

## PLANNING, PUBLIC WORKS AND TRANSPORTATION COMMITTEE AGENDA

**Meeting #:** PPT-05-2019  
**Date:** Tuesday, April 9, 2019, 3:00 p.m.  
**Location:** Halton Hills Town Hall, Council Chambers  
1 Halton Hills Drive  
**Members:** Mayor R. Bonnette, Councillor C. Somerville, Chair, Councillor J. Fogal,  
Councillor M. Albano, Councillor B. Lewis, Councillor M. Johnson,  
Councillor B. Inglis

Pages

1. CALL TO ORDER
2. DISCLOSURE OF PECUNIARY INTEREST
3. COMMITTEE DELEGATIONS/PRESENTATIONS
  - a. Susan Silver, Senior Advisor, Strategic Planning and Continuous Improvement and Keith Hamilton, Planner - Development Review  
Presentation to Committee regarding Cannabis Retail Policy and Cannabis Cultivation and Processing in Halton Hills.

(Refer to Item Nos. 4a and 4b of this Agenda, Report No. ADMIN-2019-0009 and Report No. PLS-2019-0022)

#### 4. REPORTS & MEMORANDUMS FROM OFFICIALS

Vet Reports to be considered by the Planning, Public Works and Transportation Committee

Reports will be automatically held when there is a presentation or delegation on the matter.

- a. REPORT NO. ADMIN-2019-0009 (AUTOMATIC HOLD)

OFFICE OF THE CAO REPORT NO. ADMIN-2019-0009 dated February 15, 2019 regarding Cannabis Retail Policy.

b.	<b><u>REPORT NO. PLS-2019-0022 (AUTOMATIC HOLD)</u></b>	18
	PLANNING AND SUSTAINABILITY REPORT NO. PLS-2019-0022 dated March 8, 2019 regarding Cannabis Cultivation and Processing in Halton Hills – Directions Report.	
c.	<b><u>REPORT NO. PLS-2019-0014</u></b>	44
	PLANNING AND SUSTAINABILITY REPORT NO. PLS-2019-0014 dated March 20, 2019 regarding Green Development Standards Update: Terms of Reference.	
d.	<b><u>REPORT NO. PLS-2019-0020</u></b>	54
	PLANNING AND SUSTAINABILITY REPORT NO. PLS-2019-0020 dated March 21, 2019 regarding Proposed Zoning By-law Amendment to allow for the development of 11 townhouse units at 12 Church Street East (Acton).	
e.	<b><u>REPORT NO. PLS-2019-0023</u></b>	73
	PLANNING & SUSTAINABILITY REPORT NO. PLS-2019-0023 dated March 18, 2019 regarding Conditional water allocation for 12 Church Street East (8 SDE from the Acton residential pool).	
f.	<b><u>REPORT NO. PLS-2019-0028</u></b>	77
	PLANNING AND SUSTAINABILITY REPORT NO. PLS-2019-0028 dated March 20, 2019 regarding Glen Williams Mature Neighbourhood Study Final Recommendation Report: Official Plan and Zoning By-law Amendments.	
g.	<b><u>REPORT NO. TPW-2019-0005</u></b>	101
	TRANSPORTATION AND PUBLIC WORKS REPORT NO. TPW-2019-0005 dated March 29, 2019 regarding Uniform Traffic Control By-law 84-1 – Schedule Updates.	
h.	<b><u>REPORT NO. TPW-2019-0009</u></b>	105
	TRANSPORTATION AND PUBLIC WORKS REPORT NO. TPW-2019-0009 dated March 5, 2019 regarding Award of Tender (T-011-19) for Armstrong Avenue Reconstruction Phase 2.	
i.	<b><u>REPORT NO. TPW-2019-0010</u></b>	111
	TRANSPORTATION AND PUBLIC WORKS REPORT NO. TPW-2019-0010 dated March 11, 2019 regarding Award of Tender (T-012-19) for the Pavement Management Program Part A and Award of Tender (T-013-19) for the Pavement Management Program Part B and 5 Side Road Resurfacing.	

## 5. CLOSED SESSION

Committee to Convene into Closed Session if necessary.

**6. RECONVENE INTO OPEN SESSION**

Motion to approve items pertaining to Closed Session.

**7. ADJOURNMENT**

## REPORT

**REPORT TO:** Chair and Members of the Planning, Public Works and Transportation Committee

**REPORT FROM:** Susan Silver, Senior Advisor, Strategic Planning & Continuous Improvement

**DATE:** February 15, 2019

**REPORT NO.:** ADMIN-2019-0009

**RE:** Cannabis Retail Policy

### RECOMMENDATION:

THAT report No. ADMIN-2019-0009 dated February 15, 2019 regarding Cannabis Retail Policy be received;

AND FURTHER THAT the draft Cannabis Retail Policy, attached as Appendix A to this report, be approved.

AND FURTHER THAT the approved Policy be forwarded to the AGCO, the Region of Halton and City of Burlington.

### BACKGROUND:

On January 21, 2019, Council adopted resolution 2019-0009 which contained a recommendation to allow cannabis retail stores to be located in the Town of Halton Hills. With respect to locations of retail stores:

- Section 42 (1) (2) of the Cannabis Licence Act, 2018 S.O. 2018, c. 12, put restrictions on municipal by-law making authority for both business licensing and planning.
- The associated regulation (O. Reg 468/18) stipulates that retail stores will not be authorized if they are located less than 150 metres from a school or private school as defined in the Education Act.
- A resident of the municipality in which the proposed store is located and/or the municipality (upper and lower tier) representing the area in which the proposed store is located may make written submissions as to why the proposed store is



not in the public interest as set out in O.Reg 468/18. The registrar (Alcohol and Gaming Commission of Ontario) will provide 15 calendar days for written submissions to be made and may refuse to authorize the store if it is in the public interest to do so.

Planning memorandum MEM-PLS-2018-0013; Cannabis Retail Stores, provides additional details regarding the regulation of retail stores, including maps of retail zones and school buffers. The purpose of this report is to propose a policy which would enable staff to coordinate a municipal response within the 15-day comment period.

## **COMMENTS:**

### **Development of the draft policy**

In November 2018, AMO (Association of Municipalities Ontario) issued a [Municipal Cannabis Update](#), which included a draft municipal cannabis policy statement. For municipalities accepting retail stores, AMO suggested that a 'Municipal Cannabis Retail Policy Statement' be adopted by Council. Such a policy statement could address what it sees as significant local sensitive uses and give municipal staff direction in responding during the 15-day comment period. The template provided by AMO has been used in the formation of the attached draft policy.

In addition to the AMO suggestion, input was also gathered during the public engagement regarding cannabis, specifically via the online LetsTalk survey. Residents were asked what, if any, additional uses should be considered when determining appropriate locations for retail stores. Understanding that any appeals to a store location must be limited to issues of public interest as defined by O.Reg 468/18, the attached draft policy has incorporated issues that may be linked to:

- Protecting public health and safety
- Protecting youth and restricting their access to cannabis
- Preventing illicit activities in relation to cannabis

### **Ongoing monitoring**

In December 2018, the Province announced that only 25 retail authorizations would be granted initially, with a maximum of six allocated to the Greater Toronto Area (GTA). This limitation was imposed via O.Reg 497/18 and remains in effect until December 13, 2019 (Sec. 8.3) after which it would be expected that additional applications may be made to the AGCO. If limits are revoked, resources will have to be reviewed and processes put in place to ensure applications to the AGCO can be responded to within the appropriate timeframes allotted. Until that time, staff continue to monitor and as of the writing of this report, no applications have been made to locate a retail store in Halton Hills and four of six applications for the GTA have been processed by the AGCO (Brampton, Oshawa, Burlington and Ajax).

**RELATIONSHIP TO STRATEGIC PLAN:**

Supports the strategic direction to Provide Responsive, Effective Municipal Government for the effective and efficient delivery of municipal services.

**FINANCIAL IMPACT:**

Any direct costs associated with implementation of the policy at this time will be funded from monies received under the OCLIF (Ontario Cannabis Legalization Implementation Fund). The Town of Halton Hills has received \$27,747 from Payment #1 and \$33,949 from Payment #2 for a total of \$61,696.

Future financial impacts will depend on resources required to monitor retail store applications beyond the initial six licenses granted in the GTA.

**CONSULTATION:**

Staff from various departments forming the Cannabis Legalization Working Group, including Planning, Clerks, and Communications were consulted during the development of the draft policy.

**PUBLIC ENGAGEMENT:**

Results from the letstalkhaltonhills survey regarding Cannabis have been referenced to inform the draft policy.

**SUSTAINABILITY IMPLICATIONS:**

The recommendation outlined in this report is not applicable to the Strategy's implementation.

**COMMUNICATIONS:**

A [Cannabis information page](#) has been created on the Town website where more information is provided, including links to additional resources. The policy will be posted when approved.

**CONCLUSION:**

Retail cannabis stores are allowed in Halton Hills. The draft Cannabis Retail Policy, attached as Appendix A, was developed to ensure the town can provide comment to the AGCO within the 15 day notice and appeal period and provides a framework for staff to evaluate proposed locations.

Reviewed and Approved by,

A handwritten signature in black ink, appearing to read "R Cockfield". The signature is fluid and cursive, with the first name "Richard" being more legible than the last name "Cockfield".

**Richard Cockfield, Manager of Strategic Planning & Continuous Improvement**

A handwritten signature in black ink, appearing to read "Brent Marshall". The signature is fluid and cursive, with the first name "Brent" being more legible than the last name "Marshall".

**Brent Marshall, Chief Administrative Officer**

## APPENDIX A

### DRAFT POLICY

**POLICY TITLE:** Cannabis Retail Policy

**POLICY NUMBER:**

**DATE:**

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#### BACKGROUND:

The Federal Cannabis Act legalizing recreational cannabis came into force on October 17, 2018.

Provinces and territories are responsible for determining how cannabis is distributed and sold within their jurisdictions and set rules around how cannabis can be sold, where stores may be located and how stores must be operated. The Ontario government has adopted a private retail model and appointed the Alcohol and Gaming Commission of Ontario as registrar to administer and regulate retail cannabis stores. The AGCO will provide 15 calendar days for written submissions to appeal a store location based upon the public interest and may refuse to authorize the store if it is in the public interest to do so.

On January 21, 2019, Council adopted resolution 2019-0009 which allows cannabis retail stores to be located in the Town of Halton Hills.

#### PURPOSE & SCOPE:

The purpose of this policy is to provide a format for municipal government input to the Alcohol and Gaming Commission of Ontario (AGCO) as well as help prospective recreational cannabis retailers while considering locations of cannabis retail stores in the Town of Halton Hills.

As the provincial authority that licences cannabis retail operators, authorizes cannabis retail locations and licenses senior store staff, the AGCO regulates and reviews all aspects of the retail operation including municipal and public input. Input regarding a proposed store location should be consistent with the public interest as defined in the regulations.

- Protecting public health and safety
- Protecting youth and restricting their access to cannabis
- Preventing illicit activities in relation to cannabis

The Town of Halton Hills has chosen to allow retail sales of recreational cannabis. The following provides municipal staff with guidance on commenting to AGCO when notice of a specific proposed cannabis retail store site is provided.

## **DEFINITIONS:**

**Cannabis retail store** means a retail store licenced and regulated by the AGCO.

**Child care centre** means a premises operated by a person licensed under the Child Care and Early Years Act to operate a child care centre.

**Community Centre** means a building or structure operated by a public authority that is used for community activities and other activities such as recreational uses, trade shows, weddings and banquets.

*Group Home Type 1 and 2 are defined in accordance with the Town's zoning by-law:*

**Group Home Type 1** means a single detached dwelling unit occupied by not less than six and not more than ten persons exclusive of staff and receiving family, who live as a single housekeeping unit and require 24-hour residential, sheltered, specialized or group care and which is licensed, approved or supervised by the Province of Ontario under any general or special Act.

**Group Home Type 2** means a single detached dwelling unit occupied by not less than six and not more than ten persons exclusive of staff, who live as a single housekeeping unit and require 24-hour residential, sheltered, specialized or group care and which is licensed, approved, supervised or contracted by the Province of Ontario or the Federal Government under any general or special Act, and which shall be maintained and operated primarily for:

- a) Persons who have been placed on probation under The Youth Criminal Justice Act, The Probation Act, the Criminal Code (Canada) as amended or any Act passed to replace the foregoing Acts;
- b) Persons who have been released on parole under The Ministry of Correctional Services Act or The Parole Act (Canada) as amended or any Act passed to replace the foregoing Acts; and,
- c) Persons who have been charged under The Youth Criminal Justice Act.

**Public Library** means a premises containing printed, electronic and pictorial material for public use for purposes of study, reference and recreation and which may include meeting rooms for community use, activity areas and space for recreational uses.

**Public Park** means any area of land under the jurisdiction of a public authority that is designed and/or maintained for active or passive recreational purposes. Without limiting the generality of the foregoing, a park may include municipal parks and playgrounds, golf courses, swimming pools, splash pads, sport courts, bowling greens, arenas, boating facilities and sports fields and ancillary retail uses.

**Retail Store** means a premises in which goods, wares, merchandise, substances, articles or things are displayed, rented or sold directly to the public but does not include any use otherwise defined in the Town's zoning by-law.

**School** means a school or private school as defined in the *Education Act*. School does NOT mean commercial school conducted for gain, including a studio of a dancing teacher or a music teacher, art school, driving school, golf school, and school of calisthenics, business or trade school and any other such specialized school.

**Treatment Centre** means a single detached dwelling which is occupied by not less than three and not more than 20 persons exclusive of staff unless specified elsewhere in the zoning by-law, who live as a single housekeeping unit, and require 24-hour residential, sheltered, specialized or group care, and treatment and rehabilitation for addiction to drugs or alcohol.

**Youth Centre** means a safe, inclusive space where youth can access a variety of resources, programs, and services for their personal health, development, quality use of time and wellbeing.

## **POLICY DETAILS:**

### **1. Principles for Cannabis Retail Store Locations**

- A. **Legislated distance buffers:** Ontario Regulation restricts a cannabis retail store from being located within a distance of 150 meters of a public school or most private schools as defined in the Education Act. The municipality cannot adopt a greater distance. The distance buffer would be measured from the property line, if the school is the primary or only occupant of a building; or the boundary of any space occupied by the school within the building, if the school shares space, like in a mall. This distance buffer would not apply to private schools that hold classes online only, or to First Nation schools located on reserve.
- B. **Cannabis Retail Stores and Sensitive activities:** In order to help ensure public health and safety, protect youth and reduce illegal sales, retail cannabis stores are discouraged within 150 metres of nearby properties designed to serve youth including arenas/community centres, public libraries, child care centres, youth centres, group homes, treatment centres or other sensitive facilities that serve persons with mental health or addiction challenges.
- C. **Density:** Municipal density restrictions on cannabis retail stores are not permitted under the legislation or regulations.

### **2. Relationship to Other Applicable Law**

- A. **Land Use Planning:** The provincial licensing process does not remove the requirement to comply with the zoning by-law and other municipal planning documents. The definitions within the municipality's Official Plan and Zoning By-

law are applicable to all retail, including cannabis retail stores. Retail sale of cannabis from a provincially licensed store is legal and is a permitted use in the retail zones.

B. **Ontario Building Code:** While the licencing of the store operation is the responsibility of the AGCO, the Building Code applies to the buildings/units in which cannabis retail stores are to be located. Therefore, where required, a Building or a Change of Use Permit will have to be obtained, all required inspections will have to be completed and occupancy permit will have to be issued prior to opening the store.

C. **Fire Code:** Compliance is mandatory.

### 3. **Process and Responsibilities**

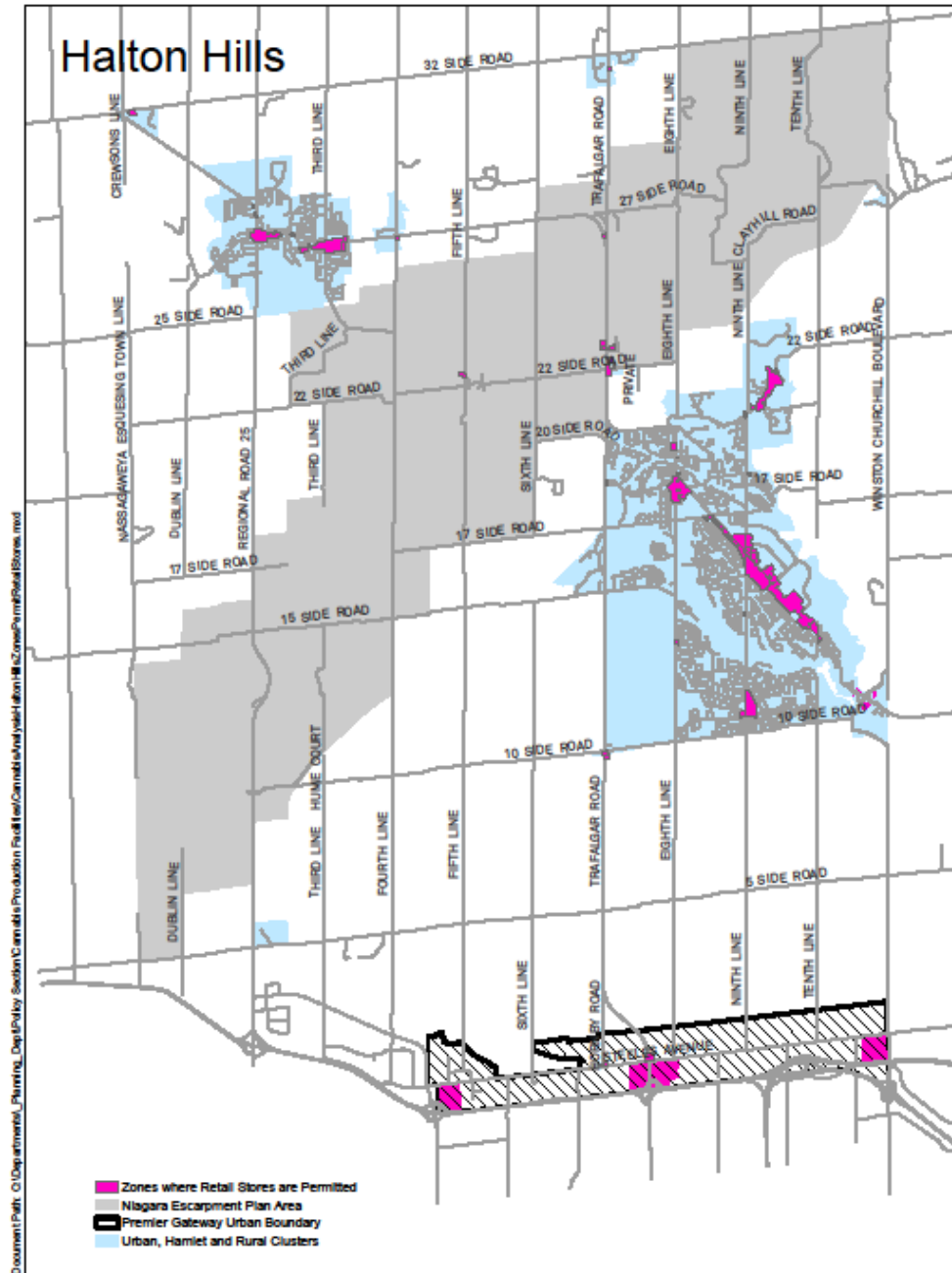
A. **Monitoring applications:** The Province has limited the initial license issuance to 25 for the entirety of Ontario. This restriction is in place until December 13, 2019. The AGCO is sending notifications to subscribers of its mailing list of licence applications province wide. Town staff is monitoring this and would be able to assess applications if any were made for Halton Hills. Once the restriction on the number of licences is lifted, a more formal, mechanized process with specific responsibilities would be implemented.

B. **Responsibility to assess:** When an application is submitted for Halton Hills, it is the responsibility of the Zoning Department, specifically a zoning officer, to review the address in accordance with this policy and make a recommendation on whether or not an appeal to the AGCO should be made. This must be done within the 15 calendar day appeal period.

C. **Communication:** Once applications are assessed and a recommendation made, the Mayor and applicable Ward Councillors will be notified of the application and kept informed of the status of the application should an appeal be made.

### **POLICY REVIEW**

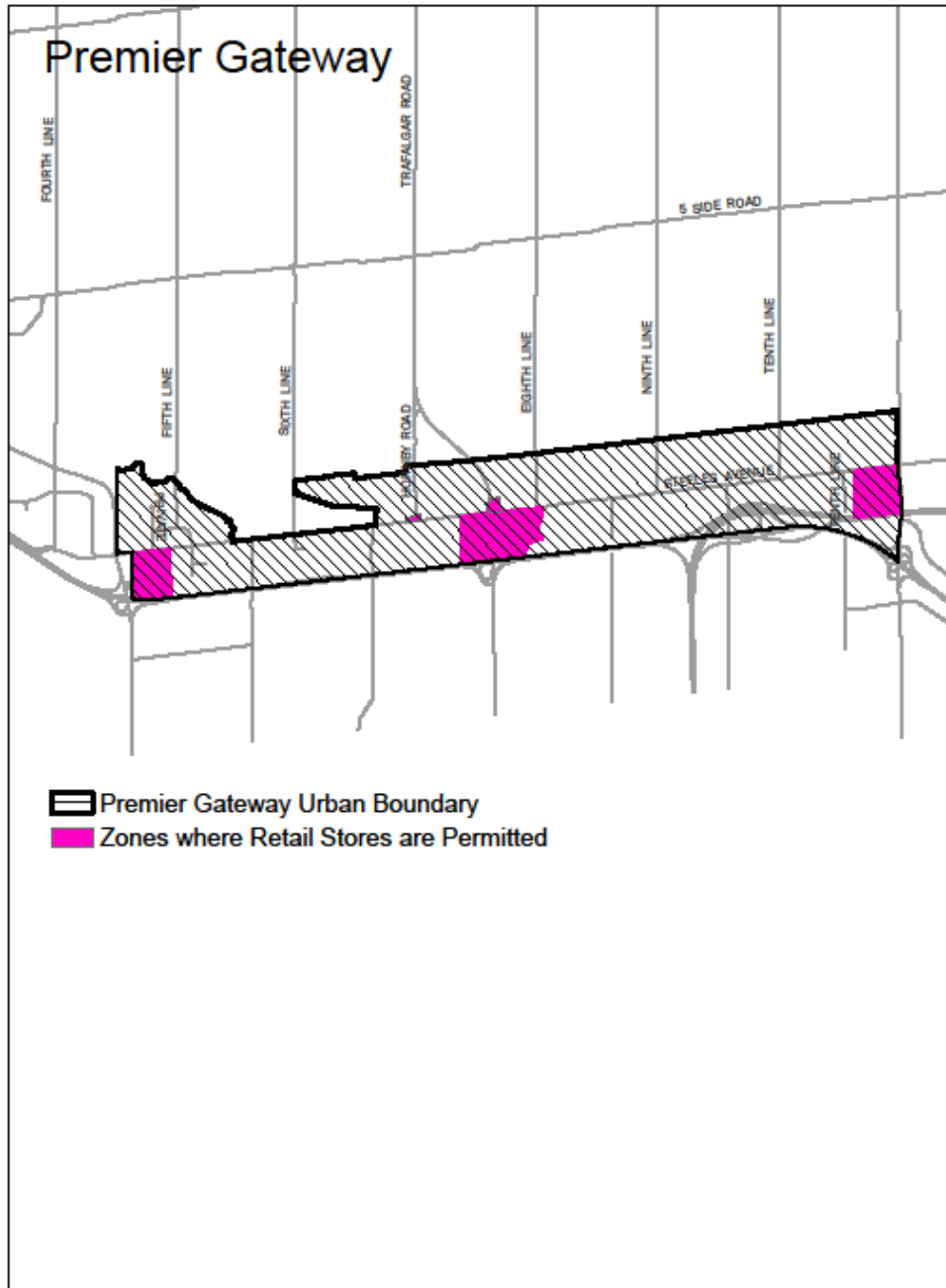
This policy will be periodically reviewed by the CAO's office. Any changes to applicable law or regulations will constitute need for a review.

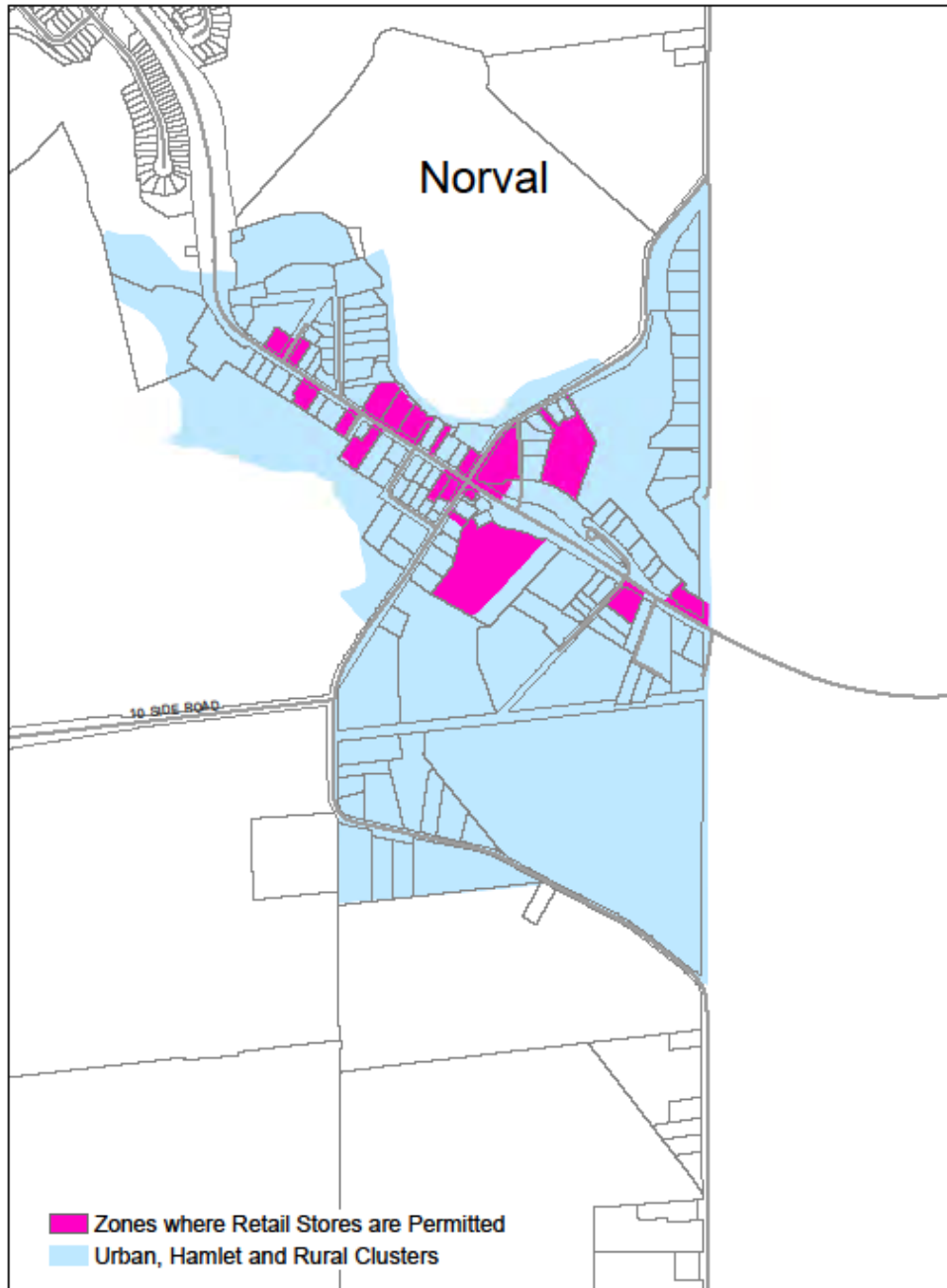


1 Halton Hills Drive, Halton Hills, Ontario L7G 5G2

Tel. 905-873-2600 Fax: 905-873-2347 Web: [www.haltonhills.ca](http://www.haltonhills.ca)



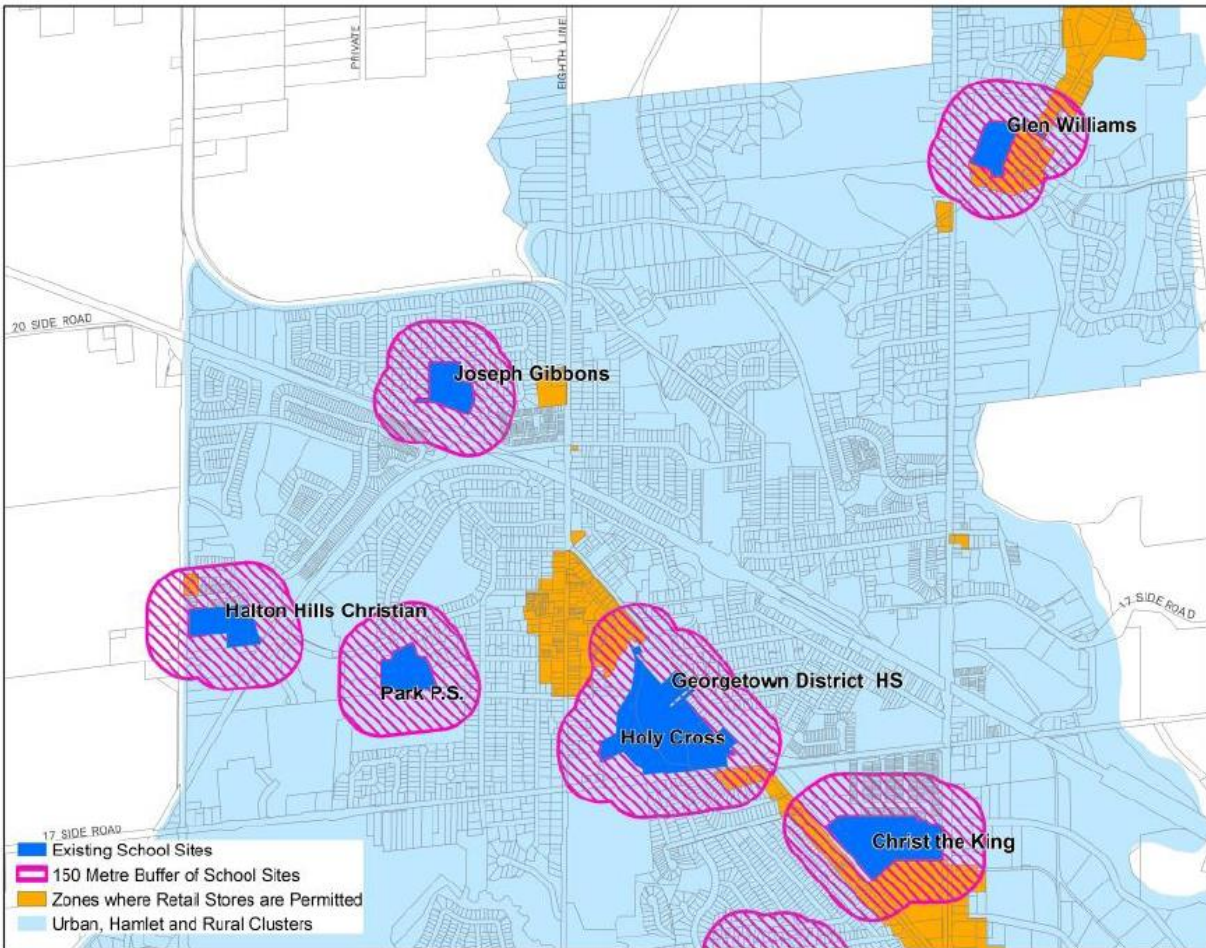




1 Halton Hills Drive, Halton Hills, Ontario L7G 5G2

Tel. 905-873-2600 Fax: 905-873-2347 Web: [www.haltonhills.ca](http://www.haltonhills.ca)

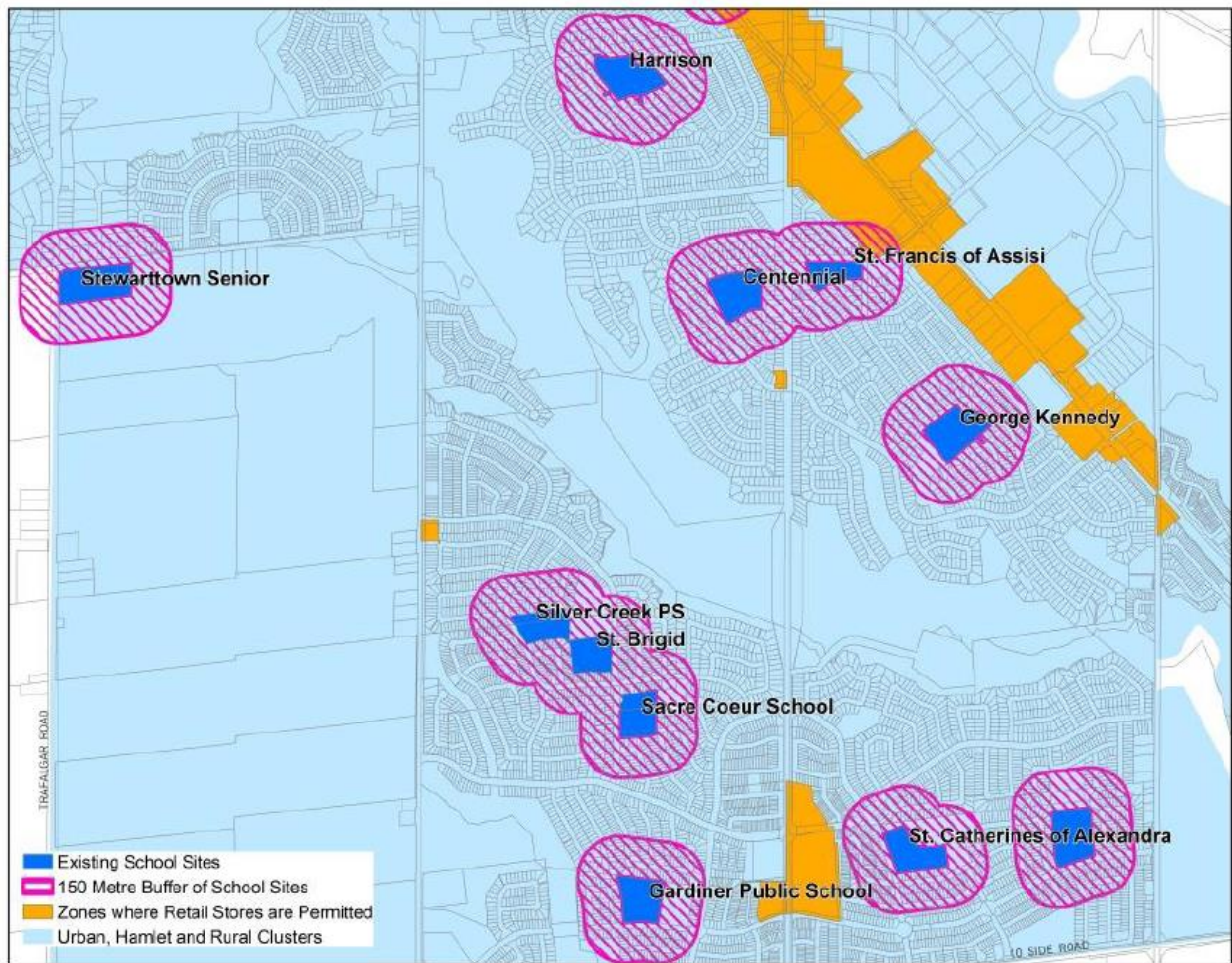
## Georgetown North



1 Halton Hills Drive, Halton Hills, Ontario L7G 5G2

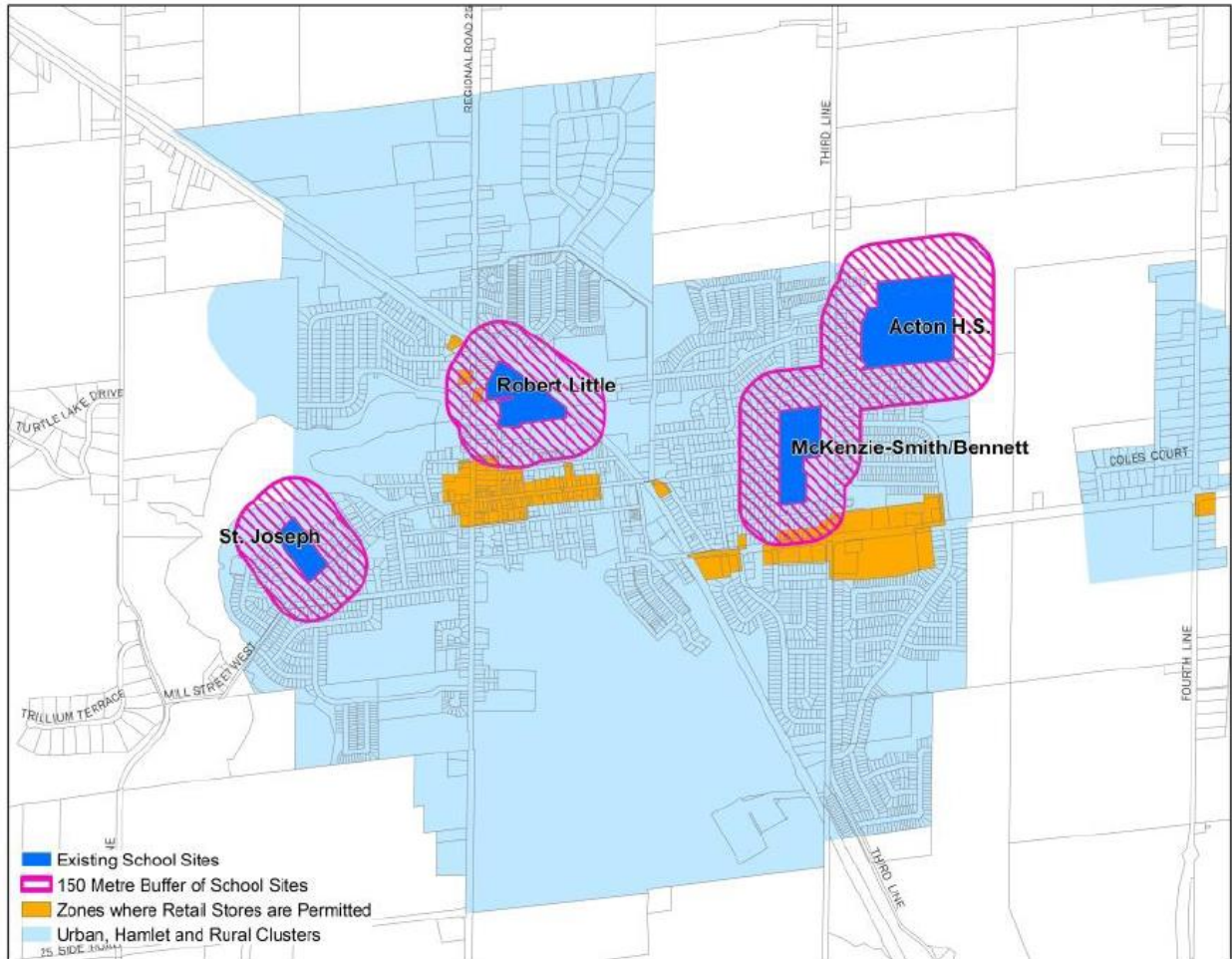
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## Georgetown South





# Acton



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## **REPORT**

**REPORT TO:** Chair and Members of the Planning, Public Works and Transportation Committee

**REPORT FROM:** Keith Hamilton, Planner - Policy

**DATE:** March 8, 2019

**REPORT NO.:** PLS-2019-0022

**RE:** Cannabis Cultivation and Processing in Halton Hills – Directions Report

### **RECOMMENDATION:**

THAT REPORT NO. PLS-2019-0022 dated March 8, 2019 regarding directions for cannabis cultivation and processing in Halton Hills, be received;

AND FURTHER THAT the proposed directions pertaining to cannabis cultivation and processing in Employment Areas and the broader Agricultural/Rural Area, as set out in this report and the draft Official Plan and Zoning By-law Amendments, be endorsed in principle;

AND FURTHER THAT a Statutory Public Meeting, in accordance with the Planning Act, be held to obtain public comments on the draft Official Plan and Zoning By-law Amendments.

### **BACKGROUND:**

The purpose of this report is to inform Committee on the ongoing cannabis cultivation and processing study for the Town of Halton Hills, including a summary of public and agency engagement to date. The report will also provide Committee with a recommended policy direction for the Town on cannabis cultivation and processing, and seek approval for a Statutory Public Meeting to take place in May of this year.

#### **1. Study to Date**

##### **1.1 Initial Research and Background Report**

In April of 2018 Town staff began researching cannabis production to better address medical marijuana growing facilities within Halton Hills. This research included a review of federal legislation on cannabis, past and present, as well as a policy scan of

municipalities that had regulated cannabis production under the pre-Cannabis Act medical regulations. With recreational cannabis legalization on the horizon, a Town study on cannabis cultivation and processing was formalized with the goal of establishing local regulations for these activities in Halton Hills.

Meridian Planning Consultants were retained by the Town in June of 2018 to assist with the Town's study and to develop a background report on cultivation and processing. This report, taken to the Planning and Public Works Committee on September 10<sup>th</sup>, 2018, provided the following:

- A summary of federal regulations for cannabis and licences available under the Cannabis Act;
- An overview of potential regulatory considerations for Town policy, including odour concerns associated with production, and social considerations; and,
- A discussion on where the use(s) could be permitted within the Town and regulatory tools that could be applied.
- Specific options for regulating cannabis cultivation and processing in the Agricultural/Rural Area, and Prestige Industrial and Employment Areas, including:
  - Evaluating all proposals in the Employment Areas and Agricultural/Rural Areas on a case by case basis through a Zoning By-law Amendment application;
  - Permitting in the Employment Areas as-of-right in the Zoning By-law subject to setbacks from sensitive land uses; and,
  - Permitting in the Employment Areas and Agricultural/Rural Areas as-of-right in the Zoning By-law subject to setbacks from sensitive land uses.

## **1.2 Interim Control By-law**

On September 24<sup>th</sup>, 2018 the Town of Halton Hills passed an Interim Control By-law (2018-0062) prohibiting the use of land, buildings or structures for Cannabis Production Related Uses. The By-law is now in effect in all Agricultural, Protected Countryside, and Prestige Industrial and Gateway zones in Halton Hills for a one year period. This By-law was developed by Planning staff in consultation with the Town Solicitor and Meridian Planning Consultants. The By-law serves to provide Town staff adequate time to complete the ongoing study prior to any cannabis production-related uses establishing themselves within Halton Hills.

### **1.3 External Agency Circulation**

In October of 2018, Town Planning staff circulated the background report to the following public agencies for comment:

- Region of Halton Community Planning
- Region of Halton Agricultural Liaison
- Halton Catholic District School Board
- Halton District School Board
- Conseil scolaire de district du Centre-Sud-Ouest
- Conseil scolaire de district Catholique Centre-Sud
- Conservation Halton
- Credit Valley Conservation
- Niagara Escarpment Commission

Additionally, the following stakeholder groups were circulated for comment:

- Ontario Federation of Agriculture
- Halton Hills Chamber of Commerce

Comments were received from Halton Region, Conservation Halton, Halton Catholic District School Board, and Halton District School Board. In February of 2019 a second request for comments was sent to agencies that did not provide a reply. To date the Town has received no responses to this request for comments. Comments received from the first circulation are summarized in the COMMENTS section. Planning staff will continue to review and consider comments from external agencies for the duration of the study.

### **1.4 Public Consultation**

In December of 2018 the Town released a survey on cannabis retail and production for Halton Hills residents to complete. This survey included seven questions on cultivation and processing:

- Where do you think cannabis growing should locate?
- Where do you think cannabis processing should locate?
- Should cannabis growing and processing operations be clearly identifiable from the road or discreet and positioned further back to be less noticeable?
- Where do you think establishing setbacks (distance perimeters) from sensitive land uses is important?
- Do you have any concerns about the Town allowing growing and processing operations in Halton Hills?



- On a scale of 1 = most important to 4= least important, please rank the following (potential for economic benefit; impact on surrounding property values; odour from growing and processing; threat to public safety)
- Do you think that attracting commercial cannabis growing operations should be part of the Town's economic development efforts?

The survey results and key themes from responses will be summarized in the COMMENTS section.

## **COMMENTS:**

### **1. Results of Agency Circulation**

#### **1.1 Halton Region Comments**

Comments were received from Halton Region in November of 2018 and again in January with input from the Planning and Public Health departments. Key concerns highlighted in these comments include:

- Consideration for the size of operations which can vary from small micro operations to large industrial buildings having far great impacts on the landscape (e.g. traffic generated, resources required, security lighting and fencing);
- Concern over large-scale indoor operations being located on prime agricultural land not using high quality soils contained within;
- Concern that required lighting and odour produced from cultivation will create a nuisance for surrounding landowners. Consideration should be given to setbacks to help mitigate this;
- That medical operations (licenced producers and designated persons) should be included in the Town's regulatory framework for cannabis production;
- As-of-right permission through zoning for cannabis production could hinder the ability to evaluate the potential impacts of an operation. Consideration should be given to an approvals process that evaluates proposals on a case by case basis (i.e. site-specific re-zoning);
- Consideration that water and waste requirements will vary depending on the size of proposed operations; and,
- Consideration for Town-regulated air filtration that attempts to mitigate potential air quality and health issues from production.

#### **1.2 Halton Catholic District School Board Comments**

Comments were received from Halton Catholic District School Board in December of 2018. Key concerns highlighted in these comments include:

- Outdoor cultivation should not be adjacent to a school, day-care facility or other public place;
- Consideration for setbacks for larger licenced uses and facilities from sensitive land uses as defined in the Provincial Policy Statement;
- Support for Option 2 under Section 5.3.2 of the background report to not permit cultivation and processing in EMP1 zones; and,
- Support for provisions where odour mitigation from operations is enforced by the Town's By-law Officers.

### **1.3 Halton District School Board Comments**

Comments were received from Halton District School Board in December of 2018. Key concerns highlighted in these comments include:

- Preference for all applications to go through a rezoning process so they can be evaluated on a case-by-case basis;
- Outdoor cultivation should not be adjacent to a school, day-care facility or other public place;
- Support for Option 2 under Section 5.3.2 of the background report to not permit cultivation and processing in EMP1 zones; and,
- That 'Sensitive Land Use' should be defined in the Zoning By-law for the purpose of imposing setbacks on cultivation and processing operations.

### **1.4 Ontario Federation of Agriculture**

For this study, formal comments from the Ontario Federation of Agriculture (OFA) have not been provided to date. However, in February of 2019 the Town was provided a copy of the OFA's 'Position on Cannabis Production'. This position, formally adopted in February of 2018, considers cannabis cultivation, for medical and recreational purposes, to be a farming activity. The position further requests that all levels of government treat income, workers and facilities dedicated to the growing of cannabis consistent to the treatment applied to those associated with other farming activities.

## **2. Results of Public Consultation**

The Let's Talk Halton Hills Cannabis Survey was open from December 19<sup>th</sup> to January 16<sup>th</sup> and yielded 493 respondents. Seven of the survey's eleven questions were directly related to cannabis cultivation and processing. The following are key summary points taken from the results of this survey:

- The majority (65 percent) of respondents felt cultivation is acceptable in both agricultural and industrial areas, with 24 percent supporting agricultural areas only, and the remaining 11 percent favouring industrial areas only;

- The majority (66 percent) of respondents felt processing is acceptable in both agricultural and industrial areas, with 18 percent supporting industrial areas only, and the remaining 16 percent favouring agricultural areas only;
- Respondents were more favourable (41 percent) to cultivation and processing operations being discreet and positioned further back from the road, with 19 percent being more in favour of clearly identifiable operations from the road. The remaining 40 percent of respondents had no opinion for this question;
- Where respondents were asked to select uses from which cultivation and processing should be set back the most common response was schools (382), with youth-oriented facilities (334) and daycare centres (330) close behind. Residences (231) and health facilities (158) were also common responses;
- The majority of respondents (70 percent) indicated they have no general concerns about the Town allowing operations in Halton Hills;
- Responses for the next question of the survey ranked (on average) 'Potential for economic benefit' as most important when considering cultivation and processing in Halton Hills. This was followed by 'Impact on surrounding property values', 'Odour from growing and processing', and 'Threat to public safety' as least important (on average); and,
- For the final question, the majority of respondents (64 percent) felt attracting commercial cannabis cultivation and processing should be part of the Town's economic development efforts.

Three of the seven questions on cultivation and processing allowed respondents to provide written comments in support of their response. Further analysis of responses, including written comments will be provided in future Public Meeting and Final Recommendation Reports (subject to Committee and Council approval).

### **3. Regulatory Options for Consideration**

This section outlines regulatory options for cannabis production based on information gathered through research by staff and Meridian Planning and the public and external agency consultation. In the absence of comments from the Niagara Escarpment Commission, the options laid out in this section would not apply to Niagara Escarpment Plan Area at this time. Further efforts will be made to obtain formal comments from the NEC, to be added to the Public Meeting Report.

#### **3.1 Defining Terms**

Defining terms related to cannabis production is a necessary step towards introducing and regulating the use under Town policy. Section 5.1 of the Meridian background

report proposes defining, at minimum, terms related to the licences available under the Cannabis Act. These include:

- Cannabis cultivation – indoor;
- Cannabis cultivation – outdoor;
- Cannabis processing;
- Cannabis analytical testing;
- Cannabis research facility;
- Cannabis medical sales establishment; and,
- Cannabis drug licence establishment.

Defining these terms would be the first step in regulating all forms of cannabis production (both medical and recreational) with the exception of personal cultivation in private residences (maximum four plants) permitted under the Cannabis Act.

Additional definitions considered for this report were: Air Treatment Control and Sensitive Land Use. The policy approach laid out in the attached Official Plan Amendments addresses this by requiring the treatment of odour to be assessed as part of the policy tests or criteria for indoor cultivation, as seen in Item 5 in Schedule 1 attached.

A definition for Sensitive Land Use currently exists in the Town's Official Plan. This definition only includes "residences, day care centres, education and health facilities" as examples. After careful consideration it was determined that the application of a 150 metre setback from a more comprehensive list of uses would be appropriate. These uses are identified in Items 2 and 4 of Schedule 1 (draft Official Plan Amendment) and Sections 4 and 5 of Schedule 2 (draft Zoning By-law Amendment- Special Provisions).

### **3.2 Option A – Require Site Specific Zoning for All Proposals**

This option would permit cannabis cultivation and processing in the Agricultural/Rural Area and Employment Areas, subject to criteria and a site specific rezoning for each application. Factors to consider in evaluating applications would include setbacks from sensitive land uses and requirements for adequate servicing, air quality and odour control measures. Site Plan Approval would also be required.

In order to implement this option, the Town's Official Plan would need to be amended to include appropriate policy tests or criteria to evaluate rezoning applications. Revisions to the Comprehensive Zoning By-law would be limited to incorporating and defining the various types of cannabis uses.

This option would ensure all proposed operations are reviewed by the Town prior to approval, with mandatory public consultation. The regulatory framework introduced here is similar to what has been done in the municipalities of Chatham-Kent and Lakeshore. These examples were included in the policy scan attached the background report (Schedule Two to PLS-2018-0068).

### **3.3 Option B – Require Site Specific Zoning in the Agricultural/Rural Area**

The proposed approach for cannabis cultivation and processing is the same for the Agricultural/Rural Area as the previous option. Such facilities would, however, be permitted in Employment Areas without requiring a rezoning provided that setbacks from sensitive land uses are met. Site Plan Approval would be required for proposals in both the Agricultural/Rural Areas and Employment Areas.

As it relates to the Agricultural/Rural Area, the implementation of this option is the same as Option A. Additional policy direction would be required for the Employment Areas to support the required setbacks from sensitive land uses contained in the Comprehensive Zoning By-law.

### **3.4 Option C – Permit in the Agricultural/Rural Area and Employment Areas**

This option would permit cannabis cultivation and processing as-of-right in the Zoning By-law in the Agricultural/Rural Area and Employment Areas. Setbacks from sensitive land uses would still be incorporated and Site Plan Approval would be required for all proposals.

From an implementation perspective, an enabling policy for permitting cannabis cultivation and processing, and direction on setbacks from sensitive land uses would be incorporated into the Official Plan. The Comprehensive Zoning By-law would explicitly permit the uses in appropriate zones subject to the recommended setbacks.

This option represents the most expedited process for operations looking to establish themselves in areas where agricultural and industrial uses are already permitted. Public consultation, as a result, would only be required where an application has been made in a designation/zone that does not permit agricultural or industrial uses.

### **3.5 Amending the Site Plan Control By-law 2013-0070**

For all three proposed options an amendment to the Town's Site Plan Control By-law (2013-0070) would be required to ensure Site Plan Approval is required for any

cannabis production buildings proposed in agricultural areas. This amendment would seek to change Part III, section 4c) of the Site Plan Control which exempts:

*“buildings and structures used for agricultural purposes except for those buildings and structures associated with a home industry, commercial use or farm related tourism use that are accessory to an agricultural operations, as outlined in Sections E1.3, E1.4.5, E1.4.6 and E1.4.7 of the Town of Halton Hills Official Plan”.*

The proposed Amendment would include ‘buildings and structures associated with cannabis production uses’ to the list of agricultural buildings that are explicitly not exempt from obtaining Site Plan Approval.

It is preferable that all cannabis production proposals go through Site Plan Approval for the following reasons:

- Site Plan Approval ensures cannabis operations will develop on a site in accordance with Town-approved Site Plan drawings and accompanied by studies identified through the Pre-Consultation process;
- Site Plan Applications must go through Pre-Consultation, therefore, in the absence of a site-specific zoning requirement, there is assurance that a proposed operation will be assessed by the Town early in its planning stages;
- All facilities licenced under the Cannabis Act are subject to security requirements, including perimeter fencing and loading restrictions. Site Plan Approval provides Town and external agency staff the opportunity to properly evaluate how these requirements will influence site design and relate to abutting agricultural properties; and,
- In the absence of Site Plan Approval there is no formal requirement for developers of a cannabis production site to follow through on submitted concept drawings.

### **3.6 Outdoor Cultivation**

Notwithstanding the regulatory frameworks proposed in the options identified, the site-specific zoning and Site Plan Control requirements for outdoor cannabis cultivation operations that do not propose to use any buildings or structures would pose a challenge from an implementation perspective. It should be noted that outdoor cultivation operations would still be subject to security requirements under the Cannabis Act, including physical barriers around the site and visual monitoring at all entry points. These requirements are not typical of a standard agricultural crop operation and consideration for a setback from sensitive land uses is warranted. It is therefore recommended that outdoor cultivation be defined and identified as an agricultural use,

and subject to a provision that it be subject to a setback from those uses identified in Section 4 of Schedule 2 (attached).

#### **4. Preferred Option**

Town staff and Meridian Planning are recommending Option B (section 3.3) as the preferred regulatory approach to introducing cannabis production into local policy. In the Agricultural/Rural Area this approach identifies agricultural and rural areas as suitable for production with cultivation being the primary activity. Requiring site-specific zoning is a measure that will ensure public consultation and a thorough municipal review of every proposed operation.

In the Employment Areas, this approach allows for an expedited process where available lots, located 150 metres from sensitive land uses, can be developed through a Site Plan Approval process. The Site Plan Approval process would ensure the Town is consulted in the early stages of the planning process for a cannabis production operation, being able to guide applicants towards a site design that respects surrounding uses to the fullest extent possible. Setbacks from sensitive land uses would still be required under this approach given many lots in the Employment Areas of Acton and Georgetown fall within close proximity to, among others, residential and institutional uses.

In selecting Option B as the preferred approach, Planning staff have taken into consideration the following:

- Requiring site-specific zoning in the Agricultural/Rural Area will help address Halton Region concerns over the size of facilities, their potential impacts on prime agricultural land, key features of the Natural Heritage System, and varying servicing requirements;
- Requiring, at minimum, Site Plan Approval for cannabis production operations (excluding outdoor cultivation) supports the view of Meridian Planning Consultants and Halton Region that each proposal be evaluated on a case by case basis;
- That the majority of those surveyed viewed cannabis cultivation and processing as acceptable in agricultural and industrial areas;
- That the majority of those surveyed had no concerns over cannabis production in Halton Hills, with many also seeing the potential economic benefit as very important;
- That consideration for joint cultivation and processing proposals supports the Provincial Policy Statement principle of providing for a diversified economic base

(section 1.3.1) in Employment Areas; while recognizing that processing activities can be considered agriculture-related (section 2.3.3).

## **5. Next Steps**

The proposed next steps for this study at this time are as follows:

- Finalization of draft amendments required for the preferred Option, to be attached to the Public Meeting Report for this study;
- A Statutory Public Meeting before Council where members of the public can make submissions; and,
- A Final Recommendation Report to Planning, Public Works and Transportation Committee on the proposed Amendments to the Official Plan and Zoning By-law.

### **RELATIONSHIP TO STRATEGIC PLAN:**

This report relates directly to the implementation of the Town Strategic Plan. Under Section C – Foster a Prosperous Economy, this report supports Objective C.8 – To facilitate the establishment of a competitive business environment that is easily able to adapt to changing circumstances and priorities. By establishing a regulatory framework that will define and regulate cannabis production, the Town is adapting to an emerging market that will continue to expand in wake of the legalization of cannabis for recreational purposes.

### **FINANCIAL IMPACT:**

There is no direct financial impact associated with this report.

### **CONSULTATION:**

As part of an ongoing Town study on cannabis production, staff across multiple departments were consulted along with external agencies listed in section 1.3 under COMMENTS.

Meridian Planning Consultants have continued to be consulted throughout the study and contributed in the preparation of this report.

### **PUBLIC ENGAGEMENT:**

Where Zoning By-law and/or Official Plan Amendments are required to define and regulate cannabis production in the Town of Halton Hills, a Statutory Public Meeting will be required.

In preparing this report, an online public survey was conducted consisting of questions directly related to cannabis production in Halton Hills. The survey was available publicly through 'Let's Talk Halton Hills' from December 19, 2018 to January 16, 2019. Through this engagement, staff were able to inform and consult with the public, consistent with the Town's Public Engagement Matrix.



**SUSTAINABILITY IMPLICATIONS:**

The Sustainability Implications of defining and regulating cannabis production in Halton Hills will be addressed in the final report.

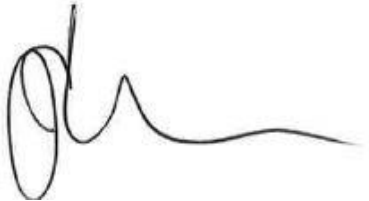
**COMMUNICATIONS:**

Once ratified by Council, this report will be made available on the Town website as part of the cannabis information page created in response to legalization of recreational cannabis last fall.

**CONCLUSION:**

Staff has completed a preliminary review of agency comments, public feedback and relevant legislation. Approaches to regulating cannabis production in Halton Hills have been identified with a preferred option selected. At this time Planning staff is recommending that Committee receive this report, endorse the Preferred Option for cannabis cultivation and processing in Employment Areas and the broader Agricultural/Rural Area as identified in the Comments Section, and authorize a Public Meeting before Council on the matter.

Reviewed and Approved by,

A handwritten signature in black ink, appearing to read 'John Linhardt', with a stylized, flowing script.

**John Linhardt, Commissioner of Planning and Sustainability**

A handwritten signature in black ink, appearing to read 'Brent Marshall', with a stylized, flowing script.

**Brent Marshall, Chief Administrative Officer**



**BY-LAW NO. 2019-0022**

A By-law to adopt Amendment No. XX to the Official Plan of the  
Town of Halton Hills -  
Cannabis Production

WHEREAS the Council of the Corporation of the Town of Halton Hills is empowered to enact this By-law by virtue of the provisions of the Planning Act, 1990, R.S.O., c.p. 13, as amended;

AND WHEREAS the Regional Municipality of Halton, as the approval authority, has exempted this Official Plan Amendment from their approval;

AND WHEREAS on \_\_\_\_\_, Council for the Town of Halton Hills approved Report No. PLS-2019-00\_\_\_\_, dated \_\_\_\_\_, in which certain recommendations were made relating to the Town of Halton Hills Official Plan.

**NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF HALTON HILLS ENACTS AS FOLLOWS:**

1. That Amendment No. \_\_\_\_ to the Official Plan of the Town of Halton Hills, being the attached text and schedules is hereby approved;

2. That the Town Clerk is hereby authorized to circulate the Official Plan Amendment as provided for by the Planning Act regulating the appeal process.

BY-LAW read and passed by the Council for the Town of Halton Hills this \_\_\_\_ day of \_\_\_\_\_, 2019.

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MAYOR – Rick Bonnette

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TOWN CLERK – Suzanne Jones

**OFFICIAL PLAN AMENDMENT No. XX**

**TO THE OFFICIAL PLAN FOR THE TOWN OF HALTON HILLS**

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**PART A: THE PREAMBLE** does not constitute part of this Amendment

**PART B: THE AMENDMENT** consisting of the following Schedule and Text constitutes Amendment No. XX to the Official Plan for the Town of Halton Hills.

**AMENDMENT NO. XX TO THE OFFICIAL PLAN  
OF THE TOWN OF HALTON HILLS**

The attached text and schedules constitute Amendment No. XX to the Official Plan of the Town of Halton Hills, which was adopted by the Council of the Town of Halton Hills by By-law 2019-XXXX in accordance with the provisions of the Planning Act, 1990. R.S.O., c.p. 13, as amended;

THE CORPORATION OF THE TOWN OF HALTON HILLS

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MAYOR – Rick Bonnette

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TOWN CLERK – Suzanne Jones

## **PART A – THE PREAMBLE**

### **PURPOSE OF THE AMENDMENT**

The main purpose of this Amendment is to include policies in the Town of Halton Hills Official Plan that control the location of cannabis cultivation and processing uses.

### **LOCATION**

The Amendment applies to the Protected Countryside and Agricultural designations, the Prestige Industrial designation (within the Prestige Gateway Employment Area), the General Employment Area designation (in Georgetown and Acton) and the General Employment Area designation in Mansewood.

### **BASIS FOR THE AMENDMENT**

On April 13, 2017, the Government of Canada introduced Bill C-45 (the Cannabis Act) in the House of Commons. Based in large part on the advice provided by the Task Force on Cannabis Legalization and Regulation, the Cannabis Act created the foundation for a comprehensive national framework to provide restricted access to regulated cannabis, and to control its production, distribution, sale, importation, exportation, and possession. Following parliamentary review, the Cannabis Act received royal assent on June 21, 2018 and it became law on October 17, 2018.

The Federal Cannabis Regulation SOR-2018-144 ('the Regulation') was published in the Canada Gazette, Part II, on July 11 2018 and it also came into effect on October 17, 2018. This Regulation is one of a series of regulations that are intended to implement the Cannabis Act. The Regulation established a series of classes of licences that authorize activities that are related to cannabis and these are as follows:

- a) A licence for cultivation;
- b) A licence for processing;
- c) A licence for analytical testing;
- d) A licence for sale (medical purposes);
- e) A licence for research; and,
- f) A cannabis drug licence.

A series of subclasses of a licence for cultivation have also been established and they are:

- a) A licence for micro-cultivation;
- b) A licence for standard cultivation; and,
- c) A licence for a nursery.

In addition, the following subclasses have been established as a licence for processing:

- a) A licence for micro-processing; and
- b) A licence for standard processing

The outdoor cultivation of cannabis is considered to be an agricultural use and is currently permitted wherever agricultural uses are permitted. The processing of cannabis may be considered an agriculture-related use. However for a use to be considered as agriculture-related, it must be a farm related commercial use and/or a farm related industrial use that satisfies all of the criteria below:

- a) Is directly related to farm operations in the area;
- b) Supports agriculture;
- c) Benefits from being in close proximity to farm operations; and
- d) Provides direct products and/or services to farm operations as a primary activity.

In addition to satisfying the above criteria, there is a need to consider a number of other potential impacts, such as odour, traffic and impacts of the required water and wastewater servicing. In some cases, setbacks will be required and in this regard, this Amendment indicates that a minimum setback of 150 metres from lot lines is desired, but can be reviewed through the zoning by-law amendment process.

In addition, the scale of the proposed facility is a consideration and should reflect the character of the surrounding agricultural area. For the above reasons, this Amendment recognizes that the cultivation of cannabis and the processing of cannabis within buildings is a permitted use, subject to the consideration of a site-specific zoning by-law amendment application. In addition, this Amendment makes it clear that indoor cultivation and cannabis processing uses are subject to site plan control, which will assist in ensuring that the site is designed appropriately and that any off-site impacts are mitigated. In addition to the above, and in recognition of the security requirements associated with outdoor cultivation, this Amendment also establishes the requirement for a 50-metre setback from lot lines for outdoor cultivation.

It is also anticipated that the cultivation of cannabis may be desired in the Town's fully serviced employment areas where industrial, manufacturing and warehouse uses are permitted; but where the cultivation of any crop is currently not permitted. In this regard, this Amendment permits cannabis cultivation and processing in the Prestige Industrial designation (within the Prestige Gateway Employment Area), the General Employment Area designation (in Georgetown and Acton) and General Employment Area in Mansewood.

However, the Amendment also requires that these uses be set back a minimum of 150 metres from sensitive lands uses which includes buildings, amenity spaces or open spaces where normal activities occurring at reasonable expected times would experience one or multiple adverse effects from contaminant discharges, fumes, odours, vibrations, noise or air pollutants generated from a nearby facility. Examples of sensitive land uses include, but are not limited to a place of residence, daycare centre, educational and health facility, community gathering places, parks and playgrounds. Site plan approval would also be required if the proposed use meets the 150 metre setback requirement.

## PART B – THE AMENDMENT

All of this part of the document consisting of the following Schedule and Text constitutes Amendment No. XX of the Official Plan for the Town of Halton Hills.

### DETAILS OF THE AMENDMENT

The Official Plan for the Town of Halton Hills is amended as follows:

**Item 1:** Section D3.4.1.3 of the Official Plan is amended by adding a new sub-section g) which reads as follows: *"cannabis cultivation and processing subject to Section D3.4.1.4.8"*

**Item 2:** Section D3.4.1.4 of the Official Plan is amended by adding a new Section D3.4.1.4.8 as follows:

*"D3.4.1.4.8 Cannabis Cultivation and Processing*

*Cannabis cultivation and processing is permitted within an enclosed building provided the lot on which it is located is set back a minimum of 150 metres from a lot that is the site of a child care centre (formerly known as a day nursery), a private or public school, a place of worship or other institutional use, a residential use, a long term care facility, a retirement home or a public park. Cannabis cultivation and processing shall also be subject to Site Plan Control in accordance with Section G8 of this Plan."*

**Item 3:** Section D3.5.4.1.1 of the Official Plan is amended by adding a new sub-section g) which reads as follows: *"cannabis cultivation and processing subject to Section D3.5.4.1.6"*

**Item 4:** Section D3.5.4.1 of the Official Plan is amended by adding a new Section D3.5.4.1.6 as follows:

*"D3.5.4.1.6 Cannabis Cultivation and Processing*

*Cannabis cultivation and processing is permitted within an enclosed building provided the facade of any building facing highway 401 and Steeles Avenue is clad in brick or other suitable material that does not give the impression that the building is a greenhouse. In addition, the height of any greenhouse portion of a building should not extend higher than the front facade of building facing Highway 401 and Steeles Avenue. Cannabis cultivation and processing shall also be subject to the setback requirement identified in Section D3.4.1.4.8 of this Plan, and Site Plan Control in accordance with Section G8 of this Plan."*

**Item 5:** Section E1.4 of the Official Plan is amended by adding a new Section E1.4.11 as follows:

*"E1.4.11 Indoor Cannabis Cultivation*

*The indoor cultivation of cannabis may be permitted subject to the passage of an amendment to the implementing zoning by-law and will if approved through such a process, be subject to Site Plan Control in accordance with Section G8*

of this Plan. Prior to considering the approval of a zoning by-law amendment, Council shall be satisfied that:

- a) *The use shall not have a negative impact on the enjoyment and privacy of neighbouring properties;*
- b) *The proposed use will not have a negative impact on adjacent agricultural uses and is compatible with normal practices as set out in an Agricultural Impact Assessment to the satisfaction of the Town and the Region;*
- c) *The proposed use will not cause any traffic hazards or an unacceptable level of congestion on surrounding roads;*
- d) *The proposed use can be designed and sited to blend in with surrounding land uses such that the rural character of the area is maintained; and where necessary the proposed use can be appropriately buffered from adjacent uses;*
- e) *The impact of the noise, odour and dust generated by the proposed use on adjacent land uses can be appropriately mitigated;*
- f) *There will be no negative impact on the quality and quantity of groundwater and surface water;*
- g) *Adequate parking facilities are available on the lot for the proposed use;*
- h) *The use can be serviced with an appropriate water supply and an appropriate means of sewage disposal;*
- i) *Stormwater management needs can be met on site;*
- j) *The signage advertising the use is to be designed and located in accordance with the Town's sign by-law; and*
- k) *The proposed setback from adjacent land uses is appropriate, and in this regard, the minimum setback from lot lines should be at least 150 metres. However, a setback that is appropriate for the site can be established and if it less than 150 metres, an Amendment to this Plan will not be required."*

**Item 6:** Section E1.4 of the Official Plan is amended by adding a new Section E1.4.12 as follows:

*"E1.4.12 The Processing of Cannabis*

*The processing of cannabis may be permitted as an agriculture-related use, operating in conjunction with a cannabis cultivation operation, subject to the passage of an amendment to the implementing zoning by-law and will if approved through such a process, be subject to Site Plan Control in accordance with Section G8 of this Plan. Prior to considering the approval of a zoning by-law amendment, Council shall be satisfied that the matters listed in Section E1.4.11 a) to j) have been satisfied.*

*In addition to the above, and in order for the use to qualify as an agriculture-related use, it must be demonstrated that the proposed use satisfies all of the criteria below:*

- a) *Is directly related to farm operations in the area;*
- b) *Supports agriculture;*
- c) *Benefits from being in close proximity to farm operations; and*
- d) *Provides direct products and/or services to farm operations as a primary activity.*



*In considering the above, regard shall be given to the Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas prepared by the Ontario Ministry of Agriculture Food and Rural Affairs in 2016."*

**Item 7:** Section E1.4 of the Official Plan is amended by adding a new Section E1.4.12 as follows:

*"E1.4.12 Outdoor Cannabis Cultivation*

*The outdoor cultivation of cannabis is required to be set back a minimum of 50 metres from adjacent lot lines.*

**Item 8:** Section E2.3 of the Official Plan is amended by adding a new sub-section w) which reads as follows: "cannabis cultivation subject to Section E1.4.11"

**Item 9:** Section E2.3 of the Official Plan is amended by adding a new sub-section w) which reads as follows: "cannabis processing subject to Section E1.4.12"

**Item10:** Section E2.3 of the Official Plan is amended by adding a new sub-section x) which reads as follows: "outdoor cannabis cultivation subject to Section E1.4.12"



**BY-LAW NO. 2019-00XX**

BY-LAW NO. 2019-00XX  
Being a By-law to Amend  
Town of Halton Hills Zoning By-law 2010-0050

**WHEREAS** Council is empowered to enact this By-law by virtue of the provisions of Section 34 of the Planning Act, R.S.O.1990, as amended;

**AND WHEREAS** on \_\_\_\_\_, Council for the Town of Halton Hills approved Report No. \_\_\_\_\_, dated \_\_\_\_\_, in which certain recommendations were made relating to amending Zoning By-law 2010-0050;

**AND WHEREAS** Council has recommended that Zoning By-law 2010-0050 be amended as hereinafter set out;

**AND WHEREAS** said recommendation conforms to the Official Plan for the Town of Halton Hills;

**NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF HALTON HILLS ENACTS AS FOLLOWS:**

1. That **PART 3, DEFINITIONS**, of Zoning By-law 2010-0050 is hereby amended by adding the following definitions:

- Cannabis Analytical Testing Facility** means: A facility where the alteration of the chemical or physical properties of cannabis by any means is carried out, subject to regulations under the Cannabis Act, as amended.
- Cannabis Cultivation - Indoor** means: The growing of cannabis within a wholly enclosed building or structure, for medical or recreational purposes, subject to regulations under the Cannabis Act, as amended.
- Cannabis Cultivation - Outdoor** means: The growing of cannabis in an open air setting, for medical or recreational purposes, subject to regulations under the Cannabis Act, as amended.
- Cannabis Drug Production Facility** means: A facility where the production or manufacturing of a drug containing cannabis is carried out, subject to regulations made under the Cannabis Act, as amended; and the Food and Drugs Act, as amended.
- Cannabis Processing Facility** means: A facility where the extraction of cannabis oil for the purpose of producing or manufacturing cannabis oils, gels or other edibles is carried out, subject to regulations under the Cannabis Act, as amended.
- Cannabis Research Facility** means: A facility used for activities in accordance with a Licence for Research, subject to regulations under the Cannabis Act, as amended.

2. That **PART 5, PARKING AND LOADING STANDARDS**, of Zoning By-law 2010-0050 is hereby amended by adding a new row to Table 5.3 (Non-Residential Parking Requirements) as set out below:

Use	Minimum Parking Space Requirement (net floor area unless otherwise noted)
<i>Cannabis Analytical Testing Facilities, Cannabis Cultivation - Indoor, Cannabis Drug Production Facilities, Cannabis Processing Facilities and Cannabis Research Facilities</i>	1/30 m2 for the first 1,000 m2, 1/100 m2 for the floor area between 1,000 and 5,000 m2 plus 1/200 m2 in excess of 5,000 m2

3. That **PART 5, PARKING AND LOADING STANDARDS**, of Zoning By-law 2010-0050 is hereby amended by adding a new Section 5.5.7 as per below and re-numbering the following sections accordingly:

**5.5.7 Loading spaces for Cannabis Analytical Testing Facilities, Cannabis Cultivation - Indoor, Cannabis Drug Production Facilities, Cannabis Processing Facilities and Cannabis Research Facilities**

Notwithstanding Section 5.5.6 b), c) and d), *loading spaces* for *Cannabis Analytical Testing Facilities, Cannabis Cultivation - Indoor, Cannabis Drug Production Facilities, Cannabis Processing Facilities and Cannabis Research Facilities* shall be located entirely within the *main building* on the *lot*.

4. That **PART 8, URBAN EMPLOYMENT ZONE**, of Zoning By-law 2010-0050 is hereby amended by adding a new row to Table 8.1 as set out below and by adding the following additional special provisions below the table:

Use	EMP1
<i>Cannabis Analytical Testing Facilities, Cannabis Cultivation - Indoor, Cannabis Drug Production Facilities, Cannabis Processing Facilities and Cannabis Research Facilities</i>	X (8)

**SPECIAL PROVISIONS:**

8. Only permitted in a single - *premises* enclosed *building* and no outdoor cultivation, storage or processing permitted. In addition, the *lot* on which the use is located is required to be *setback* a minimum of 150 metres from a *lot* that is the site of:
- a) An *arena*;
  - b) A *community centre*;
  - c) A *day nursery*;
  - d) A *dwelling unit*;
  - e) A *long term care facility*;
  - f) A *park, public*;
  - g) A *park, private*;
  - h) A *place of worship*;
  - i) A *retirement home*;
  - j) A *school, public*;
  - k) A *school, private*; and
  - l) A *trade and convention centre*.

5. That **PART 9, NON-URBAN ZONES**, of Zoning By-law 2010-0050 is hereby amended by adding a new row to Table 9.1 as set out below and by adding the following additional special provisions below the table:

USE	A	PC	HR1 HR2	HCC HC	HI	RCR1 RCR2	RCC	RCI	CR	MAR	RU-EMP
Cannabis cultivation - outdoor	X (18)	X (18)									
Cannabis Analytical Testing Facilities, Cannabis Cultivation - Indoor, Cannabis Drug Production Facilities, Cannabis Processing Facilities and Cannabis Research Facilities											X (17)

**SPECIAL PROVISIONS:**

17. Only permitted in a single - *premises* enclosed *building* and no outdoor cultivation, storage or processing permitted. In addition, the *lot* on which the use is located is required to be *setback* a minimum of 150 metres from a *lot* that is the site of:
- a) An *arena*;
  - b) A *community centre*;
  - c) A *day nursery*;
  - d) A *dwelling unit*;
  - e) A *long term care facility*;
  - f) A *park, public*;
  - g) A *park, private*;
  - h) A *place of worship*;
  - i) A *retirement home*;
  - j) A *school, public*;
  - k) A *school, private*; and
  - l) A *trade and convention centre*.

18. Outdoor cultivation shall be set back a minimum of 50 metres from lot lines.

BY-LAW read and passed by the Council for the Town of Halton Hills this \_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
MAYOR – Rick Bonnette

\_\_\_\_\_  
TOWN CLERK – Suzanne Jones

**BY-LAW NO. 2019-00XX**

BY-LAW NO. 2019-00XX  
Being a By-law to Amend  
401 Corridor Zoning By-law 2000-0138

**WHEREAS** Council is empowered to enact this By-law by virtue of the provisions of Section 34 of the Planning Act, R.S.O.1990, as amended;

**AND WHEREAS** on \_\_\_\_\_, Council for the Town of Halton Hills approved Report No. \_\_\_\_\_, dated \_\_\_\_\_, in which certain recommendations were made relating to amending Zoning By-law 2000-0138;

**AND WHEREAS** Council has recommended that Zoning By-law 2000-0138 be amended as hereinafter set out;

**AND WHEREAS** said recommendation conforms to the Official Plan for the Town of Halton Hills;

**NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF HALTON HILLS ENACTS AS FOLLOWS:**

1. That **Section 7.5** of Zoning By-law 2000-1038 is hereby amended by adding the following use permissions and re-lettering the remaining sub-sections accordingly:

- v) Cannabis analytical testing facility within an enclosed single - premise building
- vi) Cannabis cultivation - indoor within a single - premise building
- viii) Cannabis drug production facility within an enclosed single - premise building
- ix) Cannabis processing facility within an enclosed single - premise building
- x) Cannabis research facility within an enclosed single - premise building

2. That **Section 7.5.2** of Zoning By-law 2000-138 is hereby amended by adding the following sub-section 7.5.2.18:

7.5.2.18 Cannabis cultivation – indoor and Cannabis processing facilities are required to be *setback* a minimum of 150 metres from a *lot* that is the site of:

- a) An *arena*;
- b) A *community centre*;
- c) A *day nursery*;
- d) A *dwelling unit*;
- e) A *long term care facility*;
- f) A *park, public*;
- g) A *park, private*;
- h) A *place of worship*;
- i) A *retirement home*;
- j) A *school, public*;
- k) A *school, private*; and
- l) A *trade and convention centre*.

3. That **Section 7.5.2** of Zoning By-law 2000-138 is hereby amended by adding the following sub-section 7.5.2.19:

7.5.2.19 Cannabis cultivation – outdoor shall be set back a minimum of 50 metres from lot lines.

4. That **Section 7.5.2.12** of Zoning By-law 2000-138 is hereby amended by adding the

following sub-section iv):

- iv) Loading spaces for cannabis analytical testing facilities, cannabis cultivation - indoor, cannabis drug production facilities, cannabis processing facilities and cannabis research facilities shall be located entirely within the main building on the lot.

5. That **Section 13.102.4** of Zoning By-law 2000-138 is hereby amended by adding the following definitions and re-lettering the following sub-sections accordingly:

- vi) "Cannabis analytical testing facility" means a facility where the alteration of the chemical or physical properties of cannabis by any means is carried out, subject to regulations under the Cannabis Act, as amended.
- vii) "Cannabis cultivation - indoor" means the growing of cannabis within a wholly enclosed building or structure, for medical or recreational purposes, subject to regulations under the Cannabis Act, as amended.
- viii) "Cannabis cultivation - outdoor" means the growing of cannabis in an open air setting, for medical or recreational purposes, subject to regulations under the Cannabis Act, as amended.
- ix) "Cannabis drug production facility" means a facility where the production or manufacturing of a drug containing cannabis is carried out, subject to regulations made under the Cannabis Act, as amended; and the food and drugs act, as amended.
- x) "Cannabis processing facility" means a facility where the extraction of cannabis oil for the purpose of producing or manufacturing cannabis oils, gels or other edibles is carried out, subject to regulations under the Cannabis Act, as amended.
- xi) "Cannabis research facility" means a facility used for activities in accordance with a licence for research, subject to regulations under the Cannabis Act, as amended.

6. That **Table B in Section 13.102.6** of Zoning By-law 2000-0138 is hereby amended by adding the following row:

Use	Required parking space (per square metre (sm) of Gross Floor Area, unless otherwise noted)
Cannabis Analytical Testing Facility, Cannabis Cultivation - Indoor, Cannabis Drug Production Facility, Cannabis Processing Facility and Cannabis Research Facility	1/100 sm

BY-LAW read and passed by the Council for the Town of Halton Hills this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
MAYOR – Rick Bonnette

\_\_\_\_\_  
TOWN CLERK – Suzanne Jones



**BY-LAW NO. 2019-00XX**

BY-LAW NO. 2019-00XX  
Being a By-law to Amend  
Town of Halton Hills By-law 2013-0070

**WHEREAS** Council is empowered to enact this By-law by virtue of the provisions of Section 41 of the Planning Act, R.S.O.1990, as amended;

**AND WHEREAS** on\_\_\_\_\_, Council for the Town of Halton Hills approved Report No.\_\_\_\_\_, dated \_\_\_\_\_, in which certain recommendations were made relating to amending By-law 2013-0070;

**AND WHEREAS** Council has recommended that By-law 2013-0070 be amended as hereinafter set out;

**AND WHEREAS** said recommendation conforms to the Official Plan for the Town of Halton Hills;

**NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF HALTON HILLS ENACTS AS FOLLOWS:**

1. That PART III, DEVELOPMENT SUBJECT TO SITE PLAN CONTROL, Section 4c) of By-law 2013-0070 is hereby amended as follows:

c) buildings and structures used for agricultural purposes except those buildings and structures associated with a home industry, commercial use, cannabis cultivation use, or farm related tourism use that are accessory to an agricultural operation, as outlined in Section E1.3, E1.4.5, E1.4.6, E1.4.7 and E1.4.11 of the Town of Halton Hills Official Plan;

BY-LAW read and passed by the Council for the Town of Halton Hills this \_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
MAYOR – Rick Bonnette

\_\_\_\_\_  
TOWN CLERK – Suzanne Jones

## REPORT

**REPORT TO:** Chair and Members of Planning, Public Works & Transportation Committee

**REPORT FROM:** Michael Dean, Senior Sustainability Planner & Energy Coordinator

**DATE:** March 20, 2019

**REPORT NO.:** PLS-2019-0014

**RE:** Green Development Standards Update: Terms of Reference

### RECOMMENDATION:

THAT Report No. PLS-2019-0014, dated March 20, 2019, regarding the Terms of Reference for updating the Town of Halton Hills Green Development Standards by received;

AND FURTHER THAT the Terms of Reference for the Green Development Standards update, attached as Appendix 1 to this report be approved.

### BACKGROUND:

Initially established in 2010 as the Green Development Checklist, the Town of Halton Hills Green Development Standards were updated in 2014 to include industrial, commercial, institutional and multi-unit residential buildings, and to provide developers with additional compliance flexibility through a LEED-like points based system. The Town is initiating the development of a third iteration of the Green Development Standard in 2019 through a Green Development Standard Update Study.

The overall objective of the Green Development Standard Update Study is to elevate the sustainability performance of new development in Halton Hills, align the Green Development Standards with current best practices in sustainable construction, to develop updated compliance standards and pathways, and to align the program with the Town's GHG mitigation and climate adaptation objectives.

For more details about the approach to the Green Development Standards Update Study, see Appendix 1 of this report.



## **COMMENTS:**

Based on research and industry consultation, the intent is to develop and implement a new updated Green Development Standard program that will further elevate the environmental performance of new residential and non-residential development in Halton Hills with a focus on lands already approved for development in the Official Plan and approved Secondary Plans. The project will also explore the potential to introduce a Green Development Standard for major renovations of existing buildings.

The project scope for the updated GDS will consist of the following phases:

**Phase 1** – This phase will have two components, (i) a review of the relevant background material to provide a sound basis for decision-making relating to the updated standard; and, (ii) preparation of a draft updated Green Development Standard. Council will be engaged in phase 1 in order to provide input on the proposed updates.

**Phase 2** – Building on the work undertaken in Phase 1, the consultant will develop, organize and deliver one (1) targeted half-day workshop to local development industry representatives aimed at obtaining feedback about the updated standard, exploring opportunities for ongoing engagement with the building industry, and educating the local industry about the updated standard and green development techniques.

**Phase 3** – The purpose of phase 3 will be to evaluate any necessary changes to the Town's development review procedures and processes which may be required to successfully implement the updated Green Development Standard as well as an analysis of the human resources and administrative implications associated with the updated standards.

**Phase 4** – Phase 4 will provide final recommendations in the form of a report that will include the final Green Development Standard.

**Phase 5** – Upon approval of the Green Development Standard Update Report by Council, the consultant will develop, organize and deliver training sessions aimed at educating staff, developers and external stakeholders respectively about the contents of the new program as well as roles and responsibilities relating to the updated standards.

## **RELATIONSHIP TO STRATEGIC PLAN:**

This project will fulfill the following objective of the Town's 2014-2018 Strategic Action Plan: "Continue to implement the Town's Green Development Standards" by ensuring that the Green Development Standards continue to reflect best practices in green construction and development going forward.

## **FINANCIAL IMPACT:**

Funding in the amount of \$80,000 for this project is included in the 2019 capital budget.

**CONSULTATION:**

The completion of the Green Development Standard Update Study will include consultation with key stakeholders in the Town as well as the local development industry. Further details on the consultation processes to be undertaken are provided in Appendix 1.

**SUSTAINABILITY IMPLICATIONS:**

The Town is committed to implementing our Community Sustainability Strategy, Imagine Halton Hills. Doing so will lead to a higher quality of life.

The recommendation outlined in this report advances the energy and greenhouse gas emissions goals contained in the Community Sustainability Strategy.

This report supports the environmental health pillar of Sustainability and in summary the alignment of this report with the Community Sustainability Strategy is excellent

**COMMUNICATIONS:**

Upon completion, the final Green Development Standard Update Study will be published and made available to the public.

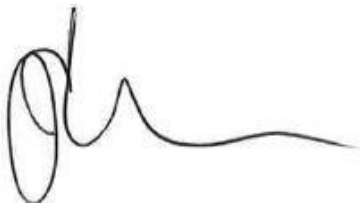
**CONCLUSION:**

The completion of a Green Development Standard Update Study as outlined in this report will advance the ability of the Town of Halton Hills to ensure that new development aligns with the Town's overall commitment to sustainable development. The Terms of Reference, attached as Appendix 1 to this report, outline how staff propose to complete this project.

Reviewed and Approved by,

A handwritten signature in black ink, appearing to read 'Gabriel Clarke', written in a cursive style.

**Gabriel Clarke, Manager of Sustainability and Climate Change**

A handwritten signature in black ink, appearing to read 'John Linhardt', written in a cursive style.

**John Linhardt, Commissioner of Planning and Sustainability**

A handwritten signature in black ink, appearing to read 'Brent Marshall', written in a cursive style.

**Brent Marshall, Chief Administrative Officer**

# **Town of Halton Hills**

## **Green Development Standards Update**

### **Terms of Reference**

## **1. Municipal Situation/Overview**

### **1.1 Background**

Initially established in 2010 as the Green Development Checklist, the Town of Halton Hills Green Development Standards (GDS) were updated in 2014 to include industrial, commercial, institutional and multi-unit residential buildings, and to provide developers with additional compliance flexibility through a LEED-like points based system. The Town is initiating the development of a third iteration of the GDS in 2019 through a Green Development Standard Update Study.

The overall intent of the Green Building Standard Update Study is to elevate the sustainability performance of new development in Halton Hills, align the GDS with current best practices in sustainable building/development, and develop updated compliance standards and pathways.

## **2. Project Scope and Budget**

### **2.1 Project Scope**

Based on research and industry consultation, the objective is to develop and implement a new updated Green Development Standard program that will further elevate the environmental performance of new residential and non-residential development in Halton Hills with a focus on lands already designated for development in the Official Plan and approved Secondary Plans. The project will also explore the potential to introduce a Green Development Standard for major renovations of existing buildings.

#### **Phase 1: Background Analysis, Issue Identification and Draft Updated Green Development Standard**

Phase 1 entails two key components: (i) a review of relevant background material to provide a sound basis for decision-making; and (ii) preparation of a draft Green Development Standard.

The review will include, but not be limited to the following:

1. **Existing Halton Hills Green Development Standards –**
  - [Green Development Standards Study Final Report](#) (second generation Standard)
2. **Legislative and regulatory context** – Including but not limited to:

- Halton Hills Official Plan and approved Secondary Plans;
  - Halton Hills Mayor's Community Energy Plan
  - Halton Hills Cycling Master Plan;
  - Low Impact Development design standards/guidelines prepared by the Credit Valley Conservation Authority;
  - Relevant Town development review policies and procedures;
  - Ontario Planning Act, R.S.O. 1990, as amended
  - Ontario Municipal Act;
  - Relevant Halton Region documents, policies and procedures, especially those related to water servicing allocation; and
  - Ontario Building Code, including anticipated and approved updates.
3. **Best practices in green construction** – this will include, but not be limited to a review of green building technologies in Halton Hills and the GTHA as well as in other comparable jurisdictions, including the US and Europe.
  4. **Comparable municipal and provincial green building standards** – including, but not limited to those of the Town of Oakville, Town of East Gwillimbury, City of Pickering and the City of Toronto, as well as the BC Step Code and other best practice provincial building standards.
  5. **Review of non-governmental green building standards and certifications** – including but not limited to, LEED, LEED ND, CAGBC Zero-Carbon Building Standard, Living Building Challenge, Living Community Challenge, Energy Star® for New Homes, most current EnerGuide specifications for new homes.

Building on the aforementioned material, the successful consultant will prepare a Discussion Paper which will include:

- An evaluation of the strengths and weaknesses of the Town's current Green Development Standard;
- A review of current best practices in implementing similar standards in other jurisdictions and best practices in the sustainable building/development industry;
- Recommendations for updated requirements for the Halton Hills Green Development Standard;
- Pertinent information on various Federal, Provincial and Town programs, policies, laws and regulations, and their implications for the preparation of and implementation of a Green Building Standard, including updates to the Ontario Building Code and the Energy Star® specifications;
- A description of tools available to municipalities to encourage and facilitate the uptake of construction measures that exceed minimum requirements of the Ontario Building Code;
- An overview of the approaches being taken by other municipalities to implement green development policies and standards; and

- A review of emerging issues pertaining to the preparation and implementation of municipal green building policies and standards.

As the second component of Phase 1, the draft Green Development Standard Update will propose modifications to the following areas of the existing standard at minimum:

1. **Expanded project and building type coverage** – including the potential to cover major renovations/expansions or others that may be identified by the consultant.
2. **Updated requirements that align with current best practices and the Town's climate mitigation and adaptation goals** – including any recommended changes to individual evaluation criteria as well as larger changes to the format of the Green Development Standards that would improve their capacity to serve the Town's climate mitigation, climate adaptation, and green development goals.
3. **Review of compliance and reporting mechanisms associated with the Green Development Standard** – potential additional reporting requirements may include, but are not limited to: building energy modelling, GHG impacts modelling, resilience modelling, and additional site-plan requirements. Potential updated compliance mechanisms may include, but are not limited to, securities for as-built, third-party verification, and building inspections.
4. **Identify changes to resources required from the Town to implement the updated standard** – including resources such as technical staff training that may be necessary to ensure the successful and timely implementation of the Green Building Standard on an ongoing basis.

The consultant will first present the Discussion Paper, including the draft Green Building Standard, to the Technical Advisory Committee. Following appropriate revisions, the consultant will then present the Discussion Paper to Council.

➤ Deliverables:

- Discussion Paper
- Draft Green Building Standard
- Council and Committee presentation/workshop

## Phase 2: Industry Consultation

Building on the work undertaken in Phase 1, the consultant will develop, organize and deliver one (1) targeted half-day workshop to local development/industry representatives. The focus of this workshop will be to:

- Present the draft Green Development Standard Update;
- Obtain constructive feedback on the draft Standard, especially related to implementation mechanisms and the ability of the industry to fully comply;
- Collect information on desired 'incentives' which may be feasible and practical at the municipal level, and used to encourage proponents to exceed the Town's minimum Green Development Standard;
- Identify opportunities for ongoing engagement between Town staff and the development/building industry on green development related matters;

- Engage developers/builders on the importance of green development techniques; and
- Support market demand for green housing.

The consultant, with the support of appropriate Town staff, will update the draft Green Building Standard based on the feedback received during the industry consultation process and present it to the Technical Advisory Committee. The revised draft will then be presented to Council, and be accompanied by a summary of the industry consultation.

➤ Deliverables:

- Half-day industry workshop
- Updated Green Development Standard
- Summary of industry consultation
- Council and Committee presentations

### **Phase 3: Implementation Framework**

The purpose of Phase 3 will be to prepare any necessary changes to the Town's procedures which may be required to successfully implement the Updated Green Development Standard as well as an analysis of the human resources and administrative implications of the updated standards. This may include, but not be limited to:

- Development Review procedures and policies; and
- Development approval conditions and agreements.
- Additional review and compliance processes

Any such changes will be prepared in consultation with the Technical Advisory Committee, and subject to Council approval. A summary report on the proposed process changes and human resources/administrative implications of the updated standards will be presented to Council.

➤ Deliverables:

- Report on appropriate policy, process and/or regulatory amendments
- Council and Committee presentation

### **Phase 4: Final Green Development Standard**

Building on the work undertaken to date, Phase 4 entails providing final recommendations in the form of a report regarding the disposition of this matter. This will include the final Updated Green Development Standard, and resource, process and administrative amendments.

➤ Deliverables:

- Final Recommendation report
- Final Updated Green Development Standard
- Final resource, process, and administrative amendments
- Council and Committee presentations

## **Phase 5: Staff and Industry Engagement**

Upon approval of the Green Building Standard by Council, the consultant will develop, organize and deliver two (2) two-hour training sessions, as follows:

- Staff Training focused on:
    - Overview of green building techniques and benefits thereof;
    - Awareness and understanding of the Updated Green Development Standard;
    - Implementation mechanisms;
    - Staff roles and responsibilities; and
    - Technical training opportunities.
  - Industry Training focused on:
    - Overview of green building techniques and benefits thereof;
    - Awareness and understanding of the Updated Green Development Standard; and
    - Town and industry roles and responsibilities.
- Deliverables:
- One two-hour staff training session
  - One two-hour industry training session
  - Summary of staff and industry feedback

## **2.2 Budget**

The budget for this project will be \$80,000.

## **3. Role of the Technical Advisory Committee**

A Technical Advisory Committee will be formed for the purposes of the Green Development Standard Update Study. The consultant will be required to organize and host meetings with the Technical Advisory Committee at key points throughout the project.

The Technical Advisory Committee will be comprised of selected members of Council and Town staff (e.g. Planning, Development and Sustainability, Transportation and Public Works, and Recreation and Parks), as well as external agencies, and industry representatives. The Technical Advisory Committee will provide technical input to the study and assist with issue identification. External members will also liaise with their respective organizations to ensure one window input as well as study awareness.

## **4. Town Responsibility**

The Town of Halton Hills Planning and Sustainability Department, through the Office of Sustainability, will be responsible for securing and providing existing information and supervising the completion of the Green Development Standard Update Study. Under the supervision of the Manager of Sustainability and Climate Change, the Senior Sustainability Planner & Energy Coordinator, in collaboration with the Technical Advisory Committee, will



supervise the Green Development Standard Update Study. The responsibilities of the Senior Sustainability Planner & Energy Coordinator will be to:

- Coordinate input and participation of the Technical Advisory Committee;
- Ensure that financial resources are well managed;
- Ensure compliance with the Terms of Reference;
- Ensure participation of relevant stakeholders;
- Coordinate communications; and
- Coordinate with other studies as appropriate.

## **5. Consultant Responsibility**

The project consultant will be responsible for the completion of the Updated Green Development Standards. This will be accomplished in close collaboration with the Senior Sustainability Planner & Energy Coordinator. The responsibilities of the consultant will be to:

- Develop and deliver a project work plan, project schedule, and stakeholder engagement plan
- Develop and deliver all tasks and deliverables described in section 2.1
- Propose a schedule of consultation meetings with the Technical Advisory Committee and any others necessary for completion of the plan
- Maintain effective communications with the Project Management Team
- Complete any necessary revisions to plan deliverables as required by the Project Management Team and Technical Advisory Committee
- Ensure that project costs do not exceed the budget outlined in their proposal
- Ensure compliance with the Terms of Reference/Scope of Work

## REPORT

**REPORT TO:** Chair and Members of the Planning, Public Works and Transportation Committee

**REPORT FROM:** Tony Boutassis, Senior Planner – Development Review

**DATE:** March 21, 2019

**REPORT NO.:** PLS-2019-0020

**RE:** Recommendation Report for a proposed Zoning By-law Amendment to allow for the development of 11 townhouse units at 12 Church Street East (Acton)

### RECOMMENDATION:

THAT Report No. PLS-2019-0020 dated March 21, 2019, regarding the “Recommendation Report for a proposed Zoning By-law Amendment to allow for the development of 11 townhouse units at 12 Church Street East (Acton)”, be received;

AND FURTHER THAT the Zoning By-law Amendment, to amend Town of Halton Hills Zoning By-law 2010-0050, as amended, for the lands municipally known as 12 Church Street East (Acton), as generally shown in SCHEDULE 4 – ZONING BY-LAW AMENDMENT, be approved on the basis that the application is consistent with the Provincial Policy Statement, conforms or does not conflict with all applicable Provincial plans, conforms with the Region of Halton Official Plan and the Town of Halton Hills Official Plan, has regard for matters of Provincial interest, and represents good planning for the reasons outlined in Report No. PLS-2019-0020 dated March 21, 2019;

AND FURTHER THAT in accordance with Section 34(17) of the Planning Act, no further notice is determined to be necessary.

### PURPOSE OF THE REPORT:

The purpose of this report is to provide Council with recommendations concerning the final disposition of a Zoning By-law Amendment application to permit the development of 11, 3-storey townhouse units on the lands municipally known as 12 Church Street East in Acton.

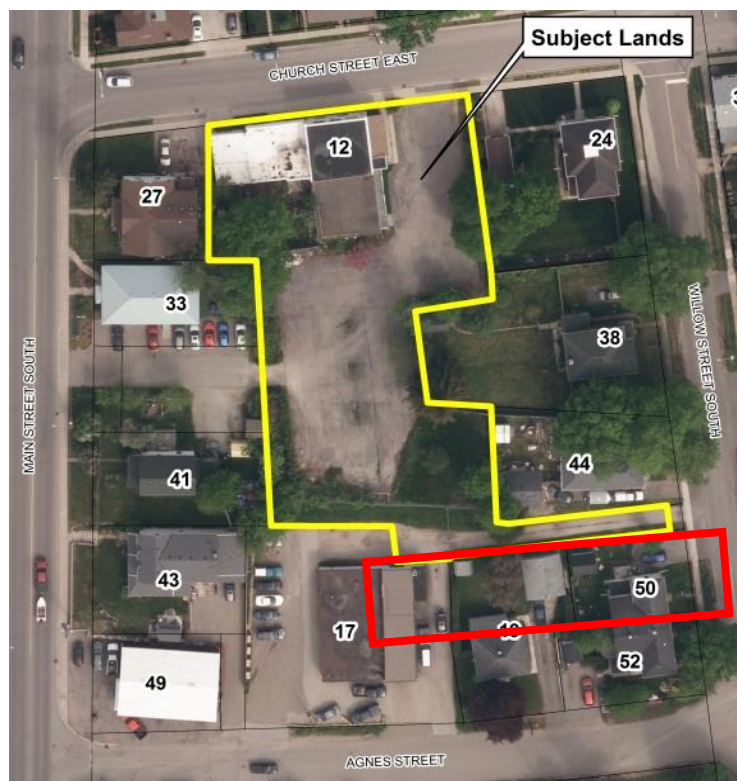
### BACKGROUND:

#### 1.0 Location & Site Characteristics:

The subject property, municipally referred to as 12 Church Street East, is generally located on the south side of Church Street East just east of Main Street South in

Downtown Acton; see **SCHEDULE 1 – LOCATION MAP**. The irregular shaped lot is approximately 0.36 hectares (0.88 acres) in size and has roughly 45 metres (151 feet) of frontage along Church Street East. The lands currently contain a commercial building and large asphalt parking lot that was previously used as a funeral home and later a dance school. The existing building is proposed to be demolished as part of the subject proposal.

The property also maintains ownership over a laneway providing access to Willow Street to the east. This laneway is subject to an easement providing 17 Agnes Street with access to Willow Street; see **Figure 1** below. The Applicant will be retaining ownership of the laneway in order to connect the site to the sanitary and storm sewers located along Willow Street.

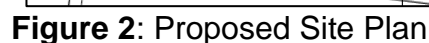


**Figure 1:** Lands subject to easement

Surrounding land uses to the subject property include:

- |               |  |
|---------------|--|
| To the North: | Low density residential dwellings and the Leather Festival Municipal Parking Lot |
| To the East:  | Low density single detached residential dwellings                                |
| To the South: | Automotive repair garage and low density residential dwellings                   |
| To the West:  | Low density residential dwellings and commercial uses                            |

The Zoning By-law Amendment application (File No. D14ZBA17.002) submitted by D and M Developers Inc. (the Applicant) was deemed complete on August 17, 2017. The application originally proposed the development of twelve (12), 3-storey townhouses. However, the proposal was later revised to eliminate 1 unit in order to preserve the functionality of the laneway access to Willow Street (for 17 Agnes Street) and increase the rear yard setback between proposed Building 'C' and the automotive garage at 17 Agnes Street. As such, the revised proposal seeks approval for 11 townhouse units, to be located within 3 blocks / buildings, as per **Figure 2** below:



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Access to the development is proposed by way of a common driveway off Church Street East. The garages and visitor parking will be located off the interior private condominium road. A total of 27 parking spaces are proposed to be provided in the following manner:

- 2 parking spaces for each unit (22 total) with one interior parking space in the garage and one parking space in the private driveway; and
- 5 shared visitor parking spaces.

Conceptual renderings of the proposed development have been attached as **SCHEDULE 3 – CONCEPTUAL RENDERINGS.**

To accommodate the development, the Applicant is proposing to rezone the property from a Downtown Commercial Two, Exception 4 (DC2(4)) zone to a site specific Medium Density Residential Two (MDR2) zone; see **SCHEDULE 4 – ZONING BY-LAW AMENDMENT.** The MDR2 zone was selected to implement the residential uses currently permitted for the property under the Town’s Official Plan. The site specific provisions that are designed to facilitate the current proposal are outlined in Section 1.5 of the ‘Comments’ section below.

A Site Plan application (File No. D11SPA17.010) was also submitted on July 28, 2017, for the purpose of evaluating the detailed site and building design features; see **SCHEDULE 2 – PROPOSED SITE PLAN.** Staff have been reviewing the Site Plan application in conjunction with the Zoning By-law Amendment. Should Council approve the Zoning By-law Amendment, staff anticipates that Conditional Site Plan Approval could be issued shortly thereafter.

In addition to the Zoning By-law Amendment and Site Plan approval, a Draft Plan of Condominium application would also be required to facilitate the proposal. The Condominium would apply to all exterior elements of the development, including maintenance of the private laneway, landscaping (front and rear yards), building exteriors, curbs, sidewalks, lighting, etc. As a standard condominium, the future owners would only own the interior elements of each unit.

## **COMMENTS:**

This section of the report will identify, analyze and respond to key matters of interest associated with the Zoning By-law Amendment application. The section is broken down into the following three subsections:

- 1.0 Planning Context and Policy Framework
- 2.0 Town Department and External Agency Comments
- 3.0 Public Comments

## **1.0 Planning Context and Policy Framework:**

The purpose of this section is to evaluate the proposed Zoning By-law Amendment application against the relevant Provincial, Regional and Town policy framework to determine conformity with the applicable policies and guidelines.

### **1.1 Provincial Policy Statement (PPS):**

The 2014 Provincial Policy Statement (PPS) provides broad based policies that promote an appropriate range of housing types that makes efficient use of infrastructure and public services facilities, thus supporting the development of healthy communities. The proposal is required to be consistent with the relevant policies of the PPS in accordance with Section 3 of the *Planning Act*.

The PPS indicates that appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

Planning staff is of the opinion that the proposed Zoning By-law Amendment application is consistent with the policies of the 2014 PPS.

### **1.2 Growth Plan for the Greater Golden Horseshoe:**

The subject lands are part of a larger designated urban area in Acton. The Growth Plan directs new growth to locations that make efficient use of transportation and servicing infrastructure and sets out general policies for residential intensification. As per Section 3 of the Planning Act, the proposal shall conform and not conflict with the Growth Plan.

Section 2.2.2 of the Growth Plan states that, until the Region of Halton completes its municipal comprehensive review, a minimum of 40 per cent of all residential development occurring annually will be within the delineated built-up area. Once the Region's comprehensive review has been completed, a minimum of 50 per cent of all residential development must be within the built-up area each year until 2031.

Planning staff is of the opinion that the proposed development is in conformity with the Growth Plan for the Greater Golden Horseshoe.

### **1.3 Greenbelt Plan**

As noted in the preceding section, the subject lands are located within Acton, which is classified as a Town/Village by the Greenbelt Plan. For purposes of infill development, Section 3.4.3 (Town/Village Policies) essentially defers to the Growth Plan and the Official Plan from a policy perspective.

Staff is of the view that the proposed development conforms to the Greenbelt Plan.

#### **1.4 Region of Halton Official Plan (ROP):**

The 2009 Regional Official Plan designates the subject lands as Urban Area (Acton). Section 76 of the OP states that the range of permitted uses and the creation of new lots in the Urban Areas will be in accordance with Local Official Plans and Zoning By-laws.

Regional staff has confirmed that the application is in conformity with the ROP.

#### **1.5 Town of Halton Hills Official Plan (HHOP):**

Under the Town's Official Plan, the subject lands are located within the Acton Downtown Area and designated Downtown Core Sub-Area. Permitted uses within this designation include a range of commercial/retail, institutional and residential uses (Section D2.5.1.4.2).

Section D2.5.1.4.4 of the Official Plan indicates the following with regard to residential uses located within the Downtown Core Sub-Area:

- b) New free-standing residential buildings, long-term care facilities and retirement homes, apartments as well as small-scale inns and bed and breakfast establishments are permitted at street level on side streets within the Downtown Core Sub-Area designation. These uses are permitted subject to an amendment to the implementing zoning by-law and provided Council is satisfied that:*
  - i) the proposed use will enhance urban life;*
  - ii) parking areas for the use are not located at the front of the building;*
  - iii) the proposed use is pedestrian in scale; and,*
  - iv) the building is designed to blend in and complement adjacent buildings.*
- c) The maximum permitted density for townhouse, multiple and apartment dwellings on a lot shall not exceed 100 units per net residential hectare based on the proportion of the overall site dedicated to the residential use and the maximum building height shall not exceed six storeys in Downtown Acton. The development of new townhouse, multiple and apartment dwellings and long-term care facilities and retirement homes shall require an amendment to the implementing Zoning By-law. Prior to approving such an amendment, Council shall be satisfied that:*
  - i) the lot is suitable for the proposed building;*
  - ii) the built form respects the character of and can be suitably integrated with adjacent residential neighbourhoods, in terms of height and massing;*
  - iii) the use will not cause traffic hazards or an unacceptable level of congestion on surrounding roads;*
  - iv) the development can easily be accessed by public transit (if available);*
  - v) the development is located on a site that has adequate land area to incorporate required parking, recreational facilities, landscaping and buffering on-site;*
  - vi) municipal water and wastewater services are adequate and available;*

- vii) the development provides additional housing choices in the Town; and,*
- viii) the Downtown Area will benefit from the increase in housing in the area.*

The proposed townhouse development conforms to the density and height permissions outlined in the Official Plan. Additionally, staff is of the opinion that the 11 proposed townhouse units have been appropriately designed to satisfy the criteria set out in Section D2.5.1.4.4 b) and c).

Section F2.2 of the Official Plan states that any new development requiring Planning Act approvals shall also conform to the applicable urban design policies contained within the Plan. Staff is satisfied that the design, layout and height of the proposal complies with the general urban design objectives of the Official Plan.

The proposed infill development is also consistent with the intensification policies approved through Official Plan Amendment 9 (OPA 9). The intensification policies target the creation of 90 new residential units within the Acton Downtown Area between 2015 and 2031.

For the reasons outlined above, Planning staff is of the opinion that the proposed Zoning By-law Amendment will allow for the development of the subject lands in a manner consistent with the Official Plan.

### **1.3 Town of Halton Hills Zoning By-law 2010-0050:**

The subject lands are currently zoned Downtown Commercial Two, Exception 4 (DC2(4)), which permits a range of commercial uses. Exception 4 contains site specific zoning permission for a funeral home (due to the previous use on-site).

The DC2 zone does not permit residential uses unless they existed on the property prior to the establishment of the Zoning By-law. However, the Town's Official Plan allows residential uses on the property subject to obtaining a Zoning By-law Amendment. As such, the Applicant is proposing to rezone the property from a Downtown Commercial Two, Exception 4 (DC2(4)) zone to a site specific Medium Density Residential Two (MDR2) zone. The site specific MDR2 zone will allow for new residential uses on the site; the site specific provisions would alter the MDR2 zone as set out in the following table :



Provision	MDR2 Zone (Current)	MDR2 (Site Specific)
Permitted Uses	Multiple dwelling units permitted (ie. townhouses on a condominium road)	Restricted to 11, 3-storey townhouse dwelling units; home occupations; and, private home daycares
Minimum Front Yard Setback	4.5 metres	2.20 metres
Minimum Rear Yard Setback	4.5 metres	4.90 metres
Minimum Interior Side Yard Setback (East)	4.5 metres	1.80 metres
Minimum Interior Side Yard Setback (West)	4.5 metres	1.20 metres
Porch encroachment into front yard	1.5 metres from the front lot line	1.1 metres from the front lot line

The proposed site specific zoning for the subject property ensures that the lands will be developed with a maximum of 11 townhouse dwelling units and other typical accessory uses (home occupations and private home daycares). The reduced front yard setback and porch encroachment provisions provide for an urban pedestrian friendly street frontage, whereby the building will be located closer to the street, which is appropriate for Downtown Acton. The increased rear yard setback ensures that the existing laneway containing an easement in favour of 17 Agnes Street can be preserved and provides a sufficient separation between the building and the property line. The reduced side yard setbacks (which apply to Buildings 'A' and 'B' where they abut adjacent lot lines) conform with the Town's 1.2 metre interior side yard setback requirement for typical street townhouses.

Staff considers the site specific proposal to change the DC2(4) zone category to a site specific MDR2 zone appropriate given the proposal satisfies the Official Plan policies for new infill development within the Acton Downtown Area.

## **2.0 Water Allocation:**

The Region of Halton has identified that 8 SDE of water will be required to be allocated to the site to accommodate the development. Given the advanced state of the Site Plan application, staff are bringing forward a report recommending the allocation of 8 SDE to the project to be considered in conjunction with this report.

## **3.0 Town Department and External Agency Comments:**

The townhouse proposal was circulated to the Town departments and external agencies for review and comment, with the most recent full circulation occurring on September 14, 2018. Staff from the various departments and agencies have completed their review

of the proposed development and have indicated that they have no concerns or objections with the proposed Zoning By-law Amendment.

#### **4.0 Public Comments:**

The development proposal was presented to the Public by way of Report No. PLS-2018-0017 through a Statutory Public Meeting on April 16, 2018. There were approximately 11 (eleven) interested persons in attendance at the meeting with three (3) of those individuals coming forward to present their concerns.

Additionally, staff has received four (4) e-mails/correspondence and seven (7) phone calls/counter inquiries from residents in regards to the proposed application. The following sections describe the specific public questions / concerns and provide staff responses:

#### **4.1 Height, Density, and Setbacks:**

Comments were made regarding the height, density and setbacks of the proposed development not being compatible with the character of the existing neighbourhood, which is predominantly made up of single detached homes. The Owner of 24 Church Street East had a specific concern regarding the internal side yard setback to their property.

##### ***Staff Response***

The Town's Official Plan has identified Downtown Acton as an intensification area. New infill residential uses are permitted at a maximum height of 6 stories and density of 100 units per net residential hectare. The subject proposal is for 11, 3-storey townhouse units that represent a density of 30.7 units per net residential hectare.

The setbacks for Buildings 'A' and 'B' are consistent with those permitted for typical street townhouses. The setbacks only require amendment because they are technically considered multiple dwellings units since they are being accessed from a private condominium road. The orientation of Buildings 'A' and 'B' will result in a more urban characteristic, consistent with the vision for Downtown Acton.

It should be noted that the side yard setback to 24 Church Street East was increased from the originally proposed 1.25 metres to 1.8 metres to assist in accommodating the neighbours concerns.

#### **4.2 Increase in Vehicular Traffic and On-Street Parking:**

Comments were made indicating that the proposed development would cause an increase in vehicular traffic and on-street parking along Church Street East.

##### ***Staff Response***

The Applicant submitted a Traffic Impact Brief with their submission, which satisfied Town staff that the proposed development does not pose a traffic impact.

The Applicant is proposing a total of 27 parking spaces on the site:

- each townhouse will have 2 parking spaces (1 on the driveway and 1 in the garage); and,
- 5 visitor parking spaces are provided for the development.

As per Zoning By-law 2010-0050, the Applicant is only required to supply a total of 26 parking spaces (22 residential, 4 visitor). As such, Town staff is of the opinion that the proposed number of parking spaces is sufficient for this development.

#### **4.3 Access for Emergency Services, Waste Collection, and Snow Removal:**

There was a concern from a resident that emergency, waste collection and snow removal vehicles would not be able to appropriately navigate the site. Further, there was a question regarding where snow would be stored.

##### ***Staff Response***

The width of the access to the site is 6.7 metres, which meets current zoning standards. Truck turning movements for emergency services and waste collection vehicles have been reviewed through the Site Plan process and are satisfactory.

Snow removal on the site will need to be accommodated privately. Through the Site Plan process, Town staff has asked the Applicant to provide sufficient space on the site for snow storage.

#### **4.4 Preservation of the Easement Granting 17 Agnes Street Access to Willow Street:**

The Owner of the 17 Agnes Street (south of the subject property) requested that the existing easement over 12 Church Street East granting them access to Willow Street be preserved.

##### ***Staff Response***

The existing easement over a laneway connecting to Willow Street in favour of 17 Agnes Street will be preserved for their use only; future owners of the townhouse units will not have access to the laneway. The preservation of the easement also provides for a greater rear yard setback between Building 'C' and the existing automotive garage to the south.

#### **4.5 Removal of Trees, Screening and Fencing:**

Residents of adjacent properties have outlined a concern with the potential removal of trees through construction and whether privacy fencing will be provided.

##### ***Staff Response***

The Applicant submitted a Tree Inventory Plan indicating which trees would be preserved and removed. Based on the Plan, the majority of mature trees along the

property boundaries will be preserved, which will assist in screening the proposed development from neighbouring properties. The Applicant has also submitted a Landscape Plan with their Site Plan application, which shows significant additional planting of various trees and shrubs.

The entire property will be screened from neighbouring properties with a 1.8 metre high board-on-board privacy fence.

#### **RELATIONSHIP TO STRATEGIC PLAN:**

The proposed development is most closely aligned with Strategic Direction G – Achieve Sustainable Growth, the goal of which is:

*To ensure that growth is managed so as to ensure a balanced, sustainable, well planned community that meets the needs of its residents and businesses.*

The Strategic Direction is to be achieved as it relates to this application in part through Strategic Objectives:

- G7.** *To ensure that the character and stability of existing residential neighbourhoods is maintained when accommodating growth.*
- G9.** *To ensure that new population growth takes place by way of identifiable, sustainable, healthy and complete communities and neighbourhoods that reflect excellence in urban design.*
- G10.** *To promote intensification and affordable housing in appropriate locations within the Town.*

#### **FINANCIAL IMPACT:**

There is no immediate financial impact to the Town budgets as a result of this application.

#### **CONSULTATION:**

Planning staff has consulted with the appropriate Town Departments and the Region of Halton in the preparation of this Report.

#### **PUBLIC ENGAGEMENT:**

The proposed Zoning By-law Amendment application was presented to the Public through a Statutory Public Meeting on April 16, 2018 (Report No. PLS-2018-0017).

**SUSTAINABILITY IMPLICATIONS:**

The Town is committed to implementing our Community Sustainability Strategy, Imagine Halton Hills. Doing so will lead to a higher quality of life. The recommendation outlined in this report advances the Strategy's implementation.

This report supports the Environmental Health and Social Well-Being pillars of Sustainability and in summary the alignment of this report with the Community Sustainability Strategy is Very Good.

Compliance with the Town's Green Development Standards will be addressed through the approval of the Site Plan application. The application of the Green Development Standards to this project will help achieve energy and water efficiencies with other sustainable objectives.

**COMMUNICATIONS:**

Public Notice of Council's decision regarding the passage of the Zoning By-law Amendment will be completed in accordance with the requirements of the Planning Act.

**CONCLUSION:**

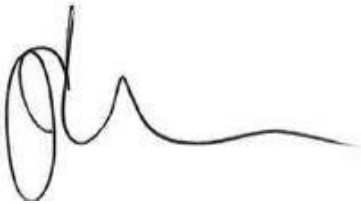
Staff has completed our review of the proposed 11 unit townhouse development, including the relevant policies, supporting documentation and public comments, and is of the opinion that the proposal has merit and should be supported. The proposed Zoning By-law Amendment application conforms to the Growth Plan for the Greater Golden Horseshoe, is consistent with the Provincial Policy Statement and satisfies the policies of the Town and Region Official Plans.

For these reasons, Planning staff recommends that Council approve the Zoning by-law Amendment generally shown in **SCHEDULE 4** of this Report.

Reviewed and Approved by,

A handwritten signature in black ink, appearing to read "Jeff Markowiak".

**Jeff Markowiak, Manager of Development Review**

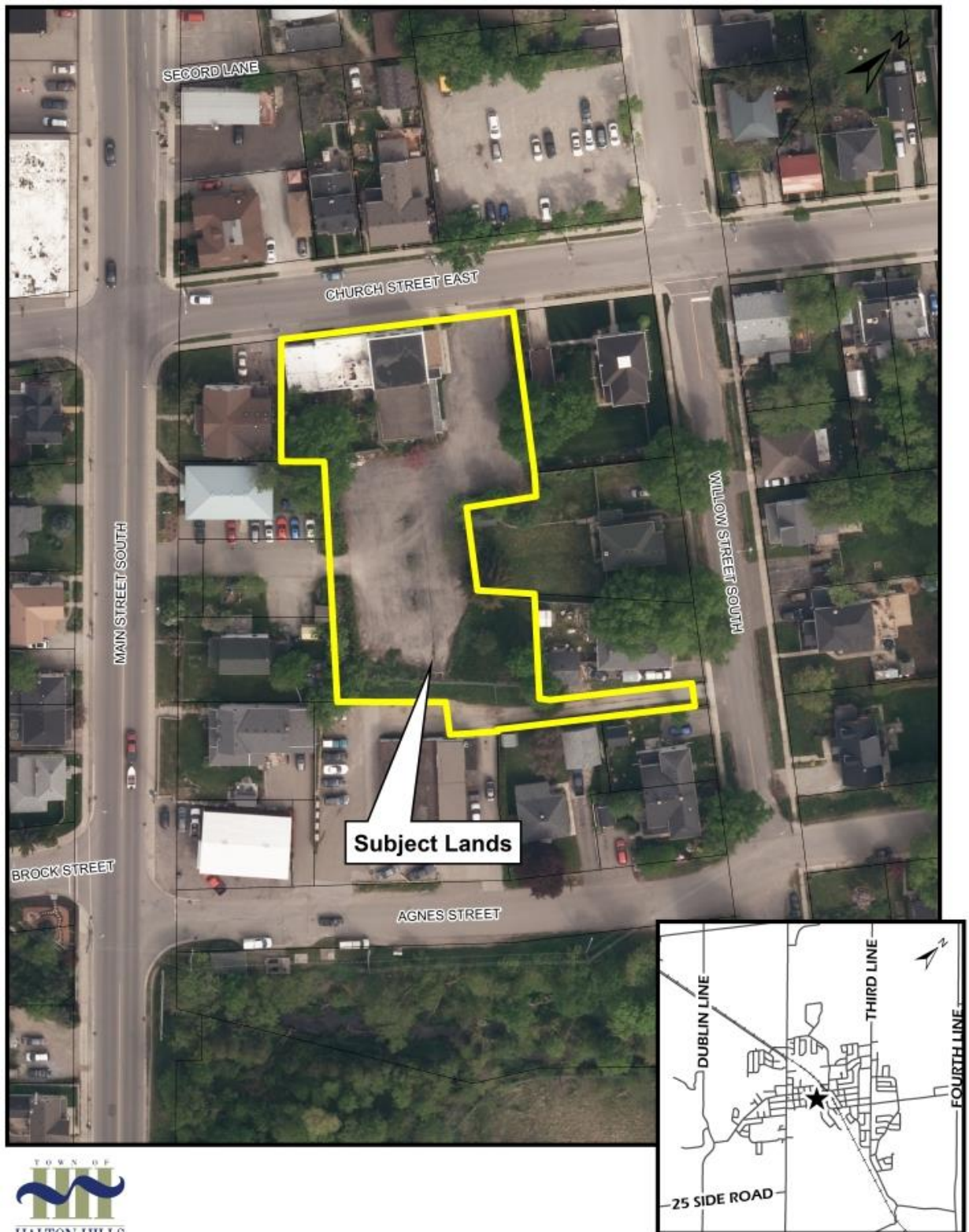
A handwritten signature in black ink, appearing to read "John Linhardt".

**John Linhardt, Commissioner of Planning and Sustainability**

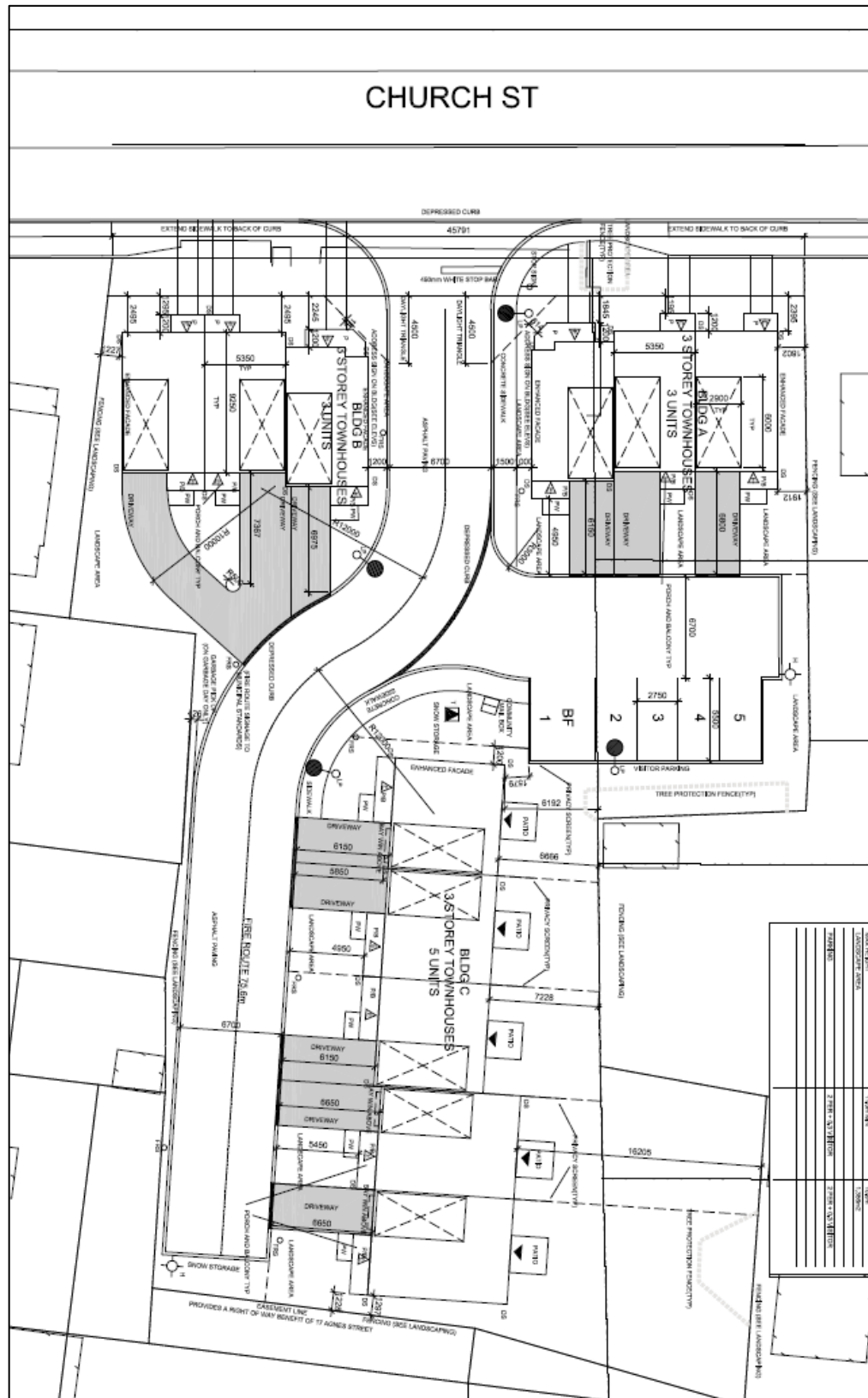
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**Brent Marshall, Chief Administrative Officer**

## SCHEDULE 1 – LOCATION MAP



## SCHEDULE 2 – PROPOSED SITE PLAN





## SCHEDULE 3 – CONCEPTUAL RENDERINGS



**Buildings 'A' & 'B' along Church Street East**



**Building 'C' and Site Interior**

## SCHEDULE 4 – ZONING BY-LAW AMENDMENT



### BY-LAW NO. 2019-\_\_\_\_\_

A By-law to Amend Zoning By-law 2010-0050, as amended, for the lands described as Part of Lot 277, Registered Compiled Plan 1098 and Part of Lots 1 to 4, Block 15, Registered Plan 31 and Part of Lot 7, Block 15, Registered Plan 63, Town of Halton Hills, Regional Municipality of Halton  
12 Church Street East (Acton)

**WHEREAS** Council is empowered to enact this By-law by virtue of the provisions of Section 34 of the Planning Act, R.S.O.1990, as amended;

**AND WHEREAS** Council has recommended that Zoning By-law 2010-0050 be amended as hereinafter set out;

**AND WHEREAS** said recommendation will conform to the Official Plan for the Town of Halton Hills;

### **NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF HALTON HILLS ENACTS AS FOLLOWS:**

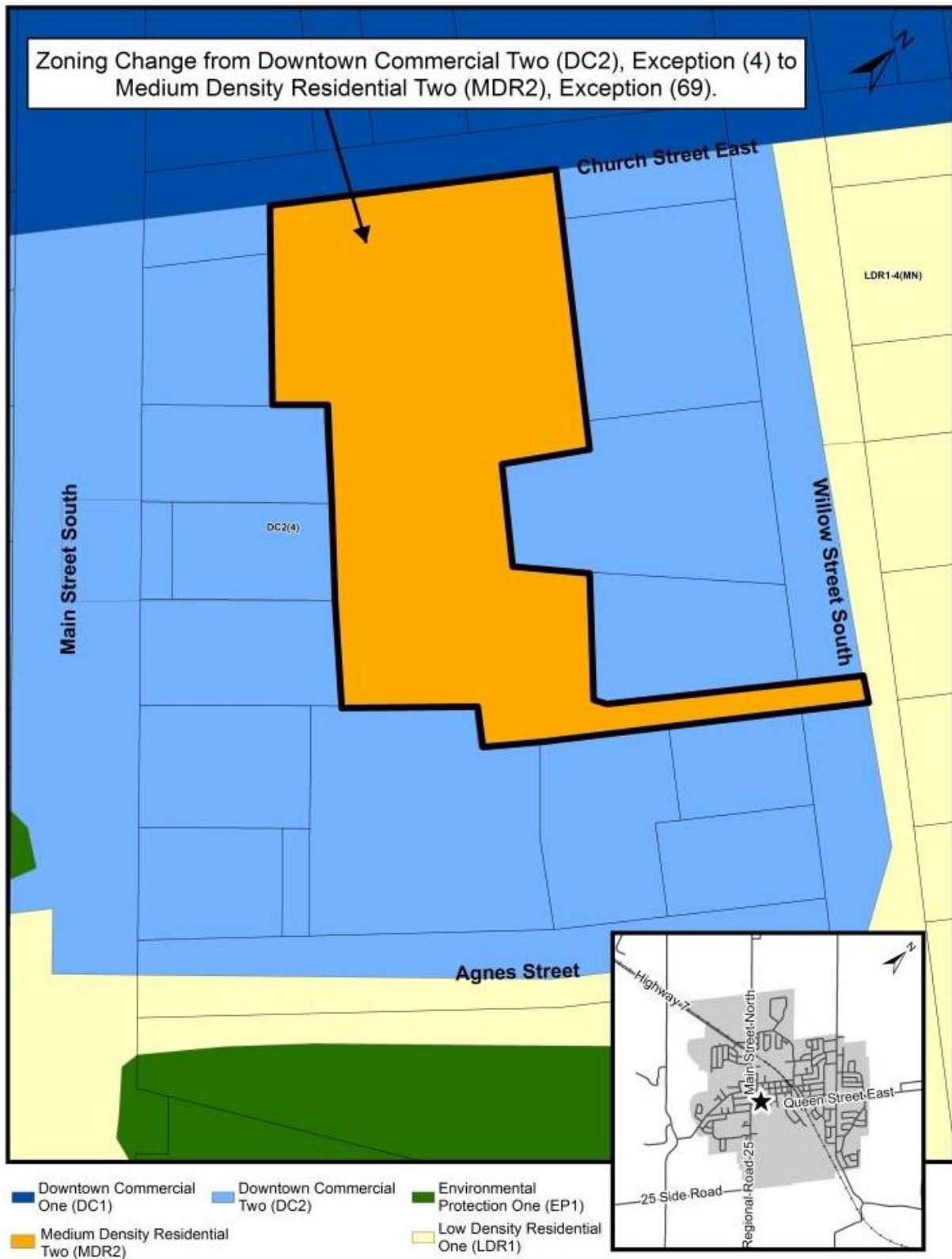
1. That Schedule "A7" of Zoning By-law 2010-0050, as amended, is hereby further amended by rezoning the lands described as Part of Lot 277, Registered Compiled Plan 1098 and Part of Lots 1 to 4, Block 15, Registered Plan 31 and Part of Lot 7, Block 15, Registered Plan 63, Town of Halton Hills, Regional Municipality of Halton, municipally known as 12 Church Street East (Acton) from Downtown Commercial Two, Exception 4 (DC2(4)) Zone to Medium Density Residential Two, Exception 69 (MDR2(69)) Zone as shown on Schedule "1" attached to and forming part of this By-law;
2. That Table 13.1: Exceptions of Zoning By-law 2010-0050 is hereby amended by adding the Exception Provisions contained in Schedule "2" attached to and forming part of this By-law.

**BY-LAW** read and passed by the Council for the Town of Halton Hills this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
MAYOR – RICK BONNETTE

\_\_\_\_\_  
CLERK – SUZANNE JONES

SCHEDULE 1 to By-law 2019-\_\_\_\_\_



## SCHEDULE 2 to By-law 2019-\_\_\_\_\_

### 13.1 EXCEPTIONS

1	2	3	4	5	6	7
Exception Number	Zone	Municipal Address	Additional Permitted Uses	Only Permitted Uses	Uses Prohibited	Special Provisions
69  By-law 2019-_____	MDR2	12 Church Street East (Acton)		<p>(i) Three (3) storey townhouse dwelling units not exceeding eleven (11) units accessed by a Private Lane, wherein the Private Lane is owned by a Condominium Corporation.</p> <p>(ii) Home Occupations subject to the policies in Section 4.12 and subject to Special Provisions (6) and (7) of Table 6.1 in By-law 2010-0050</p> <p>(iii) Private Home Daycares</p>		<p>(i) Minimum Required <i>Front Yard</i> – 2.20 m;</p> <p>(ii) Minimum Required <i>Rear Yard</i> – 4.90 m;</p> <p>(iii) Minimum Required <i>Interior Side Yard</i> (East) – 1.80 m;</p> <p>(iv) Minimum Required <i>Interior Side Yard</i> (West) – 1.20 m;</p> <p>(v) <i>Porches</i> may encroach into the Minimum <i>Front Yard</i>, provided that no part of the <i>porch</i> is closer than 1.1 m from the front <i>lot line</i>.</p>

## REPORT

**REPORT TO:** Chair and Members of the Planning, Public Works & Transportation Committee

**REPORT FROM:** Jeff Markowiak, Manager of Development Review

**DATE:** March 18, 2019

**REPORT NO.:** PLS-2019-0023

**RE:** Conditional water allocation for 12 Church Street East (8 SDE from the Acton residential pool)

### RECOMMENDATION:

THAT Report No. PLS-2019-0023, dated March 18, 2019, regarding the “Conditional water allocation for 12 Church Street East (8 SDE from the Acton infill pool)” be received;

AND FURTHER THAT 8 single detached equivalents (SDE) of water system capacity be allocated from the Acton residential pool to 12 Church Street East (Site Plan D11SPA17.010) conditional on the issuance of building permits within 18 months of the date of Council approval of this report, failing which, Council, may at its discretion, withdraw the respective water allocation.

### BACKGROUND:

Planning staff are bringing forward a report to the April 9, 2019, Planning, Public Works & Transportation Committee (Report PLS-2019-0020) recommending the approval of a site specific Zoning By-law Amendment to permit the development of 11 townhouse units on the property municipally known as 12 Church Street East. The site is also currently the subject of Site Plan application D11SPA17.010, which has been reviewed concurrently with the Zoning By-law Amendment application; see **SCHEDULE 1 – PROPOSED SITE PLAN**. Should Council chose to approve the Zoning By-law Amendment, staff anticipate that the Town will be able to issue conditional Site Plan approval shortly thereafter.

This report recommends allocation of 8 SDE to 12 Church Street East provided Council supports the approval of the Zoning By-law Amendment required to permit the 11-unit townhouse proposal.

### COMMENTS:

As per Region of Halton comments, the townhouse proposal requires 9 single detached equivalents (SDE) of capacity. The property has a credit of 1 SDE from the previous

use; therefore, the Town is required to allocate the remaining 8 SDE. Halton Region staff indicated they would only support approval of the Zoning By-law Amendment upon condition that the 8 SDE were allocated to the property. The Region offered two options to satisfy this condition:

- Bring forward a report to Council to allocate the 8 SDE at the same date that the Recommendation Report for the Zoning By-law Amendment was being considered; or
- Apply a Holding (H) Provision to the site specific Zoning By-law Amendment that contained a condition requiring the allocation of the necessary 8 SDE.

Town staff chose to bring forward a report in conjunction with the Recommendation Report for the Zoning By-law Amendment given:

- No other Holding (H) Provision conditions had been identified through the review of the proposal. Therefore, a Holding (H) Provision would only be applied to the property to address the servicing requirement; and
- The typical process is to bring forward a report allocating the necessary servicing capacity following the issuance of conditional Site Plan approval. Given the advanced state of review of the Site Plan application, Town staff felt comfortable bringing forward a report to allocate the 8 SDE at this time.

If Council approves the Zoning By-law Amendment application and subsequent allocation of 8 SDE to 12 Church Street East the following amounts will be left remaining in the respective Acton water allocation pools:

- 17 SDE in the residential pool; and
- 22 SDE in the flex pool.

## **RELATIONSHIP TO STRATEGIC PLAN:**

This report supports the following strategic directions outlined in Council's 2014-2018 Strategic Action Plan:

### Achieve Sustainable Growth:

- To ensure that growth is managed so as to ensure a balanced, sustainable, well planned community that meets the needs of its residents and businesses.

### Provide Sustainable Infrastructure & Services:

- To maintain and enhance community infrastructure and services that support our quality of life.

## **FINANCIAL IMPACT:**

Water allocation is required to allow projects to advance through the land and building approvals process. Development triggers collection of various monies throughout the approvals process and ultimately results in the expansion of the Town's assessment base.

**CONSULTATION:**

Planning staff have consulted with the appropriate Town departments and the Region of Halton in preparation of this report.

**PUBLIC ENGAGEMENT:**

No public notification or engagement is required for the allocation of water system capacity.

**SUSTAINABILITY IMPLICATIONS:**

The Town is committed to implementing our Community Sustainability Strategy, Imagine Halton Hills. Doing so will lead to a higher quality of life.

The recommendations outlined in this report are not applicable to the Strategy's implementation.

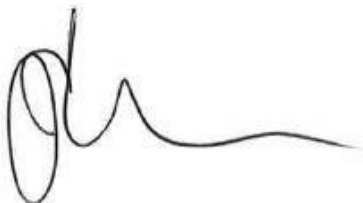
**COMMUNICATIONS:**

A copy of this report and Council's decision will be forwarded to the Applicant and the Region of Halton.

**CONCLUSION:**

This report recommends that 8 single detached equivalents (SDE) of water system capacity be allocated from the Acton residential infill to the 11-unit townhouse development at 12 Church Street East provided Council approves the Zoning By-law Amendment required to permit the proposal. The allocation of the 8 SDE is recommended to be conditional on the issuance of building permits for the development within 18 months of the date of Council approval of this report.

Reviewed and Approved by,

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**John Linhardt, Commissioner of Planning and Sustainability**

A handwritten signature in black ink, appearing to read 'Brent Marshall', with a stylized, flowing script.

**Brent Marshall, Chief Administrative Officer**



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## REPORT

**REPORT TO:** Chair and Members of the Planning, Public Works and Transportation Committee

**REPORT FROM:** Steve Burke, MCIP, RPP, Manager of Strategic Research & Project Coordination

**DATE:** March 20, 2019

**REPORT NO.:** PLS-2019-0028

**RE:** Glen Williams Mature Neighbourhood Study Final Recommendation Report: Official Plan and Zoning By-law Amendments

### RECOMMENDATION:

THAT Report No. PLS-2019-0028, dated March 20, 2019, regarding the final recommendations of the Glen Williams Mature Neighbourhoods Study be received;

AND FURTHER THAT Official Plan Amendment No. 34, a Town-initiated Official Plan Amendment implementing the final recommendations of the Study (attached as Schedule One to this report), be approved as a local Official Plan Amendment that is exempt from Regional approval;

AND FURTHER THAT the Zoning By-law Amendment (attached as Schedule Two to this report), which amends Comprehensive Zoning By-law 2010-0050 to implement the final recommendations of the Glen Williams Mature Neighbourhoods Study, be approved.

### BACKGROUND:

The Glen Williams Mature Neighbourhoods Study was initiated in November 2017, with Council approval of the Study Terms of Reference, and retention of MacNaughton Hermesen Britton Clarkson Planning Limited (MHBC) as the planning consultant for the Study. The Study arose from public concern about the impact of large-scale home rebuilds on the character and integrity of the mature neighbourhoods of Glen Williams.

The purpose of the Glen Williams Mature Neighbourhoods Study was to examine whether the existing regulatory framework of the Town's Zoning By-law is effective in maintaining the character of the mature neighbourhoods of Glen Williams, and propose recommendations for amendments if necessary.

The Glen Williams Mature Neighbourhoods Study engaged the public and stakeholders in a number of consultation events, which were well attended by Glen residents. These events included a neighbourhood walking tour on March 4, 2018, stakeholder interviews in April 2018, a public workshop on May 3, 2018, and a public open house on June 14, 2018. The Study also included consultation with the Technical Advisory Committee and Steering Committee at each phase of the Study.

The Study was carried out in accordance with a three-phase work program as outlined in the approved Terms of Reference and summarized in Figure 1 below.

*Figure 1: Glen Williams Mature Neighbourhoods Study Timeline*



**Phase 1: Background Review** included background research, stakeholder interviews, and the walking tour to obtain an understanding of the neighbourhood characteristics valued by Glen residents. A Background Report (April 2018) was prepared outlining the findings of the Phase 1 work, and this information was presented at May 3, 2018 public workshop. The workshop included active participation of attendees to discuss and evaluate various potential tools and options for regulating large home rebuilds in a manner that would protect mature neighbourhood character.

**Phase 2: Evaluation of Options** involved review and consideration of the input received from the public, and the evaluation of the various tools and options, resulting in a set of proposed options which were presented to the public at the June 14, 2018 public open house. The public was given an opportunity to indicate which options that they supported or did not support, as well as suggest changes to the options presented.

**Phase 3: Final Report** involved the consultant analyzing the input received, together with further technical analysis of the various options, resulting in the preparation of a Recommendation Report (February 2019), which was reviewed by Planning and Zoning staff, and the Steering Committee. Based on input from the Steering Committee, additional analysis was conducted by Planning staff and the consultant, which was incorporated into the Final Recommendation Report.

The recommended tools and options contained in the final Recommendation Report were used as the basis for the preparation of a proposed Official Plan Amendment (i.e. amendment to the Glen Williams Secondary Plan) and Zoning By-law Amendment, which were the subject of a drop-in open house and Statutory Public Meeting on March 5, 2019.

### **Proposed Amendment to the Halton Hills Official Plan (Glen Williams Secondary Plan)**

A proposed amendment to the Town Official Plan (attached as **Schedule One** of this report) has been prepared based on the Final Recommendation Report of the Glen Williams Mature Neighbourhood Study. The proposed Official Plan Amendment recognizes the mature neighbourhoods of Glen Williams by introducing a new objective to the Glen Williams Secondary Plan, and new policies to guide new housing, replacement housing, additions, and alterations, and new and enlarged accessory buildings in those areas, in situations where a minor variance to the standards of the zoning by-law are required.

The proposed new objective would be:

- To maintain and enhance the character of Mature Neighbourhood Areas by ensuring that new housing, replacement housing, additions, alterations, and new or enlarged accessory buildings, are compatible, context sensitive, and respectful of the existing character of the neighbourhood.

The proposed new criteria in which to evaluate a minor variance in a mature neighbourhood in Glen Williams would be:

- compatibility with existing building orientation and building setbacks;
- that the scale, massing, building height, and built form features are compatible with the existing character of the neighbourhood;
- the preservation of landscaped open space areas and the protection of existing trees; and,
- that impacts on adjacent properties are minimized.

### **Proposed Amendment to the Town of Halton Hills Comprehensive Zoning By-law**

A proposed amendment to the Town's Comprehensive Zoning By-law 2010-0050 (attached as **Schedule Two** of this report) has been prepared based on the final Recommendation Report of the Glen Williams Mature Neighbourhood Study. In summary, the proposed Zoning By-law Amendment:

The Zoning By-law Amendment proposes to:

#### Mapping

- introduce a new Mature Neighbourhood 1 (MN1) overlay to areas within the Hamlet Community Core (HCC) Zone, and the Hamlet Residential 1 (HR1) Zone in the historic core of the Hamlet (as defined by the study area boundary

established at the outset of the Study) as shown on Schedule A19 to the Zoning By-law;

- introduce a new Mature Neighbourhood 2 (MN2) overlay to areas within the Hamlet Residential 1 (HR1) Zone outside the original study area boundary, and the Hamlet Residential 2 (HR2) Zone throughout the Hamlet, excluding the Meadows in the Glen (Barraclough Boulevard), Charleston Homes (Bishop Court) and Eden Oak (Credit River Ridge) developments, as shown on Schedule A19 to the Zoning By-law.

#### Lot Coverage

- introduce a new maximum lot coverage zoning standard for zones within the Mature Neighbourhood 1 (MN1) overlay of:
  - 35% for 1 and 1.5 storey buildings;
  - 30% for 2 and 2.5 storey buildings;
- introduce a new maximum lot coverage zoning standard for zones within the Mature Neighbourhood 2 (MN2) overlay of 15%

#### Building Height

- revise the maximum building height for all HCC, HR1 and HR2 Zoned properties within the MN1 and MN2 overlays from 11.0 metres to 9.0 metres.

#### Setbacks

- revise the minimum interior side yard setbacks for properties with the Mature Neighbourhood 1 (MN1) overlay to be 2.25 m for the first storey, plus an additional 1.2 m for each storey above the first storey.

#### Other

- introduce a new zoning standard that attached garages facing the front lot line must be recessed by at least 1.0 m from the front of the house.

### **Tree Preservation**

Through the study process, public input was received regarding the importance of tree protection in maintaining the character of the mature neighbourhoods of Glen Williams. This was also an issue discussed as part of the previous Mature Neighbourhood Character Study for Acton and Georgetown. To address this matter, the Town is initiating a Privately-owned Tree Management Study in 2019, to develop recommendations pertaining to the protection of trees on privately-owned property in Halton Hills.

### **Heritage Conservation**

Public input was also received through the study process with respect to whether or not heritage protection under the Ontario Heritage Act (i.e. a heritage conservation district) should be considered for certain areas of Glen Williams. The Final Recommendation Report recommends that the Town give further consideration to the identification of

areas of Glen Williams for future study as a potential heritage conservation district, when setting priorities for the Town's heritage work program.

## **COMMENTS:**

### Public Comments:

The March 5, 2019 Drop-in Open House and Statutory Public Meeting was attended by 13 people. There were 2 oral submissions made at the public meeting.

Wayne Scott of 15 Credit Street expressed a concern that in the event of a fire or catastrophic loss of a house a homeowner would not be able to rebuild what had previously existed, but would have to meet the new zoning standards.

As clarified in the Public Comments Matrix attached as **Schedule Three** to this report, an existing provision of the *Planning Act* permits the replacement of a dwelling unit on the same building footprint, regardless of non-compliance with the in-force zoning by-law. Also, the Town's Comprehensive Zoning By-law 2010-0050 contains similar language in Section 4.18, applicable to all zones in Glen Williams, and would permit replacement of a dwelling unit provided non-compliance with the zoning by-law is not increased (i.e. the building footprint remains the same).

Mr. Scott also expressed a concern about the treatment of corner lots, in which the orientation of the existing home is towards what is considered the side lot line, rather than the front lot line, in the Comprehensive Zoning By-law. While he did not object to the new zoning provisions, he wanted the existing owners to understand how the new provisions may affect them.

As noted in the attached Public Comments Matrix, the consultant team has examined, in consultation with Planning staff, the impact of the new zoning provisions on corner lots in Glen Williams, and in general, while there may be specific situations in which replacement housing on corner lots may require a minor variance to the zoning by-law, these situations have generally not been exacerbated by the proposed new zoning provisions.

Neal Panchuk of 100 Confederation Street commented that the proposed increased side yard setbacks for mature neighbourhood areas should apply above the first floor, with respect to balconies, in particular.

The consultant at the public meeting confirmed that the side yard setbacks are increased for all floors above the first floor to address the potential for increased impact from taller homes.

The Town also received 3 written submissions from the public after the public meeting.

Wayne Scott provided a written submission elaborating on the comments he provided in person at the public meeting. The staff response is summarized above and provided in detail in the attached Public Comments Matrix.

Staff is recommending one revision to the Zoning By-law Amendment with respect to the comments of Mr. Scott pertaining to the proposed restriction on the location of attached garages. The revision clarifies the intent to require attached garages facing the lot line that the driveway crosses, to be recessed 1 m from the front wall of the house, in order to protect the mature neighbourhoods characterized by the visual prominence of the front door. This provision would not prevent the location of an attached garage in the front of the house in situations where the garage is not facing the lot line that the driveway crosses.

Richard Domes of 1 Thomas Court expressed concern with the proposed 15 percent maximum lot coverage (i.e. MN2 overlay) for larger HR1 and HR2 Zoned lots outside the original study area, and asked for consideration of a higher maximum lot coverage of 20 percent. He noted that future plans he has for his property may take the lot coverage to 15-17 percent, and that this would not result in a “monster home”.

Responses to these comments are provided in the Public Comments Matrix. In summary, existing lot coverages in the area proposed to be included in the MN2 overlay were examined, and were generally found to be below 13 percent, with more than half below 10 percent. Therefore a maximum lot coverage of 15 percent was considered to be an appropriate standard, which in the case of most lots would allow for some increase in the lot coverage (i.e. building footprint), while introducing a reasonable level of control. Minor increases beyond this maximum threshold could be evaluated through the minor variance process (i.e. Committee of Adjustment).

Drew Leverette provided a written submission identifying certain properties in Glen Williams that were not included in the mature neighbourhood overlays, and he was of the view should have been included. In addition, he noted that a few properties were in his view incorrectly zoned on the current approved zoning by-law schedule for Glen Williams.

Detailed responses with respect to the specific properties are included on the Public Comments Matrix. One revision to the zoning by-law amendment has been made to include two Hamlet Community Core (HCC) Zoned properties within the MN1 overlay, which were inadvertently not included. Changes to the current approved zoning boundaries for Glen Williams are beyond the scope of the Glen Williams Mature Neighbourhood Study. Further consideration of zoning boundaries would follow the upcoming Glen Williams Secondary Plan Review, scheduled to commence in 2019.

#### Interim Control By-law:

As Council is aware, By-law 2017-0070 was passed on November 27, 2017 under Section 38 of the Planning Act (Interim Control) to control the erection of, or addition to,

resulting in any large-scale single-detached dwellings for a period of one year, within a defined area of Glen Williams pending the completion of the Glen Williams Mature Neighbourhood Study. In May 2018, in order to maintain interim control until the anticipated completion of the Study, Council extended the Interim Control By-law by a period of 6 months from November 26, 2018 to May 27, 2019.

Council also established a process to consider exemptions from the Interim Control By-law (ICBL), restricting Gross Floor Area to a maximum 25 percent increase from the Gross Floor Area of any building that existed on the date of passage of the by-law, and a total of 3 exemptions were granted throughout the course of the study.

If, after consideration by Planning, Public Works and Transportation Committee, Council approves Official Plan Amendment No. 34 and the associated Zoning By-law Amendment on April 15, 2019, and no appeals of these amendments are filed within the 20-day appeal period, the amendments would be in place approximately one week before the expiry of the ICBL on May 27. Given the Council Meeting Calendar for May (i.e. May 6 and May 27), staff recommends that the ICBL be simply allowed to expire on May 27, rather than repeal the ICBL once the zoning by-law amendment is in force and effect.

If appeals of the Zoning By-law Amendment are received, the Planning Act specifies that the ICBL remains in force and effect, beyond the expiry date, unless Council repeals the ICBL, until the appeals of the associated Zoning By-law Amendment are resolved.

#### Glen Williams Work Plan:

The completion of the Glen Williams Mature Neighbourhoods Study fulfills the first part of the Glen Williams Work Plan approved by Council in June 2017 through Report P&I-2017-0066. The second part of the work plan is a scoped review of the Glen Williams Secondary Plan, to be commenced in 2019.

### **RELATIONSHIP TO STRATEGIC PLAN:**

#### **Town of Halton Hills Strategic Plan**

The Glen Williams Mature Neighbourhoods Study relates to Strategic Direction G: Achieve Sustainable Growth; the Goal to ensure that growth is managed so as to ensure a balanced, sustainable, well planned community that meets the needs of its residents and businesses; and in particular, Strategic Objective:

- G.7 To ensure that the character and stability of existing residential neighbourhoods is maintained when accommodating growth.

## **Town of Halton Hills Strategic Action Plan 2014-2018**

The Glen Williams Mature Neighbourhoods Study relates to Priority 3 (Planning for Growth) of Council's 2014-2018 Strategic Action Plan, and in particular, priority:

- 3.C Preserve the established character of stable neighbourhoods by focusing development in identified intensification areas, and utilizing 'best practices' in urban design for infill development.

### **FINANCIAL IMPACT:**

There is no financial impact associated with this report.

### **CONSULTATION:**

The preparation of the Official Plan and Zoning By-law Amendments outlined in this report involved consultation with Development Review and Zoning staff, as well as the Steering Committee comprised of Councillors, Glen residents and representatives of the Glen Williams Community Association and Heritage Halton Hills.

Region of Halton Planning was also consulted to obtain confirmation from the Chief Planning Official that Official Plan Amendment No. 34 is exempt from Region approval under Region By-law 18-99.

### **PUBLIC ENGAGEMENT:**

Notification to the public with respect to this matter was provided to all those on the project notification list, who had requested notice and/or attended previous public engagement events for the Study, including the March 5, 2019 Statutory Public Meeting and Drop-in Open House.

### **SUSTAINABILITY IMPLICATIONS:**

Although the Glen Williams Mature Neighbourhoods Study does not directly relate to the focus areas of the Integrated Community Sustainability Strategy, the Study sought to improve quality of life of Halton Hills residents by maintaining and enhancing the character and identity of mature neighbourhood areas and contributing to the small-town feel of Halton Hills. This Study's positive contribution to overall quality of life in the Town contributes to the achievement of the objectives of Imagine Halton Hills.

### **COMMUNICATIONS:**

The key project milestone dates and project documents are posted on the project webpage on the Town website. A 'Let's Talk Halton Hills' page is also used for communication to the public, and was used as a means of obtaining public input on draft options in Phase 2 of the project.

### **CONCLUSION:**

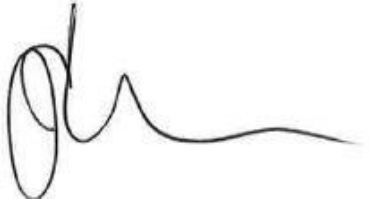
This report discusses the public comments received on the draft Official Plan Amendment and Zoning By-law Amendment to implement the recommendations of the



Glen Williams Mature Neighbourhood Study, which were the subject of a drop-in open house and statutory public meeting on March 5, 2019.

It is recommended that the final proposed Official Plan Amendment No. 34 and the associated Zoning By-law Amendment, attached as Schedules One and Two to this report, be approved.

Reviewed and Approved by,

A handwritten signature in black ink, appearing to be 'John Linhardt', with a stylized, flowing script.

**John Linhardt, Commissioner of Planning and Sustainability**

A handwritten signature in black ink, appearing to be 'Brent Marshall', with a stylized, flowing script.

**Brent Marshall, Chief Administrative Officer**

**OFFICIAL PLAN AMENDMENT NO 34**

**TO THE OFFICIAL PLAN FOR THE TOWN OF HALTON HILLS**

**PART A**      **THE PREAMBLE** does not constitute part of the Amendment.

**PART B**      **THE AMENDMENT**, consisting of the following text, constitutes  
Amendment No 34 to the Official Plan for the Town of Halton Hills.

**AMENDMENT NO 34 TO THE OFFICIAL PLAN  
OF THE TOWN OF HALTON HILLS**

The attached text constitutes Amendment No. 34 to the Official Plan of the Town of Halton Hills, which was adopted by the Council of the Town of Halton Hills in accordance with the provisions of the Planning Act, 1990. R.S.O., c. P.13, as amended;

THE CORPORATION OF THE TOWN OF HALTON HILLS

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MAYOR – R. Bonnette

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CLERK – S. Jones

## **PART A – THE PREAMBLE**

### **PURPOSE OF THE AMENDMENT**

The purpose of this Amendment is to implement the recommendations of the Glen Williams Mature Neighbourhood Study. This amendment addresses policies related to new housing, replacement housing, additions, alterations, and new or enlarged accessory buildings in the mature neighbourhoods of the Hamlet of Glen Williams.

### **LOCATION AND SITE DESCRIPTION**

The lands affected by this Amendment generally include certain lands within the Hamlet of Glen Williams, designated and zoned to permit single-detached dwellings. In particular, new policies specific to Mature Neighbourhood Areas, as delineated in the Comprehensive Zoning By-law 2010-0050, apply only to those areas within the Hamlet Community Core (HCC), Hamlet Residential 1 (HR1) and Hamlet Residential 2 (HR2) Zones, only within the Hamlet of Glen Williams.

### **BASIS OF THE AMENDMENT**

In November 2017, Council approved a Terms of Reference for a Mature Neighbourhood Character Study for the Hamlet of Glen Williams, and enacted an Interim Control By-law to restrict the size/scale of large scale residential rebuilds within defined areas of Glen Williams while the study was being undertaken.

The objectives of the study included:

- To define and establish boundaries for the mature neighbourhoods of Glen Williams;
- To identify and evaluate the unique qualities and characteristics of these areas, and key issues regarding large-scale residential rebuilds that are of concern to Glen residents;
- To develop options to maintain and enhance the distinct character of the mature neighbourhoods of Glen Williams;
- To develop and propose amendments to the Town's Comprehensive Zoning By-law, as necessary, which define and manage large-scale residential rebuilds in the Hamlet's mature neighbourhoods.

A three-phase study, guided by a Steering Committee comprised of Town Councillors, Glen Williams Community Association and Glen residents, was completed involving a walking tour, two public workshops and an open house/statutory public meeting.

The outcome of this process was a Recommendation Report which recommended changes to the Town Official Plan (Glen Williams Secondary Plan) and the Comprehensive Zoning By-law. This Official Plan Amendment is accompanied by an Amendment to the Comprehensive Zoning By-law, which together implement the recommendations of the Study.

## **PART B – THE AMENDMENT**

All of this part of the document entitled Part B – The Amendment, consisting of the following text, constitutes Amendment No. 34 to the Official Plan for the Town of Halton Hills.

### **DETAILS OF THE AMENDMENT**

The Official Plan for the Town of Halton Hills is amended as follows:

1. That Section H4 (Hamlet of Glen Williams Secondary Plan) of the Official Plan for the Town of Halton Hills is hereby amended by adding an objective to Section H4.2 – Objectives as follows:

“l) To maintain and enhance the character of Mature Neighbourhood Areas by ensuring that new housing, replacement housing, additions, alterations, and new or enlarged accessory buildings, are compatible, context sensitive, and respectful of the existing character of the neighbourhood.”

2. That Section H4 (Hamlet of Glen Williams Secondary Plan) of the Official Plan for the Town of Halton Hills is hereby amended by adding a new sub-section to Section H4.3 – General Policies as follows:

#### **“H4.3.13      Change in Mature Neighbourhoods**

Mature Neighbourhood Areas are those areas of Glen Williams characterized by older established residential development, either on smaller lots in the historic core, or on larger lots but with a distinct character in other older areas of the hamlet. These areas are delineated in the Zoning By-law.

New housing, replacement housing, additions, and alterations, and new or enlarged accessory buildings within Mature Neighbourhood Areas shall be permitted provided they are compatible, context sensitive, and respectful of the existing character of the neighbourhood.

The implementing Zoning By-law shall further detail appropriate standards for new housing, replacement housing, additions, and alterations to housing within Mature Neighbourhood Areas, including lot coverage, building height, and side yard setbacks amongst other standards.

Minor variances from the implementing Zoning By-law associated with new housing, replacement housing, additions, alterations, and new or enlarged accessory buildings, in Mature Neighbourhood Areas shall consider, where applicable:

- a) compatibility with existing building orientation and building setbacks;

- b) that the scale, massing, building height, and built form features are compatible with the existing character of the neighbourhood;
- c) the preservation of landscaped open space areas and the protection of existing trees; and,
- d) that impacts on adjacent properties are minimized.”



**BY-LAW NO. 2019- #####**

A By-law to amend the Town of Halton Hills Comprehensive Zoning By-law 2010-0050, as amended to implement the recommendations of the Glen Williams Mature Neighbourhood Study.

**WHEREAS** Council is empowered to enact this By-law by virtue of the provisions of Section 34 of the Planning Act, R.S.O. 1990, as amended;

**AND WHEREAS** upon the approval of Official Plan Amendment No 34, the matters set out herein are in conformity with the Town of Halton Hills Official Plan;

**NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF HALTON HILLS ENACTS AS FOLLOWS:**

1. **THAT** PART 9 – NON-URBAN ZONES, Section 9.3 – ZONE STANDARDS of Zoning By-law 2010-0050 as amended, is hereby further amended as follows:

**ZONE STANDARDS**

No person shall within any Non-Urban Zone *use* or permit the *use* of any *lot* or *erect, alter, use* any *building* or *structure* except in accordance with the following *Zone* standards. The standards applicable to the Hamlet of Glen Williams are contained in Table 9.3. A number(s) following the *Zone* standard, *Zone* heading or description of the standard, indicates an additional *Zone* requirement. These additional standards are listed at the end of Table 9.2 and Table 9.3, below:

2. **THAT** Part 9 – NON-URBAN ZONES, Section 9.3 – ZONE STANDARDS, of Zoning By-law 2010-0050 as amended, is hereby further amended by adding a new Table 9.3 – Standards for Non-Urban Zones in the Hamlet of Glen Williams as follows:

**Table 9.3 – Standards for Non-Urban Zones in the Hamlet of Glen Williams**

ZONE	Minimum Lot Frontage	Minimum Lot Area	Minimum Required Front Yard	Minimum Required Rear Yard	Minimum Required Interior Side Yard	Minimum Required Exterior Side Yard	Maximum Height	Maximum Lot Coverage
HR1	30,0m	0.2ha	4.5m (5)	7.5m	2.25m	4.5m(5)	9.0m	N/A
HR1(MN1)	30.0m	0.2ha	4.5m (3)	7.5m	2.25m(1)(2)	4.5m(5)	9.0m	35% for 1 and 1.5 storeys and 30% for 2 and 2.5 storeys(4)(6)
HR1(MN2)	30.0m	0.2ha	4.5m (5)	7.5m	2.25m	4.5m(5)	9.0m	15% (4)
HR2	30.0m	0.4ha	7.5m	7.5m	4.5m	7.5m	9.0m	N/A
HR2(MN2)	30.0m	0.4ha	7.5m	7.5m	4.5m	7.5m	9.0m	15% (4)
HCC(MN1)	30.0m	0.2ha	4.5m (3)	7.5m	2.25m(1)(2)	4.5m(5)	9.0m	35% for 1 and 1.5 storeys and 30% for 2 and 2.5 storeys(4)(6)

**SPECIAL PROVISIONS**

1. The minimum *interior side yard* is 2.25m for the first storey, plus an additional 1.2m for each full storey above the first storey. A balcony or deck shall not be permitted on the second floor of the interior side yard elevations of any two storey dwelling.
  2. For existing lots with lot frontages of less than 18 metres, the existing minimum *interior side yard* for *single detached dwellings* existing prior to the passing of the by-law shall be permitted.
  3. For dwellings with attached *private garages*, the wall of the *private garage* facing the *lot line* the *driveway* crosses to access the *private garage* must be recessed by at least 1 m from the main wall of the house facing that same *lot line*.
  4. Detached *rear yard* garages are exempt from the maximum *lot coverage* provisions of this by-law.
  5. The wall of the *private garage* facing the *lot line* the *driveway* crosses to access the *private garage* is to be located no closer than 5.5 metres from that *lot line*.
  6. Applicable only to *single-detached dwellings*.
3. **THAT** Schedule A19 of Zoning By-law 2010-0050 as amended, is further amended as shown on Schedule '1' to of this by-law, to add MN1 and MN2 Zone overlays.

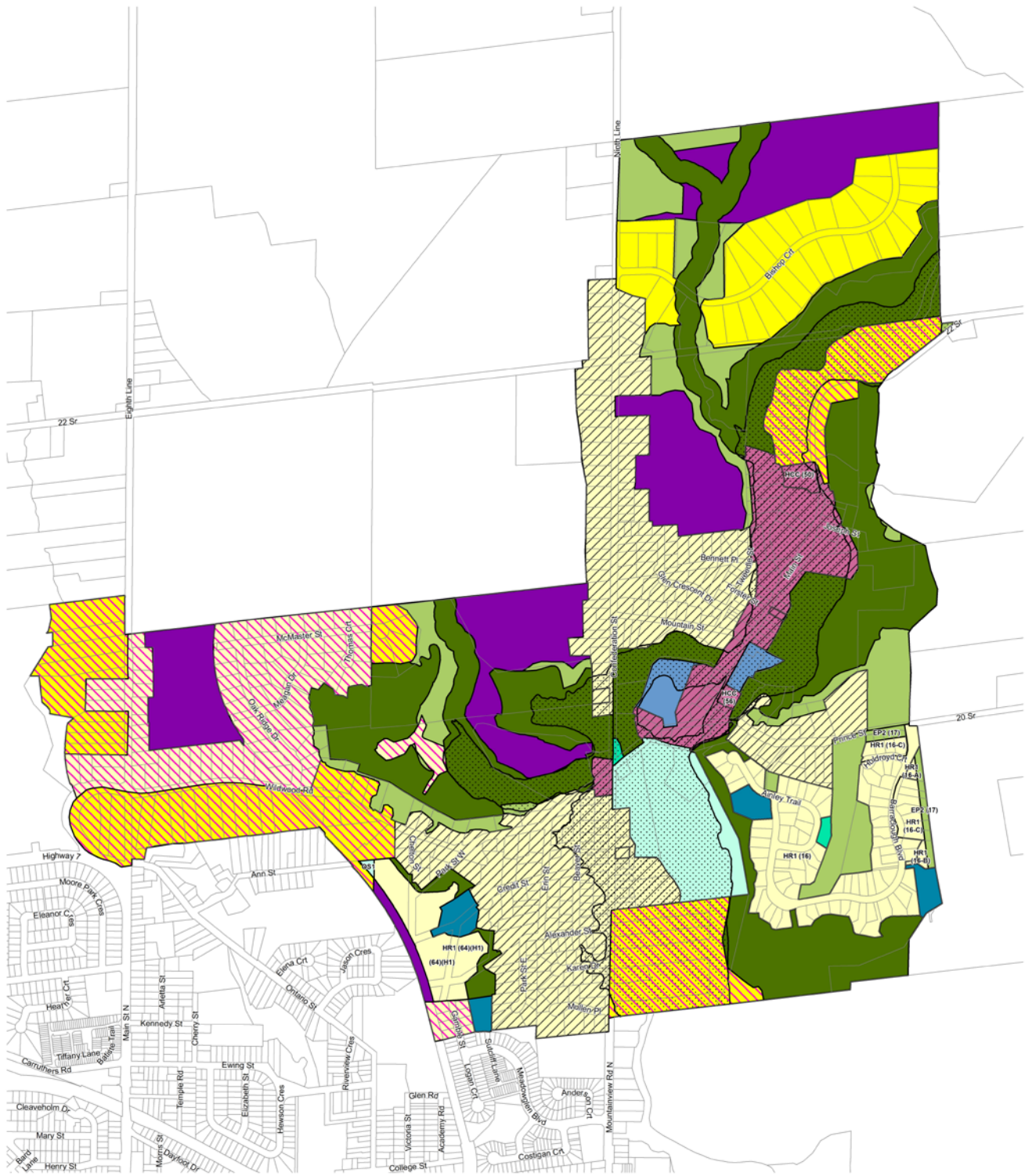
BY-LAW read and passed by the Council for the Town of Halton Hills this XX day of April, 2019

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MAYOR – Rick Bonnette

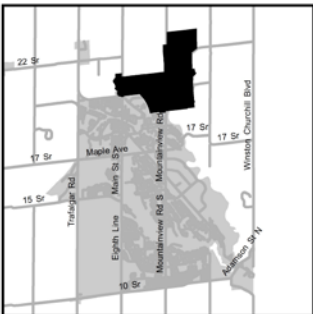
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TOWN CLERK – Suzanne Jones



Schedule ‘1’ to By-law 2019-####



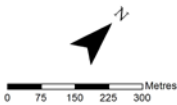
- |                                   |                             |                            |
|-----------------------------------|-----------------------------|----------------------------|
| Holding Provision, H5             | Hamlet Community Core, HCC  | Open Space One, OS1        |
| Development, D                    | Hamlet Institutional, HI    | Open Space Two, OS2        |
| Environmental Protection One, EP1 | Hamlet Residential One, HR1 | Open Space Three, OS3      |
| Environmental Protection Two, EP2 | Hamlet Residential Two, HR2 | Mature Neighbourhood (MN1) |
|                                   |                             | Mature Neighbourhood (MN2) |



Document Name: A19-GlenWilliams\_MNZoningFeb2019



TOWN OF HALTON HILLS ZONING BY-LAW



**SCHEDULE A19**  
**GLEN WILLIAMS**  
**TO ZONING BY-LAW 2010-0050**

Schedule Three to PLS-2019-0028:  
**Comments Matrix**

	<b>Comment</b>	<b>Response</b>
Wayne Scott, 15 Credit Street	<p><b>Background</b></p> <p>Unfortunately I was not able to participate in the neighbourhood walking tour. I did participate in all the other elements of the Study asking questions of clarification and offering comments which I presume that Town staff and its Consultant considered along with all other input. I attempted to not repeat what I offered earlier.</p> <p>The extemporaneous comments shared with Council were based solely on the documents posted on the Town website.</p> <p>The terrain and history of construction throughout the Glen created situations that make it unreasonable to apply "flat land" zoning provisions to direct changes to all existing buildings. For example, minimum front yard provisions prevent owners of buildings adjacent the road allowance from making any changes (unless they invest money and time to go through the Committee of Adjustment and are successful).</p>	<p><b>Comment noted.</b> The Town did not examine, nor is proposing any changes to, the minimum front yard provisions of the Comprehensive Zoning By-law, through this study.</p>
	<p><b>Bottom Line</b></p> <p>If Council implements the proposed changes to the Glen Williams Official Plan and the Zoning Bylaw it will effectively discourage the construction of huge homes on existing lots within the defined areas of Glen Williams.</p>	<p><b>Comment noted.</b> It is the purpose of the proposed changes to setback, height and lot coverage in the mature neighbourhood areas to appropriately restrict large home rebuilds.</p>
	<p>Currently there is no trigger to more restrictive requirements based on the amount of any proposed increase of floor space (e.g. increase of more than 20%);</p>	<p><b>Comment noted.</b> Agreed.</p>

Schedule Three to PLS-2019-0028:  
**Comments Matrix**

	hence, for large properties if the new setback, height and coverage provisions are met then only the building code provisions apply.	
	But the new provisions also create problems for current Glen home owners who wish to make small changes to their home when current structure are legal non-conforming from the zoning setbacks (except where relief is provided in proposed special provision 2 set out in the draft bylaw addressing lot frontages less than 18 meters which have relief from side yard setback).	<b>Comment noted.</b> The Town analysis was based on the principle of not creating significant non-complying situations through the new zoning regulations, and in achieving a balance between flexibility and an appropriate level of control over large home rebuilds. As noted, for lots with less than 18 m of frontage, the new side yard setback would not apply. For other unique situations, relief can be sought through the minor variance process at the Committee of Adjustment.
	In my situation, for 15 Credit Street, a corner lot, the Front Yard is defined as Erin Street, but Erin Street is many feet below the property boundary and thus while it is practical to build a garage <i>in front of the home</i> , with the current access from Credit Street, it will not permitted.	<b>Comment noted.</b> A revision has been made to the special provisions in the zoning by-law amendment to clarify the intent of requiring attached garages <u>facing the lot line which the driveway crosses</u> to be recessed at least 1 metre from the front wall of the house, in order to preserve the prominence of the front door vista characteristic of the hamlet. However, this does not prevent the location of a garage in front of the house if it is not facing the lot line in which the driveway crosses (i.e. the view from the street is of the side wall of the garage).

Schedule Three to PLS-2019-0028:  
**Comments Matrix**

	<p><b>Recommended Actions</b></p> <p>The Town should notify Glen home owners when the rough evaluation carried out in support of the new standards shows that the Monster Home provisions change their property status to non-conforming (legal).</p> <p>There should be further assessment of the impact of application of the new provisions to existing corner lot properties, particularly for properties with significant elevations over the lot.</p>	<p><b>Comment noted.</b> The study did not conduct an analysis of every lot in Glen Williams. Certain areas were examined and certain types of lots were modeled to assess the impact of the proposed new provisions.</p> <p>The consultant team has examined, in consultation with Town staff, the impact of the new zoning provisions on corner lots in Glen Williams, and in general, while there may be specific situations in which replacement housing on corner lots may require a minor variance to the zoning by-law, these situations generally already existed, and have not been exacerbated by the proposed new zoning provisions.</p>
	<p>As I was informed at the Public Meeting, the Provincial Planning Act ensures that owners are able to rebuild their homes. It seems counterproductive for the Town to not recognize this reality within the Secondary Plan and Glen Zoning provisions, particularly for the owner suffering a catastrophic loss who wants to construct a duplicate of the lost structure.</p>	<p><b>Comment noted.</b> The Planning Act contains language that permits the replacement of a dwelling unit on the same building footprint (regardless of non-compliance with the in force zoning by-law) in the case of catastrophic loss/fire.</p> <p>The Town's Comprehensive Zoning By-law 2010-0050 contains similar language in Section 4.18, which applies to all zones within Glen Williams, and would permit replacement of a dwelling unit provided non-compliance with the zoning by-law is not increased (i.e. building occurs on the same building footprint).</p>

Schedule Three to PLS-2019-0028:  
**Comments Matrix**

<p>Richard Domes, 1 Thomas Court</p>	<p>I am writing today as the resident of 1 Thomas Court in Glen Williams. As a resident I have a direct interest in the Glen Williams Mature Neighbourhoods Study and associated draft Official Plan and Zoning By-law Amendments being presented at tonight's public meeting.</p> <p>By way of background my wife and I purchased the property in 2017 with the intent of improving the property with modest building additions to "round out" and regularize the dwelling's north and south side yards. Currently, my dwelling is one of the smallest in the immediate neighbourhood consisting of Oak Ridge, McMaster, Meagan and Thomas. As you can appreciate our aspirations for our home will take some time to realize. Given our vision for our home I have a particular interest in the proposed lot standards proposed to be advanced in the Town's proposed amendments, particularly those of lot coverage and yard setbacks.</p> <p>According to the draft implementing documents, as currently advanced, my property is proposed to be Zoned HR1 (MN2), which would revise the lot coverage requirement from 'N/A' as currently advanced in the present Zoning By-law to a maximum coverage of 15%, as proposed. Given my particular situation this conflicts with my ultimate vision for the property which would add building coverage to the north and south side yards while maintaining all existing minimum side yard setbacks. My preliminary estimate is a (lot) coverage of between 15 – 17% would be required; slightly above what is currently being recommended and in my opinion would not represent a "monster home" that the Town is seeking to avoid.</p>	<p><b>Comment noted.</b> When selecting 15% as the appropriate maximum lot coverage to be applied to the MN2 overlay (i.e. larger lots zoned HR1 and most lots zoned HR2), a lot coverage analysis was done, and in the Oak Ridge/McMaster/Meagan/Thomas neighbourhood over 90 percent of the lots had an existing lot coverage below 13%, with more than half having a lot coverage below 10%. Therefore a maximum lot coverage of 15 percent was considered to be an appropriate standard, which in the case of most lots would allow for some increase in the lot coverage (i.e. building footprint), while introducing a reasonable</p>
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Schedule Three to PLS-2019-0028:  
**Comments Matrix**

		level of control. Minor increases beyond this maximum threshold could be evaluated through the minor variance process (i.e. Committee of Adjustment).
	<p>I would ask that prior to bringing the draft implementing documents to Council for final ratification that the following concern be addressed by Town Staff:</p> <ul style="list-style-type: none"> <li>What planning rationale has been advanced that determined that lots proposed to be Zoned HR1 (MN2) be limited to a coverage of 15% rather than a slightly larger number of 20%?</li> </ul>	<b>See response above.</b>
	It seemed that residents consulted during the public process had suggested a lot coverage of 20-30% as being appropriate, which does not correspond with what the Town is currently advancing, and is quite different to the lot coverages of up to 30% and 35% for lots proposed to be Zoned HR1 (MN1).	The lot coverage range of 20 to 30% was for the original study area comprising the smaller lots in the core of Glen Williams. This higher lot coverage is not considered appropriate for much larger hamlet residential lots.
	On separate but related matters I also seek further clarification as to why the Town has chosen to exclude the proposed Eden Oak development lands at the west terminus of McMaster Court/Meagan Drive from the limits of the proposed implementing documents.	The Eden Oak development lands, and all properties zoned D (Development) in Glen Williams are generally vacant properties with development potential, rather than mature neighbourhood areas. D Zoned properties permit only existing uses and require a re-zoning process in which appropriate zoning regulations supported by technical studies, and subject to public input, can be determined.

Schedule Three to PLS-2019-0028:  
**Comments Matrix**

Drew Leverette, GWCA	<p><b>Wildwood Rail Trail - concern: Incorrect Zoning</b> The trail from Wildwood Road to the Glen Boundary near Gamble St. has been zoned in 3 different ways - why? I believe that the rail trail is considered Open Space (OS) and should be shown as such. Most problematic is the assignment of the colour purple for Development (D) on the portion of the trail from Ann St. to Gamble St. I believe this identified purple stretch should be re-coloured and assigned some form of Open Space (OS) zoning, or at least Hamlet Residential 1 (HR1)</p>	<p><b>Comment noted.</b> The Wildwood Rail Trail in this location is in public ownership and could therefore be placed in an Open Space, or Hamlet Residential 1 zone. This matter will be addressed through a future housekeeping amendment to the Comprehensive Zoning By-law.</p>
	<p><b>3 Wildwood Road (Taylor) &amp; 60 Confederation St (Preston's Food Mart) - concern: Mature Neighbourhood 1 overlay Zoning missing</b> This rectangle of the Hamlet Commercial Corridor (HCC) found west of Confederation St. and bisected by Wildwood Road should also be identified with the cross hatching of Mature Neighbourhood (MN1). The 3 Wildwood Road (Taylor) property is north of Wildwood and contains a private residence, while the 60 Confederation St (Preston's Food Mart) property is south of Wildwood and contains a commercial store. These properties need the MN1 zoning overlay.</p>	<p><b>Comment noted.</b> The final schedule to the Zoning By-law amendment has been revised to show the MN1 overlay on the HCC Zoned properties at 3 Wildwood Road and 60 Confederation Street.</p>
	<p><b>17 Wildwood Road - concern: Incorrect Zoning</b> Should not the portion of this 17 Wildwood Road lot that has been developed and shown as yellow Hamlet Residential, be zoned HR2/MN2? The size of the yellow portion on this lot would suggest that it is large enough to be considered Hamlet Residential 2, not Hamlet Residential 1.</p>	<p><b>Comment noted.</b> This study does not propose changes to the boundaries of the HR1 and HR2 Zones in Glen Williams. As noted, the MN2 overlay has been applied to the subject property, thereby extending mature neighbourhood zoning provisions to the property.</p>

	<p><b>7 Wildwood Road (residential) &amp; 9 Wildwood Road (light industrial/commercial) - concern: Incorrect Zoning, showing purple Development (D)</b></p> <p>Although sometimes referred to by two postal addresses, I believe that this land is one lot of approx. 11.3 acres with a mixed use designation. The lower level (#9) abutting Wildwood Road was industrial, and more recently rezoned Environmental Protection One (EP1, with existing uses grandfathered. The upper level (#7) has contained a home for 40+ years, with a rebuild house placed there in the last 4 years.</p> <p>- I believe that the 7 Wildwood Road home is sitting in the purple Development (D) portion of the property, not the green Environmental Protection One (EP1) zone. Can you please confirm the zone location of this home?</p> <p>- Similar to the example of 17 Wildwood Road (Pilutti), the 7 Wildwood Road acreage contains one erected home already and the land is therefore developed. Like 17 Wildwood Road, should not this portion of 7 Wildwood be zoned yellow HR2/MN2 and not purple Development (D)? Why is a purple Development (D) section shown on this property?</p>	<p>The upper portion of the 7 Wildwood Road property is located within the D Zone, while the lower portion is zoned Environmental Protection 1 (EP1).</p> <p>At the time of the previous Glen Williams Secondary Plan Review, this property was considered to have development potential and was therefore placed in the D Zone. The Glen Williams Mature Neighbourhood Study was focused on large home rebuilds. The appropriateness of the land use designation (and implementing zoning) for this property can be examined through the review of the Glen Williams Secondary Plan to be commenced in 2019.</p>
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## REPORT

**REPORT TO:** Chair and Members of the Planning, Public Works, and Transportation Committee

**REPORT FROM:** Matt Roj, Traffic Coordinator

**DATE:** March 29, 2019

**REPORT NO.:** TPW-2019-0005

**RE:** Uniform Traffic Control By-law 84-1 – Schedule Updates

### RECOMMENDATION:

THAT Report No. TPW-2019-0005, dated March 29, 2019 regarding the Uniform Traffic Control By-law 84-1 – Schedule Update, be received;

AND FURTHER THAT the amendments to the listed Schedules of the Uniform Traffic Control By-law No. 84-01, be adopted by Council.

### BACKGROUND:

The purpose of this report is to update the Uniform Traffic Control By-law (UTCB) 84-01 schedules based on the results of various traffic studies, reviews, and public consultation which require regulatory amendments to the UTCB 84-01.

Report No. ADMIN-2019-0007 regarding Boulevard Parking matters indicated that a consolidated Uniform Traffic Control By-law which will include a fulsome review of all parking provisions within the Town's road allowance would be initiated in the fall of 2019.

### COMMENTS:

#### Parking/Stopping

1. Atwood Avenue, addition of No Parking zone on the east side from Princess Anne Drive to Berton Boulevard.
2. Berton Boulevard, addition of No Parking zone on the north side from Atwood Avenue to Trafalgar Road (Reg. Rd. 3).
3. Barber Drive (West), addition of No Parking zone on the east side from 10 Side Road (Regional Road 10) to Mountainview Road South.

4. Upper Canada Court, addition of No Parking zone on the north side from a point 41m west of Ridgeway Crescent (West) to a point 92m west of Ridgeway Crescent (West).
5. Upper Canada Court, addition of No Parking zone on the south side from a point 58m east of McFarlane Drive to a point 82m east of McFarlane Drive.
6. Upper Canada Court, addition of No Parking zone on the south side from a point 266m east of Ridgeway Crescent (East) to a point 328m east of Ridgeway Crescent (East).
7. Church Street East, deletion of No Parking zone on the south side from Willow Street South to Main Street South.
8. Church Street East, deletion of No Parking zone on the south side from Frederick Street South to Maria Street.
9. Church Street East, deletion of No Parking zone on the south side from Eastern Avenue to a point 32 west of Eastern Avenue.
10. Church Street East, addition of No Parking zone on the south side from Main Street South and Eastern Avenue.
11. McDonald Boulevard, deletion of No Parking zone on the north side from Division Street to a point 60m east of Division Street.
12. McDonald Boulevard, deletion of No Parking zone on the north side from Acton Boulevard (West) to a point 70m east of Acton Boulevard (West).
13. McDonald Boulevard, addition of No Parking zone on the north side from Wallace Street to Churchill Road North.
14. Ridgeway Crescent (East), addition of No Stopping zone on the west side from a point 53m south of Upper Canada Court to a point 80m south of Upper Canada Court.
15. Ridgeway Crescent (East), addition of No Stopping zone on the southwest side from a point 190m south of Upper Canada Court to a point 214m south of Upper Canada Court.
16. Faludon Drive, addition of No Stopping zone on the west side from Comset Gate to a point 110m north of Comset Gate.

## **School Bus Loading Zones**

1. Faludon Drive, deletion of School Bus Loading Zone on the west side from a point 110m north to a point at south extension of Comset Gate.
2. Faludon Drive, addition of School Bus Loading Zone on the west side from Comset Gate to a point 110m north of Comset Gate.

## **Parking for Restricted Times – Permissive Signs on Display**

1. Sierra Crescent, addition of 12-hour Permissive Parking Zone on the west side from a point 15m south of Fengate Lane to a point 75m of Fengate Lane.

## **Heavy Traffic Prohibited**

1. Sixth Line, addition of No Heavy Truck Prohibition from 5 Side Road to Steeles Avenue (Regional Road 8).

## **RELATIONSHIP TO STRATEGIC PLAN:**

The application of traffic and parking regulations is an operational matter.

## **FINANCIAL IMPACT:**

The cost to implement the number of regulatory traffic signing installation/alterations can be accommodated within approved budgets.

## **CONSULTATION:**

The proposed UTCB 84-01 schedule amendments are the result of consultation with the Town's Ward Councillors and public.

## **PUBLIC ENGAGEMENT:**

Public engagement was undertaken based on individual projects, as required.

## **SUSTAINABILITY IMPLICATIONS:**

The Town is committed to implementing our Community Sustainability Strategy, Imagine Halton Hills. Doing so will lead to a higher quality of life.

The recommendation outlined in this report advances the Strategy's implementation.

This report supports the Social Well-being pillar of Sustainability and in summary the alignment of this report with the Community Sustainability Strategy is good.

## **COMMUNICATIONS:**

There is no communications impact associated with this report.

**CONCLUSION:**

Identified UTCB schedule amendments are hereby recommended for adoption by Council within the Uniform Traffic Control By-law No. 84-01 schedules. Should Council approve the proposed UTCB schedule amendments, staff will prepare an amending By-law to update the Uniform Traffic Control By-law No. 84-01 schedules.

In the fall of 2019, staff will initiate the consolidation of the Uniform Traffic Control By-law which will include a detailed review of all parking provisions within the Town's road allowance. This review will ensure that all safety and liability concerns are adequately addressed.

Reviewed and Approved by,

A handwritten signature in black ink, appearing to read "Maureen Van Ravens".

**Maureen Van Ravens, Manager of Transportation**

A handwritten signature in black ink, appearing to read "C. Mills".

**Chris Mills, Commissioner of Transportation and Public Works**

A handwritten signature in black ink, appearing to read "Brent Marshall".

**Brent Marshall, Chief Administrative Officer**

## REPORT

**REPORT TO:** Chair and Members of Planning, Public Works and Transportation Committee

**REPORT FROM:** Teri Hoey, Supervisor of Construction

**DATE:** March 5, 2019

**REPORT NO.:** TPW-2019-0009

**RE:** Award of Tender T-011-19 for the Armstrong Avenue Reconstruction Phase 2

### RECOMMENDATION:

THAT Report No. TPW-2019-0009, dated March 5, 2019, regarding Award of Tender T-011-19 for Armstrong Avenue Reconstruction Phase 2, be received;

AND FURTHER THAT Pacific Paving Limited, 5845 Luke Road, Suite 204, Mississauga, Ontario, L4W 2K5, be awarded Tender T-011-19 at a total price of \$2,630,354.75 (plus applicable taxes);

AND FURTHER THAT Council authorizes the Mayor and Clerk to execute the necessary Contract document for this project.

### BACKGROUND:

In 2017, Armstrong Avenue Reconstruction Phase 1, Mountainview Road to Sinclair Avenue was successfully completed. The proposed 2019 work is the final of two phases, which will see Armstrong Avenue reconstructed in its entirety by the end of 2019. The work for Phase 2, Sinclair Avenue to Guelph Street, reconstruction encompasses the installation of a storm water treatment unit, storm sewers, multi-use pathway, curb installation, grading, excavation, new asphalt, line painting, and associated restoration works.

The Town completed a Municipal Class Environmental Assessment (EA) study, Schedule A+ in 2015, to determine the best design alternative to address the rehabilitation of Armstrong Avenue from Mountainview Road North to Guelph Street. The scope of this study was to develop a consistent cross section for Armstrong Avenue, accommodate site traffic and access requirements, and provide active transportation facilities.

The continuation of a multi-use path is proposed on the north side of Armstrong Avenue which will complete the connectivity of this facility. This path supports the Town's Active Transportation initiatives and allows for safe pedestrian movement along the corridor to a controlled crossing.

The Town's consultant is working with CVC to obtain the required permit for the proposed work. Attachment A depicts a location map with the extent of the proposed work.

#### **COMMENTS:**

Staff issued Tender T-011-19 on February 14, 2019. Bids were posted on the Town's website and advertised on the Bids and Tenders website. A total of thirty two (32) bid documents were downloaded and ten (10) bids were received. The tenders closed on March 7, 2019.

Bids were received as follows:

<b>Contractor</b>	<b>Subtotal</b>	<b>HST</b>	<b>Total</b>
Pacific Paving Limited	\$ 2,630,354.75	\$ 341,946.12	\$2,972,300.87
Gazzola Paving Limited	\$ 2,940,000.00	\$ 382,200.00	\$3,322,200.00
Wyndale Paving Co. Ltd.	\$ 2,942,889.95	\$ 382,575.69	\$3,325,465.64
Graham Bros. Construction Limited	\$ 2,997,663.88	\$ 389,696.30	\$3,387,360.18
PAVE-AL LIMITED	\$ 3,104,283.00	\$ 403,556.79	\$3,507,839.79
Royal Ready Construction Limited	\$ 3,185,741.50	\$ 414,146.40	\$3,599,887.90
New-Alliance Ltd.	\$ 3,194,682.00	\$ 415,308.66	\$3,609,990.66
Nabolsy Contracting Inc.	\$ 3,230,549.18	\$ 419,971.39	\$3,650,520.57
Mar-King Construction Company Ltd.	\$ 3,234,691.77	\$ 420,509.93	\$3,655,201.70
King Paving & Construction Company	\$ 3,528,467.00	\$ 458,700.71	\$3,987,167.72

Staff have had discussions with Pacific Paving Limited to confirm their ability to provide the required resources to successfully deliver this Contract and Pavement Management Part A for the Town in 2019. We reviewed in detail the overlap of their operations and

their ability to complete within the constraints of the contract. Pacific Paving Limited has assured staff of their ability and will provide the resources to complete the works.

## RELATIONSHIP TO STRATEGIC PLAN:

The recommendations of this Report directly support the following Strategic Directions, Goals and Objectives of the Town of Halton Hills Strategic Plan:

G – Provide Sustainable Infrastructure and Services.

G.1 To provide infrastructure and services that meets the needs of our community in an efficient, effective and environmentally sustainable manner.

## FINANCIAL IMPACT:

The bid submitted by Pacific Paving Limited is being recommended as it meets or exceeds the specifications in all regards.

Funds from the approved budget are allocated for hydro relocations required for the project and street lighting requirements along the Phase 2 portion of Armstrong Avenue to be completed following this Contract.

Due to the complexity of the project and possible impacts to local businesses, a 10% project contingency is being recommended to address potential additional project needs that may occur beyond the original scope of the Contract.

The following summarizes the financial impact including non-refundable HST:

	Total
2017 Phase 1 Remaining Budget (As of December 31, 2018)	\$1,172,367.37
2019 Phase 2 Approved Budget	\$2,750,000.00
<b>Sub Total</b>	<b>\$3,922,367.37</b>
Tendered Amount	(\$2,676,648.99)
Outstanding Engineering costs	(\$36,190.94)
CCTV of Storm Sewer	(\$4,070.40)
Material Testing	(\$15,264.00)
CVC Permits	(\$2,035.20)
Nonrefundable Hydrant Relocation Permits	(\$5,405.70)
Hydro Relocate Estimate	(\$7,849.18)
Street Lighting Estimate	(\$20,352.00)
Contingency	(\$270,000.00)
<b>Balance</b>	<b>\$884,550.96</b>

The project is therefore under budget.

**CONSULTATION:**

The Manager of Accounting and Town Treasurer is in agreement with this recommendation.

The Manager of Purchasing is in agreement with this recommendation.

The Manager of Transportation is aware of this report.

**PUBLIC ENGAGEMENT:**

The Town's Consultant and staff held a Public Information Centre (PIC) on December 5, 2018. The PIC was attended by eight (8) persons. The general consensus from the PIC was positive, with the plans as presented. Staff also met with some businesses individually regarding the affect to their specific location/operation and their concerns were able to be addressed by altering the plans to modify the previously existing conditions.

**SUSTAINABILITY IMPLICATIONS:**

The Town is committed to implementing our Community Sustainability Strategy, Imagine Halton Hills. Doing so will lead to a higher quality of life. The relationship between this report and the Strategy is summarized below:

The recommendation outlined in this report advances the Strategy's implementation.

The Armstrong Avenue Reconstruction supports two pillars of sustainability by providing economic prosperity through infrastructure renewal and provides social well-being by providing reliable transportation. The alignment of this Report with the Community Sustainability Strategy is good.

**COMMUNICATIONS:**

The Roads 2019 Information Package was provided to the Mayor and Members of Council by email on February 7, 2019. This package illustrates the 2019 works, and includes the specific areas slated for road renewal, plans for notifying residents/businesses of the scheduled works, and customer service protocol. Notice of Construction letters will be hand-delivered to affected businesses and property owners. Additional notices will be issued to businesses and property owners informing them of any delays in the work.

Staff have had discussions with Pacific Paving Limited to confirm resources, scheduling and the Town's expectations toward customer service. In addition, the Mayor will be invited to the initial start-up meeting. Town staff will work closely with Pacific Paving Limited to ensure the work is carried out in accordance with the Contract Document and with as little disruption to the local traffic, as possible.




Armstrong Avenue will be open to one lane of traffic at all times during construction. All emergency services will be notified of the project.

**CONCLUSION:**

The bid document submitted by Pacific Paving Limited meets or exceeds our specifications in all regards. Staff recommends Council Award Tender T-011-19 for Armstrong Avenue Phase 2 Reconstruction, including any contingency work, if required, to the upset limit recommended, to Pacific Paving Limited, and that the Mayor and Clerk execute the Contract.

Reviewed and Approved by,

A handwritten signature in cursive script, reading "Simone Gourlay".

**Simone Gourlay, Manager of Purchasing**

A handwritten signature in cursive script, reading "W. Andrews".

**Bill Andrews, Director of Engineering**

A handwritten signature in cursive script, reading "C. Mills".

**Chris Mills, Commissioner of Transportation and Public Works**

A handwritten signature in cursive script, reading "Brent Marshall".

**Brent Marshall, Chief Administrative Officer**

# Armstrong Ave. Phase 2



## REPORT

**REPORT TO:** Chair and Members of the Planning, Public Works and Transportation Committee

**REPORT FROM:** Teri Hoey, Supervisor of Construction

**DATE:** March 11, 2019

**REPORT NO.:** TPW-2019-0010

**RE:** Award of Tender T-012-19 for the Pavement Management Program Part A and  
Award of Tender T-013-19 for the Pavement Management Program Part B and 5 Side Road Resurfacing

### RECOMMENDATION:

THAT Report No. TPW-2019-0010, dated March 11, 2019, regarding Award of Tender T-012-19 for the Pavement Management Program Part A and Award of Tender T-013-19 for the Pavement Management Program Part B and 5 Side Road Resurfacing, be received;

AND FURTHER THAT Pacific Paving Limited, 5845 Luke Road, Suite 204, Mississauga, Ontario, L4W 2K5, be awarded Contract No. T-012-19, Pavement Management Part A, at a total amount of \$547,237.22 (plus applicable taxes);

AND FURTHER THAT Gazzola Paving Limited, 529 Carlingview Drive, Toronto, Ontario, M9W 5H2, be awarded Contract No. T-013-19, Pavement Management Part B and 5 Side Road Resurfacing, at a total amount of \$894,656.80 (plus applicable taxes);

AND FURTHER THAT Council authorizes the Mayor and Clerk to execute the necessary contract documents for this project.

### BACKGROUND:

The Pavement Management Program is comprised of minor reconstructions, road resurfacing, curb replacement or repairs, minor storm sewer repairs, and associated restoration.

In 2013, Council received Report No. INF-2013-0040 entitled Reconstruction Options for 5 Side Road. This report summarized the reconstruction options to help maintain the roadway to a useable and satisfactory state, and allow provision for cycling. A phased approach to a pavement rehabilitation plan was recommended with the initial phase consisting of micro-surfacing the majority of the 9.0 km over the next four years. This treatment provides a uniform and safe surface for vehicles and cyclists. Staff was directed to update the Capital Forecast to reflect the recommended 5 Side Road reconstruction options, as outlined in the report. This section of 5 Side Road between Trafalgar Road and Winston Churchill Boulevard represents the final phase of the proposed resurfacing.

The 2019 Pavement Management Program with the 5 Side Road Resurfacing has been tendered as two separate contracts. Due to the locations and the quantity of the work within the 2019 program, the program was separated into two contracts in order to enable the completion of both projects during the 2019 construction season. This approach should allow the program to start in two locations simultaneously with the intention to complete the entire program in 2019. Refer to Attachments A and B.

#### **COMMENTS:**

The proposed work on 5 Side Road from east of Trafalgar Road to Winston Churchill Boulevard includes resurfacing, shouldering, and pavement marking. Public Works will perform maintenance work on several culverts in the affected areas, and will place asphalt in areas in need of localized improvements prior to the micro-surfacing application.

Staff issued Tender T-012-19 Pavement Management Part A on February 12, 2018. Bids were posted on the Town's website and advertised on the bids and tenders website. A total of nineteen (19) plan takers and ten (10) bids were received. The tenders closed on March 5, 2019. Bids were received as follows:

<b>Contractor</b>	<b>Subtotal</b>	<b>HST</b>	<b>Total</b>
Pacific Paving Limited	\$547,237.22	\$71,140.84	\$618,378.06
C. Valley Paving Ltd.	\$572,679.51	\$74,448.34	\$647,127.85
Wyndale Paving Co. Ltd.	\$593,523.42	\$77,158.05	\$670,681.47
Ipac Paving Ltd.	\$610,980.85	\$79,427.51	\$690,408.36
Gazzola Paving Limited	\$644,098.76	\$83,732.84	\$727,831.60
Associated Paving & Materials Ltd.	\$688,365.50	\$89,487.52	\$777,853.02
Graham Bros. Construction Limited	\$696,194.60	\$90,505.30	\$786,699.90
Capital Paving Inc.	\$730,990.60	\$95,028.78	\$826,019.38
PAVE-AL LIMITED	\$766,491.51	\$99,643.90	\$866,135.41
Serve Construction Ltd.	\$849,017.01	\$110,372.21	\$959,389.22

Staff issued Tender T-013-19, Pavement Management Part B and 5 Side Road Resurfacing on February 26, 2019. Bids were posted on the Town's website and advertised on the bids and tenders website. A total of twenty two (22) bid documents were downloaded and five (5) bids were received. The tenders closed on March 19, 2019. Bids were received as follows:

<b>Contractor</b>	<b>Subtotal</b>	<b>HST</b>	<b>Total</b>
Gazzola Paving Limited	\$894,656.80	\$116,305.38	\$1,010,962.18
C. Valley Paving Ltd.	\$897,555.10	\$116,682.16	\$1,014,237.26
IPAC Paving Limited	\$953,941.55	\$124,012.40	\$1,077,953.95
Forest Contractors Ltd.	\$960,392.40	\$124,851.01	\$1,085,243.41
Graham Bros. Construction Limited	\$989,851.51	\$128,680.70	\$1,118,532.21

The work under the 2019 Pavement Management Program Part A, Contract No. T-012-19, consists of the following streets:

#### **PART A**

<b>Street</b>	<b>Road Span</b>	<b>Type of Work</b>
Cedarvale Court	Edward Street to End	Full Depth Resurfacing
Edward Street	Delrex Boulevard to Margaret Street	Full Depth Resurfacing
Lane Court	Delrex Boulevard to End	Minor Reconstruction
Margaret Street	Edward Street to Pauline Street	Minor Reconstruction
Pauline Street	Delrex Boulevard to Margaret Street	Minor Reconstruction

The work under the 2019 Pavement Management Program Part B and 5 Side Road Resurfacing, Contract No. T-013-19, consists of the following streets:

#### **PART B and 5 Side Road**

<b>Street</b>	<b>Road Span</b>	<b>Type of Work</b>
Barber Drive	Mountainview Road South to Argyll Road	Resurfacing
5 Side Road	Trafalgar Road to Winston Churchill Blvd.	Resurfacing

#### **RELATIONSHIP TO STRATEGIC PLAN:**

The recommendations of this Report directly support the following Strategic Directions, Goals and Objectives of the Town of Halton Hills Strategic Plan:

G – Provide Sustainable Infrastructure and Services.

G.1 To provide infrastructure and services that meets the needs of our community in an efficient, effective and environmentally sustainable manner.

#### **FINANCIAL IMPACT:**

The approved 2019 Pavement Management Program budget for construction is \$1,606,100.00. The total bid amount from the two (2) bids for the Pavement Management portion is \$1,056,937.39 (including non-refundable HST); therefore, is under budget.

The values of Provisional Items for one of two alternatives proposed for the resurfacing of Barber Drive have been removed from the financial impact totals. This has altered the Tendered Amount (Part B) in the chart below by \$110,694.53.

The following summarizes the financial impact for Pavement Management including non-refundable HST:

Pavement Management 2019 Budget	\$1,606,100.00
<b>Less:</b>	
Tendered Amount (Part A)	(\$556,868.60)
Tendered Amount (Part B)	(\$389,374.26)
CCTV of Storm Sewer	(\$20,000.00)
OT, Students, Material Testing	(\$70,000.00)
Contingency	(\$95,000.00)
<b>Anticipated Surplus</b>	<b>\$474,857.14</b>

The unused portion of the Town budget for this project will be returned to the Pavement Management Reserve Account upon project completion.

The following summarizes the financial impact for 5 Side Road Resurfacing including non-refundable HST:

5 Side Road Budget	\$475,000.00
<b>Less:</b>	
Tendered Amount (5 Side Road)	(\$410,333.97)
Contingency	(\$41,000.00)
<b>Anticipated Surplus</b>	<b>\$23,666.03</b>

#### **CONSULTATION:**

The Manager of Purchasing is in agreement with this recommendation.

The Manager of Accounting and Town Treasurer is in agreement with this recommendation.

The Manager of Transportation is aware of the project.

#### **PUBLIC ENGAGEMENT:**

A Public Information Centre (PIC) was held on February 13, 2019.

The PIC was attended by nine (9) persons. The general consensus from the PIC was positive, with the plans as presented.

#### **SUSTAINABILITY IMPLICATIONS:**

The Town is committed to implementing our Community Sustainability Strategy, Imagine Halton Hills. Doing so will lead to a higher quality of life. The relationship between this report and the Strategy is summarized below:

The recommendation outlined in this report advances the Strategy's implementation.

The Pavement Management Program supports two pillars of sustainability by providing economic prosperity through infrastructure renewal and provides social well-being by providing reliable transportation. The alignment of this Report with the Community Sustainability Strategy is good.

### **COMMUNICATIONS:**

Staff discussions with Pacific Paving Limited and Gazzola Paving Limited will occur as to the scheduling and the Town's expectations toward customer service, additional notices will be sent to residents prior to working on any roads. As per recent years, the Mayor will be invited to the initial start-up meeting. Town staff will work closely with Pacific Paving Limited and Gazzola Paving Limited to ensure the work is carried out in accordance with the contract document and with as little disruption to the local community and public traffic, as possible.

The Roads 2019 Information Package was provided to the Mayor and Members of Council by email on February 7, 2019. This package illustrates the 2019 works, and includes the specific areas slated for road renewal, plans for notifying residents of the scheduled works, and customer service protocol. Notice of Construction letters will be hand-delivered to affected residents. Additional notices will be sent to residents informing of any delays in work.

5 Side Road will be open to one lane of traffic at all times during construction. All emergency services will be notified.

### **CONCLUSION:**

The bid document submitted by Pacific Paving Limited meets or exceeds our specifications in all regards. Staff recommends Council Award Tender T-012-19, Part A to Pacific Paving Limited for the 2019 Pavement Management Program.



The bid document submitted by Gazzola Paving Limited meets or exceeds our specifications in all regards. Staff recommends Council Award Tender T-013-19, Part B to Gazzola Paving Limited for the 2019 Pavement Management Program, Part B and 5 Side Road Resurfacing.

Reviewed and Approved by,

A handwritten signature in black ink, reading "Simone Gourlay". The script is cursive and fluid.

**Simone Gourlay, Manager of Purchasing**

A handwritten signature in black ink, reading "W. Andrews". The script is cursive and somewhat stylized.

**Bill Andrews, Director of Engineering**

A handwritten signature in black ink, reading "C. Mills". The script is cursive and includes a large, sweeping initial "C".

**Chris Mills, Commissioner of Transportation and Public Works**

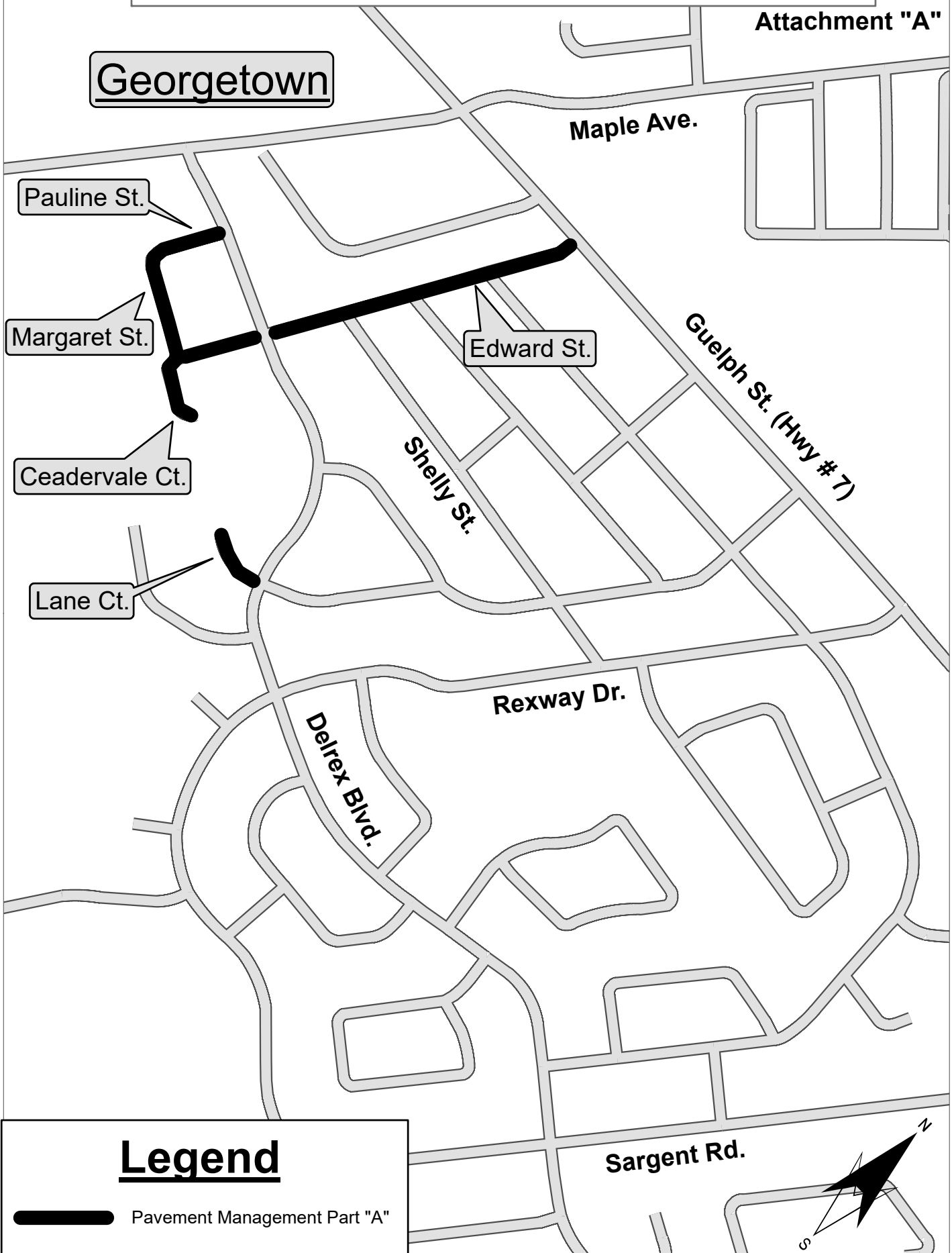
A handwritten signature in black ink, reading "Brent Marshall". The script is cursive and fluid.

**Brent Marshall, Chief Administrative Officer**

# Pavement Management 2019 Part "A"

Attachment "A"

**Georgetown**



## Legend



Pavement Management Part "A"

# Pavement Management 2019 Part "B" and 5 Side Road Resurfacing

