



REPORT

REPORT TO: Mayor Bonnette and Members of Council

REPORT FROM: Tony Boutassis, Senior Planner – Development Review

DATE: September 19, 2018

REPORT NO.: PLS-2018-0076

RE: **Recommendation Report for a proposed Temporary Use 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-2018-0076 dated September 19, 2018, regarding the “Recommendation Report for a proposed Temporary Use 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 the Temporary Use Zoning By-law Amendment, to amend Town of Halton Hills Zoning By-law 00-138, as amended, for the lands municipally known as 13584 Steeles Avenue (Halton Hills Premier Gateway Business Park), as generally shown in SCHEDULE 3 – ZONING BY-LAW AMENDMENT, be approved.

BACKGROUND:

1.0 Purpose of the Report:

The purpose of this report is to provide Council with recommendations concerning the final disposition of the Temporary Use Zoning By-law Amendment application submitted by SmartCentres (the Applicant) to permit a temporary parking lot with 597 parking spaces on lands municipally known as 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 anticipated to be generated as a result of the opening of the Toronto Premium Outlet mall expansion occurring in mid-November.

2.0 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) flanking frontage on 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.

3.0 Development Proposal

The subject property had previously been subject to a Temporary Use Zoning By-law Amendment (File No. D14ZBA16.008) to permit a temporary parking lot associated with the Toronto Premium Outlet Mall during construction of the on-site multi-level parking garage. Operation of the temporary parking lot ceased on January 1, 2018, following the completion of the parking garage.

SmartCentres is now seeking to use the 13584 Steeles Avenue site again for temporary parking to address the increased parking demand anticipated to be generated as a result of the opening of the new 15,000 m² (160,000 sq. ft.) mall expansion. The Applicant has indicated that the expansion is anticipated to create some congestion immediately following the grand opening in mid-November 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.

On August 15, 2018, SmartCentres (the Applicant) submitted a new Temporary Use Zoning By-law Amendment application (File No. D14ZBA18.010) to once again permit a temporary parking lot at 13584 Steeles Avenue until the end of 2019.

The temporary parking lot is proposed to have 597 parking spaces with vehicular access limited to one access point off Steeles Avenue and one limited right-in-right-out access point off Trafalgar Road; see **SCHEDULE 2 – CONCEPT PLAN**.

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 (15 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.

4.0 Site Alteration Permit

As per the Town's Site Plan Control By-law, the proposed temporary parking lot is not subject to Site Plan approval. Therefore, the construction of the parking lot, maintenance of the existing stormwater management facility and implementation of a pedestrian safety strategy will be reviewed and secured through the Town's Site Alteration Permit process.

COMMENTS:

1.0 Planning Context and Policy Framework:

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 determine conformity with the applicable policies and guidelines:

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*.

Planning staff is of the opinion that the proposed Temporary Use Zoning Amendment is consistent with the policies of the 2014 PPS.

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.

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

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)).

Regional staff has confirmed that the applications are in conformity with the Regional Official Plan.

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, Sections G4.1.1 and G4.1.2 of the Plan state 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 G4.1.1, 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.

Town staff is of the opinion that the proposed temporary parking lot satisfies the criteria of Sections G4.1.1 and G4.1.2 of the Official Plan.

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 Corridor 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.

Town staff considers the Temporary Use Zoning By-law Amendment appropriate given that the proposed temporary parking lot satisfies the Official Plan criteria for the approval of a temporary use Zoning By-law. Further, staff has no objections to the site specific relief requested from the applicable landscape, planting strip and parking space provisions given any such relief would only be granted on a temporary basis until the end of 2019.

The site is also subject to a Holding (H) Provision, which is conditional upon obtaining Site Plan approval, the Owner submitting all necessary financial securities and adequate municipal servicing having been secured. Given that none of these conditions are applicable to the proposed temporary parking lot, the Holding (H) Provision is not required to be lifted to permit the development of the parking lot.

2.0 Town Department and External Agency Comments:

The Temporary Use Zoning By-law Amendment proposal was circulated to Town departments, Halton Region, Ministry of Transportation (MTO) and Conservation Halton for review and comment. Staff from the various departments and agencies have completed their review of the proposed temporary parking lot and indicated that they have no concerns or objections with the proposed Temporary Zoning Amendment.

However, for information purposes staff has provided comments on the following issue that was identified with the proposed temporary parking lot:

2.1 Pedestrian Access between Temporary Parking Lot and Mall Site

SmartCentres is proposing to provide a shuttle bus service to transfer mall employees between the outlet mall and the proposed off-site temporary parking lot. Notwithstanding the intended shuttle service, Town and Regional staff noted to the Applicant that many people still chose to j-walk across Trafalgar Road when the previous temporary parking lot was in operation, which created significant safety issues.

In response to staff concerns, the Applicant has submitted an updated Traffic Impact Study, which outlines the following pedestrian safety measures proposed to be implemented in the new temporary parking lot:

- providing a free shuttle bus to a designated location for TPO employees;
- additional pedestrian fencing will be installed along the east edge of the temporary parking lot;
- signage will be installed throughout the site directing pedestrians to cross at the Steeles Avenue and Trafalgar Road intersection;
- TPO management will provide regular communication materials to the retail staff reminding them that all staff must cross at the signalized intersection; and
- installation of a barrier or fence along the median on Trafalgar Road, to the satisfaction of Halton Region (Trafalgar Rd. is a Regional road).

The functional design of the temporary parking lot, temporary external road modifications and pedestrian barrier options are illustrated on **SCHEDULE 4 – PEDESTRIAN AND VEHICULAR CONSIDERATIONS**. The above considerations are currently being reviewed by Town and Regional staff and when finalized will be implemented through the required Site Alteration Permit process.

3.0 Public Comments and Issues:

The proposed temporary parking lot was presented to the Public by way Report PLS-2018-0069 through a Statutory Public Meeting on September 10, 2018. No one from the public spoke in regards to the matter.

Staff has also not received any phone calls or emails from any individuals related to the proposal.

RELATIONSHIP TO STRATEGIC PLAN:

The proposed development is most closely aligned with Strategic Direction G - Achieve Sustainable Growth, the goal of which is:

To ensure that growth is managed so as to ensure a balanced, sustainable, well planned community that meets the needs of its residents and businesses.

This Strategic Direction is to be achieved as it relates to this application in part through Strategic Objectives:

- G.1** To provide for a moderate scale of growth that is in keeping with the Town's urban structure and protects it's rural character.
- G.11** To ensure the efficient use of urban land and infrastructure in existing communities and new growth areas.

FINANCIAL IMPACT:

There is no immediate financial impact to the Town budgets as a result of this application.

CONSULTATION:

Planning staff have consulted with the appropriate Town Departments, the Region of Halton, Ministry of Transportation (MTO) and Conservation Halton in the preparation of this Report.

PUBLIC ENGAGEMENT:

The proposed Temporary Use Zoning By-law Amendment application was presented to the Public through a Statutory Public Meeting on September 10, 2018 (Report No. PLS-2018-0069).

SUSTAINABILITY IMPLICATIONS:

Since the recommendations of this report are related to a temporary project, sustainability implications are not triggered and hence there are no direct sustainability implications associated with this report.

COMMUNICATIONS:

Public Notice of Council's decision regarding the passage of the Temporary Use Zoning By-law Amendment will be completed in accordance with the requirements of the Planning Act.

CONCLUSION:

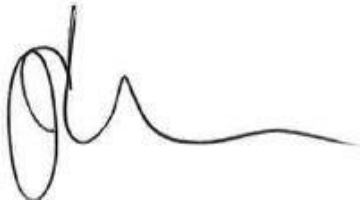
Staff has completed their review of the proposed temporary parking lot and believes that the proposal has merit and should be supported. It is also the opinion of staff that the proposed Temporary Use Zoning By-law Amendment has appropriate regard for the Provincial Policies and is in conformity with the Town and Regional Official Plans.

Therefore, Planning staff recommends that Council approve the Temporary Use Zoning By-law Amendment, as generally shown in **SCHEDULE 3 – ZONING BY-LAW AMENDMENT** of this report.

Reviewed and Approved by,

A handwritten signature in black ink, appearing to read "Jeff Markowiak". The signature is written in a cursive, flowing style.

Jeff Markowiak, Manager of Development Review

A handwritten signature in black ink, appearing to read "John Linhardt". The signature is written in a cursive, flowing style.

John Linhardt, Commissioner of Planning and Sustainability

A handwritten signature in black ink, appearing to read "Brent Marshall". The signature is written in a cursive, flowing style.

Brent Marshall, CAO