



REPORT

TO: Mayor Lawlor and Members of Council

FROM: Ruth Conard, Planner – Development Review

DATE: November 20, 2023

REPORT NO.: PD-2023-052

SUBJECT: Recommendation Report for Official Plan and Zoning By-law Amendments to allow 4 street townhouse dwelling units, a multiple dwellings building (double duplex) containing 4 units and a single detached dwelling at 59 & 61 King Street (Georgetown)

RECOMMENDATION:

THAT Report No. PD-2023-052, dated November 20, 2023, regarding a “Recommendation Report for Official Plan and Zoning By-law Amendments to allow 4 street townhouse dwelling units, a multiple dwellings building (double duplex) containing 4 units and a single detached dwelling at 59 & 61 King Street (Georgetown)”, be received;

AND FURTHER THAT Town of Halton Hills Official Plan Amendment 53, which amends the Town of Halton Hills Official Plan as generally shown on SCHEDULE 3 – OFFICIAL PLAN AMENDMENT, be adopted as an exempt Local Official Plan Amendment and 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 4 – ZONING BY-LAW AMENDMENT, be approved on the basis that the amendments for the lands municipally known as 59 & 61 King Street (Georgetown) are consistent with the Provincial Policy Statement, conform or do not conflict with all applicable Provincial plans, conform with the Region of Halton Official Plan and satisfy the evaluation criteria contained in the Town of Halton Hills Official Plan, and represent good planning for the reasons outlined in Report No. PD-2023-052, dated November 20, 2023;

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

KEY POINTS:

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

- Official Plan and Zoning By-law Amendment applications were submitted in December 2020 seeking to permit a 12-unit residential development at 59, 61 & 63 King Street consisting of seven townhouse units, a multiple dwellings building (double duplex) with four units and a single detached dwelling.
- The proposal has since been revised to no longer include 63 King Street in the development parcel and now seeks to build 9 units, including four townhouse units, a multiple dwellings building (double duplex) with four units and a single detached dwelling.
- The Statutory Public Meeting was held on March 1, 2021, to present the original proposal; five residents were in attendance to speak about the multi-residential development.
- A Public Information Centre was subsequently held on January 24, 2022; 15 residents were in attendance with four of those residents coming forward to speak about the proposal.
- Town staff have completed their review of the application and development proposal.
- This report recommends approval of the proposed Official Plan and Zoning By-law Amendments.

BACKGROUND AND DISCUSSION:

1.0 Location & Site Characteristics

The subject site, municipally known as 59 & 61 King Street, is located at the northeast corner of King Street and Elgin Street in the urban area of Georgetown; see SCHEDULE 1 – LOCATION MAP.

The lands are comprised of two lots that collectively have an area of approximately 0.15 hectares (0.37 acres), with a frontage of roughly 38 metres (124 feet) on King Street and 40 metres (131 feet) of flankage on Elgin Street. The site currently contains two single detached dwellings that were constructed between the late 1800s and mid-1900s.

Surrounding land uses to the subject parcel include:

- | | |
|---------------|---|
| To the North: | Furnace Room Brewery, CN rail tracks and a proposed high density residential development further north (1 Rosetta Street and 6 & 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 Development Proposal

On December 1, 2020, the Town deemed complete applications for an Official Plan and Zoning By-law Amendment (File No: D09OPA20.003 & D14ZBA20.012) submitted by Mike Dykstra (the Applicant). The original applications sought the necessary land use approvals to facilitate the development of 12 residential units at 59, 61 & 63 King Street. The applications have since been revised to seek approval for 9 residential units at 59 & 61 King Street, as follows:

- Four two-storey street townhouse dwellings fronting King Street;
- A three-storey multiple dwellings building (double duplex) containing four units at the corner of King Street and Elgin Street; and,
- A three-storey single detached dwelling fronting Elgin Street.

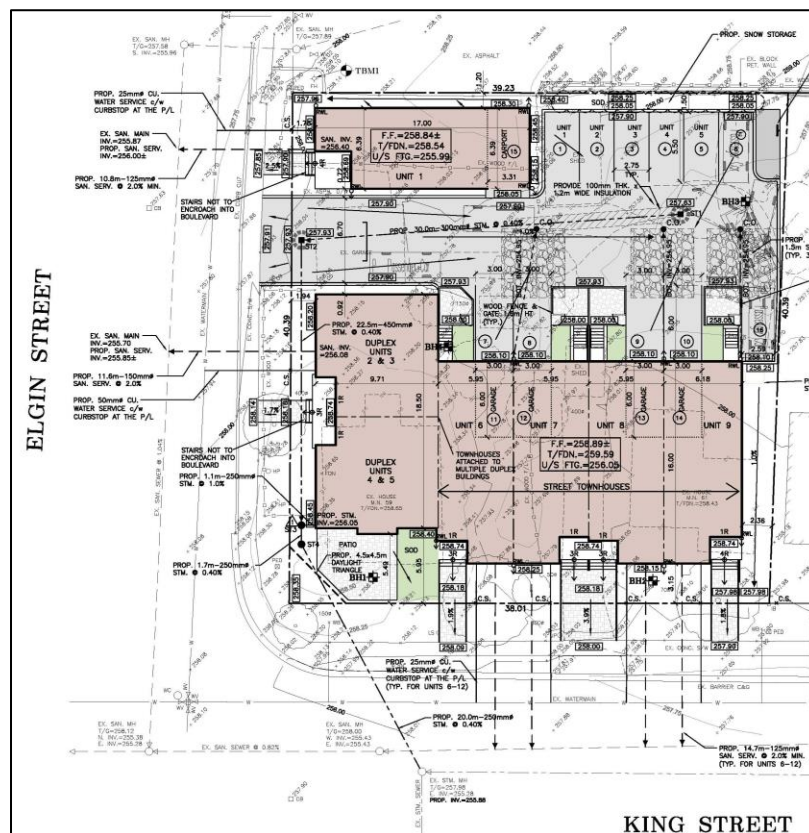


Figure 1 – Site Plan

Parking for all nine units is proposed to be located towards the rear of the site via a shared access point off Elgin Street, as follows:

- The four townhouse dwellings would have two parking spaces each (one in the garage and one in the driveway);
- Six parking spaces for the multiple dwellings building (double duplex) would be provided through surface parking at the rear of the site;

- The single detached dwelling would have two spaces, one space in the attached carport and one surface parking space also located at the rear of the site; see SCHEDULE 2 – SITE PLAN.

The Applicant has provided a conceptual rendering of the proposed residential development for illustrative purposes; see Figure 2 below.



Figure 2 – Conceptual Rendering

The proposed Official Plan Amendment seeks to change the current designation of the property from Low Density Residential Area to a site-specific Medium Density Residential Area designation to allow the multi-unit residential development; see SCHEDULE 3 – OFFICIAL PLAN AMENDMENT. The current Low Density Residential Area designation does not permit street townhouse dwellings or multiple dwellings and restricts the maximum density of development to 20 units per hectare; the proposed nine-unit development would constitute a density of approximately 47.3 units per hectare. The Medium Density Residential Area designation permits multiple dwellings and street townhouse dwellings at a density of 21-50 units per hectare and a maximum height of 4 storeys. The site-specific provision is intended to limit the development to only nine units and a maximum height of three storeys.

The Zoning By-law Amendment seeks to rezone the subject property from Low Density Residential One, Mature Neighbourhoods (LDR1-2)(MN) to a site-specific Urban Residential (UR) zone. The UR zone allows the range of residential units proposed for the site; the site-specific provisions to the UR zone are intended to address building setbacks, height and number of units; see SCHEDULE 4 – ZONING BY-LAW AMENDMENT. Through the Zoning By-law Amendment, a new Holding (H) Provision will also be applied; the conditions of the (H) Provision are discussed later in this report.

As mentioned above, the lands currently contain two single detached dwellings, one of which has historical/associative value (59 King Street). To commemorate the history of the property, an interpretation panel is proposed to be provided on-site that speaks to the property's evolution and the significance of the previous owners. Additionally, the development is proposed to be named "McWhirter Place", for prominent community member Edward McWhirter, who purchased the property in 1898.

Should the Official Plan and Zoning By-law Amendment applications be approved the proposal will require Site Plan approval (the project is not exempt under the 10 units or less provision adopted through Bill 23 due to the site falling within 300 metres of a railway line).

It should be noted that the original applications also included the lands at 1 Elgin Street and a proposal to permit food and beverages to be served and consumed at the existing Furnace Room Brewery. The proposals were separated to allow Furnace Room Brewery to proceed while the Applicant continued to work with Town staff to resolve outstanding matters pertaining to the residential development proposal. The Furnace Room Brewery amendment was approved by Council on May 24, 2022.

3.0 Planning Context

In Ontario, when reviewing applications looking to amend the Official Plan and Zoning By-law, 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 lands and proposal.

Provincial Policy Statement

The 2020 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.

Under the PPS Georgetown would be considered a Settlement Area. As per Section 1.1.3, Settlement Areas shall be the focus of growth and development and land use patterns shall be based on densities and a mix of uses which use land and resources efficiently and prepare for the impacts of a changing climate. Land use patterns within Settlement Areas shall also be based on a range of uses and opportunities for intensification and redevelopment, in accordance with the criteria in Policy 1.1.3.3, which states that:

Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment, where this can be accommodated, taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

In addition, Section 1.8 encourages transit-supportive development and intensification to improve the mix of employment and housing uses in order to shorten commute journeys and decrease transportation congestion.

Planning staff is of the opinion that the proposed Official Plan and Zoning By-law Amendment applications are 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 of Georgetown. The Growth Plan contains policies that speak to the provision of a diverse range and mix of housing options to accommodate people at all stages of life and creating an urban form that will optimize infrastructure to support the achievement of complete communities through a more compact built form. As per Section 3 of the Planning Act, the proposal shall conform and not conflict with the Growth Plan. A major guiding principle of the Growth Plan is to prioritize intensification and higher densities, where appropriate, to make efficient use of land and infrastructure and support transit viability.

More specifically, the subject lands are located within the Major Transit Station Area. The 2019 Growth Plan states that within all major transit station areas, development will be supported by planning for a diverse mix of uses, including additional residential units and that alternative development standards should be considered. As per Section 3 of the Planning Act, the proposal shall conform and not conflict with the Growth Plan.

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 in the 2009 Regional Official Plan, as amended, as being Urban Area. 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. All development; however, shall be subject to the Regional Official Plan policies in effect.

Under the ROP the property is also located within the Georgetown GO Station Major Transit Station Area (MTSA), as defined through ROPA 48. MTSA's are areas within a 500 to 800 metre radius of a major transit station that are intended to function as an important Strategic Growth Area and be developed as higher density, mixed-use communities; Section 81 contains a range of policies applicable to MTSA's.

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

Town of Halton Hills Official Plan – Georgetown GO Station Area Secondary Plan

Under the Town's Official Plan, the subject lands are included within the boundaries of the Georgetown GO Station Area Secondary Plan, situated within the South Precinct, and designated Low Density Residential Area. Uses permitted in the Low Density Residential Area designation include single detached, semi-detached and duplex dwellings up to a maximum density of 20 units per net residential hectare and a maximum height of three storeys.

The Applicant is proposing to amend the Secondary Plan to change the designation for the subject lands from Low Density Residential Area to a site-specific Medium Density Residential Area designation.

While the Secondary Plan contains policies that help provide guidance to evaluate development proposals, it does not include specific policy direction for proposals contemplating a change from Low Density Residential Area to a new Medium Density Residential Area designation by way of an amendment to the Official Plan. Therefore, staff suggests that Section D1.4.4 (New Medium and High Density Residential Areas) of the Official Plan could offer some guidance. This Section states when considering a proposal for new medium density residential, by way of an amendment, Council shall be satisfied that the proposal:

- a) is located on and has direct access to a Collector or Arterial Road as shown on Schedule B1 of the Official Plan;
- b) respects the character of adjacent residential neighbourhoods, in terms of height, massing and setbacks;
- c) can be easily integrated with surrounding land uses;
- d) will not cause traffic hazards or an unacceptable level of congestion on surrounding roads;
- e) can easily be accessed by public transit if available;
- f) is located in close proximity to community facilities, such as parks, schools and open spaces;
- g) is located on a site that has adequate land area to incorporate the building, on-site parking, an outdoor amenity area, and appropriate buffering such as setbacks, landscaping and fencing to ensure compatibility of the use with adjacent land uses;
- h) where appropriate, considers the role of topography and natural vegetation in minimizing the impacts of tall buildings on adjacent land uses;
- i) has demonstrated that the potential shadow impacts associated with tall buildings will be at an acceptable level on adjacent properties; and,
- j) municipal water and wastewater services are adequate and available.

Planning staff is of the opinion that the proposed residential development satisfies the intent of Section D1.4.4, as follows:

- a) The subject property fronts onto a Collector Road (King Street). Although access to the site is from a Local Road (Elgin Street), this portion of Elgin Street serves as access to the GO Station.
- b) The townhouse units are two-storeys in height, which is consistent with the existing dwelling heights in the neighbourhood. The single detached dwelling and multiple dwellings (double duplex) are three-storeys in height, which is allowed under the current Low Density Residential Area designation and the buildings also maintain the maximum height requirement of 10 metres within a mature neighbourhood. Although the units are located closer to the street than most of

the surrounding single detached homes, this is intended to reinforce a desirable streetscape edge.

- c) The subject site abuts the existing Furnace Room Brewery and a single detached dwelling. The townhouse units are located adjacent to the single detached home and have been designed to provide a setback that exceeds the intent of the mature neighbourhood requirements. The parking area for the site has been situated at the rear of the property so that it is adjacent to the Furnace Room Brewery, which is appropriate.
- d) The proposal will not contribute to an unacceptable level of traffic congestion to the surrounding area. Town Transportation staff have reviewed the Traffic Brief Memo submitted by the Applicant and concluded that traffic generated by the proposed development will not have adverse impacts on King Street and/or Elgin Street or create unreasonable amounts of additional traffic on the Collector or Local Roads;
- e) Public transit is available via the Georgetown GO Station, which is located adjacent to the site;
- f) The subject site is walking distance to downtown Georgetown and multiple community facilities and parks such as Durham Street Parkette, Dominion Gardens Park, Georgetown District High School and Christ the King Secondary School;
- g) The site has been designed to provide sufficient parking spaces for the residential units to the satisfaction of Town Transportation staff. Private amenity space is provided for the townhouse units and multiple dwellings (double duplex) as well as landscaping along the frontage on King Street and Elgin Street. A fence will also be constructed along the rear and side property boundary;
- h) and i) The units meet the zone standards for height and are not considered to reflect a 'tall building' pursuant to Criteria H and I; therefore, no adverse shadow impacts are expected; and,
- j) The proposal is located on a site with available municipal services. Georgetown has adequate capacity for additional growth.

Additionally, as per Section D1.4.1 of the Official Plan, all new development requiring Planning Act approval shall conform to the Urban Design policies (Section F2) of the Official Plan. The objective of the urban design policies is to ensure that urban areas of the Town evolve in a manner that enhances the quality and vibrancy of urban life and encourage a high-quality built form through good urban design. Staff is satisfied that the design and layout of the proposal generally comply with the urban design objectives of the Official Plan.

For the reasons outlined above, Planning staff is of the opinion that the proposed Official Plan Amendment will allow for the development of the subject property in a manner consistent with the intent of the Official Plan.

It should also be noted that on August 22, 2023, the Ministry of Municipal Affairs and Housing assigned a housing target of 9,500 homes to Halton Hills to be constructed by 2031. The intent of the housing target is to help support the Province's goal of constructing 1.5 million new homes in Ontario by 2031 to address the housing supply crisis. In October 2023 the Mayor confirmed in writing the Town's commitment to meet the 9,500 homes target; the approval/construction of this development will contribute to meeting that commitment.

Town of Halton Hills Zoning By-law 2010-0050

The subject lands are zoned Low Density Residential One Mature Neighbourhood (LDR1-2)(MN), which permits single detached dwellings. In order to permit the street townhouse dwellings and multiple dwellings (double duplex), the Applicant is proposing to rezone the lands to an Urban Residential (UR) zone with the following site-specific provisions:

Provision	UR (site-specific)
Permitted Uses	Restricted to a maximum of 9 units (single detached dwelling, street townhouse dwellings and multiple dwellings (double duplex))
Maximum Height	10.0 metres instead of 11.0 metres
Minimum Required Rear Yard Setback	1.2 metres to the single detached dwelling instead of 7.5 metres
Minimum Required Exterior Side Yard Setback (Elgin Street)	1.7 metres instead of 3.0 and 2.5 metres
Minimum Required Interior Side Yard Setback	2.3 metres instead of 1.2 metres
Parking	16 spaces

Staff considers the proposal to rezone the property from LDR1-2(MN) to a site-specific UR zone appropriate given that the proposed development satisfies the Official Plan policies to establish new medium density residential developments. The site-specific provisions will ensure that development of the lands is restricted to a maximum of nine units with the setbacks and parking provisions outlined above.

A rear yard setback of 1.2 metres is proposed to the single detached dwelling instead of the standard 7.5 metres. Staff feel the reduced setback is acceptable as the house fronts onto Elgin Street, which means it would function more as an interior side yard setback rather than the technical rear yard. Additionally, the single detached dwelling will abut an Employment zone where the building (Furnace Room Brewery) is setback anywhere from 6 m up to 12 m from the lot line. The remainder of the development would maintain a rear yard setback that exceeds the minimum 7.5 metres required in a UR zone.

The exterior side yard abuts Elgin Street and is required to be 2.5 metres for multiple dwellings (double duplex) and 3.0 metres for a single detached dwelling. Staff included a provision in the site-specific by-law to ensure that a minimum of 1.7 metres is maintained along Elgin Street. Staff is of the opinion that the proposed exterior side yard setback is acceptable for the site and streetscape as there are no other dwellings that actually front onto this section of Elgin Street, and it would allow for an appropriate streetscape condition.

In regard to parking, a total of 16 spaces is to be provided on-site. The development meets the minimum by-law standards for the four street townhouse units (2 spaces each) and the single detached dwelling (2 spaces). For the multiple dwellings building a site-specific ratio of 1.5 spaces per unit is proposed instead of the standard 2.3 spaces per unit. Staff consider this to be more of a technical variance due to the unique nature of the building. The Zoning By-law does not define a double duplex unit; therefore, the multiple dwellings definition has been applied, which is a dwelling unit in a multiple-unit building. However, the multiple dwellings definition was traditionally intended to refer to private townhouse units on a condominium road, which typically require the higher parking ratio of 2 resident spaces per unit plus 0.3 spaces per unit for visitors given the size of most townhouse units. However, the proposed double duplex units reflect a more traditional duplex or apartment unit, which are smaller and carry a parking ratio of 1 resident space per unit and 0.5 spaces per unit for visitors under the Town's By-law. Therefore, staff feel it is appropriate to apply the 1.5 spaces per unit ratio to the proposed multiple dwellings (double duplex) to acknowledge their size and character.

The remainder of the zoning provisions regarding height and setbacks all conform to or improve upon the standard provisions within the Town's Comprehensive By-law.

As noted in Section 2.0 of this report, a Holding (H) Provision is also required to ensure the following is completed:

- Signed and executed Site Plan Agreement with the Town of Halton Hills;
- Implementation of the recommendations of the Noise and Vibration Impact Study through the Site Plan Control process by way of a letter of commitment to the satisfaction of the Town of Halton Hills;
- Allocation of servicing;
- An addendum to the Functional Servicing Report be submitted to address outstanding servicing requirements to the satisfaction of the Region;
- Signed and executed CN Development Agreement; and,
- Granting CN an environmental easement for operational noise and vibration emissions, registered against the property in favour of CN

Department and Agency Comments

The proposed Official Plan and Zoning By-law Amendments were circulated to Town departments and external agencies for review, with the most recent circulation occurring in September 2023. Staff from various departments and agencies have completed their review of the proposal and have indicated that they have no concerns or objections to

the approval of the Official Plan and Zoning By-law Amendments. Staff is satisfied that the comments provided in the 2021 Public Meeting report regarding amenity space, stormwater, noise study and Environmental Site Assessment have all be sufficiently addressed.

Public Comments

The original proposal to redevelop 59, 61 and 63 King Street was presented to the public by way of Report No. PD-2021-0010 through a Statutory Public Meeting on March 1, 2021. There were approximately five interested people in attendance at the meeting who came forward to ask questions and present their concerns about the proposal. A Public Information Centre was subsequently held on January 24, 2022.

The following section describes the specific questions/concerns received to date and the responses provided:

1. Clarification was requested regarding the number of parking spaces provided for each unit.

Staff Response:

A total of 16 parking spaces are being provided. The following is a summary of the parking supply:

Parking Space Type	Number of Parking Spaces	Location of Parking Spaces
Single Detached Dwelling	2	Surface Carport
Multiple Dwellings	6 (1.5 per unit)	Surface
Street Townhouse Dwellings	8 (2 per unit)	Surface Garage

2. Concern was expressed that only one parking space was provided for the single detached dwelling.

Staff Response:

The original proposal contemplated one surface parking space. The development has since been revised to provide two spaces for the single detached dwelling, one surface parking space and one carport parking space, which meets the requirements of the Zoning By-law.

3. Residents commented on the lack of amenity space within the development.

Staff Response:

Outdoor amenity space is proposed for each townhouse at the rear of the unit as well as for the multiple dwellings (double duplex).

4. Concerns were raised about the proposal's conformity with the mature neighbourhood policies/provisions and the appropriateness of amending the Official Plan and Zoning By-law for this site.

Staff Response:

The location of the subject lands can be considered a transitional area between the low density residential neighbourhood to the south and the employment lands to the north (Furnace Room Brewery) as well as the Georgetown GO Station. The mature neighborhood policy framework is not in effect to prohibit redevelopment or intensification in appropriate locations, but rather to ensure that any development is respectful of the existing character of the neighbourhood despite there being different land use forms. Staff is satisfied that the proposed development provides an appropriate transition and is consistent with the intent of the mature neighbourhood provisions regarding height and setbacks.

5. Residents expressed concerns about the increase in density.

Staff Response:

The proposal is to increase the current density permissions from 20 units per net residential hectare to approximately 47.3, which complies with the density permission under the Medium Density Residential Area designation. Staff evaluated the proposal against the policies of the Official Plan and determined that the development complies with all the applicable requirements and do not believe there should be any negative impacts on the surrounding neighbourhood as a result of the proposed increase. Provincial, Regional and Town policies also encourage providing greater density adjacent to the GO Station, where it can be demonstrated to be appropriate.

6. A question was asked regarding the type of units proposed and why single detached dwellings are not being considered as an alternative.

Staff Response:

Staff believes the site provides a suitable transition between uses to support more dense forms of housing types. Also, providing a range of housing types increases choice and creates a more equitable and sustainable community.

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.

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 along with other sustainable objectives.

PUBLIC ENGAGEMENT:

Public Engagement was conducted as follows: A Statutory Public Meeting was held on March 1, 2021. This meeting fulfilled the requirements for public participation under the Planning Act, and provided Transparency, Notification and Participation, as defined in the Town's Public Engagement Charter.

In addition, a Public Information Centre was subsequently held on January 24, 2022.

INTERNAL CONSULTATION:

Planning staff have consulted with the appropriate Town departments, the Region of Halton, CN and Metrolinx in the 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