



REPORT

REPORT TO: Mayor Bonnette and Members of Council

REPORT FROM: Jeff Markowiak, Manager of Development Review

DATE: June 25, 2018

REPORT NO.: PLS-2018-0062

RE: Recommendation Report for Removal of Holding (H) Provision for Building 1 on the Amico Site (Georgetown)

RECOMMENDATION:

THAT Report No. PLS-2018-0062, dated June 25, 2018, with respect to a "Recommendation Report for Removal of the Holding (H) Provision for Building 1 on the Amico Site (Georgetown)" be received;

AND FURTHER THAT the request to remove the Holding (H) Provision from Zoning By-law 2010-0050, as amended by By-law 2017-0045, for the lands described as Lots 1 to 9 Registered Plan 341 (Georgetown), Part of West Half of Lot 19, Concession 9 (Esquesing), Town of Halton Hills, Regional Municipality of Halton, be approved;

AND FURTHER THAT the necessary By-law be enacted to authorize the removal of the Holding (H) Provision as generally shown in SCHEDULE 3 of this report.

BACKGROUND:

On July 10, 2017, Council approved a Zoning By-law Amendment to allow for a 6-storey condominium (Building 1) on the former Memorial Arena lands, now owned by Amico, municipally known as 26, 28, 30, 34, 36, 38 & 42 Mill Street; 3 & 11 Dayfoot Drive in Georgetown; see **SCHEDULE 1 – LOCATION MAP** and **SCHEDULE 2 – BUILDING 1 SITE PLAN**.

As per the approved Zoning By-law Amendment (By-law 2017-0045), the property is zoned High Density Residential Exception 92 (HDR(92)) and is subject to Holding Provision 18 (H18). The HDR(92) zone permits a 6-storey condominium on the lands; the Holding (H18) Provision is subject to 6 conditions, including Site Plan and Section 37 agreements, Record of Site Condition and approval of a Construction Management Plan.

In November 2016 the Applicant (Amico) submitted a Site Plan application to implement the Zoning By-law Amendment to facilitate the construction of the 6-storey condominium. A Site Plan agreement was signed by the Owner on June 21, 2018.

Amico has applied to the Town of Halton Hills requesting that the Holding Provision removal process commence for the property. The Holding (H) Provision is required to be lifted prior to the issuance of any building permits and Amico intends to begin construction of the condominium this summer.

COMMENTS:

The Holding (H18) Provision may be lifted once the following has occurred:

- i) Approval of a Site Plan application and execution of a Site Plan Agreement;
- ii) Submission of a Ministry of the Environment and Climate Change (MOECC) acknowledged Record of Site Condition (RSC) to the Region of Halton;
- iii) The Town of Halton Hills and the Region of Halton are satisfied that the subject site has received the necessary servicing allocation (SDE);
- iv) Completion of a noise study and the registration of an environmental easement on title, to the satisfaction of CN Rail;
- v) Execution of agreement under Section 37 of the Planning Act providing for the public benefits referenced in Schedule 4 of Zoning By-law 2017-0045; and
- vi) Approval by Town Administration of a Construction Management Plan.

Town staff is satisfied that the conditions of the Holding (H18) Provision have been fulfilled for Building 1 as follows:

i) Site Plan Approval:

Town staff issued conditional Site Plan approval on April 25, 2018, and the Owner signed a Site Plan agreement on June 21, 2018. Execution of the agreement and issuance of Final Site Plan approval is expected to occur after July 9, which must take place before any building permits can be issued.

ii) Record of Site Condition:

On November 6, 2017, the Ministry of Environment and Climate Change (MOECC) issued written acknowledgment that a Record of Site Condition (RSC) had been filed in the Environmental Site Registry. The Region of Halton has confirmed receipt of the acknowledgment and that the condition has been satisfied.

iii) Servicing Allocation:

On January 26, 2015, Town Council approved the allocation of 69 SDE to the former Memorial Arena site (Report PDS-2015-0001). Building 1 requires 44 SDE, leaving 25 SDE remaining for any future development on the Amico lands. The Region of Halton has confirmed that they are satisfied that the site has received the necessary servicing allocation.

iv) Noise Study & Environmental Easement:

Through review of the proposal CN Rail identified the need for a noise study to be submitted and for Amico to register an Environmental Easement on their lands in favour of CN Rail. In December 2016 CN accepted a satisfactory noise study and on May 18, 2018, Amico signed the necessary Environmental Easement.

v) Section 37 Agreement:

Site Specific Zoning By-law 2017-0045 granted permission for the 6-storey condominium (Building 1) subject to Amico providing the Town with a community benefit in the form of:

- a) complete improvements to the Mill St. right-of-way adjacent to the Amico lands; or
- b) provide the Town with a \$200,000 contribution for the Town to complete the improvements to the right-of-way.

Amico signed a Section 37 Agreement on June 21, 2018, confirming that they will complete improvements to the Mill Street right-of-way as part of the construction of Building 1. The Section 37 Agreement includes a list of drawings approved by Town staff that details the agreed upon improvements to the right-of-way.

vi) Construction Management Plan:

Through the Site Plan review process Town Development Engineering staff has signed-off on a satisfactory Construction Management Plan for Building 1 that outlines how any potential impacts for area residents as a result of the construction activity will be minimized. It should be noted that the plan will need to be periodically modified and updated as construction of the condominium proceeds and the scheduling of construction activities becomes clearer.

Based on the above, Town staff is recommending that Council lift the Holding (H18) Provision from the portion of the Amico lands to be occupied by Building 1. The Holding Provision would not be removed from the remainder of the Amico site until Council approves any future phases of development (ie. anticipated Buildings 2 and 3) and the Applicant satisfies the conditions of the Holding Provision.

RELATIONSHIP TO THE STRATEGIC PLAN:

The lifting of the Holding (H) Provision is consistent with the Town's strategy to manage growth.

FINANCIAL IMPACT:

The removal of the Holding (H) Provision is an administrative matter and has no financial impact.

CONSULTATION:

Planning staff have consulted with the appropriate Town departments in preparation of this report. The Region of Halton did not require any consultation.

PUBLIC ENGAGEMENT:

Public consultation is not required prior to the removal of a Holding (H) Provision.

SUSTAINABILITY IMPLICATIONS:

The Town is committed to implementing our Community Sustainability Strategy, Imagine Halton Hills. Doing so will lead to a higher quality of life.

The recommendations outlined in this report are not applicable to the Strategy's implementation.

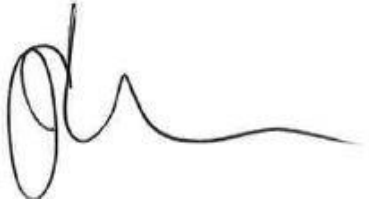
COMMUNICATIONS:

Notice of the Town's intention to pass the Holding Removal By-law was completed in accordance with the requirements of the *Planning Act*.

CONCLUSION:

On the basis of the foregoing, Planning staff recommends that Council lift the Holding (H18) Provision from the portion of the subject lands to be occupied by Building 1 by enacting the attached By-law, as generally shown in **SCHEDULE 3 – PROPOSED HOLDING REMOVAL BY-LAW**.

Reviewed and Approved by,

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John Linhardt, Commissioner of Planning and Sustainability

A handwritten signature in black ink, appearing to be 'Brent Marshall', with a stylized, flowing script.

Brent Marshall, CAO