



REPORT

TO: Mayor Lawlor and Members of Council

FROM: Josh Salisbury – Senior Policy Planner

DATE: June 21, 2024

REPORT NO.: PD-2024-050

SUBJECT: Public Meeting for a proposed Zoning By-law Amendment seeking to permit an existing gymnastics club and to obtain temporary 3-year permission for an existing retail store within the existing 1-storey industrial building at 12 Armstrong Avenue (Georgetown)

RECOMMENDATION:

THAT Report No. PD-2024-050, dated June 21, 2024, regarding a “Public Meeting for a proposed Zoning By-law Amendment seeking to permit an existing gymnastics club and to obtain temporary 3-year permission for an existing retail use within the existing 1-storey industrial building at 12 Armstrong Avenue (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:

- The Town has received a Zoning By-law Amendment application seeking to permit an existing commercial fitness centre use (gymnastics club Cartwheels) and to also obtain a Temporary Use Zoning By-law Amendment to permit an existing retail store (WasteWise) to operate for a period of 3-years within the existing 1-storey industrial building.
- The application is currently under review by internal departments and external agencies.
- 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 & Site Characteristics

The subject property is located on the south side of Armstrong Avenue, east of Mountainview Road North in the urban area of Georgetown; see **SCHEDULE 1 – LOCATION MAP**. The property is approximately 0.43 hectares (1.06 acres) in size with frontage of approximately 46.2 metres (151.6 feet) on Armstrong Avenue. There is currently a one-storey industrial building on the property that contains two leasable units – the first unit is occupied by Cartwheels Gymnastics Club (operating since 2012); the second is occupied by the WasteWise retail store (operating since 2012).

Surrounding land uses to the subject property include:

- To the North: Industrial uses a commercial/industrial plaza and residential uses further north
- To the East: Industrial uses
- To the South: Industrial uses, an automotive sales centre and street-level commercial retail uses
- To the West: Christ the King Catholic Secondary School, residential uses and the Georgetown GO Station Major Transit Station Area

2.0 Development Proposal

On June 3, 2024, the Town received a Zoning By-law Amendment application (File No. D14ZBA24.004) submitted by Sustain Design Architects Inc. (the Applicant), on behalf of McNally Ltd. (the Owner), seeking to obtain the following:

- permit the commercial fitness centre use (gymnastics club Cartwheels) currently operating out of the existing building; and,
- approval for the existing retail store (WasteWise) to continue to operate out of the building for a temporary 3-year period.

Further details about the proposed development are outlined below:

Design Elements	Application Proposal
Gross Floor Area	Cartwheels = 1,182 m ² WasteWise = 594 m ² Total = 1,776 m ²
Height	1-story (4.6 m)
Parking Spaces	50 spaces (including 2 barrier-free)
Access	One entrance point and one loading path off Armstrong Avenue

A Site Plan that shows the current configuration of the building and site has been provided for illustrative purposes:

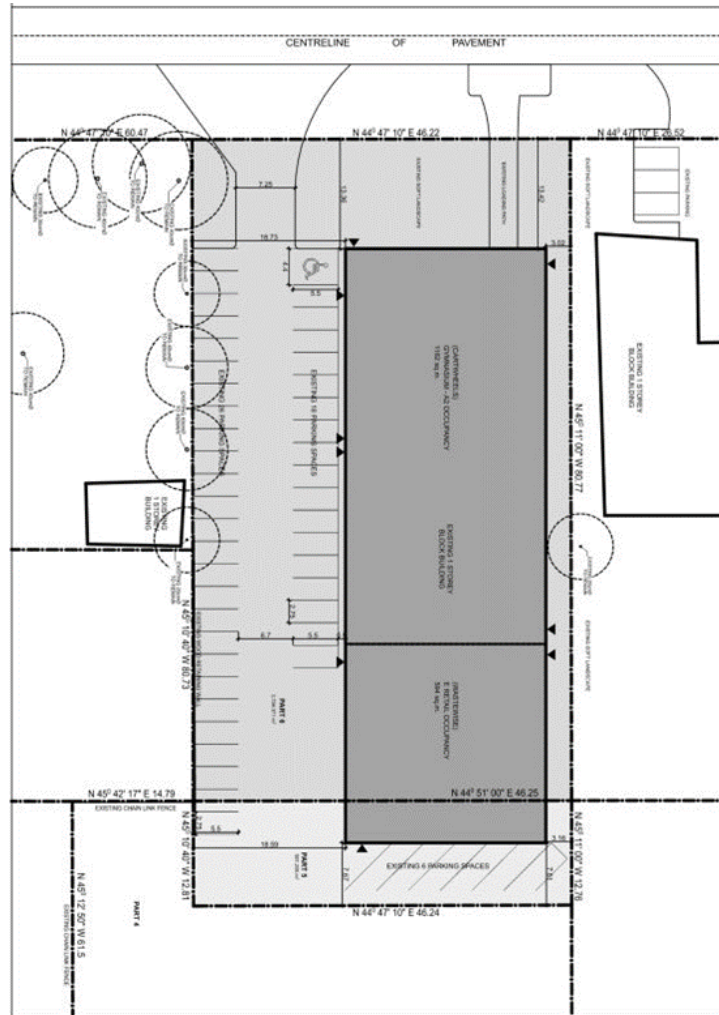


Figure 1 – Site Plan

The Zoning By-law Amendment is also seeking relief regarding the number of parking spaces provided on-site for the two uses. Comprehensive Zoning By-law 2010-0050 requires a total of 100 parking spaces to be provided for the commercial fitness centre and retail store uses, whereas the site currently has only 50 parking spaces available; see **SCHEDULE 3 – DRAFT ZONING BY-LAW AMENDMENT**.

A list of reports and drawings submitted in support of the application is also attached to this report as **SCHEDULE 4 – SUBMISSION MATERIALS**.

3.0 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 Growth Plan directs new growth to locations that make efficient use of transportation and servicing infrastructure and sets out general policies for employment and commercial lands.

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, with an Employment Area overlay in the Regional Official Plan (ROP) as recently amended by ROPA 48 and 49.

Section 76 of the ROP states that the range of permitted uses and creation of lots within the Urban Area are to be in accordance with Local Official Plans and Zoning By-laws. Section 72(10) states an objective of the ROP is to provide for an appropriate range and balance of employment uses including industrial, office, retail and institutional uses to meet long-term needs. More detailed policies for Employment Areas are set out in Section 77.1 of the ROP.

Town of Halton Hills Official Plan

Under the Town's Official Plan, the property is located within the General Employment Area. This designation permits a wide range of employment related uses, including data processing facilities, industrial malls and distribution facilities located primarily within wholly enclosed buildings.

As per Section D3.4.1.4.4, the Town's Official Plan also permits a range of secondary uses in the General Employment Area, including free-standing office buildings, restaurants, day nurseries and commercial fitness centres (which includes a gymnastics

club), subject to a Zoning By-law Amendment (Section D3.4.1.4.5), provided such an application can demonstrate the use satisfies the following criteria:

- a) will not have a negative impact on the operation of industrial uses on abutting lands;
- b) will not compromise the ability of adjacent industrial uses to expand in the future;
- c) will complement and support the employment uses in the area;
- d) is supported by adequate parking and loading facilities on the site;
- e) is designed to blend in with its surroundings and with other buildings in the area;
- f) incorporates landscaping to enhance the site and surrounding area; and,
- g) if it abuts or is in close proximity to an existing residential use, fencing, landscaping, berming or a combination of these features are utilized to ensure that there is adequate screening between the uses.

A retail store is not a primary or secondary use permitted in the General Employment Area. Therefore, an Official Plan Amendment would be required to permit the use on a permanent basis. However, Section G4.1 of the Official Plan states that Town Council may pass by-laws permitting the temporary use of lands, buildings or structures, which may not conform to this Plan, up to a period of 3 years, subject to satisfying the criteria set out in Section G4.1.2, which are:

- 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.

Town of Halton Hills Zoning By-law

The subject property is zoned Employment One (EMP1) under Zoning By-law 2010-0050, as amended, which permits employment related uses. Only commercial fitness centres that existed prior to the effective date of the By-law (ie. 2010) are permitted. A retail store is not a permitted use in the EMP1 zone.

Given Cartwheels began operating out of the property in 2012, a Zoning By-law Amendment is required for both the commercial fitness centre and retail uses.

By-law 2010-0050 requires parking to be provided at a rate of 1 space per 15/m² for a commercial fitness centre and 1 space per 20/m² for a retail store.

4.0 Department and Agency Circulation Comments

The Zoning By-law Amendment application was circulated to Town departments and external agencies for review on June 5, 2024. The submission materials are currently under review.

5.0 Public Comments

As of the date of this report, no comments have been submitted by the public.

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:

June 12, 2024	Notice of Received Application and the Public Meeting Notice was mailed out to all property owners within 120 metres of the subject lands
June 19, 2024	Notice from the Town regarding the date and time of the Public Meeting goes live on the Town's Corporate Advertising and Public Notices Page
June 19, 2024	Signs posted on the subject lands explaining the purpose of the proposed application and identifying the date and time of the Public Meeting
June 20, 2024	Notice of Statutory Public Meeting goes live on The IFP and Halton Hills Today websites

INTERNAL CONSULTATION:

The Applicant was provided with preliminary comments from various Town departments and external agencies through pre-consultation notes dated July 2023 (D00ENQ23.020).

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