-lieu of parkland dedication in accordance with the requirements of the *Planning Act* and the City's Fees and Charges By-law, to the satisfaction of the City's Manager of Planning and Heritage.
- Registration of easements and related agreements on title of the benefitting and dominant lands detailing apportionment of the ownership and responsibility for maintenance of the stormwater management, grading and drainage systems, as well as access over and to the system by future owners.

Resource Alignment:

Financial Resources

Application fees were collected as part of the ZBA application as prescribed by the City's Fees and Charges By-law.

Human Resources

The Clerks Division will process the necessary notices in accordance with the requirements of the *Planning Act*.

Time and Scheduling

The processing of the subject ZBA application has slightly exceeded the 90-day timeline (by 5 days) provided by the *Planning Act*.

As this represents a legislated review process, non-legislated initiatives may be delayed to prioritize this project from time to time.

Technology and Infrastructure

N/A.

Climate and Environmental Impacts:

There are no direct anticipated climate or environmental impacts as a result of the zoning by-law amendment. The application proposes minor residential intensification within a fully serviced, urban settlement area that makes use of existing municipal services, is walkable, and has access to transit and amenities.

Communication and Engagement:

Notice of Complete Application and Public Meeting was given as required by the *Planning Act*. A Public Meeting to consider the application was held July 27, 2026.

Staff and agency comments have been considered throughout this report.

Report Developed in Consultation With:

In addition to the public notice, the Planning and Heritage Division also sent a request for comments to the City's Development Team and external commenting agencies, further detailing the nature of the application. All comments have been considered as part of this Staff Recommendation Report.

Attachments:

- Schedule 'A': Orthophoto
- Schedule 'B': Official Plan and Zoning Map
- Schedule 'C': Property Details
- Schedule 'D': Site Plan
- Schedule 'E': Draft Zoning By-law Amendments
- Schedule 'F': Staff & Agency Comments

Reviewed by:

Pamela Coulter, BA, RPP, Director of Community Services

Submission approved by:

Tim Simmonds, City Manager

For more information on this report, please contact Jacklyn Iezzi, Manager of Planning & Heritage at planning@owensound.ca or 519-376-4440 ext. 1261.