



TOWN OF
HALTON HILLS
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REPORT

TO: Mayor Lawlor and Members of Council

FROM: Tharushe Jayaveer, Planner – Policy/Development Review

DATE: April 18, 2023

REPORT NO.: PD-2023-035

SUBJECT: Recommendation Report 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-2023-035, dated April 18, 2023, regarding a “Recommendation Report 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) be received;

AND FURTHER THAT Town of Halton Hills Official Plan Amendment No. 51, which amends the Town of Halton Hills Official Plan as generally shown on SCHEDULE 2 - OFFICIAL PLAN AMENDMENT, be adopted as an exempt Local Official Plan Amendment;

AND FURTHER THAT the Zoning By-law Amendment, to amend the Town of Halton Hills Zoning By-law 2010-0050, as amended, as generally shown on SCHEDULE 3 - ZONING BY-LAW AMENDMENT, be approved on the basis that the amendment for the lands known as Part of Lot 11, Concession 9 (Georgetown) are 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 (as amended), and represents good planning for the reasons outlined in Report No. PD-2023-035, dated April 18, 2023;

AND FURTHER THAT in accordance with Section 34(17) of the Planning Act, no other notice is deemed necessary.

KEY POINTS:

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

- Fernbrook Homes (Mountainview) Ltd. (the Applicant) submitted Official Plan and Zoning By-law Amendment applications intended 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 applications. No concerns or objections have been identified with the proposed amendments.
- The Statutory Public Meeting for the applications was held on March 27, 2023. Through the application review process the Town received a few inquiries from the public. There was general support for the proposal amongst the community.
- This report recommends approval of the Official Plan and Zoning By-law Amendment applications.

BACKGROUND AND DISCUSSION:

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 metres (316.0 ft.) on Eighth Line and 122.0 metres (400.0 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 same site), single detached homes, townhouse units and the Halton Hills Headquarters Fire Station further south at 10 Side Rd.
To the West:	The future Vision Georgetown community located 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, circa 2011 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 is required. See **SCHEDULE 2 – 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 – 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 a 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 that the public consultation process started earlier this Spring. 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:

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

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.

Planning staff is of the opinion that the proposed Official Plan and Zoning By-law Amendment is consistent with the policies of the 2020 PPS.

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

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

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 intended expansion 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 park use. It should be noted that the existing Gellert Community Park lands to the north are currently designated Major Parks and Open Space Area.

The Town's Official Plan contains objectives related to public parkland (Section F7.1) which encourage the establishment and maintenance of a system of public open space, parkland and recreational facilities that meets the needs of present and future residents, enhances existing parkland areas wherever possible to respond to changing public needs and preferences, and ensures that appropriate amounts and types of parkland are acquired by the Town through the development process.

Planning staff is of the opinion that the requested Official Plan Amendment seeking to redesignate the land to Major Parks and Open Space Area will allow for the development of the subject property in a manner consistent with the intent of the Official Plan.

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).

Staff considers the proposal to rezone the property from Development (D) to Open Space 1 (OS1) appropriate given that it will implement Section B2.5 of the Official Plan which notes that all lands in the Major Parks and Open Space Area designation shall be placed in an appropriate Open Space Zone in the implementing Zoning By-law.

The lands are also subject to a 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.

For the reasons outlined above, Town staff are recommending approval of the proposed Zoning By-law Amendment.

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 various departments and agencies have completed their review of the proposal and have indicated that they have no concerns or objections with the Official Plan and Zoning By-law Amendments.

5.0 Public Comments

The proposed Official Plan and Zoning By-law Amendment applications were presented to the public by way of Report PD-2023-016 through a Statutory Public Meeting on March 27, 2023. A few questions were raised during the meeting regarding:

- has a detailed plan for the park, including recreational uses, been prepared; and
- concerns over the impact the adjacent proposal at 14015 Danby Road (Norval United Church) for a six storey apartment building may have on the expansion of the Gellert Community Park.

In regard to detailed plans, Recreation & Parks Staff have indicated that the design process for the programming for the park expansion is underway and that the public consultation process started earlier this Spring. For more information visit the 'Gellert Community Park Expansion' project page on letstalkhaltonhills.ca.

It is important to note that the Norval United proposal is a separate and distinct application filed under the Planning Act that remains under review. That proposal does not impact the establishment of the appropriate land use designation and zoning to facilitate the park expansion. Staff also do not anticipate it having any bearing on the Town's design and programming process. Recreation and Parks staff will be designing the park expansion based on best practices, community needs and in collaboration with the community. Any proposed development on adjacent lands will not preclude or prevent the desired objectives for the park expansion from being achieved.

STRATEGIC PLAN ALIGNMENT:

This report aligns to the Town's Strategic plan recognizing the value to achieve sustainable growth to ensure that growth is managed so as to ensure a balanced, sustainable, well planned community infrastructure and services to meet the needs of its residents and businesses.

This report also identifies shaping growth as one of the Town's Strategic priorities.

RELATIONSHIP TO CLIMATE CHANGE:

This report impacts and/or helps address climate change and the Town's resiliency through climate adaptation.

PUBLIC ENGAGEMENT:

Public Engagement has been conducted as follows:

A Statutory Public Meeting was held on March 27, 2023. This meeting fulfilled the requirements for public participation under the Planning Act, and provided for Transparency, Notification and Participation, as defined in the Town's Public Engagement Charter.

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