



PUBLIC MEETING-2020-0004

October 26, 2020

Proposed Zoning By-law Amendment – McGibbon Development Project – AMICO
Location: 69-79 Main St. South & 94-98 Mill St. (Georgetown)

Minutes of the Public Meeting held on Monday, October 26, 2020, 6:00 p.m., in the Council Chambers, Town of Halton Hills and Via Zoom.

Mayor R. Bonnette chaired the meeting.

Mayor R. Bonnette advised the following:

The purpose of this Public Meeting is to inform and provide the public with the opportunity to ask questions or to express views with respect to the development proposal. The Councillors are here to observe and listen to your comments; however, they will not make any decisions this evening.

As the Chair, I am informing you that when Council makes a decision, should you disagree with that decision, the Planning Act provides you with an opportunity to appeal the decision to the Local Planning Appeal Tribunal for a hearing, subject to Tribunal validation of your appeal. Please note that if a person or public body does not make oral submissions at a public meeting or written submissions to the Town of Halton Hills before the decision is made, the person or public body is not entitled to appeal the decision of the Town of Halton Hills to the Local Planning Appeal Tribunal. In addition, if a person or public body does not make oral submission at a public meeting, or make written comments to the Town of Halton Hills before the decision is made the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal, unless, in the opinion of the Tribunal, there are reasonable grounds to do so. You may wish to talk to Planning staff regarding further information on the appeal process.

The Planning Act requires that at least one Public Meeting be held for each development proposal and that every person in attendance shall be given an opportunity to make representations in respect of the proposal.

The format of this Public Meeting is as follows:

- The Town will generally explain the purpose and details of an application;
- Next, the applicant will present any further relevant information, following which the public can obtain clarification, ask questions and express their views on the proposal.

The applicant and staff will attempt to answer questions or respond to concerns this evening. If this is not possible, the applicant and/or staff will follow up and obtain this information. Responses will be provided when this matter is brought forward and evaluated by Council at a later date.

SPECIFIC PROPOSAL

This Public Meeting involves an application by Amico Properties to amend site-specific Zoning By-law 2017-0064, which was approved by the OMB in 2017 for 69-79 Main St. South and 94-98 Mill St and to increase the number of units permitted on the property, reduce the minimum parking requirements for the site and modify the massing of the upper floors of the previously approved McGibbon Hotel condominium project.

TOWN'S OPPORTUNITY

The Chair called upon the Town's representative, Jeff Markowiak, Director of Development Review to come forward to explain the proposal.

The purpose of the public meeting is to provide a summary of Zoning By-law Amendment application submitted by Amico for the McGibbon development site in Downtown Georgetown. A Public Meeting is required for Zoning By-law Amendment applications as per the Planning Act.

This Public Meeting is being held in accordance with Mayor's Task Force on Public Engagement and the Town's Public Engagement Charter. This Public Meetings intends to provide an opportunity for the public to ask questions and share views on the subject development proposal.

The property that is subject to Amico's application is located in Downtown Georgetown - at the northeast corner of Main St. South and Mill St. municipally known as 69-79 Main Street South and 94-98 Mill St.

Now tonight's public meeting is a bit different than the traditional public meeting staff provide for development applications. Usually staff outline the policy framework that applies to the site and then what type of amendments the applicant is seeking in order to facilitate their development proposal. In this case, we are dealing with a site that was the subject of a previous development application, that went through the process and obtained very specific permission for a 10-storey condominium – which most people refer to as the McGibbon condo development.

Amico isn't seeking to restart an entire new process with a brand new development concept. They are simply seeking to make some amendments to the previous approvals obtained for the site in order to take over the McGibbon project and advance it to construction. This presentation will focus on the details of the previous development approvals so that everyone can understand the nature of the amendments that Amico is seeking.

Back in 2016 the Town had been considering applications filed by Silvercreek for a condominium project on the site, those applications were appealed to the Ontario Municipal Board (OMB), following which a decision was ultimately issued by the OMB in 2017 that led to the adoption of Zoning By-law 2017-0064.

This by-law number is important to remember because it completely lays out in detail all aspects of the OMB decision, which was for:

- 10 storey, 125 unit condominium (10th storey loft)
- With parking required to be provided at the rates shown on the screen

The site specific by-law also very strictly controlled the massing, setbacks and step-backs of the building, the Agreement committed the property Owner to:

- preserve/reconstruct McGibbon façade:
 - upper 2 floors of Main St. façade original brick
 - Mill S. façade replica brick
- provide \$500,000 contribution to Town to be used towards heritage preservation and/or other Downtown Georgetown initiatives
- agree to methods/mechanisms to resolve matters deferred by OMB decision

The OMB decision also recognized that it was granting approval for a condo building that still had a number of critical elements that had to be figured out to make the development viable, those items were deferred.

Those deferred elements are important because they are what will turn height/density/massing of the OMB approval into a condo that can be built and people can live in. There were 9 deferred elements in total and they were captured in a Holding Provision that was included as part of Zoning By-law 2017-0064. They dealt with things like;

- the Owner obtaining Site Plan approval
- How McGibbon façade would be reconstructed
- How cars, loading and garbage vehicles would access the site
- Resolve very complicated servicing issues that existed on-site that if not dealt with properly would cut off services to a number of other properties in the downtown

However, despite having obtained OMB approval for the project the owner announced in December 2018 that they were cancelling the project due to being unable to achieve suitable financing for the condo. At the time of cancellation only 2 of the 9 deferred elements had been addressed. The property has sat dormant and no activity had taken place by the previous applicant to advance the project since it was cancelled in 2018. That brings us to today and the application filed by Amico last month seeking to make amendments to the previous approvals in order to take the project over and advance it to construction.

Amico has suggested for the project to be viable they need to make amendments to 4 aspects of the site specific by-law 2017-0064 approved by the OMB. The first aspect that Amico wishes to amend is to increase the unit count within the building from 125 to 169. This increase in units by 44 will largely be achieved by reducing the average size of the units, meaning there will be a greater number of smaller units. The gross floor area of the building will remain largely the same.

The second aspect that Amico wishes to modify is the building massing that is outlined in the by-law. The previously approved building had very deep terraces adjacent to Main St, Amico wants to create a more traditional building design on the upper floors, with more traditional terracing. The podium (the first 3 floors) would remain the same and still frame the streets.

The third aspect that Amico wishes to amend is the resident parking ratio from 1.5 spaces per unit to 1.2 spaces per unit. This means that there would be fewer spaces available to residents of the building than what the Town's current by-law envisions. To try and address the reduction, Amico proposes to provide two auto-share spaces.

The fourth aspect that Amico wishes to amend is with parking. Amico wants to eliminate the 20 spaces that are required to serve the retail needs of the building. They are proposing that the 26 visitor spaces being provided to serve the needs of the visitors to residents of the building could also serve a dual function and be available to retail patrons as well.

Amico has suggested if they can get support for these four changes to the previously approved zoning by-law they will be able to advance the project.

Aspects of the previous approvals that Amico intends to keep the same include; maintaining the 10 storey height, reconstructing the McGibbon hotel façade in the same fashion as was approved by the OMB and providing the \$500,000 contribution approved by the OMB.

One additional aspect of Amico's proposal is that they intend to also incorporate a pedestrian pathway that would connect Mill St. to the municipal parking lot behind the site. The path would be made available for general use by the public to maintain the current pedestrian circulation patterns in downtown. This was something that was not going to be provided as part of the previous McGibbon condo project and represents an improvement. Amico is offering this as a community contribution in lieu of obtaining an Official Plan Amendment to address their proposed increase in unit count

Staff from the Town and the Region have had a chance to review the initial submission filed by Amico and provide a complete set of comments back to them. None of the departments or the Region have identified an objection to the project. However, there is additional information some disciplines require to properly evaluate the proposal in order to provide a recommendation

That additional information includes;

- Updates to the submitted parking study to better understand any potential impacts the reduction being request by Amico could generate
- A shadow impact study to be able to consider all aspects of the proposed massing changes to the building
- And additional servicing information to understand the demands that could be generated by the increase in units

To date staff have received four emails and 3 phone calls from the public with respect to this application. Generally the comments have been supportive of the project re-starting and the amendments Amico is seeking. There has been keen interest in the 10 storey height and façade being maintained. It seems that some residents are confused by the massing drawings submitted by Amico and put on the Towns website. Some think this is the design intended by Amico. J. Markowiak clarified that those drawings are not the final design they were simply intended to illustrate the massing being proposed by Amico. The McGibbon façade was completed in detail to confirm Amico's intention to maintain the façade.

Amico has suggested that should they receive support for the four changes they are requesting to the by-law, they would begin the more detailed design phase of the condo.

Public input was received that wanted to ensure that the Town will evaluate any potential impacts to parking in Downtown that could result from Amico's proposed parking reduction and there was a question about whether bicycle parking will be available in the building, especially if most units would only have 1 parking space available.

Staff have provided feedback to Amico regarding their first submission and staff will take any public comments received tonight and relay back to Amico as part of a full commenting package for their consideration. Staff will then wait for a second submission from Amico that will hopefully address staff's request for additional information and any comments provided by the public

Once staff have all the information requested and able to properly evaluate the zoning changes requested by Amico staff will prepare a recommendation report for Council to consider at a later date.

APPLICANT'S OPPORTUNITY

The Chair called upon the applicant, Cindy Prince from Amico Properties, to provide further information and details on the proposal.

C. Prince stated that she and D. Amicone, President and Owner of Amico are both present. C. Prince stated that staff clearly articulated the relief that their proposal is seeking. They have taken an in depth look at the previous proposal and did a market sounding and have determined that smaller units may be in order, there are a variety of units and unit sizes that they are proposing with a greater number of smaller units that is the reason for the increase in the total number of units.

C. Prince stated that they are available to answer any questions from the public. C. Prince advised that final building will look much better than the massing drawing that was provided in the submission, they are doing work on the exterior design and look of the building and once they finalize the look they will provide an updated drawing in the future.

PUBLIC'S OPPORTUNITY

The Chair asked if there were any persons online that have questions, require further clarification or information or wish to present their views on the proposal to come forward.

The following persons came forward:

Jim Waldbusser, 5 Ostrander Boulevard, Halton Hills (Georgetown)

J. Waldbusser stated that back in January 2017 the OMB (Ontario Municipal Board) rendered a decision that was basically approved by Council in March 2017. A baseline was set by the Provincial Government on this project. A lot of time was spent examining various issues surrounding the McGibbon. Size, mass, density, height, adjacency, street scape and heritage were all examined within the context of the Provincial Policy Statement and that decision was rendered. A baseline was set by the highest level of government for the province and he would like to see that respected.

All parties agreed that this was acceptable with full public support, with one dissenting vote on Council. It seems like after all this work and all this trouble we are back to challenging what the Ontario Government has decided for this project. Right now it seems to be mass and density and size, not sure if further amendments will come in after this.

With the Arena lands there were a series of amendments from Amico and he fully expects the same thing to happen here.

A lot of people think that if we don't agree with this proposal there will be an empty lot in downtown, but if we do agree, we will get a tower that is totally out of step with downtown Georgetown and the community.

J. Waldbusser believes that the project should move forward within the baseline set by the Ontario government. Great opportunity for the Town of Halton Hills to create a partnership with Amico to get something closer to the original proposal that was approved by the Ontario government.

Loves the fact that Amico is interested in the property and wanting to develop the property but would like the Town of Halton Hills to step in and get back to the baseline that was established by the OMB.

Chris Meredith, 12 Park Avenue, Halton Hills

C. Meredith stated that section 5 of the Minutes of Settlement dated February 16, 2017, the Town agreed to authorize increases in the height of the proposed development not otherwise permitted in the applicable zoning. This authorization is in return for among other things the conservation and replication of the façades of the existing buildings located at 71-79 Main Street South, 98 Mill Street and 69 Main Street South.

The renderings presented only show the façade of the main McGibbon building and it is not clear with all of the renderings whether they will be replicating or preserving the façades of the rest of the buildings along Main Street and Mill Street, so as to maintain the look of the Downtown.

C. Meredith noted that he lives several blocks away from the proposed development but that the massing and height of the building will be visible from his location.

Silvercreek indicated that this conservation and cash contribution of \$500,000 to the Town was to be considered as bonusing under the provincial plan and that is why they got a ten storey allotment over and above the maximum eight storeys under the previous by-laws had limited the downtown area to. Since the inception of the plan it has become evident that other towns in Halton and Peel Regions of a similar size have decided that their downtowns are historic areas and have not permitted buildings of such height to be built in their historic areas

C. Meredith went on record to say that he never supported a ten storey building in downtown. This new proposal creeps it up by another couple of feet and with the machinery building on top will top at least 12 storeys in the traditional measurement. This is three times almost four times the height of the tallest building in the downtown area.

Janet Duval, 38 Chelvin Drive, Halton Hills (Georgetown)

J. Duval wanted to know if this applicant plans to use geothermal heating and cooling which the previous applicant was going to do. That will help us get to net zero carbon emissions by 2030 which is the Town's goal.

Reece Milton, 9 King Street, Halton Hills (Georgetown)

R. Milton agree with OMB decision to keep the massing the same. Curious about how small that the new size units will be, because in the previous development they were already creating bedrooms without windows, so he is nervous that there are going to be so many units with bedrooms without windows. Understand that you can put a translucent fog on a sliding glass door so that you can get lighting into a room from an adjacent window but it is not humane.

R. Milton stated that he recently moved back to town from the city and can attest to how horrible it is to live in a windowless room. He stated that he thinks it is a very bad precedent to set for the intensification of our main street.

What do you mean by reconstruct the Mill Street façade of the heritage resource for the McGibbon. It was not clear from the renders or the presentation

Has there been a heritage impact assessment done for this project? If not he would recommend that the Town get one, so that they can see the implications to the heritage on the sight. If there has been one done he would like to know where that is publically available.

R. Milton asked if there has been any thought to keeping more of the heritage façades. It seems that they are removing a lot of heritage resources from Main Street and Mill Street from the renders but it was unclear.

R. Milton asked if the OMB number could be repeated so that he may look it up.

Ryan Humberstone, 139 Main Street South, Halton Hills (Georgetown)

R. Humberstone wanted to provide a video of a submission of the design of the McGibbon that he had been working on for the last couple of years.

He stated that he has a video to submit within the next month showing proper usage of our downtown.

R. Humberstone did not agree with the design submitted by Amico.

R. Humberstone will submit the pictures/video to the planner on file.

Nicole Knutson, 14 Church Street, Halton Hills (Georgetown)

N. Knutson questions about the original concept that was marketed as high end luxury buildings, that is what they were marketed as and sold as and what residents were looking forward to. As a resident within the view of the project they do not want to feel that they are having to settle for second best on this project, they really want downtown to flourish and develop along the same lines as it was originally going with the Town's plan. Really think the Town is doing a good job with the downtown plan and they are hoping that this project will facilitate that view

N. Knutson was wondering how similar Amico is willing to get to the original quality design and material. Also asked about the balconies proposed as they are significantly smaller than the original options. N. Knutson asked if this is able to be negotiated before this project goes forward.

N. Knutson asked what kind of environmental options they are looking at as far as Leeds Certification and/or green resources.

Mary Periera, 32 Ainley Trail, Halton Hills (Glen Williams)

M. Periera stated that she was a previous buyer of a suite at the McGibbon and she was very attracted to the downtown vibe and the way that the previous builder sold it as luxury condos, the sizes were awesome, the balconies were awesome and the views from the balconies were awesome and now it seems like a rat pack.

The capacity has been increased by over 27%, decreased the parking for both retail and people that live there and for people that live there, she stated that she was not sure that things had been thought through properly of where everyone is going to park and what that downtown is going to look like with less parking spaces. It seems like we are trying to cram in more and she does not know what these condos are going to be selling for, but it seems like a lot more for a lot less.

Chris Meredith (Second Time Speaking)

C. Meredith responded to one of the previous speakers that the OMB Case Number is PL160870.

C. Meredith stated that he went over Amico's proposal and noted that the new setback makes the building much more intrusive to the visual setting of Main Street than the previous proposal by Silvercreek and he does not like that either.

J. Markowiak response to Questions

J. Markowiak stated that with respect to the reconstruction, restoration of the heritage façade and what that meant and the buildings that this applies to. Under the previous approvals through the OMB, there had been a very detailed reconstruction, restoration plan that had been secured by the Town that demonstrated the exact process by which that would occur and it was only intended to apply to the original McGibbon Hotel building, immediately at the corner of Main Street and Mill Street and it commits the owner to effectively deconstruct the building under the supervision of the Town's heritage peer review consultant and preserve the brick off site and use as much of the brick that can be salvaged and reconstructed along Main Street and replica brick that looks exact same as the original brick would be used on Mill Street because it was agreed that there would not be enough salvageable brick to be able to replicate the entire façade. It is not only the original materials but the exact original design of that building as well. Through the cornice lines to the details of the window treatments, to eave lines, all of these aspects of the building have been agreed upon, down to the fine detail elements and are in the plans that staff do have in office.

The other buildings on the site on Mill Street and Main Street were never agreed to or intended to be reconstructed as they were. The renderings on file from Silvercreek for these buildings were for new construction but they were trying to provide a materiality and massing that was reflective of the character of downtown.

Also with regard to heritage as part of the previous proposal we had a very detailed heritage impact assessment that was completed, that staff still have available that is very relevant to Amico's proposal, and Amico will update a couple of the schedules to reflect the new building design that they intend to construct on the site if approved, to ensure that the heritage assessment is reflective of the current state rather than the previous state of the application.

Reece Milton (Second Time Speaking)

R. Milton requested copy of the heritage impact assessment.

R. Milton stated that he works in heritage architecture and does not seem that reconstructing a heritage wall out of false material that looks sort of the like the heritage brick is good heritage practice.

J. Markowiak response to Questions

J. Markowiak will email the heritage impact assessment directly to R. Milton or post on the Town's website.

Chris Meredith (Third Time Speaker)

C. Meredith stated that he has the OMB decision in front of him and that section five clearly states the conservation and replication of the façades of the existing buildings from 69-79 Main Street and 98 Mill Street are part of the OMB decision.

J. Markowiak response to Questions

J. Markowiak stated that the municipal address of the McGibbon Building itself is 71-79 Main Street and 98 Mill Street. The actual Municipal address that applies to this entire municipal property are 69-79 Main Street and 94-98 Mill Street. The properties subject to the McGibbon proposal, includes more municipal addresses then the addresses that simply apply to the McGibbon hotel building itself.

FINAL COMMENT FROM STAFF

The Chair asked if there was any further information which Town Staff wished to provide prior to the conclusion of the meeting.

Staff had nothing further to add.

CONCLUSION OF MEETING

The Chair declared the Public Meeting closed. Council will take no action on this proposal tonight. Staff will be reporting at a later date with a recommendation for Council's consideration.

If you wish to receive further information regarding this proposal please contact Jeff Markowiak, Director of Development Review for the Town, following the meeting.

If you wish to make a written submission the deadline for comment is November 10, 2020.

The meeting adjourned at 7:05 p.m.

Rick Bonnette

MAYOR

Suzanne Jones

CLERK