



TOWN OF
HALTON HILLS
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REPORT

TO: Mayor Lawlor and Members of Council

FROM: Ruth Conard, Planner – Development Review

DATE: April 24, 2023

REPORT NO.: PD-2023-029

SUBJECT: Public Meeting for a Proposed Temporary Use Zoning By-law Amendment to extend the Microbrewery use for two years and to permit a seasonal patio for three years at 1 Elgin Street – Furnace Room Brewery (Georgetown)

RECOMMENDATION:

THAT Report No. PD-2023-029, dated April 24, 2023, regarding “Public Meeting for a Proposed Temporary Use Zoning By-law Amendment to extend the Microbrewery use for two years and to permit a seasonal patio for three years at 1 Elgin Street – Furnace Room Brewery (Georgetown)”, be received;

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

KEY POINTS:

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

- A Temporary Use Zoning By-law Amendment was approved by Council on May 24, 2022, to permit a Microbrewery at 1 Elgin Street for a period of two years (to expire on May 24, 2024). The permission for a Microbrewery allowed Furnace Room Brewery to formally serve food and beverage within the building, in addition to the beer manufacturing and retail component already allowed on-site.
- Furnace Room Brewery (the Applicant) is now seeking to extend the Microbrewery temporary use permissions for an additional two years (to expire in 2026) and also to obtain temporary permissions for three years to operate a seasonal patio from March until October (also to expire in 2026), which would allow food and beverage service outdoors.
- The Application is currently under review by internal departments and external agencies.

- As of the date of this report, one resident expressed concerns regarding noise, dates of operation and the location of the patio and food truck.
- The purpose of the Public Meeting is to obtain 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:

1.0 Location and Site Characteristics

The subject property is located on the east side of Elgin Street (adjacent to the GO Station parking lot), just north of King Street in the urban area of Georgetown; see **SCHEDULE 1 – LOCATION MAP**. The 0.2 hectare (0.5 acre) property has frontage of approximately 30.35 metres (99.57 feet) on Elgin Street and contains the Furnace Room Brewery.

Surrounding land uses to the subject parcel includes:

To the North:	CN rail tracks and a proposed high density residential development further north (1 Rosetta Street and 6 and 8 Saint Michaels Street)
To the East:	Single detached dwellings and Greenwood Cemetery further east
To the South:	Single detached dwellings
To the West:	Single detached dwellings and the Georgetown GO Station

2.0 Application History

On May 24, 2022, Council approved a Temporary Use Zoning By-law Amendment (File No. D14ZBA20.012) to permit a Microbrewery on the subject property for a period of two years, expiring on May 24, 2024. The temporary permission for a Microbrewery allowed the formal consumption of food and beverages to occur within the existing Furnace Room Brewery building, which expanded upon the beer manufacturing and accessory retail uses already permitted on-site.

The Applicant originally sought to permit the food and drink service/consumption on a permanent basis. However, the application was revised to seek approval of a Temporary Use Zoning By-law Amendment to permit the food and drink for a two-year period only, in order to allow staff to monitor the use and associated parking and traffic implications. Staff continues to monitor the use.

It should be noted that the Furnace Room Brewery obtained permission to operate a patio on-site in 2022 from July to October under the Town's Al Fresco patio program, which was discontinued at the end of 2022. Approval of the patio was conditional upon it only operating until 9:00 p.m. on Friday and Saturday and 6:00 p.m. on Sunday and that non-amplified music be permitted until 6:00 p.m. on Friday and Saturday only, for the duration of its operation.

3.0 Development Proposal

On March 23, 2023, the Town received a new Temporary Use Zoning By-law Amendment application (File No. D14ZBA23.002) submitted by Furnace Room Brewery (the Applicant) seeking to:

- extend the Microbrewery use for an additional two years, to now expire in 2026 instead of 2024; and,
- permit a 32-seat seasonal patio (March until October) for a three-year period (to also expire in 2026).

The patio is proposed to share a location with the existing on-site loading area. The Applicant suggests that loading occurs infrequently and can take place during off-peak hours. The Applicant has also proposed an alternate patio location (within the middle of the brewery parking lot) for Saturdays, if they can secure a lengthier lease with Metrolinx to use the GO Station parking lot to accommodate the displaced on-site parking spaces; see **SCHEDULE 2 – PROPOSED SITE PLAN OPTIONS**.

Under the Town of Halton Hills Zoning By-law 2010-0050, the property is zoned Employment One Exception 110 Temporary 1 (EMP1(110)(T1)) which permits a Microbrewery on the subject property from May 24, 2022, to May 24, 2024, with the following special provisions:

- To provide a minimum of 16 parking spaces on-site;
- To permit a minimum width of an aisle providing access to a parking space within a parking area of 6.0 metres; and,
- To permit a minimum parking space width of not less than 2.6 metres and length of not less than 5.5 metres.

The subject Temporary Zoning By-law Amendment seeks to extend those permissions for an additional two years (i.e. to 2026) and also include the following extra temporary permissions within the T1 zone, through to 2026:

- a seasonal patio that allows outdoor consumption of food and beverage from March to October; and,
- permit the existing loading space to be shared with the proposed patio; see **SCHEDULE 3 – DRAFT ZONING BY-LAW AMENDMENT**.

4.0 Planning Context

In Ontario, when reviewing applications looking to amend 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 promote an appropriate range and mix of employment, including industrial and commercial uses, to meet the long-term needs of residents and make appropriate use of infrastructure to support the development of healthy communities. Policy direction pertaining to employment areas is set out in Section 1.3 of the PPS.

The proposal is required to be consistent with the relevant policies in 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 of Georgetown. The Growth Plan contains policies that speak to achieving complete communities that feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities.

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 2009 Regional Official Plan (ROP) designates the lands as Urban Area (Georgetown). Section 76 of the ROP establishes that the range of permitted uses and the creation of new lots within the Urban Area shall be in accordance with local Official Plans and Zoning By-laws.

Town of Halton Hills Official Plan:

The subject property is located within the Georgetown GO Station Secondary Plan Area and situated in the South Precinct. The property is designated Employment Area, which recognizes and permits the use of the lot and existing buildings and additions to the buildings, for industrial, office and other non-residential uses, including retail and service commercial uses. This designation does not preclude the use of the property as a beer manufacturing facility with ancillary or associated uses.

Section G4.1 of the Official Plan states that Council may pass by-laws permitting the temporary use of lands, buildings or structures, which may not conform to the policies of the Official Plan, subject to Council being satisfied that:

- a) the proposed use is of a temporary nature and shall not entail any major construction or investment on the part of the owner so that the owner will not experience undue hardship in reverting to the original use upon the termination of the temporary use;
- b) the proposed use will not prejudice the long-term intent of or the orderly development contemplated by the provisions and land use designations contained in this Plan;

- c) the proposed use is compatible with adjacent land uses and the character of the surrounding neighbourhood;
- d) the proposed use will not require the extension or expansion of existing municipal services;
- e) the proposed use will not cause traffic hazards or an unacceptable level of congestion on surrounding roads;
- f) parking facilities required by the proposed use will be provided entirely on-site; and,
- g) the proposed use shall generally be beneficial to the neighbourhood or the community as a whole.

As per Section G4.1, a temporary use may be authorized for a specific time period up to 3 years. Subsequent by-laws granting extensions of up to 3 years may be passed.

Town of Halton Hills Zoning By-law:

The subject property is zoned Employment One Exception 110 Temporary 1 (EMP1(110)(T1)) under Zoning By-law 2010-0050. The EMP1 Exception 110 Zone permits employment and industrial related uses, including beer manufacturing. In 2018 the site also received minor variance approval (File No. D13VAR17.012H) to permit an accessory retail use, to a maximum of 15% of the gross floor area of the building, which allows for tasting of the product to be provided on-site.

The Temporary 1 (T1) zone provides temporary two-year permission for a Microbrewery, which allows the formal consumption of food and beverages to occur within the existing Furnace Room Brewery building. The T1 zone currently expires on May 24, 2024, and includes the following special provisions:

- To provide a minimum of 16 parking spaces on-site;
- To permit a minimum width of an aisle providing access to a parking space within a parking area of 6.0 metres; and,
- To permit a minimum parking space width of not less than 2.6 metres and length of not less than 5.5 metres

The proposed Zoning By-law Amendment application seeks to amend the T1 zone to extend the Microbrewery permissions for an additional two years and also permit a seasonal patio from March until October for three years; both temporary uses are proposed to expire on the same date in 2026.

5.0 Department and Agency Comments

The Temporary Use Zoning By-law Amendment application was circulated to Town departments and external agencies for review. The application is still under review.

5.0 Public Comments

As of the date of this report, Planning staff received comments from one resident regarding the temporary patio that operated on-site in 2022 (under the Town's Al Fresco program) related to the presence of amplified music, the patio operating outside of permitted months and where the patio and food truck were located on (and off) the property.

The purpose of the Public Meeting is to obtain additional comments and feedback from the community. Any additional comments received from the public will 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:

March 28, 2023	Notice of Received Application mailed to all property owners within 120 metres of the subject lands.
April 12, 2023	Notice of Public Meeting mailed to property owners within 120 metres of the subject property.
April 13, 2023	Notice of Public Meeting published in the Independent & Free Press
May 4, 2023	Courtesy Notice of Public Meeting published in the Independent & Free Press

INTERNAL CONSULTATION:

The proposed Temporary Use Zoning By-law Amendment was considered at the March 16, 2023, Development Review Committee Pre-Consultation Meeting (File No. D00ENQ23.006). The Applicant was provided with preliminary comments from various Town departments and external agencies.

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