

# SCHEDULE H

---

## AGENCY COMMENTS

City of Owen Sound Fire Prevention Division – July 12, 2023

County of Grey – July 22, 2023

Grey Sauble Conservation Authority – July 25, 2023

City of Owen Sound Building Division – October 12, 2023

City of Owen Sound Engineering Services Division – August 4, 2023

Circulation to Ministry of Environment, Conservation and Parks – August 18, 2023

**From:** [Greg Nicol](#)  
**To:** [OS Planning](#)  
**Cc:** [Doug McEwen](#)  
**Subject:** FW: Request for Comment - Official Plan & Zoning By-law Amendment - 1235 & 1259 3rd Ave E (Historic Courthouse & Jail)  
**Date:** Wednesday, July 12, 2023 11:45:27 AM  
**Attachments:** [image001.png](#)  
[image006.png](#)  
[Request for Comments - OPA 13 & ZBA 49 - 1235 & 1259 3rd Ave E \(Courthouse & Jail\).pdf](#)  
[image007.png](#)  
[image008.png](#)  
[image013.png](#)

---

Hi Planning, this office has no objection to the ZBA application.

We will work with the Building Department on the official drawings for comment at that time.

Have a great day

Greg Nicol  
Fire Prevention Officer  
Owen Sound Fire and Emergency Services  
City of Owen Sound  
1209 3<sup>rd</sup> Ave East, Owen Sound, ON N4K 2L6  
519-376-4440 ext. 2243 Cell – 519-378-6577  
[gnicol@owensound.ca](mailto:gnicol@owensound.ca)  
[www.owensound.ca](http://www.owensound.ca)



Click the link below to watch a video on the importance of closing doors!  
<https://youtu.be/bSP03BE74WA>

The City of Owen Sound respectfully acknowledges the Territory of the Anishinabek Nation, the traditional keepers of this land.  
Connect with us:





**Get involved** with your community

by joining our online platform to share your feedback, ideas, and questions on City projects, initiatives, and services.

Join the Conversation Today at [ourcity.owensound.ca](https://ourcity.owensound.ca)

*My working day may not be your working day. Please don't feel obligated to reply to this email outside of your working hours.  
Please consider the environment before printing.*

---

**From:** Jacklyn Iezzi <jiezzi@owensound.ca>

**Sent:** Tuesday, July 11, 2023 10:01 AM

**To:** Planning Act Prescribed Persons/Bodies <planningnotices@owensound.ca>

**Subject:** Request for Comment - Official Plan & Zoning By-law Amendment - 1235 & 1259 3rd Ave E (Historic Courthouse & Jail)

Good Morning,

Attached please find a request for comment on an Official Plan Amendment (OPA 13) and Zoning By-law Amendment (ZBA 49) application proposing the adaptive reuse of the existing buildings and structures located at 1235 and 1259 3<sup>rd</sup> Ave E, being the historic Courthouse, Jail, Jail yards, and Governor's Residence, for an entertainment and event venue and business incubator.

Supporting plans and studies submitted with the application can be accessed via the link below:

<https://we.tl/t-SBUgh2plAr>

Please provide comments by **Tuesday, July 25, 2023**, to [planning@owensound.ca](mailto:planning@owensound.ca). If you are unable to access the link provided or are unable to provide a response by the requested date, please do not hesitate to contact me.

Sincerely,

Jacklyn Iezzi, BES.  
Senior Planner

City of Owen Sound  
808 2<sup>nd</sup> Ave. E., Owen Sound, ON N4K 2H4  
519-376-4440 ext. 1261  
[jiezzi@owensound.ca](mailto:jiezzi@owensound.ca)  
[www.owensound.ca](http://www.owensound.ca)



The City of Owen Sound respectfully acknowledges the Territory of the Anishinabek Nation, the traditional keepers of this land.

Connect with us:



**Get involved** with your community

by joining our online platform to share your feedback, ideas, and questions on City projects, initiatives, and services.

Join the Conversation Today at [ourcity.owensound.ca](http://ourcity.owensound.ca)

*My working day may not be your working day. Please don't feel obligated to reply to this email outside of your working hours.*

*Please consider the environment before printing.*

**From:** [planning@grey.ca](mailto:planning@grey.ca)  
**To:** [Briana Bloomfield](#); [Desiree van Dijk](#); [OS Planning](#)  
**Subject:** County comments fo OPA 13, ZBA 49- Old Courthouse (1235 &1259 3rd Ave E)  
**Date:** Saturday, July 22, 2023 7:18:51 AM

## County comments fo OPA 13, ZBA 49- Old Courthouse (1235 &1259 3rd Ave E)

Hello Owen Sound,

Please note that County staff have reviewed Owen Sound Official Plan Amendment Application 13 (OPA 13) and Zoning By-Law Amendment 49 (ZBA 49) - The Old Courthouse, located at 1235 and 1259 3rd Avenue East.

The subject property is designated Primary Settlement Area within the County's Official Plan. The Primary Settlement Area permits a wide array of commercial uses. Provided fulsome servicing is available to service the proposed use, the County has no concerns in this regard.

The subject property is located within an Intake Protection Zone 2, and an Events Based Area. Should large quantities of hazardous chemicals or fuel be proposed on site, the County would recommend that comments be received from the local Risk Management Official.

The subject property is located on 3rd Avenue East, which forms part of Grey Road 15. County Transportation Services have indicated no concerns with the current proposal.

The subject property is directly adjacent to an ambulance station, under the management and ownership of Grey County. The subject proposal has been reviewed by Grey County Paramedic Services, who have indicated that the following be considered at a site plan stage:

- That permanent fencing be installed between the court house property and the ambulance station, to ensure that guests do not block access of emergency vehicles entering/leaving the station;
- Given the extent of off-site parking proposed to accommodate the development, it is recommended that current "no parking" signage along 3rd Avenue East be reviewed and potentially enhanced to ensure that guest vehicles do not block movement of emergency vehicles

The proposal was reviewed by County Economic Development staff at a pre-circulation stage, and staff indicated support for the proposal. EcDev staff would recommend that the applicants/owners reach out at a marketing stage, to discuss adding the venue to the County's tourism website: <https://www.visitgrey.ca/>

From a general planning perspective, staff would recommend that consideration for dark-sky compliant lighting be explored at a site plan stage.

Overall, County staff are pleased to see the re-use of these historically important properties and buildings. The proposed mixed-use space provides a key opportunity to enhance tourism and event-space within the downtown area.

County staff have no further comments at this time.

Please note, a paper copy will not be provided unless requested.

Let us know if you have any questions.

Best regards,

Becky Hillyer

County of Grey, Owen Sound, ON

July 25, 2023  
**GSCA File: P23-258**

City of Owen Sound  
808 2<sup>nd</sup> Ave E  
Owen Sound, ON  
N4K 2H4

Sent via email: [planning@owensound.ca](mailto:planning@owensound.ca)

**Re: Application for OPA 13 and ZBA 49**  
**Address: 1235 & 1259 3<sup>rd</sup> Ave E**  
**Roll No: 425901000306700 & 425901000306600**  
**City of Owen Sound**  
**Applicant: FC Entertainment & Hospitality Inc.**

Grey Sauble Conservation Authority (GSCA) has reviewed the subject application in accordance with our mandate and policies for Natural Hazards and relative to our policies for the implementation of Ontario Regulation 151/06. We offer the following comments.

### **Subject Proposal**

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 & 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.

To facilitate these uses, the OPA will redesignate the subject lands from 'Institutional' to 'Arterial Commercial'. The ZBA will rezone the subject lands from 'I – Institutional' to 'MC – Mixed Use Commercial' with special provisions.

### **Site Description**

The property is located on the east side of 3<sup>rd</sup> Ave E, between 12<sup>th</sup> Street E and 13<sup>th</sup> Street E, in the City of Owen Sound. The property is historically developed and features several historical buildings and manicured areas. Grades are generally highest to the east and decline gradually to the west.

### **GSCA Regulations**

The subject property is not regulated under Ontario Regulation 151/06: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses. As such, no permits are required from our office for the redevelopment of the property.

---

#### **Member Municipalities**

Municipality of Arran-Elderslie, Town of the Blue Mountains, Township of Chatsworth, Township of Georgian Bluffs, Municipality of Grey Highlands, Municipality of Meaford, City of Owen Sound, Town of South Bruce Peninsula

## **Provincial Policy Statement 2020**

### **3.1 Natural Hazards**

There were no natural hazards identified on the subject property. As such, the proposal is consistent with the Section 3.1 PPS policies.

### **Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Plan**

The subject property is located within an area that is subject to the Source Protection Plan.

### **Recommendations**

GSCA generally has no objections to the proposed ZBA and OPA as the property is not affected by any areas regulated and or natural hazards.

Regards,



Mac Plewes  
Manager of Environmental Planning

c.c. Scott Greig, GSCA Director, City of Owen Sound  
Jon Farmer, GSCA Director, City of Owen Sound



# Staff Report

Building Division

**DATE:** OCT 12, 2023

**ROLL NO.:** 4259 010 003 06700  
4259 010 003 06600

**TO:** JACKLYN IEZZI, SENIOR PLANNER

**FROM:** NIELS JENSEN, BUILDING OFFICIAL

**SUBJECT:** OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT FOR 1235-1259 3<sup>RD</sup> AVE EAST (HISTORIC COURTHOUSE AND JAIL)

**PLANNING FILE: OPA 13 & ZBA 49**

**MUNICIPAL ADD: 1235-1259 3<sup>RD</sup> AVE EAST**

**LEGAL DESCRIPTION: 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 & PLAN OWEN SOUND PT LOTS 15; AND 16 E BAY ST W HILL ST RP;16R10312 PART 1**

**APPLICANT: ROYAL ROSE COURT**

**BACKGROUND:** 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 & 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 (e.g., elevators), restoration of a front portico to the Courthouse building, vehicular access from 3rd Ave E and 4th Ave E, 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.

**ANALYSIS:** This document incorporates comments from the Building Division of the Community Service Department.

The above noted site plan has been reviewed using the requirements from the Ontario Building Code and related City and County By-laws. The following comments reflect the results of the review:

- All construction to be in accordance with either the Ontario Building Code or successor legislation in place at the time of building permit application.
- The payment of permit fees, City, County and site specific Development Charges will be due upon the issuance of a building permit.

**DETAILED REVIEW:** Documents reviewed in conjunction with this application are:

- *Ontario Building Code 2012*
  - *A, D & E*
- *City of Owen Sound Development Charges By-law*
- *County of Grey Development Charges By-laws*
- Design to meet the requirements of Barrier Free Design as per 3.8
- Ensure backflow prevention installed on potable water lines
- Sanitary sewer to be protected by a back water valve
- Storm drains to be disconnected from sanitary sewer
- Building renovations to be designed by Architect and Engineer. Permit drawings to include mechanical (plumbing, HVAC), structural, electrical, architectural.
- Provide detailed plans showing fire separations between units, floors, exits and occupancies meeting the requirements of the OBC
- Site grading and drainage plan by qualified Engineer

- Heritage permit for site including details of any restoration or alteration of structures and materials
- Remediation and disposal of asbestos and or mould to be done by certified company in accordance with O.Reg 347, O.Reg 838 and other applicable law. City to be provided with copies of insurance, test reports, registration with MOL, MOH, Certificate(s) of Approval, and any other documentation required by legislation.
- Building permit(s) may be revoked if construction not started within 6 months of permit issuance or if construction is substantially halted, suspended, or discontinued for a period of over one year
- Fees and charges are to be paid at the rate current at time of building permit issuance. The following estimated rates would apply if permit applied for in **2023 (rates subject to change based on Fees and Charges By-law)**:
  - Building permit of \$9.00 per m<sup>2</sup> of gross floor area of Commercial renovations (min. \$240) plus Admin Fee of \$100.00 per unit
  - Building permit of \$11.00 per m<sup>2</sup> of gross floor area of Institutional/Assembly renovations (min. \$240) plus Admin Fee of \$100 per unit
  - City of Owen Sound Development Charges, if applicable
  - County of Grey Development Charges, if applicable

**Submitted by:** Niels Jensen



**Reviewed by:** Kevin Linthorne, CBO



# Staff Report

Engineering Services Division



---

**DATE:** 2023 August 04 **ENG. FILE:** 1235 - 1259 3<sup>rd</sup> Ave E  
4259 010003 06700 (1235 3<sup>rd</sup> Ave E)  
4259 010003 06600 (1259 3<sup>rd</sup> Ave E)

**TO:** Jacklyn Iezzi, Senior Planner  
Sabine Robart, Manager of Planning & Heritage  
Pam Coulter, Director of Community Services  
Lara Widdifield, Director of Public Works & Engineering

**FROM:** Dana Goetz, C.E.T., Engineering Technologist

**SUBJECT:** OFFICIAL PLAN / ZONING BY-LAW AMENDMENT ENGINEERING REVIEW

---

**Applicant:** F.C. Entertainment & Hospitality Inc. (Royal Rose Court)

**PLANNING FILES:** OPA13; ZBA49

**LEGAL DESCRIPTION:** Plan OWEN SOUND Pt Lots 15, 16; E Bay St W Hill St; RP 16R-10312 Pts 2 to 4, 8 to 11, 14, 15 (1235 3<sup>rd</sup> Ave E)

Plan OWEN SOUND Pt Lots 15, 16; E Bay St W Hill St; RP 16R-10312 Pt 1 (1259 3<sup>rd</sup> Ave E)

**RECOMMENDATIONS:** Further to our review of the above noted application, the Public Works & Engineering Department has no objection to this application subject to the following conditions:

**OPA13**

The Public Works and Engineering Department has no objection to the Official Plan Amendment.

**ZBA49**

The Public Works and Engineering Department has no objection to the Zoning By-law Amendment provided that stormwater management design, parking solutions, a 5.0m road allowance widening are components of site plan approval.

**BACKGROUND:**

**OPA13** 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 Ave E). 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.

#### ZBA49

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 m of the subject lands.

#### **ANALYSIS:**

This document incorporates comments from all divisions of the Public Works & Engineering Department.

The following comments reflect the results of this review:

**DETAILED REVIEW:** Documents reviewed in conjunction with this application are:

- *City of Owen Sound Site Development Engineering Standards, 1<sup>st</sup> Edition*  
[https://www.owensound.ca/en/city-hall/resources/Documents/Planning/Site-Plan-Eng-Standards\\_Full--2021-03-24-Rev.pdf](https://www.owensound.ca/en/city-hall/resources/Documents/Planning/Site-Plan-Eng-Standards_Full--2021-03-24-Rev.pdf)

- *City of Owen Sound Official Plan, as amended*  
<https://www.owensound.ca/en/city-hall/official-plan-update.aspx>
- *Stormwater Management Planning and Design Manual, March 2003; Province of Ontario Ministry of the Environment – published by: Queen’s Printer for Ontario*  
<https://www.ontario.ca/document/stormwater-management-planning-and-design-manual-0>
- *Accessibility for Ontarians with Disabilities Act (AODA), 2005, S.O. 2005 c.11*
- *Functional Servicing Brief prepared by C.F. Crozier & Associates Inc. for F.C. Entertainment & Hospitality Inc. dated April 2023.*
- *Transportation Impact Study prepared by C.F. Crozier & Associates Inc. for F.C. Entertainment & Hospitality Inc. dated May 2023*
- *Parking Justification Study prepared by C.F. Crozier & Associates Inc. for F.C. Entertainment & Hospitality Inc. dated May 2023*

### **STORMWATER MANAGEMENT (SWM):**

The proposed drainage system within the development will be required to convey internal runoff to an appropriate outlet and all infrastructure must be sized accordingly.

Through discussions with the City, it is understood that the preferred stormwater outlet is the existing storm sewer on 12th Street East, which outlets directly to Georgian Bay. Although there is no existing storm sewer on 3rd Avenue East, there is an existing 375mm diameter storm sewer on 4th Avenue East that conveys runoff to the sewer on 12th Street East.

Internal paved areas within the site will be graded with varying slopes typically ranging from 0.5% - 5% to promote stormwater drainage from the parking area, towards proposed catchbasins and ultimately connecting to the existing storm sewer infrastructure on 4th Avenue East.

The proposed reuse of the Site will not significantly alter the current grading and drainage conditions. Under post-development conditions, the minor storm events will be conveyed through a storm sewer network within the proposed parking lot that will connect to the existing 375 mm diameter storm sewer on 4th Avenue East. The major storm events will be conveyed overland towards 3rd Avenue East. There are no anticipated changes to the existing stormwater management system.

The Site will have an increase in impervious area with the additional parking lot off 4th Avenue East. Stormwater runoff for the minor flows will be directed to 4th Avenue East via storm sewers, and major flows will continue to 3rd Avenue East via overland flow. Post-development peak flows will be controlled to meet the existing pre-development peak flows through use of a stormwater management facility on site, providing the required volume of storage.

It will be necessary to implement stormwater best management practices to address the water quality control requirements of the City and other regulatory agencies. Owen’s Sound of Georgian Bay is the ultimate receiver of drainage from the Site and therefore the development will incorporate measures to provide “enhanced protection” to treat runoff from the site. To provide “enhanced protection” an end-of-pipe control is

recommended to treat the runoff from the proposed parking lot before it enters the Municipal storm sewer system.

### **GRADING & DRAINAGE:**

The existing grading plan must be revised to support the preliminary SWM strategy. The site grading and drainage must conform to Section 2.2.2 of the City's Property Standards By-law 1999-030.

### **SITE SERVICING:**

SERVICING FEASIBILITY STUDY (SFS): A Servicing Feasibility Study has been submitted in support of this development. The study, referencing the EOSMSS, demonstrates that the proposed subdivision can be supported by existing service capacity although the water and wastewater service laterals may need to be replaced.

WASTEWATER SEWER: In order to calculate the proposed wastewater demand, the same four scenarios that were used to calculate the water demand were evaluated:

- SCENARIO #1 – Event Venue Only - assumes that all other uses are closed during an event.
- SCENARIO #2 – Office Space and Restaurant - assumed to be the typical use during a weekday.
- SCENARIO #3 – Restaurant and Speak Easy/Restaurant - assumed to be the typical use during the evenings.
- SCENARIO #4 – 2 Events and Speak Easy/Restaurant - assumed to be the maximum demand scenario possible.

The Ontario Building Code (OBC) was used to estimate the average daily demand based on a similar land use. In this case, it was assumed that the most comparable land use to an event venue in Table 8.2.1.3.B of the OBC was an Assembly Hall with Food Service Provided. Per the OBC, the average daily demand for an Assembly Hall with Food Service is 36 L/seat/day.

A wastewater PCSWMM model provided by the City was used to analyze the wastewater sewers downstream of the site under existing and proposed dry weather flow conditions. The sewers downstream of the site to the 1,000 mm diameter trunk sewer located at the intersection of 13th Street East and 2nd Avenue East were analyzed.

Under existing conditions, the maximum hydraulic grade elevation (HGL) of the manhole immediately downstream of the site (SSMH1368) is 180.99m. The 300 mm diameter sewer fronting the site is at a slope of 0.5% and has a capacity of 68.4 L/s. The results show that the maximum flow in this pipe is 0.14 L/s; therefore, the pipe is 0.2% full under existing conditions.

A model was created to demonstrate proposed conditions. A conservative approach was used when updating the site flows to demonstrate proposed conditions. As described in the section above, the wastewater demands for existing and proposed conditions were calculated. The increase in demand (1.39 L/s) was added to the

Average Value input in the model at Junction SSMH1366. The proposed model was run and the maximum HGL of Junction SSMH1366 was negligibly increased to 181.01m. The maximum flow of this pipe under proposed conditions is 1.87 L/s, therefore, the pipe is 2.7% full.

Based on the model results, there is sufficient capacity in the existing wastewater sewers to support the proposed reuse without any sewer upgrades.

**WATER SERVICE:** The existing building is to be maintained on site and converted into an event venue, supplemented by restaurants and a shared office space. Based on the Architectural Drawings by ERS Architects in December 2022, the usage scenarios and daily demand are as listed above.

To be conservative, the highest average daily demand (ADD) flow rate (Scenario #4) has been used to estimate the future water demands for the Site, which are as follows:

- Average Day 0.58 L/sec
- Max Day 2.09 L/sec
- Peak Hour 3.14 L/sec

Fire flows required to service the site were determined to be 183 L/s per the Fire Underwriter's Survey. The total design flow (peak hour + fire flow) for the Site is 186.14 L/s.

A hydrant flow test has not been completed. However, upon review of the East Owen Sound Master Servicing Study (R.J. Burnside, 2007), the Site is located in between two Junctions in the City's water model (J-254 and J-256). Based on the model outputs, the fire flows between the two nodes ranges from 144.23 L/s to 228.31 L/s.

A hydrant flow test will be completed during detailed design to confirm the available fire flows.

Based on the model results, there is sufficient capacity in the existing water distribution system to support the proposed reuse without any upgrades.

## **PARKING, SITE ACCESS & TRAFFIC CIRCULATION:**

### **TRANSPORTATION IMPACT STUDY (TIS):**

A Transportation Impact Study has been submitted for review.

The TIS offered the following analysis:

1. The following intersections were assessed in the TIS:
  - 3rd Avenue East (Grey Road 15) and 12th Street East
  - 3rd Avenue East (Grey Road 15) and 10<sup>th</sup> Street East (Highway 6)
  - 4th Avenue East and 12th Street East
  - 4th Avenue East and 10<sup>th</sup> Street East (Highway 6)
  - 2nd Avenue East and 10<sup>th</sup> Street East (Highway 6)
  - 3rd Avenue East (Grey Road 15) and 13th Street East
2. Intersection analysis of the 2023 existing traffic volumes indicates the following:



- The intersections of 10<sup>th</sup> Street East and 2<sup>nd</sup> Avenue East and 4<sup>th</sup> Avenue East are expected to operate with a LOS 'D' during the Friday p.m. peak period with a forecast maximum control delay of 40.8 s (4<sup>th</sup> Avenue East and 10<sup>th</sup> Street East) and maximum volume-to-capacity ratio of 0.95 (2<sup>nd</sup> Avenue East and 10<sup>th</sup> Street East). The operations indicate these intersections have movements approaching capacity under existing conditions.
  - The remaining intersections on the boundary road network operate with a LOS "B" or better in the Friday p.m. and Saturday peak hours.
  - The 95th percentile queues of all movements on the boundary road network can be accommodated within the existing storage lanes, with the exception of the southbound left-turn movement on 4<sup>th</sup> Avenue East at 10<sup>th</sup> Street East which can be accommodated within a portion of the taper.
3. In the absence of the future timing settings prepared by the City of Owen Sound TMP, an optimization of splits and cycle length was applied to the signalized intersections. Intersection analysis of the 2028 future background traffic volumes indicates the following:
- The intersections 10<sup>th</sup> Street East and 2<sup>nd</sup> Avenue East and 4<sup>th</sup> Avenue East are expected to improve from LOS "D" to a LOS "C" during Friday p.m. and Saturday peak hours due to the signal timing optimization compared to 2023 existing conditions.
  - The maximum control delay of 22.1 s and volume to capacity ratio of 0.92 (EBT) were forecast for 2<sup>nd</sup> Avenue East and 10<sup>th</sup> Street East during the Friday p.m. peak hour. The operations indicate that the boundary road network is anticipated to operate acceptably.
  - The 95th percentile queue of the southbound right-turn movement at 2<sup>nd</sup> Avenue East and 10<sup>th</sup> Street East is forecast to increase by 10.3 m compared to existing conditions and exceeds the available storage length by less than one vehicle during the Friday p.m. peak hour.
4. To estimate the trips generated by the event venues, a first principles approach was used based on the venue capacity. The remaining land uses were forecast using the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition. The proposed re-use is expected to generate 345 and 356 external two-way trips in the Friday p.m. and Saturday peak hours, respectively.
5. As noted in future background conditions, in the absence of the future signal timing settings prepared as part of the City of Owen Sound TMP, an optimization of splits and cycle length was applied to the signalized corridor of 10<sup>th</sup> Street

East. Intersection analysis of the 2028 future total traffic volumes indicates the following:

- Re-optimization of signal timings improves the operations at the intersection of 2<sup>nd</sup> Avenue East and 10<sup>th</sup> Street East compared to the 2028 Future Background scenario.
  - The southbound right movement at the intersection of 2<sup>nd</sup> Avenue East and 10<sup>th</sup> Street East is expected to continue to exceed the available storage, with the 95th percentile queue forecasted to increase by less than one vehicle.
  - All other queueing is not expected to impede through movements.
  - The proposed Site Accesses are expected to operate at a LOS “C” with a maximum control delay of 15.6 s and volume-to-capacity ratio of 0.16.
  - The above metrics indicate that the study intersections are anticipated to continue operating acceptably under 2028 future total traffic volume conditions. Accordingly, the boundary road network can accommodate the site generated traffic.
6. There are no anticipated sight distance issues at the site accesses and vehicles can safely ingress and egress the site. The site accesses can be supported from a sight distance perspective.
7. Active transportation facilities including sidewalks, multi-use trails and transit stops are in close proximity to the site. The sidewalks proposed throughout the site should be designed to meet the minimum requirements detailed in the Accessibility for Ontarians with Disabilities Act (AODA). This includes a minimum sidewalk width of 1.5 metres, and maximum running slope of 5%. Geometrics, pavement markings and signage will be confirmed through detailed design as a component of site plan approval.

The analysis contained within this report was completed based on the Site Plan dated April 20, 2023. Any minor changes to the Site Plan will not affect the conclusions contained within this report.

It is concluded that the traffic generated by the proposed re-use can be supported by the boundary road network, and the Site Plan can be supported from a traffic operations perspective.

**PEDESTRIAN ACCESS:** Pedestrian walkways, sidewalks and connections to City streets are provided.

COMMUNITY MAIL BOXES (CMB): Community mail box locations, when required, must be shown on the site plan. The locations must be approved by Canada Post Corporation (CPC) and the CMBs' installed with respect to the guidelines and specifications of CPC. In addition, the City requires the following:

1. CMBs' must be located on a designated pedestrian path of travel.
2. CMBs' must not be located within the sight triangle of any intersection, near SWM facilities or in areas designated for snow storage.
3. CMBs' must be properly illuminated.

SITE ACCESS & TRAFFIC CIRCULATION:

Vehicular access to the site is from both 3<sup>rd</sup> Avenue East and 4<sup>th</sup> Avenue East.

PARKING & SNOW STORAGE: The submitted Parking Justification Study states:

1. Within the spatial constraints of the site, a total of 43 parking spaces can be provided. Of these spaces, 36 are accessed from 4th Avenue East. The four spaces accessed from 3rd Avenue East are reserved for the offices during the day and another three are temporary, acting as drop-off spaces so the loading space to the north of the building are not blocked. Accordingly, this study assesses the various parking strategies that could be employed to meet the by-law requirements. As presented, the proposed re-use is required to provide a total of 262 parking spaces per the City's Zoning By-Law.
2. The peak parking demand represents the individual peak parking periods for various land uses. However, individual peak parking periods do not necessarily overlap for different land uses, allowing for utilization of the same parking lot.
3. The ITE Parking Generation 5th Edition Manual identifies hourly percentages of peak parking demand throughout the day. The total peak parking demand (i.e. 100% of the peak parking demand) for the offices occurs before noon, while the restaurant peak is in the evening on a Friday.
4. While it is noted that the speakeasy may operate later than the restaurant facility, the full utilization of the office parking (11:00 a.m.) is separate from the restaurant's full utilization (8:00 p.m.). Based of the low number of parking spaces required for the office (12 spaces) and the variation in parking utilization peaks, the office use can be supported on-site and does not need to be supplied independently from the proposed restaurant and event use parking spaces.
5. The conclusions of the study are:
  - The peak parking period for the office use is at a different time during the day compared to the restaurant and event space uses. Therefore, the required parking for the office use can be supported on-site and does not need to be

supplied independently from the proposed restaurant and event use parking spaces.

- The Owen Sound By-Law requirement exceeds the requirements of surrounding municipalities for restaurant and event space uses.
  - The Owen Sound By-Law requirement exceeds the parking supply rates established for restaurant and event space uses based on comparable proxy sites.
6. The study further states that given these findings, various strategies should be implemented to meet the minimum parking requirements. The strategies are as follows:
- Use of on-site parking facilities (43 stalls)
  - Use of off-site parking agreement with neighbouring landowner(s) (75 stalls possible)
  - Use of adjacent municipal parking lots (within 500 m) (17 stalls)
  - Use of on-street parking (within 500 m) (435 stalls)
7. Each of the above strategies results in a total parking supply of 570 parking spaces, which equates to a surplus of 308 parking spaces. It is noted that additional adjacent properties may be identified for use which would increase the proposed supply.
8. Providing the required parking supply on site is not feasible due to spatial constraints. Within 500 m of the site there is an excess supply of parking that can support the proposed re-use of the building as an office, restaurant, and event venue. Operation of the venues at maximum capacity will be a rare occurrence and popular times are likely to be Friday and Saturday nights based on the nature of the uses.
9. The analysis contained within this report was prepared using the Site Plan prepared by Boldera Architects (dated April 20, 2023). Any minor revisions to the Site Plan are not expected to affect the conclusions contained with this report.

Engineering Services cannot support the inclusion of on-street parking for this re-use. This is a residential area and use of on-street parking in support of a commercial enterprise is not recommended.

A solution to provide the required parking deficit will be a component of site plan approval.

Owen Sound receives significant snowfall (approx. 3.3 m each season).

Snow storage areas:

- are to be shown on the site plan
- must drain to the internal SWM system

- cannot occupy parking areas required for zoning compliance
- cannot be located on City-owned property.

No parking stalls, signage, snow storage areas or building envelopes are to be located within the 5.0 metres by 5.0 metres sight triangles required at the access points or street intersections.

**TRANSIT ACCESS:** Owen Sound Transit operates four bus routes at 30 min headways between 6:30 a.m. to 6:00 p.m. Monday to Friday, and 9 a.m. to 4 p.m. on Saturdays.

The Site is located approximately 500 m from the Owen Sound Transit Terminal where all local bus routes convene, these routes cover the entire City.

The bus stop for the East Bayshore and Core bus routes are located near the site. The East Bayshore route has bus stops at 3rd Avenue East at 12th Street East and 13th Street East. The Core route has bus stops at 10th Street East / Highway 6 and 3rd Avenue East and 4th Avenue East.

**ROAD ALLOWANCE WIDENING:** The City's Official Plan classifies this portion of 3<sup>rd</sup> Avenue East as a Minor Arterial / County road and 4<sup>th</sup> Avenue East as a Local road. A road allowance widening of 5.0 metres is required across the 3<sup>rd</sup> Avenue East frontage of the property and 5.0m x 5.0m sight triangles will be required at the access points as a component of site Plan Approval.

#### **LANDSCAPING:**

No landscaping features, or vegetation with a mature height greater than 0.6 metre are to be located within the 5.0 metres by 5.0 metres sight triangles required at the access points or street intersections.

#### **ENVIRONMENTAL:**

There are no known environmental concerns associated with this property.

This property is within 500 metres of former landfill sites. There are no known issues with the proximity of this property to the existing, closed landfill sites. The County may require a D-4 Study.

**SOURCE WATER PROTECTION (SWP):** The Drinking Water Source Protection Plan, approved under Part IV of The Clean Water Act, 2006, indicates that this property is within "Intake Protection Zone 2" (IPZ-2), an Events Based Threat area concerned with fuel storage exceeding 50,000 litres.

A SWP Risk Management Plan is not required as fuel storage is not a component of this development.

**GARBAGE AND RECYCLING COLLECTION SERVICES:** The City will not collect garbage and blue box materials from this development. The Developer must make

arrangements with a private waste management contractor for the on-site deposition, collection, and disposal of these materials.

Please be advised that the residential recycling system in the City of Owen Sound has transitioned to a producer responsibility funded **blue box** collection program to be fully implemented by January 1, 2026. Who is eligible under this program may change after the program is fully implemented. Further information can be found at [Blue Box Regulation - RPRA](#).

Waste management contracts should be negotiated accordingly.

**FEES AND CHARGES:**

The Engineering Review Fee will be \$594.00 for an Official Plan Amendment and \$356.00 for a Zoning By-law Amendment.

A Street Occupation Permit will be required prior to commencement of any work on City owned property. The permit is available from the Engineering Services Division for a fee of \$68.

A Servicing Agreement may be required as a component of site plan approval.

**Prepared By:** Dana Goetz, C.E.T.



**Reviewed By:** Chris Webb, P.Eng.



**From:** [Jacklyn Iezzi](mailto:Jacklyn.Iezzi@owensound.ca)  
**To:** ["SAROntario@ontario.ca"](mailto:SAROntario@ontario.ca)  
**Cc:** [Sabine Robart](mailto:Sabine.Robart@owensound.ca)  
**Subject:** FW: Request for Comment - Official Plan & Zoning By-law Amendment - 1235 & 1259 3rd Ave E (Historic Courthouse & Jail)  
**Date:** Friday, August 18, 2023 9:10:00 AM  
**Attachments:** [image001.png](#)  
[image006.png](#)  
[Request for Comments - OPA 13 & ZBA 49 - 1235 & 1259 3rd Ave E \(Courthouse & Jail\).pdf](#)

---

Good Morning,

Attached please find a request for comment on an Official Plan Amendment and Zoning By-law Amendment for lands municipally known as 1235 and 1259 3<sup>rd</sup> Avenue East in Owen Sound. The applications are proposing to redesignate and rezone the subject lands to facilitate the adaptive reuse of existing buildings and structures known as the historic Courthouse, Jail, Jail Yards, and Governor's Residence. The historic Courthouse at 1235 3<sup>rd</sup> Ave E, is designated under Part IV of the Ontario Heritage Act. The Jail property at 1259 3<sup>rd</sup> Ave E is listed on the City's Heritage Register.

**I am contacting your office because through the pre-consultation process related to the proposed development the presence of natural heritage features on the subject property associated with habitat for threatened or endangered species was noted. Specifically, Natural Heritage Information Centre (NHIC) records indicate an observance of Chimney Swifts nesting on the subject property which is a threatened bird species.**

City of Owen Sound Planning Staff have reviewed the following Ministry of Environment, Conservation, and Parks (MECP) resources as it relates to chimney swift:

- <https://www.ontario.ca/page/alter-chimney-habitat-chimney-swift>
- [Chimney swift | ontario.ca](https://www.ontario.ca/page/chimney-swift)
- <https://www.ontario.ca/laws/regulation/080242#BK32> (Sec. 23.8)

However, we would like to better understand the responsibilities that the City has related to the chimney swift habitat and what approvals the proponent may require from MECP, if any, to facilitate the adaptive reuse of the existing buildings.

Please advise,

Jacklyn Iezzi, BES.  
Senior Planner

City of Owen Sound  
808 2<sup>nd</sup> Ave. E., Owen Sound, ON N4K 2H4

519-376-4440 ext. 1261  
[jiezzi@owensound.ca](mailto:jiezzi@owensound.ca)  
[www.owensound.ca](http://www.owensound.ca)



---

**From:** Jacklyn Iezzi <jiezzi@owensound.ca>  
**Sent:** Tuesday, July 11, 2023 10:01 AM  
**To:** Planning Act Prescribed Persons/Bodies <planningnotices@owensound.ca>  
**Subject:** Request for Comment - Official Plan & Zoning By-law Amendment - 1235 & 1259 3rd Ave E (Historic Courthouse & Jail)

Good Morning,

Attached please find a request for comment on an Official Plan Amendment (OPA 13) and Zoning By-law Amendment (ZBA 49) application proposing the adaptive reuse of the existing buildings and structures located at 1235 and 1259 3<sup>rd</sup> Ave E, being the historic Courthouse, Jail, Jail yards, and Governor's Residence, for an entertainment and event venue and business incubator.

Supporting plans and studies submitted with the application can be accessed via the link below:

<https://we.tl/t-SBUgh2plAr>

Please provide comments by **Tuesday, July 25, 2023**, to [planning@owensound.ca](mailto:planning@owensound.ca). If you are unable to access the link provided or are unable to provide a response by the requested date, please do not hesitate to contact me.

Sincerely,

Jacklyn Iezzi, BES.  
Senior Planner

City of Owen Sound  
808 2<sup>nd</sup> Ave. E., Owen Sound, ON N4K 2H4  
519-376-4440 ext. 1261  
[jiezzi@owensound.ca](mailto:jiezzi@owensound.ca)  
[www.owensound.ca](http://www.owensound.ca)





The City of Owen Sound respectfully acknowledges the Territory of the Anishinabek Nation, the traditional keepers of this land.

Connect with us:



**Get involved** with your community

by joining our online platform to share your feedback, ideas, and questions on City projects, initiatives, and services.

Join the Conversation Today at [ourcity.owensound.ca](http://ourcity.owensound.ca)

*My working day may not be your working day. Please don't feel obligated to reply to this email outside of your working hours.*

*Please consider the environment before printing.*