

Zoning By-law Amendment Proposal Summary

Live Music and Performance Venues

Applicant: City-Initiated

File N°: D02-02-17-0110

Date Submitted: **January 25, 2018**

Ward Councillor: City-wide

Comments due date: **February 27, 2018**

Site Locations

The proposed zoning amendment affects lands at:

- 310 St. Patrick Street (St. Brigid's Centre for the Arts)
- 211 Bronson Avenue (The Bronson Centre)
- 323 Bank Street (Barrymore's Music Hall); and
- places of worship city-wide.

Proposal Details

Zoning By-law Amendment – In 2012, Council approved the Renewed Action Plan for Arts, Heritage and Culture (2013-2018). One of the key strategies is to "preserve and develop cultural and creative places and spaces." To that end, the Planning, Infrastructure and Economic Development Department has undertaken a review of the Zoning By-law to ensure that there are no undue obstacles to establishing and operating live music and performance venues in appropriate locations.

Under the City of Ottawa's current Zoning By-law, a live music or performance venue would be either a theatre or a nightclub:

- **Theatre** means a place where live theatrical performances or concerts are given on a stage before an audience.
- **Nightclub** means a place where food or drink may be served and has an open floor area used for dancing to music, and viewing musical performances or other forms of entertainment.

These definitions are not proposed to be changed. Furthermore, a review of the zoning has determined that the permissions for these uses generally do not need to be extended beyond where they are currently permitted at this time. However, there are four exceptions to this general conclusion, resulting in the four recommendations detailed below.

- 1) **Establish a zoning exception at 310 St Patrick St (St. Brigid's Centre for the Arts, I1A S74 zone) to add "theatre" as a permitted use.**

- 2) **Modify the existing zoning Exception [404] at 211 Bronson Avenue (The Bronson Centre, I1A [404] zone) to add "theatre" as a permitted use.**

The current I1A (Minor Institutional) zoning on these two sites does not permit a theatre. Recommendations 1) and 2) recognize that these two spaces have, over time, evolved away from purely institutional use and into significant cultural venues where musical performances are provided primarily to seated audiences, i.e. operating as theatres. It is desirable to cement their zoning right to continue to do so.

- 3) **Establish a zoning exception at 323 Bank Street (Barrymore's Music Hall) to permit "nightclub" as a permitted use.**

The TM (Traditional Mainstreet) zoning on this site does not permit a nightclub. The existing, live music venue has been in place for decades. Recommendation 3) would establish the zoning rights for this long-standing venue in the future.

- 4) **Amend the text of the Zoning By-law to provide that a theatre is permitted as an ancillary use in any place of worship city-wide.**

Numerous places of worship city-wide occasionally rent out their facilities for musical and other performances, even as their primary function continues to be as places of worship. Recommendation 4) would clarify the right to hold these occasional events regardless of the zone in which the place of worship is located.

Related Planning Applications

N/A

Timelines and Approval Authority

The "On Time Decision Date", the target date the proposed amendment will be considered by the City's Agriculture and Rural Affairs Committee is **May 3, 2018** and by Planning Committee is **May 8, 2018**

Submission Requirements

If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Ottawa before the proposed by-law is passed, the person or public body is not entitled to appeal the decision of the Council of the City of Ottawa to the Ontario Municipal Board.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Ottawa before the proposed 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 Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

Request to Post This Summary

If you have received this notice because you are the owner of a building within the area of the proposed zoning by-law amendment, and the building has at least seven (7) residential units, it is requested that you post this notice in a location visible to all of the residents.

Stay Informed and Involved

1. Register for future notifications about this application and provide your comments either by faxing or mailing the notification sign-up form in this package or by e-mailing me and adding File No. D02-02-17-0110 in the subject line.
2. If you wish to be notified of the decision of Council on the proposed zoning by-law, you must make a written request to me. My contact information is below.
3. Should you have any questions, please contact me.

Tim J. Moerman, MCIP, RPP

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