



## REPORT

**REPORT TO:** Mayor Bonnette and Members of Council

**REPORT FROM:** Ruth Conard, Planner – Development Review

**DATE:** February 18, 2021

**REPORT NO.:** PD-2021-0010

**RE:** Public Meeting for an Official Plan and Zoning By-law Amendment for 59, 61, 63 King Street to allow seven (7) street townhouse units, a double duplex containing four (4) units and a single detached dwelling; and a Zoning By-law Amendment for 1 Elgin Street to allow food and drinks to be served on the second floor of the Furnace Room Brewery (Georgetown)

### **RECOMMENDATION:**

THAT Report No. PD-2021-0010, dated February 18, 2021, regarding a “Public Meeting for an Official Plan and Zoning By-law Amendment for 59, 61, 63 King Street to allow seven (7) street townhouse units, a double duplex containing four (4) units and a single detached dwelling; and a Zoning By-law Amendment for 1 Elgin Street to allow food and drinks to be served on the second floor of the Furnace Room Brewery (Georgetown)”, 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:**

The purpose of this report is to advise Council and the public about Official Plan and Zoning By-law Amendment applications that have been submitted by the Owner of two adjacent parcels in Georgetown. The joint applications seek different permissions for each of the two parcels:

#### 59, 61 and 63 King Street:

The Official Plan and Zoning By-law Amendment applications seek to obtain permission to build seven (7) two-storey townhouse units, a three-storey double duplex building containing four (4) units and a single detached dwelling.

#### 1 Elgin Street:

The Zoning By-law Amendment application seeks to allow food and drinks to be served on the second floor of the Furnace Room Brewery.

### **Location and Site Characteristics:**

The two parcels of land subject to the applications are located on the north side of King Street, east of Elgin Street in the urban area of Georgetown; see SCHEDULE 1 – LOCATION MAP.

The 59, 61 and 63 King Street parcel is comprised of three lots that collectively are approximately 0.22 hectares (0.54 acres) in size with approximately 54.96 metres (180.0 feet) of frontage on King Street and 40.23 metres (132.0 feet) of flankage on Elgin Street. The lands currently contain three single detached dwellings that were constructed between the late 1800s and mid 1900s. In particular, the dwelling at 59 King Street was constructed in 1898 and is currently listed on the Town's Heritage Register.

The 1 Elgin Street parcel contains the Furnace Room Brewery and is approximately 0.15 hectares (0.37 acres) in size with frontage of approximately 30.35 metres (100.0 feet) on Elgin Street.

Surrounding land uses to the subject parcels include:

- To the North: CN rail tracks and industrial uses further north
- To the East: single detached dwellings and Greenwood Cemetery further east
- To the South: single detached dwellings
- To the West: single detached dwellings and the Georgetown GO Station

### **Development Proposal:**

On December 1, 2020, the Town deemed complete applications for an Official Plan and Zoning By-law Amendment (File No(s). D09OPA20.003 and D14ZBA20.012) submitted by Mike Dykstra (the Applicant). The applications seek the necessary land use approvals to facilitate the development of two adjacent parcels of land:

#### 59, 61 and 63 King Street

The Official Plan and Zoning By-law Amendment applications seek to obtain permission to develop 12 residential units on the 59, 61 and 63 King Street parcel, as follows:

- seven (7) two-storey townhouse dwelling units fronting King Street;
- a three-storey double duplex building containing four (4) units at the corner of King Street and Elgin Street; and,
- a two-storey single detached dwelling fronting Elgin Street.

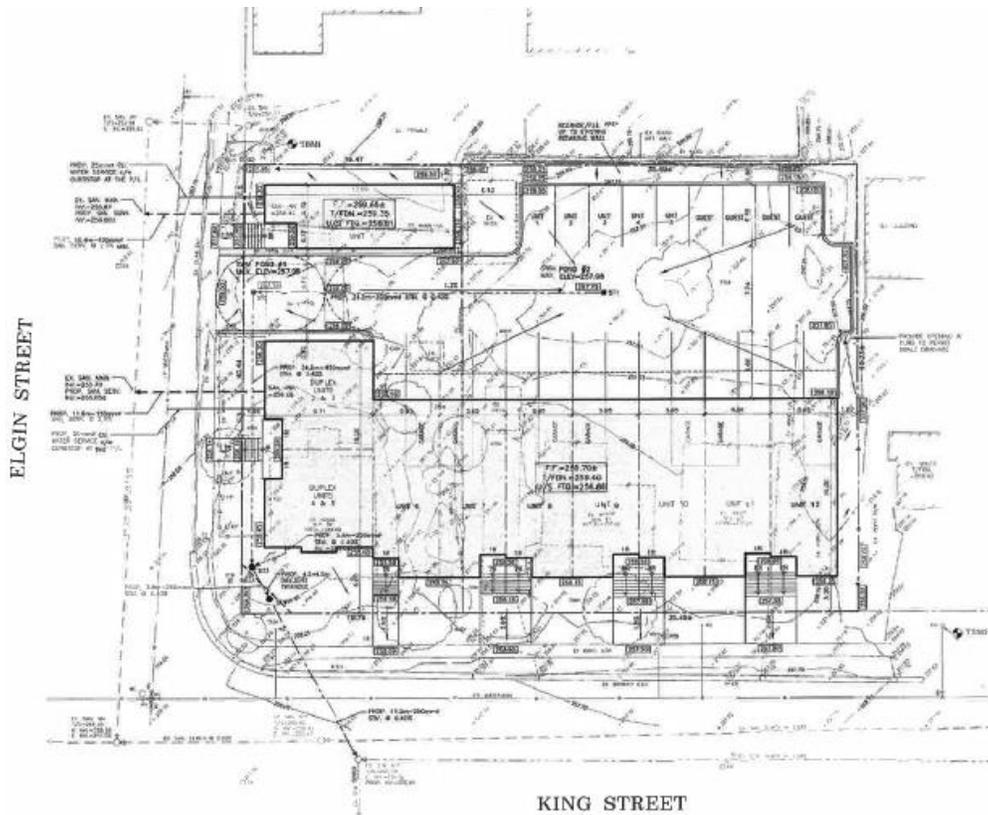


Figure 1 – Site Plan for the 12 proposed units

Parking for all 12 units is proposed to be located towards the rear of the site via a shared access point off Elgin Street. Each of the 7 townhouse units would have at least two parking spaces (1 in a rear garage and 1 in a driveway). Parking for the duplex units (4 spaces), single detached dwelling (1 space) and visitors (4 spaces) would be provided through surface parking at the rear of the parcel; see SCHEDULE 2 – SITE PLAN.

The Applicant has provided a conceptual rendering of the proposed residential development for illustrative purposes; see Figure 2 below.



Figure 2 – Conceptual Rendering of townhouses and double duplex building

The three existing dwellings currently on site are proposed to be demolished. As mentioned previously, one of the three dwellings (59 King Street) is currently listed on the Town's Heritage Register. However, following the review of a Cultural Heritage Impact Statement (CHIS) submitted by the Applicant in support of the proposal, staff concluded that the property did not meet the criteria for designation under Part IV of the *Ontario Heritage Act*. On July 27, 2020, Council adopted the recommendations outlined in Report PD-2020-0029 that the property only remain on the Heritage Register until such time that staff bring forward a Recommendation Report regarding the proposed development for consideration by Council that secures a plan for the interpretation and commemoration of the site.

The proposed Official Plan Amendment seeks to change the current designation of the property from Low Density Residential Area to a site-specific Medium Density Residential Area designation to allow for the townhouse dwelling units and proposed density. The current Low Density Residential Area designation does not permit townhouse units and restricts the maximum density of development to 20 units per net residential hectare; the proposed 12-unit development would constitute a density of approximately 55 units per net residential hectare.

The Zoning By-law Amendment will need to rezone the subject property from Low Density Residential One – Mature Neighbourhoods (LDR1-2)(MN) to a site-specific Medium Density Residential (MDR) zone. To accommodate the proposed townhouse development, site specific provisions to the MDR zone would be required to address some of the building setbacks.

A list of reports and drawings submitted in support of the Official Plan and Zoning By-law Amendment applications is attached as SCHEDULE 3 to this report. Should the Amendments be approved, the 12-unit residential development will require the submission of Site Plan Control and Condominium applications.

#### 1 Elgin Street:

The Zoning By-law Amendment application seeks to permit food and drinks to be served on the second floor of the Furnace Room Brewery. The Applicant is proposing to introduce a pizza vending machine to the Furnace Room Brewery and to accommodate a food truck in the rear parking lot.

In 2018 the Furnace Room Brewery received minor variance approval (File No. D13VAR17.012H) to permit an accessory retail use to a maximum gross floor area of 15% of the building to allow sales of beer on-site. The proposed amendment would now allow the beer and food to be consumed on-site as well.

The 1 Elgin Street parcel is still subject to the old Georgetown Zoning By-law (57-91). Therefore, the Zoning By-law Amendment is required to consolidate the parcel into Comprehensive Zoning By-law 2010-0050 as a site-specific Employment One (EMP1) zone in order to recognize the previous 2018 minor variance permissions and to permit the service of food and drinks.

## **COMMENTS:**

### **1.0 Planning Context:**

In Ontario, when reviewing applications looking to amend local Official Plans and/or 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 framework that applies to the subject site and proposal.

### **1.1 Provincial Policy Statement:**

The 2020 Provincial Policy Statement (PPS) provides broad based policies that promote an appropriate range of housing types that makes efficient use of infrastructure and public service facilities, thus supporting the development of healthy communities. Section 1.1.3 of the PPS identifies Settlement Areas as the focus of growth and development and states that the vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities.

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 in Georgetown. The 2019 Growth Plan contains policies that speak to the provision of a diverse range and mix of housing options to accommodate people at all stages of life and creating an urban form that will optimize infrastructure to support the achievement of complete communities through a more compact built form. A major guiding principle of the Growth Plan is to prioritize intensification and higher densities to make efficient use of land and infrastructure and support transit viability.

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:**

The 2009 Regional Official Plan (ROP) designates the lands as Urban Area (Georgetown). Section 76 of the ROP establishes that the range of permitted uses and the creation of new lots within the Urban Area shall be in accordance with local Official Plans and Zoning By-laws.

### **1.4 Town of Halton Hills Official Plan:**

The two separate parcels are both located within the Georgetown GO Station Secondary Plan Area and situated in the South Precinct. The individual land use designations are as follows:

### 59, 61 and 63 King Street

The subject parcel is designated Low Density Residential Area. Permitted uses in the Low Density Residential Area include single detached dwellings, semi-detached dwellings, and duplex dwellings up to a maximum density of 20 units per net residential hectare and a maximum height of three storeys. Townhouse dwellings are not permitted.

Section H.3.3.6 of the Secondary Plan outlines urban design policies that provide the general framework for consideration of any development proposal for lands in the Secondary Plan Area. Additionally, Section F2 of the Town's Official Plan also contains urban design policies which need to be considered.

The Applicant is proposing to amend the designation of the property from Low Density Residential Area to a site-specific Medium Density Residential Area to facilitate the proposed 12-unit development.

The Secondary Plan does not contain any policies applicable to the Low Density Residential Area that provide direction on how to consider a proposal seeking to establish a new medium density residential use by way of an amendment to the Plan. Therefore, staff defer to Section D1.4.4 of the Official Plan for guidance, which states that when considering a proposal for new medium density residential, by way of an amendment, Council shall be satisfied that the proposal:

- a) *is located on and has direct access to a Collector or Arterial Road as shown on Schedule B1 to this Plan;*
- b) *respects the character of the adjacent residential neighbourhoods, in terms of height, massing and setbacks;*
- c) *can be easily integrated with surrounding land uses;*
- d) *will not cause traffic hazards or an unacceptable level of congestion on surrounding roads;*
- e) *can easily be accessed by public transit if available;*
- f) *is located in close proximity to community facilities, such as parks, schools and open spaces;*
- g) *is located on a site that has adequate land area to incorporate the building, on-site parking, an outdoor amenity area, and appropriate buffering such as setbacks, landscaping and fencing to ensure the compatibility of the use with adjacent land uses;*
- h) *where appropriate, considers the role of topography and natural vegetation in minimizing the impacts of tall buildings on adjacent land uses;*
- i) *has demonstrated that the potential shadow impacts associated with tall buildings will be at an acceptable level on adjacent properties; and,*
- j) *municipal water and wastewater services are adequate and available.*

## 1 Elgin Street

The subject parcel is designated Employment Area, which recognizes and permits the use of the lots and existing buildings, and additions to the buildings, for industrial, office and other non-residential uses, including retail and service commercial uses. This designation does not preclude the use of the property as a beer manufacturing facility with ancillary or associated uses.

### **1.5 Town of Halton Hills Zoning By-law:**

#### 59, 61 and 63 King Street:

This parcel is zoned Low Density Residential One (Mature Neighbourhood) (LDR1-2(MN)) under Zoning By-law 2010-0050, which only permits single detached dwellings. Therefore, a Zoning By-law Amendment is required to facilitate the proposed townhouse and duplex units.

The Applicant suggested to rezone the property to an Urban Residential (UR) zone; however, the Town's Zoning Officer is suggesting that a Medium Density Residential (MDR) zone with site specific standards for setbacks is the more appropriate category.

## 1 Elgin Street

This parcel is still subject to the old Georgetown Zoning By-law 57-91, under which it is zoned First Industrial (M1).

Through the proposed rezoning process, the property will be required to be consolidated into the Town of Halton Hills Comprehensive Zoning By-law 2010-0050 as an Employment One (EMP1) zone which permits industrial uses with accessory retail stores to a maximum permitted net floor area of 15% of the net floor area of the principal use. A site-specific amendment to the EMP1 zone is required to permit food and drinks to be served.

### **2.0 Issues Summary:**

The applications were circulated for review and comment to Town departments and external agencies on December 1, 2020. First submission comments have been received from all departments and agencies circulated except for CN Rail.

None of the departments and agencies have objected to the proposed amendments; however, some issues have been identified with the 12-unit residential development for the 59, 61 and 63 King St. parcel that are to be addressed prior to and as part of staff's final Recommendation Report. These issues include:

### Planning:

The site plan drawing provided with the proposal is not clear as to whether each of the seven townhouse units is providing private rear yard amenity space or a third parking space (second space in the driveway). Staff will work with the Applicant to clarify the intent.

Additionally, a second submission is required to provide outstanding materials that were not submitted with the original application, including an urban design brief and draft Official Plan and Zoning By-law Amendments.

### Engineering:

Additional information is required from a stormwater management and grading perspective to properly evaluate the proposal.

### Halton Region:

A Phase One Environmental Site Assessment (ESA) was submitted for the 1 Elgin Street parcel; however, Halton Region also requires a Phase One ESA to be submitted for the 59, 61 and 63 King Street parcel.

Additionally, the Region requires a Noise Study as the development is within 300 m of a railway right-of-way as well as a Vibration Study given the site is within 75 m of the same railway.

## **2.1 Public Comments:**

To date, Planning staff has received one (1) email from an adjacent landowner who requested an electronic copy of some of the submission materials and inquired about the date of the Public Meeting.

The purpose of the Public Meeting is to obtain additional comments and feedback from the community. Any further comments received from the public 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:**

### Pre-Consultation:

The proposed Official Plan and Zoning By-law Amendments were considered at the February 6, 2020, Development Review Committee pre-consultation meeting (D00ENQ20.006). The Applicant was provided with preliminary comments from various Town departments and external agencies at the meeting.

## **PUBLIC ENGAGEMENT:**

Planning Staff will ensure that Transparency, Notification and Participation, as defined in the Town's Public Engagement Charter, continue to be at the core of the Public Consultation Strategy throughout the review process for the subject proposal.

## **SUSTAINABILITY IMPLICATIONS:**

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

## **COMMUNICATIONS:**

### **Public Notification Key Dates:**

- |                    |  |
|--------------------|--|
| December 3, 2020:  | Notice of Received Applications mailed out to all property owners and tenants assessed within 120 m of the subject property.                                       |
| December 14, 2020: | Sign posted on the property explaining the purpose of the proposed applications.   |
| February 4, 2021:  | Notice of a Public Meeting was published in the Independent & Free Press.  |
| February 5, 2021:  | Notice of Public Meeting was mailed out to all property owners and tenants assessed within 120 m of the subject property and to anyone who requested notification. |
| February 25, 2021: | Courtesy Notice to be published in the Independent & Free Press.   |

**CONCLUSION:**

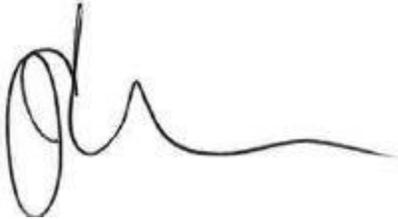
The proposed Official Plan and Zoning By-law Amendments contemplate the development of seven (7) townhouse units, a double duplex containing four (4) units and a single detached dwelling at 59, 61 and 63 King Street. In addition, a Zoning By-law Amendment seeks approval to serve food and drinks on the second floor of the Furnace Room Brewery located at 1 Elgin Street.

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

Reviewed and Approved by,



Jeff Markowiak, Director of Development Review



John Linhardt, Commissioner of Planning and Development



Chris Mills, Acting Chief Administrative Officer