

Take notice that the Council of The Corporation of the City of Owen Sound has received the following applications for lands located at 1235 and 1259 3rd Avenue East:

- **Official Plan Amendment No. 13**, being an application to amend the City's Official Plan (2021) pursuant to Sections 17 and 22 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended (the "Planning Act"). This application is deemed to be a complete submission under Section 22(6.1) of the Planning Act.
- **Zoning By-law Amendment No. 49**, being an application to amend Comprehensive Zoning By-law 2010-078, as amended pursuant to Section 34 of the Planning Act. This application is deemed to be a complete submission under Section 34(10.4) of the Planning Act.

Take notice that the Council of The Corporation of the City of Owen Sound will hold a public meeting to consider Official Plan Amendment No. 13 and Zoning By-law Amendment No. 49 on September 11, 2023 at 5:30 p.m., in the Council Chambers of the City of Owen Sound, in accordance with Sections 17, 22, and 34 of the Planning Act.

Property Description:

The subject lands are legally described as PLAN OWEN SOUND PT LOTS 15 AND 16 E BAY ST W HILL ST RP 16R10312 PARTS 2 TO 4, 8 TO 11 14 AND 15 and PLAN OWEN SOUND PT LOTS 15 AND 16 E BAY ST W HILL ST RP 16R10312 PART 1. The lands are located at 1235 and 1259 3rd Avenue East and are shown more particularly on the Key Map below.

Purpose and Effect:

The purpose of the application is to permit the adaptive reuse of the existing buildings and structures on the subject lands, being the historic Courthouse, Jail, Jail yards, and Governor's Residence, for an entertainment and event venue and business incubator. The entertainment and event venue is intended to accommodate gatherings for specific events (i.e., weddings, business and personal events, etc.) and will be supported by on-site restaurants, drinking establishments, indoor and outdoor entertainment facilities and overnight accommodations. These uses will be available to both event participants and the general public.

The proposal includes minor modifications to the existing buildings and structures to allow for access (i.e., elevators), restoration of a front portico to the Courthouse building, vehicular access from 3rd Avenue East and 4th Avenue East, a parking area to the east (rear) of the site containing 40 stalls, a loading dock to the north (side) of the Governor's Residence, and site landscaping.

The Courthouse is designated under Part IV of the *Ontario Heritage Act* for reasons of architectural and contextual value and interest and the Jail property is listed on the City's Heritage Register.

Official Plan Amendment No. 13:

The effect of the Official Plan Amendment is to redesignate the subject lands from 'Institutional' to 'Arterial Commercial' on Schedule 'A' – Land Use of the City's 2021 Official Plan. The Arterial Commercial designation recognizes that the subject lands have frontage on a Minor Arterial roadway (3rd Avenue East). Site-specific policies are proposed to permit the following additional uses within the Arterial Commercial designation:

- An entertainment and event venue.
- Visitor accommodations and places of entertainment.
- Community facilities such as a gallery, museum, and other institutional uses.
- Business services.

Zoning By-law Amendment No. 49:

The effect of the Zoning By-law Amendment is to rezone the subject lands from 'Institutional' (I) to 'Mixed Use Commercial' (MC) with Special Provision (14.XXX) within the City's Zoning By-law (2010-078, as amended). Permitted uses in the Mixed-Use Commercial Zone include 'Restaurant' and 'Drinking Establishment'. The proposed Special Provisions (14.XXX) would, in addition to the uses permitted in the MC zone, add a 'Business Incubator' and 'Event and Entertainment Facility' as permitted uses, and define these uses generally in accordance with the following:

'Business Incubator' means an establishment that provides incubator services such as management training, networking facilities, programming, mentorship programs, business assistance services, and office space including 'hot desk' services and is dedicated to nurturing the development and commercialization of start-ups, early-stage companies, and established companies (enterprises).

'Event and Entertainment Facility' means an establishment in which the main use is to accommodate gatherings for specific events, and which may also include, among its internal functions, accommodation for overnight guests, accessory retail and office, and indoor and outdoor entertainment facilities available for use by event participants, the general public, or both.

The Special Provision (14.XXX) also proposes to require a minimum of 100 parking stalls for the development and to permit required parking to be located on-site or within 500 metres of the subject lands.

Public Meeting:

Date: Monday, September 11, 2023

Time: 5:30 p.m.

Location: City Hall, Council Chambers
808 2nd Avenue East, Owen Sound

Public Comments/Record:

Any person may participate in the public meeting and/or make written or oral submissions either in support of or in opposition to the proposed applications. All submissions will form part of the public record.

Oral and written comments will be considered at the public meeting. Written comments will be accepted until 4:30 p.m. on Monday, September 11, 2023, and may be submitted to Briana Bloomfield, City Clerk as follows:

Electronic Mail: notice@owensound.ca

Regular Mail: 808 2nd Avenue East, Owen Sound, ON N4K 2H4

Written comments received by September 6, 2023 will appear on the Council Meeting agenda which will be available for review on September 7, 2023, on the Council and Committees webpage at www.owensound.ca/meetings. Written comments received by the deadline will be included in the agenda when it is republished after the meeting.

If you wish to participate in the public meeting electronically, you must contact the City Clerk by Friday, September 8, 2023, at 4:30 p.m. at bbloomfield@owensound.ca or 519-376-4440 ext. 1247 to be registered to participate in the public meeting.

To ensure that your comments are clearly understood and received prior to Council making a decision, you are strongly encouraged to submit written comments prior to the public meeting even if you intend to attend the public meeting.

Personal information is collected under the authority of the Planning Act. The information collected will be used to complete the Official Plan Amendment and Zoning By-law Amendment processes and will form part of the public record. Questions about this collection should be addressed to Briana Bloomfield, City Clerk.

Additional Information:

If a person or public body would otherwise have an ability to appeal the decision of the Council of The Corporation of the City of Owen Sound to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make

written submissions to The Corporation of the City of Owen Sound before the proposed Official Plan Amendment is adopted and by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to The Corporation of the City of Owen Sound before the proposed Official Plan Amendment is adopted and by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

If you wish to be notified of the decision of The Corporation of the City of Owen Sound on the proposed Official Plan Amendment and Zoning By-law Amendment, you must make a written request to The Corporation of the City of Owen Sound at the address noted below.

For more information about this matter, including information about appeal rights, or to inspect additional materials related to the proposed Official Plan Amendment and Zoning By-law Amendment, please contact **Sabine Robart**, Planning Division by email at planning@owensound.ca or telephone at 519-376-4440 ext. 1236 Monday to Friday between the hours of 8:30 a.m. and 4:30 p.m. or by visiting <http://www.owensound.ca/development>.

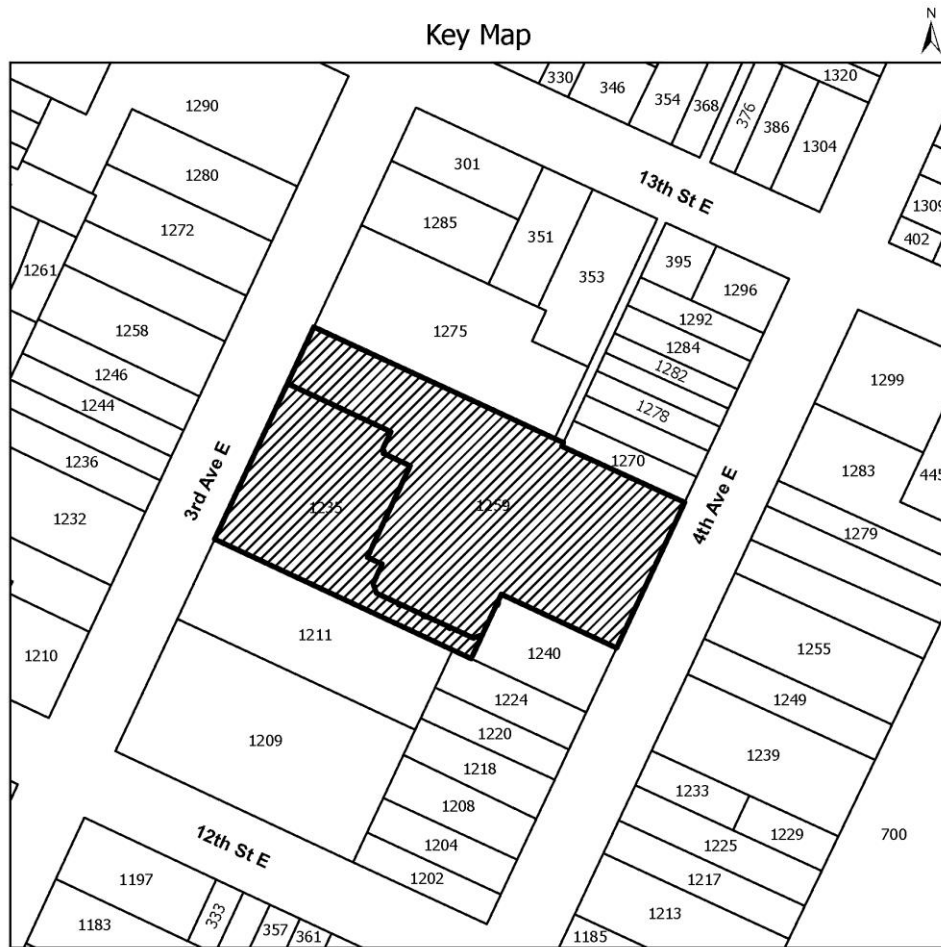
A copy of the proposed Official Plan Amendment and Zoning By-law Amendment are available on the website together with additional plans, background studies and reports submitted with the applications.

The public meeting and all Council proceedings can be viewed live on Rogers Cable TV or the [Rogers TV Website](#) or viewed during and after the meeting on the City's [Council and Committees webpage](#).

If you are the owner of a building that contains 7 or more residential units, please post this notice in a location that is visible to all the residents.

Notice Date: July 14, 2023

Staci Landry
Deputy Clerk
The Corporation of the City of Owen Sound
808 2nd Avenue East
Owen Sound, ON N4K 2H4
Telephone: 519-376-4440 ext. 1235
Email: notice@owensound.ca



THE CORPORATION OF THE CITY OF OWEN SOUND

BY-LAW NO. _____

A By-law to adopt Amendment No. _____ to the Official Plan for the City of Owen Sound.

The Council of the Corporation of the City of Owen Sound, pursuant to the provisions of the Planning Act, R.S.O. 1990, as amended, does hereby enact as follows:

1. THAT Amendment Number _____ to the Official Plan for the City of Owen Sound, consisting of the attached maps and explanatory text, is hereby adopted.
2. THAT this By-law shall come into force and take effect on the day of the final passing thereof.

READ A FIRST AND SECOND TIME THIS _____ DAY OF _____, 20__

READ A THIRD TIME AND PASSED THIS _____ DAY OF _____, 20__

MAYOR

CLERK

**AMENDMENT NUMBER ____ TO THE
CITY OF OWEN SOUND OFFICIAL PLAN**

INDEX

PART A - THE PREAMBLE

The Preamble provides an explanation of the proposed Amendment including the purpose, location, and background information, but does not form part of this Amendment.

PART B - THE AMENDMENT

The Amendment describes the modifications to the City of Owen Sound which constitute Official Plan Amendment Number ____.

PART A – THE PREAMBLE

The details of the amendment, as contained in Part B of this text, constitutes Amendment No. _____ to the City of Owen Sound Official Plan.

LOCATION

The lands affected by this amendment are the entirety of the properties municipally known as 1235 3rd Avenue East and 1259 3rd Avenue East, legally described as All of Lots 15 and 16 East of Bay Street and Part of Lots 15 and 16 West of Hill Street, City of Owen Sound, County of Grey, as demonstrated on Schedule A, affixed.

PURPOSE AND EFFECT

The purpose of this amendment is to redesignate the subject lands identified on Schedule A to the “Arterial Commercial” designation and add site-specific section 3.7.5.1 to facilitate the adaptive reuse of the existing heritage buildings.

BASIS

The basis for permitting this amendment is as follows:

- The proposed amendment is consistent with the Provincial Policy Statement.
- The proposed amendment is in conformity with the County of Grey Official Plan.
- The proposed amendment is in keeping with the policies of the City of Owen Sound Official Plan.
- The amendment will facilitate the adaptive reuse and conservation of heritage buildings and structures, fulfilling economic and heritage conservation objectives of the County of Grey, and City of Owen Sound.

PART B – THE AMENDMENT

DETAILS OF THE AMENDMENT

The Official Plan of the City of Owen Sound is hereby amended as follows:

TEXT CHANGES

Section 3.7.5 be added as follows:

3.7.5 Site Specific Arterial Commercial Policies

3.7.5.1 The Owen Sound Jail lands, municipally known as 1235 and 1259 3rd Avenue East, are designated Arterial Commercial to facilitate the adaptive reuse of the existing heritage buildings, which may accommodate specialized and other commercial uses of a different character than is otherwise generally contemplated within the Arterial Commercial designation. In addition to the permitted uses outlined within Section 3.7.1, the following additional uses may also be permitted:

- a. An entertainment and event venue.*
- b. Visitor accommodation and places of entertainment.*
- c. Community facilities such as a gallery, museum and other institutional uses.*
- d. Business services.*

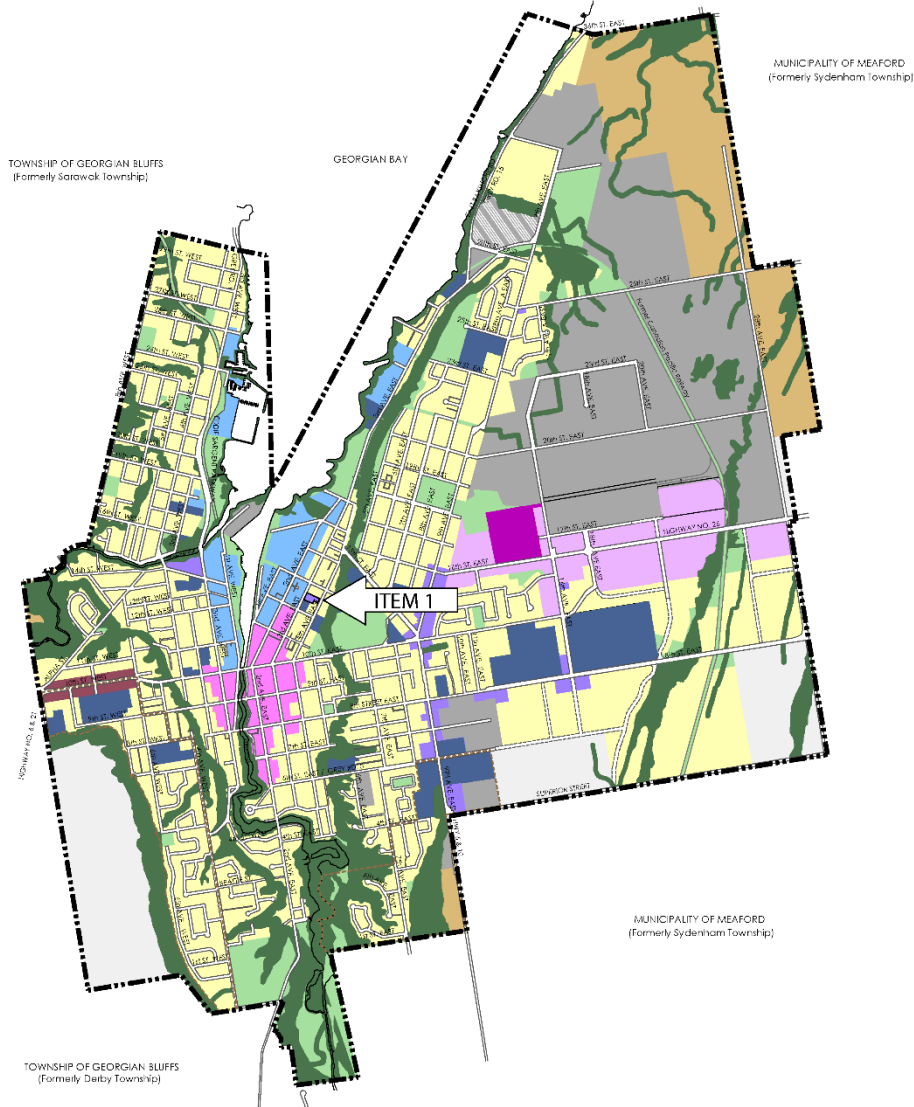
MAP CHANGES

The affected lands are to be redesignated “Arterial Commercial” on Schedule A, as demonstrated on Schedule A, affixed.

SCHEDULE "A"
 AMENDMENT NO. _____

TO THE
OWEN SOUND OFFICIAL PLAN

















SCHEDULE "A"
**OWEN SOUND
 LAND USE PLAN**



- AREA OF THIS AMENDMENT

ITEM 1- LANDS TO BE REDESIGNATED TO ARTERIAL COMMERCIAL (SITE-SPECIFIC POLICY 3.7.5.1)



- | | |
|---|--|
|  Residential |  Open Space |
|  River District Commercial |  Rural |
|  Regional Shopping Centre |  Hazard Lands |
|  East City Commercial |  Niagara Escarpment Plan Area |
|  West City Commercial |  Niagara Escarpment Plan Area - Urban |
|  Arterial Commercial |  Planned Road |
|  Waterfront Mixed Use | |
|  Industrial Transitional | |
|  Employment | |
|  Institutional | |

BY-LAW NO. 2023-

THE CORPORATION OF THE CITY OF OWEN SOUND

BEING A BY-LAW TO AMEND BY-LAW 2010-078, BEING “A COMPREHENSIVE ZONING BY-LAW TO IMPLEMENT THE CITY OF OWEN SOUND OFFICIAL PLAN AND TO REGULATE THE USE OF LANDS AND THE ERECTION, USE, BULK, HEIGHT, LOCATION AND SPACING OF BUILDINGS AND STRUCTURES WITHIN THE CITY OF OWEN SOUND, as AMENDED”, RESPECTING THE CREATION OF SITE-SPECIFIC ZONING FOR LANDS KNOWN AS All of Lots 15 and 16 East of Bay Street, and Part of Lots 15 and 16 West of Hill Street, City of Owen Sound, County of Grey (1235 & 1259 3rd Avenue East).

WHEREAS the Planning Act R.S.O. 1990 c.P. 13, as amended, provides that the Council of a local municipality may pass By-laws for prohibiting the use of land and for prohibiting the erection, location or use of buildings and structures for, or except for, such purposes as may be set out in the By-law and for regulating the use of lands and the character, location and use of buildings and structures; and,

WHEREAS the Council of the Corporation of the City of Owen Sound is desirous of adopting a zoning by-law amendment pursuant to Section 34 of the Planning Act and,

WHEREAS such amendment to By-law 2010-078, as amended will maintain the terms and intent of the City of Owen Sound Official Plan; and,

WHEREAS the Council of the Corporation of the City of Owen Sound has carefully considered all public comments throughout the process; and,

WHEREAS it is now deemed desirable and in the public interest to adopt By-law 2023- ____.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF OWEN SOUND HEREBY ENACTS AS FOLLOWS:

1) **That** Schedule A, Zoning Map 6, forming part of By-law 2010-078, as amended, is hereby further amended by changing the zoning category on the subject lands from the Institutional (I) Zone to the Mixed Use Commercial (MC) Zone subject to Special Provision 14.____, shown more particularly on Schedule 'A' attached hereto and forming part of this By-law,

2) **That** By-law 2010-078, as amended, being the Comprehensive Zoning By-law for the City of Owen Sound, is further amended by adding the following to Section 14 - Special Provisions:

“14.____

- **Notwithstanding the provisions of Section 7 Commercial & Mixed Use Zones of By-law 2010-078, a Business Incubator and Event and Entertainment Facility shall also be permitted uses.**
- **Business Incubator means an establishment that provides incubator services such as management training, networking facilities, programming, mentorship programs, business assistance services, and office space including ‘hot desk’ services and is dedicated to**

nurturing the development and commercialization of start-ups, early-stage companies, and established companies (enterprises).

- **Event and Entertainment Facility means an establishment in which the main use is to accommodate gatherings for specific events, and which may also include, among its internal functions, accommodation for overnight guests, accessory retail and office, and indoor and outdoor entertainment facilities available for use by event participants, the general public, or both.**
- **Notwithstanding the requirements of Section 5.18 General Parking Regulations of By-law 2010-078, the minimum number of vehicle parking stalls shall be 100 and may be provided by a combination of stalls either on site or within 500 metres of the MC (14.__) Zone.**

3) **That** this by-law shall come into force and effect on the final passing thereof by the Council of the City of Owen Sound, subject to compliance with the provisions of the Planning Act, R.S.O. 1990, as amended.

Read a first and second time this ___ day of _____, 2023.

_____ Mayor

_____ Clerk

Read a third time this ___ day of _____, 2023.

_____ Mayor

_____ Clerk