



REPORT

TO: Mayor Lawlor and Members of Council

FROM: Tharushe Jayaveer, Planner – Policy/Development Review

DATE: March 10, 2023

REPORT NO.: PD-2023-016

SUBJECT: Public Meeting for proposed Official Plan and Zoning By-law Amendments to facilitate the use of the property as a public park at Part of Lot 11, Concession 9, ESQ (Georgetown)

RECOMMENDATION:

THAT Report No. PD-2023-016, dated March 10, 2023, with respect to a “Public Meeting for proposed Official Plan and Zoning By-law Amendments to facilitate the use of the property as a public park at Part of Lot 11, Concession 9, Esquesing (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.

KEY POINTS:

The following are key points for consideration with respect to this report:

- Fernbrook Homes (Mountainview) Ltd. (the Applicant) is proposing Official Plan and Zoning By-law Amendments to facilitate the use of the property in Georgetown on the north side of Danby Road, east of Eighth Line (Part of Lot 11, Concession 9, Esquesing), as a public park. The lands are intended to accommodate an expansion to the Gellert Community Park.
- The property is owned by the Town of Halton Hills, who purchased it from Fernbrook Homes. Fernbrook is undertaking the Official Plan and Zoning By-law Amendment process to change the designation and zoning of the lands, as was arranged through the Agreement of Purchase and Sale.
- Town and Agency staff have completed the review of the initial application submission. No concerns or objections have been identified with the proposed amendments.

- Two public inquiries have been received to date. The purpose of the Public Meeting is to obtain any additional comments and feedback from the community. Any comments received will be thoroughly reviewed, evaluated and included in the Final Recommendation Report to Council at a later date.

BACKGROUND AND DISCUSSION:

The purpose of this report is to advise Council and the public of the Official Plan and Zoning By-law Amendment applications seeking to obtain the necessary approvals to facilitate the expansion of the Gellert Community Park onto the lands located on the north side of Danby Road, east of Eighth Line (Part of Lot 11, Concession 9, Esquesing) (Georgetown).

1.0 Location & Site Characteristics:

The subject lands, which have no municipal address but are identified as Part of Lot 11, Concession 9, Esquesing (Georgetown), are on the north side of Danby Road, east of Eighth Line; see **SCHEDULE 1 – LOCATION MAP**. The lot has an area of 2.83 ha (6.98 acres) with frontage of approximately 96.0 m (316 ft) on Eighth Line and 122.0 m (400 ft) on Danby Road. The lands are owned by the Town of Halton Hills and are presently vacant.

Surrounding lands uses to the subject site include:

To the North:	Gellert Community Centre consisting of parkland and recreational uses
To the East:	Single detached homes
To the South:	Norval United Church (and a proposed 6-storey apartment building on the site), single detached homes, townhouse units and the Halton Hills Fire Station further south at 10 Side Road
To the West:	The future Vision Georgetown community located further west across Eighth Line

2.0 Development Proposal:

On May 13, 2022, the Town deemed complete Official Plan and Zoning By-law Amendment applications (File No's. D09OPA22.002 & D14ZBA22.003) for Part of Lot 11, Concession 9, ESQ (Georgetown). The applications seek to facilitate the use of the lands as a public park to accommodate the future expansion of the Gellert Community Park. The site was originally contemplated for use as a secondary school for the Halton District School Board; however, in 2009 HDSB confirmed the property would not be needed by the school board. The Town subsequently entered into an Option to Purchase the site with Fernbrook Homes, which was exercised in 2016; the transfer of the lands to the Town closed shortly after. Fernbrook is undertaking the Official Plan and Zoning By-law Amendment process to change the designation of the lands to accommodate the intended park use, as was arranged through the Agreement of Purchase and Sale.

The proposed Official Plan Amendment seeks to change the designation of the site from Major Institutional Area to Major Parks and Open Space Area. The Major Institutional Area designation does not permit public park and recreational uses; therefore, an Official Plan Amendment was required. See **SCHEDULE 2 – DRAFT OFFICIAL PLAN AMENDMENT**.

The proposed Zoning By-law Amendment seeks to rezone the property from the current Development (D)(H1) Zone to an Open Space One (OS1) Zone, as identified in **SCHEDULE 3 – DRAFT ZONING BY-LAW AMENDMENT**. The development (D) zone permits legally existing uses as of the effective date of the By-law (i.e. 2010), which does not include a park; therefore, a Zoning By-law Amendment is required. The lands are also subject to the Holding (H1) provision, which may be lifted once Council is satisfied that a development agreement has been executed, and that allocation of servicing has been approved for the site. The Holding provision was intended to apply to any possible future development of the lands. Given the property will now be utilized for park and recreational uses the H1 provision is no longer required to remain on the lands.

Recreation & Parks Staff have indicated that the design process for the programming for the park expansion is underway and the public consultation process is expected to begin in the Spring of 2023. Once further design of the park has advanced it would be determined if any additional planning approvals such as Site Plan Control may be required.

3.0 Planning Context:

In Ontario, when reviewing applications looking to amend local Official Plans and Zoning By-laws, development proposals are expected to conform with and meet the intent of applicable Provincial, Regional and Municipal policy documents. This section discusses the relevant policy framework that applies to the subject site and proposal.

Provincial Policy Statement:

The 2020 Provincial Policy Statement (PPS) provides broad based policies that foster healthy, active communities. Section 1.5.1(b) notes healthy, active communities should be promoted by planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages and where practical, water-based resources.

The proposal is required to be consistent with the relevant policies of the PPS in accordance with Section 3 of the Planning Act.

Growth Plan for the Greater Golden Horseshoe:

The subject lands are part of a larger designated urban area in Georgetown. The 2020 Growth Plan contains policies that speak to supporting the achievement of complete communities, expanding convenient access to an appropriate supply of safe, publicly-

accessible open spaces, parks, trails and other recreations facilities and encouraging the development of a system of publicly accessible parkland open space and trails.

As per Section 3 of the Planning Act, the proposal shall conform and not conflict with the Growth Plan.

Region of Halton Official Plan:

The subject lands are designated Urban Area (Georgetown) in the 2009 Regional Official Plan (ROP), as amended by ROPA 48 (2021) and ROPA 49 (2022). Section 76 of the ROP establishes that the range of permitted uses and the creation of new lots within the Urban Area will be in accordance with the applicable Local Official Plans and Zoning By-laws. Objectives of the Urban Area speak to the provision of a range of identifiable, interconnected and complete communities of various sizes, types and characters, which afford maximum choices for residences, work and leisure.

Though the current Gellert Community Park is adjacent to Key Features of the Regional Natural Heritage System (RNHS), including a Conservation Halton regulated watercourse and wetlands, the lands subject to these amendments are not themselves adjacent to the RNHS. There are no requirements from an RNHS perspective.

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

Town of Halton Hills Official Plan:

Under the Town's Official Plan the subject property is designated Major Institutional Area, which permits secondary schools, hospitals, places of worship which have regional draw, government buildings and similar uses. The subject application seeks to change the designation of the site to Major Parks and Open Space Area to facilitate the proposed parks use. It should be noted that the existing Gellert Community Park lands to the north are currently designated Major Parks and Open Space Area.

Town of Halton Hills Zoning By-law 2010-0050:

The property is zoned Development (D), which only permits uses that existed on the effective date of the by-law (i.e. 2010). In order to permit public park and recreational uses, the Applicant is proposing to rezone the lands to Open Space 1 (OS1).

4.0 Department and Agency Comments

The applications were circulated to Town departments and external agencies for review and comment, with the most recent circulation occurring in April 2022. Staff from the various departments and agencies have completed their review and have indicated that they have no concerns or objections to the proposed Official Plan and Zoning By-law Amendments.

5.0 Public Comments

Planning staff has received two inquiries from the public as of the date of this report. Both were only seeking clarification on the intent of the applications.

The purpose of the Public Meeting is to obtain additional comments and feedback from the community. Any comments received from the public will also be reviewed, evaluated, and included in the Final Recommendation Report to Council.

STRATEGIC PLAN ALIGNMENT:

This report is administrative in nature and does not have an impact on the Town's Strategic Plan.

RELATIONSHIP TO CLIMATE CHANGE:

This report is administrative in nature and does not directly impact or address climate change and the Town's Net Zero target.

PUBLIC ENGAGEMENT:

Public Engagement has been conducted as follows:

- May 12, 2022: Notice of Received Application was mailed out to all property owners within 120 m of the subject lands.
- June 10, 2022: Sign posted on the subject lands explaining the purpose of the applications.
- March 2, 2023: Public Meeting Notice mailed out to property owners within 120 m of the subject lands.
- March 2, 2023: Notice of Public Meeting published in the Independent & Free Press.
- March 23, 2023: Courtesy Notice of Public Meeting to be published in the Independent & Free Press.

INTERNAL CONSULTATION:

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

FINANCIAL IMPLICATIONS:

This report is administrative in nature and does not have any financial implications.

Reviewed and approved by,

Jeff Markowiak, Director of Development Review

John Linhardt, Commissioner of Planning & Development

Chris Mills, Chief Administrative Officer