



REPORT

REPORT TO: Mayor Bonnette and Members of Council

REPORT FROM: John McMulkin, Planner – Policy

DATE: March 26, 2018

REPORT NO.: PLS-2018-0022

RE: PUBLIC MEETING REPORT

Proposed Housekeeping Amendment to Comprehensive Zoning
By-law No. 2010-0050
Location: Lots 3 and 4, Plan 1269, Except Parcels J and K, Plan
92, and Parts 1, 2 and 4, Plan 20R-18893
Town of Halton Hills, Regional Municipality of Halton
Municipally known as 249-251 Guelph Street (Georgetown)

RECOMMENDATION:

THAT Report No. PLS-2018-0022 dated March 26, 2018, with respect to the Public Meeting for the “Proposed Housekeeping Amendment to Comprehensive Zoning By-law No. 2010-0050, for the lands legally described as Lots 3 and 4, Plan 1269, Except Parcels J and K, Plan 92, and Parts 1, 2 and 4, Plan 20R-18893, Town of Halton Hills, Regional Municipality of Halton, municipally known as 249-251 Guelph Street (Georgetown)”, be received;

AND FURTHER THAT all agency and public comments be referred to staff for a further report regarding the disposition of this matter.

PURPOSE OF REPORT:

The purpose of this report is to advise Council and the public of a staff-initiated housekeeping amendment to the Town’s Comprehensive Zoning By-law No. 2010-0050 to incorporate a property municipally known as 249-251 Guelph Street into the By-law. The property is still subject to the Town of Georgetown Zoning By-law No. 57-91 and its zoning needs to be updated in order to facilitate the approval of a Site Plan Application filed by the new owner of the property for a 2-storey commercial building consisting of a drive-through take-out restaurant, retail units and business offices.

BACKGROUND:

In July of 2010, a new Comprehensive Zoning By-law (No. 2010-0050) was approved by Council for the Town of Halton Hills which updated and consolidated zoning regulations in accordance with the Town's new Official Plan (2008). At the time of the approval of the By-law, various site-specific properties such as 249-251 Guelph Street were "deferred" and not incorporated into the new By-law. These properties retain their existing zoning under the previous Zoning By-laws in effect and are not subject to the new provisions of the Comprehensive Zoning By-law. With respect to the outstanding appeals and deferrals, Council directed staff to report back on the status, and staff provided Council an update through Report No. PDS-2015-0002. Through this report, Council approval was obtained for the recommended approach to resolving the remaining deferrals.

In January of 2010, Site Plan Application D11SPA10.003 was filed by the previous owner of 249-251 Guelph Street to facilitate the construction of two, 3-storey office buildings and subsequently received approval from the Town. See **Appendix 1** for a Location Map of the subject properties. Report PDS-2015-0002 notes that the update to the zoning for these properties was deferred in order to allow the building construction to proceed under the zoning in place at the time of the site plan approval. The proposed new zoning of the property in Zoning By-law 2010-0050 would have required the submission of a Comprehensive Development Plan (CDP) to facilitate any proposed development. Report PDS-2015-0002 outlined that the requirements in the Official Plan for a CDP have since been revised through Official Plan Amendment No. 11 (OPA 11) and a CDP is not necessary for this development proposal. Therefore, the property may now be brought into the Comprehensive Zoning By-law.

In early 2017, the ownership of the property changed to 2541331 Ontario Inc. and later that year the Town was informed by the owner that they would not be proceeding with the Site Plan Application filed by the previous owner. In February of 2018, a new Site Plan Application (D11SPA18.004) was filed by the new owner for a 2-storey commercial building consisting of a drive-through take-out restaurant and two retail units on the first storey and business offices on the second storey (see **Appendix 2**). At that time, the owner also requested that former Site Plan Application D11SPA10.003 be withdrawn and that the property be incorporated within the Comprehensive Zoning By-law to facilitate the approval of the new Site Plan Application. The Application is currently under staff review for completeness.

Official Plan & Zoning:

The subject property is designated "Secondary Commercial Sub-Area" in the Town's Official Plan. Under the former Town of Georgetown Zoning By-law No. 57-91, the west side of the property (249 Guelph Street) is zoned "Second Industrial (M2)" and the east side of the property (251 Guelph Street) is zoned "General Commercial Special (C2-1)". The C2-1 Zone permits restaurants, retail uses and business offices; however, the property's M2 Zoning does not permit restaurants or retail uses. Therefore, a Zoning By-

law Amendment is required in order to facilitate the approval of Site Plan Application D11SPA18.004.

COMMENTS:

Staff is recommending that the property be rezoned to the “Georgetown Community Node Two Holding One (GCN2 (H1))” Zone in order to conform to the Secondary Commercial Sub-Area designation of the properties, as well as the zoning of adjacent properties, and facilitate the approval of a Site Plan Application for a 2-storey commercial building consisting of a drive-through take-out restaurant, retail units and business offices. A site-specific exception to the GCN2 Zone is also sought to reduce the minimum required front yard planting strip width from 3.0 metres (9.84ft) to 1.5 metres (4.92ft). The draft Zoning By-law Amendment is attached as **Appendix 3** to this report.

Staff notes that the size of the property and other zoning by-law requirements such as parking, aisle widths and queuing lanes pose a significant constraint to accommodating the minimum required front yard planting strip width of 3.0 metres (9.84ft). In addition, the requirement would have been met if 1.5 metres (4.92ft) of road widening had not been taken from the property in 2011 as a condition of the approval of the former Site Plan Application. Despite this, the Landscape Plan for the proposed Site Plan Application demonstrates that the 1.5m planting strip on the property combined with using 1.5m of the landscaped open space located within the Guelph Street road allowance will provide ample area for tree plantings, ground cover and other landscaping to help screen the front yard parking and achieve the Town’s urban design objectives. The Recreation & Parks Department has indicated no objections to this approach and noted that 1.5 metres would still provide sufficient width for landscaping should Guelph Street be widened.

The Town’s Official Plan states that Council may waive the requirement for a CDP provided that it is demonstrated that the proposed development is in keeping with the vision for the Secondary Commercial Sub-Area designation and subject to the following criteria:

- a) the development will not compromise the planned function of the designation;
- b) the uses will contribute to the vibrancy of the area;
- c) the uses can be easily integrated with other uses on lands within the *Secondary Commercial Sub-Area* designation;
- d) the development will generally conform with Section F2 (Urban Design) of this Plan and have appropriate regard for the Urban Design Guidelines contained in Appendix 4 to this Plan as set out in an Urban Design Brief submitted to the Town in support of the development application;
- e) elements of the public realm will be improved as a condition of development/redevelopment;
- f) the uses can be easily accessed by public transit if available;
- g) the uses will not cause traffic hazards or an unacceptable level of congestion on surrounding roads; and,
- h) municipal water and wastewater services are adequate and available.

Staff has conducted a preliminary review of the Site Plan Application against the above criteria and do not view a CDP to be required for the proposal, consistent with Council direction through Report PDS-2015-0002. The proposed development is in keeping with the vision for the Secondary Commercial Sub-Area designation, and urban design matters can be addressed through the site plan approval process. Therefore, staff is prepared to recommend, when the Zoning By-law Amendment comes to Council for approval, that Council waive the requirement for a CDP for the subject Zoning By-law Amendment, as permitted under the policies of the Town's Official Plan.

RELATIONSHIP TO STRATEGIC PLAN:

The final Recommendation Report will address the relationship between the proposed development and the Town's Strategic Plan.

FINANCIAL IMPACT:

There is no financial impact associated with this particular report.

COMMUNICATIONS IMPACT:

Public Notification Key Dates:

March 22, 2018:	Notice of Received Application and Public Meeting mailed out to all property owners assessed within 120 metres of the subject property.
March 27, 2018:	Sign posted on the property frontage explaining the proposed Zoning By-law Amendment.
March 29, 2018:	Courtesy Notice of Public Meeting published in The Independent & Free Press.
April 12, 2018:	Courtesy Notice of Public Meeting published in The Independent & Free Press.

SUSTAINABILITY IMPLICATIONS:

The final Recommendation Report will address the relationship between the proposed development and any sustainability implications.

CONSULTATION:

The proposed Zoning By-law Amendment and Site Plan Application were considered at the December 22, 2016, Development Review Committee pre-consultation meeting

(D00ENQ16.046). The Applicant was provided with preliminary comments from various Town departments and external agencies at the meeting. The Transportation & Public Works Department (Zoning Section) and the Recreation & Parks Department (Parks & Open Space Section) were also consulted in the preparation of this report.

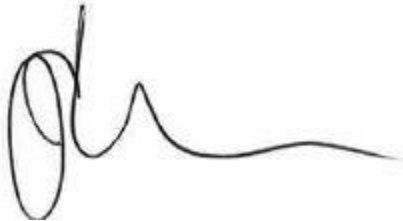
CONCLUSION:

The proposed Zoning By-law Amendment would facilitate a Site Plan Application (D11SPA18.004) for a 2-storey commercial building consisting of a drive-through take-out restaurant, retail units and business offices located along Guelph Street in Georgetown. Once all relevant information, reports and comments have been reviewed and assessed, a final Recommendation Report which summarizes all agency and public comments and assesses the merits of the application will be prepared. Should Council concur, the Recommendations of this Report can be adopted.

Reviewed and Approved by,

A handwritten signature in black ink, appearing to read "Steve Burke". The signature is fluid and cursive, with the first name "Steve" written in a larger, more prominent script than the last name "Burke".

Steve Burke, Manager of Planning Policy

A handwritten signature in black ink, appearing to read "John Linhardt". The signature is very stylized and cursive, with the first letter "J" being particularly large and looping. The rest of the name is written in a fluid, connected script.

John Linhardt, Commissioner of Planning and Sustainability

A handwritten signature in black ink, appearing to read "Brent Marshall". The signature is written in a cursive style, with the first name "Brent" being more legible than the last name "Marshall", which is more stylized and connected to the first name.

Brent Marshall, CAO