

REPORT

REPORT TO: Mayor Bonnette and Members of Council

REPORT FROM: Tony Boutassis, Senior Planner – Development Review

DATE: August 21, 2018

REPORT NO.: PLS-2018-0069

RE: Public Meeting Report for a proposed Temporary Use Zoning By-law Amendment to permit a temporary parking lot at 13584 Steeles Avenue for use by the Toronto Premium Outlet Mall (Halton Hills Premier Gateway Business Park)

RECOMMENDATION:

THAT Report No. PLS-2018-0069, dated August 21, 2018, with respect to a “Public Meeting Report for a proposed Temporary Use Zoning By-law Amendment to permit a temporary parking lot at 13584 Steeles Avenue for use by the Toronto Premium Outlet Mall (Halton Hills Premier Gateway Business Park)”, be received;

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

BACKGROUND:

Purpose of the Report:

This report is to advise Council and the Public of the Temporary Use Zoning By-law Amendment application submitted by SmartCentres’ (the Applicant) proposing a temporary parking lot at 13584 Steeles Avenue, which is located across Trafalgar Road from the Toronto Premium Outlet mall site; see **SCHEDULE 2 – CONCEPT PLAN**. The temporary parking lot would be operated by SmartCentres until the end of 2019 and is intended to address the increased parking demand expected to be generated as a result of the opening of the Toronto Premium Outlet mall expansion occurring in mid-November.

Location & Site Characteristics:

The subject lands, municipally known as 13584 Steeles Avenue, are located in the Halton Hills Premier Gateway Business Park at the south-west corner of Steeles Avenue and Trafalgar Road; see **SCHEDULE 1 – LOCATION MAP**. The ‘L-shaped’ site is owned by P.A.Z. Properties Corp. and is approximately 2.5 hectares (6.3 acres) in

size and has approximately 36.6 metres (120.0 feet) of frontage on Steeles Avenue and 136.0 metres (446.2 feet) of flanking Trafalgar Road. The lands are currently vacant; however, the fencing, jersey barriers and stormwater facility from a previous temporary parking lot on the property remain on-site.

Surrounding land uses to the subject site include:

- To the North - gas station, single detached dwellings and agricultural land across Steeles Ave.
- To the East - gas station and the Toronto Premium Outlet mall site across Trafalgar Rd.
- To the South - agricultural land and Highway 401
- To the West - the Hornby Community Centre, single detached dwellings and agricultural land

Site / Development History:

The subject site had previously been used as a temporary parking lot associated with the Toronto Premium Outlet Mall.

On September 26, 2016, Council approved a Temporary Use Zoning By-law Amendment (Report No. P&I-2016-0113) to permit a 597 space temporary parking lot until December 31, 2017. The temporary parking lot accommodated additional off-site parking for the Toronto Premium Outlet Mall during the construction of the parking garage (Phase 2A) on the mall site. The parking garage was required to facilitate the future expansion of the outlet mall. Construction of the 5 level (4-storey) 1,676 space parking garage was completed in November 2017 and is currently in use. Operation of the temporary parking lot ceased on January 1, 2018.

On January 17, 2018, the Town issued Site Plan approval for the outlet mall expansion (Phase 2B) containing 7 new blocks with a total gross floor area of approximately 15,000 m² (160,000 sq. ft.). Construction of the expansion is currently ongoing and is expected to be completed by the end of October, with a grand opening planned for mid-November. The mall expansion represents SmartCentres' final planned phase of development for the outlet mall site. Once finished, the site will have a total gross floor area of 52,608 m² (566, 280 sq. ft.) and 3,002 parking spaces.

SmartCentres is now seeking to use the 13584 Steeles Avenue site again for temporary parking to address the expected increased parking demand generated as a result of the opening of the expansion.

Development Proposal:

On August 15, 2018, SmartCentres (the Applicant) submitted a Temporary Use Zoning By-law Amendment application (File No. D14ZBA18.010) to permit a temporary parking lot at 13584 Steeles Avenue.

As stated earlier, the temporary parking lot is intended to address the expected increased parking demand generated as a result of the opening of the mall expansion. The Applicant has indicated that the expansion is expected to create some congestion immediately following the grand opening and during peak periods (weekends and holidays) as new (and returning) customers become familiar with navigating a revised site circulation pattern and the new multi-level parking garage.

The temporary parking lot is proposed to be identical to the previous temporary lot and will have 597 parking spaces with vehicular access limited to one right-in-right-out access point off Steeles Avenue and one right-in-right-out access point off Trafalgar Road.

SmartCentres has indicated that the temporary parking lot would mainly be used by mall staff during peak weekend and/or holiday hours. Staff who park in the temporary lot would be transported to the mall by a shuttle bus that would continuously run between the off-site parking lot and the mall.

The Temporary Use Zoning By-law Amendment application proposes to amend the applicable Holding 401 Corridor Gateway ((H)G) Zone on a site-specific basis to allow a stand-alone parking lot to exist on the subject lands until December 31, 2019 (14 months); see **SCHEDULE 3 – DRAFT ZONING BY-LAW AMENDMENT**. The temporary zoning amendment also seeks exemption from the following provisions:

- A minimum landscaped open space of 10% of the lot area;
- A minimum planting strip width of 3.0 m abutting Steeles Avenue and Trafalgar Road; and
- Parking spaces shall not be located in any required yard abutting a non-industrial lot.

Should the Temporary Use By-law be approved the design and construction (ie. grading, fencing, lighting, signage) of the temporary parking lot would be reviewed and secured through the Site Alteration Permit process.

COMMENTS:

1.0 Current Planning Context:

In Ontario, when reviewing applications seeking to amend local Zoning By-laws, development proposals are expected to conform with and meet the intent of all applicable Provincial, Regional and Municipal policy documents.

This section discusses the relevant policy documents and framework that applies to the subject site and proposal:

1.1 Provincial Policy Statement (PPS):

The 2014 Provincial Policy Statement (PPS) provides policy direction for appropriate development while protecting resources of provincial interest, public health and safety,

and the quality of the natural and built environment. The proposal is required to be consistent with the relevant policies of the PPS in accordance with Section 3 of the *Planning Act*.

1.2 Growth Plan for the Greater Golden Horseshoe:

The subject lands are part of a larger designated urban area along the Premier Gateway Employment Area. The Growth Plan directs new growth to locations that make efficient use of transportation and servicing infrastructure and sets out general policies to preserve employment areas for future economic opportunities. As per Section 3 of the *Planning Act*, the proposal shall conform and not conflict with the Growth Plan.

1.3 Region of Halton Official Plan (ROP):

The 2009 Regional Official Plan designates the subject lands as Urban Area (401-407 Gateway Business Park). Section 76 of the Official Plan states that the range of permitted uses and the creation of new lots in Urban Areas will be in accordance with Local Official Plans and Zoning By-laws. The lands are also identified as forming part of the 'Employment Area' overlay under the 2009 Plan; the Employment Area policies provide direction to protect and preserve Employment Area lands for current and future employment uses (Policy 77.4(2)).

1.4 Town of Halton Hills Official Plan:

The subject lands are located within the Premier Gateway Employment Area under the Town's Official Plan and are designated Gateway Area. The Gateway Area does not permit stand-alone parking lots. However, Section G4.11 of the Plan states that Council may pass by-laws permitting the temporary use of lands, buildings or structures, which may not conform to 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 G4.11, a temporary use may be authorized for a specific time period up to three years and should be applied where it is considered inappropriate by the Town to permit the proposed use on a permanent or continuing basis and where alternatives such as relocation are not practical.

1.5 Town of Halton Hills Zoning By-law 00-138:

The subject site is zoned 401 Corridor Gateway (G) under Zoning By-law 57-91, as amended by By-law 00-138. A stand-alone parking lot is not permitted in the Gateway (G) zone.

Under By-law 00-138 the following provisions apply to any form of development in a Gateway (G) zone:

- A minimum landscaped open space of 10% of the lot area is required;
- The provision of a minimum planting strip width of 3.0 metres abutting Steeles Avenue and Trafalgar Road; and
- No parking space shall not be located in any required yard abutting a non-industrial lot.

The site is also subject to a Holding (H) provision, which is conditional upon the following:

- A Site Plan agreement has been signed by the Owner, if applicable;
- The Owner has submitted to the Town the appropriate cash payment for the cash-in-lieu of parkland value as well as the necessary site works and landscaping securities, if applicable; and
- The site can be adequately serviced to the satisfaction of the Region of Halton, if applicable.

2.0 Issues Summary:

2.1 Department & Agency Circulation Comments:

The application was circulated for review and comment to Town Departments and External Agencies in August. As of the date of this report staff has not received any formal comments from the circulated Departments or Agencies.

However, through discussions between the Town, agency staff and the Applicant, preliminary comments were provided regarding pedestrian access between the temporary lot and mall site that are to be addressed prior to and as part of Town staff's final recommendation report.

Pedestrian Access Between Temporary Parking Lot and Mall Site

SmartCentres is proposing to provide a shuttle bus service to transfer mall staff between the outlet mall and the proposed off-site temporary parking lot. Notwithstanding the intended shuttle service, Town staff has noted that many people chose to j-walk

across Trafalgar Road when the previous temporary parking lot was in operation, which created significant safety issues. This is a problem that is anticipated to continue with the new iteration of the temporary parking lot.

Therefore, staff has required the Applicant to demonstrate how they plan to direct pedestrians to safely cross at the signalized Trafalgar Road/Steeles Avenue intersection. This plan needs to include:

- a strategy for the safe on-site circulation of pedestrians (ie. footpaths/sidewalks within the parking lot);
- appropriate signage to discourage people from crossing Trafalgar Road, south of the intersection;
- a physical barrier and/or fence to be constructed between the mall and temporary parking lot; and,
- suitable parking lot management by SmartCentres.

Additionally, any functional improvements needed for the signalized intersection to accommodate the flow of a large number of pedestrians without impacting vehicular traffic movement in the area is also required to be identified.

2.2 Public Comments:

To date, Planning staff has not received any correspondence or inquiries from the public related to the subject application. However, any future comments received from the Public and received at the Public Meeting will be reviewed, addressed and included in the final Recommendation Report.

RELATIONSHIP TO STRATEGIC PLAN:

The final Recommendation Report will address the relationship between the proposed development and the Town's Strategic Plan.

FINANCIAL IMPACT:

There is no financial impact associated with this particular report.

CONSULTATION:

Planning staff have consulted with the appropriate Town departments and external agencies, including Halton Region and the Ministry of Transportation (MTO), to determine the submission requirements for the Temporary Use Zoning By-law Amendment application.

SUSTAINABILITY IMPLICATIONS:

The final Recommendation Report will address the relationship between the proposed development and any sustainability implications.

COMMUNICATIONS:

Public Notification & Comments:

- Aug. 17, 2018: Notice of Received Application mailed out to all property owners assessed within 120 m of the subject property.
- Aug. 17, 2018: Notice of a Public Meeting was mailed out to all property owners assessed within 120 m of the subject property and to anyone who requested notification.
- Aug. 21, 2018: Signs posted along Steeles Avenue and Trafalgar Road explaining the purpose of the proposed application.
- Aug. 21, 2018: Notice of Public Meeting signs posted along Steeles Avenue and Trafalgar Road.
- Aug. 23, 2018: Notice of a Public Meeting was published in the Independent & Free Press.
- Sept. 6, 2018: Courtesy Notice to be published in The Independent & Free Press.

CONCLUSION:

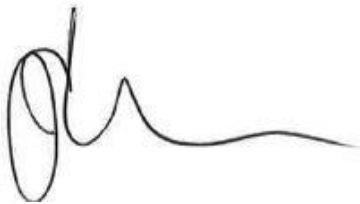
Once all relevant information, reports and comments have been reviewed a final Recommendation Report, which summarizes all agency and public comments and assesses the merits of the proposal, will be prepared.

Should Council concur, the Recommendations of this report can be adopted.

Reviewed and Approved by,

A handwritten signature in black ink, appearing to read "Jeff Markowiak". The signature is fluid and cursive, with the first name "Jeff" being more prominent.

Jeff Markowiak, Manager of Development Review

A handwritten signature in black ink, appearing to read "John Linhardt". The signature is cursive, with a large initial "J" and a long, sweeping underline.

John Linhardt, Commissioner of Planning and Sustainability

A handwritten signature in black ink, appearing to read "Brent Marshall". The signature is cursive, with the first name "Brent" being more prominent.

Brent Marshall, CAO