



## REPORT

**REPORT TO:** Economic Development Committee

**REPORT FROM:** Tara Buonpensiero, Acting Senior Planner - Policy

**DATE:** April 24, 2012

**REPORT NO.:** PDS-2012-0030

**RE:** Automotive Commercial Uses in the *Secondary Commercial Sub-Area* of the Georgetown Community Node

### **RECOMMENDATION:**

THAT Report PDS-2012-0030 dated April 24, 2012 regarding Automotive Commercial Uses in the *Secondary Commercial Sub-Area*, be received;

AND FURTHER THAT Planning staff be directed to prepare a draft Official Plan Amendment and Zoning By-law Amendment, based on the direction outlined in this report;

AND FURTHER THAT staff be directed to schedule a public meeting for June 2012 to obtain public comments on the draft Official Plan and Zoning By-law Amendments.

### **BACKGROUND:**

#### **1. Purpose**

The purpose of this report is to:

- Provide background information on certain properties that are the site of existing automotive commercial uses which were excluded from the Comprehensive Zoning By-law, pending a broader policy review respecting such uses in the Georgetown Community Node.
- Summarize recent inquiries regarding redevelopment or expansion of two automotive dealerships within the Georgetown Community Node.

- Summarize the applicable policy framework from the Halton Hills Official Plan, Halton Hills Official Plan Amendment No. 10, Regional Official Plan Amendment No. 38 and the Provincial Growth Plan.
- Provide an overview of current issues related to automotive commercial uses in the Town and the economic benefits they provide.
- Seek direction for staff to prepare a draft Official Plan Amendment and accompanying Zoning By-law Amendment to Council to address the current issues related to the automotive commercial uses in the Town, and proceed to a public meeting on the draft Official Plan and Zoning By-law Amendments.

## **2. Current Situation Regarding Zoning**

On July 19, 2010, Council approved By-law 2010-0050 and on February 1, 2011 the Ontario Municipal Board issued an Order putting the unappealed portions of the Town of Halton Hills Comprehensive Zoning By-law (By-law 2010-0050) into full force and effect, retroactive to the Council approval date of July 19, 2010.

Through the Comprehensive Zoning By-law (CZBL) review process, a number of properties were excluded from the new Zoning By-law and remained subject to the previous applicable Zoning By-laws. These exclusions were primarily to allow development applications that were underway to proceed to completion under the existing zoning regime, or as is the subject of this report, in order to give further consideration to the policy context for this area before recommending inclusion in the CZBL.

Through the CZBL review process, correspondence was submitted to the Town from Arnold Foster, on behalf of Georgetown Toyota. This correspondence requested that:

- the Georgetown Toyota property, as well as the two properties behind Georgetown Toyota be removed from the Comprehensive Zoning By-law, therefore leaving existing zoning on the property that would continue to permit automotive sales and repair; or
- the Comprehensive Zoning By-law be revised to permit automotive sales and repair uses on the subject properties.

At the time the CZBL was being prepared, the two properties behind Georgetown Toyota were in the midst of a land swap between Georgetown Toyota and the Region of Halton. The purpose of the land swap was to facilitate the relocation and construction of a new water tower.

Through Report PDS-2010-0041 (Recommendation Report on Final Draft Comprehensive Zoning By-law), staff responded to the correspondence from Arnold Foster on behalf of Georgetown Toyota. Through that response, staff identified a policy issue with respect to existing automotive commercial establishments along a portion of

Guelph St. and Mountainview Road North, which are within a *Community Node – Secondary Commercial Sub-Area* designation in the Town's Official Plan. Permitted uses within this land use designation do not include automotive commercial uses.

Through the staff report, Council endorsed staff and Meridian's recommendation which was to exclude properties from the CZBL that are currently used for automotive commercial uses within the *Secondary Commercial Sub-Area*, some of which include Georgetown Toyota, Georgetown Volkswagen, and KIA. The CZBL also excluded the two additional properties of interest to Georgetown Toyota which are designated *General Employment Area* in the Official Plan.

Removal of these properties from the Comprehensive Zoning By-law was recommended, pending a determination whether Council would like to revisit the approved Official Plan policy context for this area. The properties that are the site of existing automotive commercial uses, which were removed from the Comprehensive Zoning By-law are shown on Schedule A to this report.

### **3. Site Specific Inquiries Regarding Redevelopment or Expansion of Automotive Dealerships**

#### **a. Georgetown Toyota**

Subsequent to the correspondence submitted by Arnold Foster on behalf of Georgetown Toyota regarding the CZBL, Georgetown Toyota has recently expressed an interest in redeveloping the site that is currently the location of the Toyota dealership (at 15 Mountainview Road N) and expanding onto their property behind the existing dealership (29 Todd Road). The new building is to be constructed behind the existing building to allow the business to continue to operate during construction.

The property that is the site of the existing dealership is within the *Georgetown Community Node - Secondary Commercial Sub-Area* designation in the Official Plan, and the property to the rear is within a *General Employment Area* designation in the Official Plan. As outlined in detail in the Current Policy Framework section below, neither of these Official Plan designations permit automotive commercial uses.

With respect to zoning, the properties were excluded from the CZBL and therefore remain subject to the Zoning under By-law 57-91. The current zoning on both properties would permit the automotive dealership, however the zoning is not in conformity with the Official Plan.

#### **b. Georgetown Volkswagen**

In addition to the redevelopment inquiry from Georgetown Toyota, Georgetown Volkswagen, at 203 Guelph Street, has also been in contact with the Town, discussing their plans to remodel and expand their current dealership. Their plans expand the

dealership onto the abutting property to the east, which is currently used as a parking lot for the dealership.

Both the Volkswagen dealership and the parking lot are within the *Georgetown Community Node - Secondary Commercial Sub-Area* designation in the Official Plan. As outlined in detail in the Current Policy Framework section below, this Official Plan designation does not currently permit automotive commercial uses.

With respect to zoning, the properties were excluded from the CZBL and therefore remain subject to the Zoning under By-law 57-91. The dealership site is in an M2 (Second Industrial) Zone, which would permit the expansion of the automotive commercial uses. The parking lot site is within a C2-1 (General Commercial Special) Zone, which would not permit the expansion of the automotive commercial use onto this property. Redevelopment as planned would currently require both an Official Plan Amendment and a Zoning By-law Amendment.

#### **4. Current Policy Framework**

##### **a. Town of Halton Hills Official Plan**

Currently within Georgetown, automotive commercial uses are concentrated along Guelph Street and Mountainview Road North. The properties are within two Official Plan designations:

1. *Corridor Commercial Area* (the boundaries of which are shown on Schedule B to this report)
2. *Georgetown Community Node – Secondary Commercial Sub-Area* (the boundaries of which are shown on Schedule C to this report)

In addition to the land use designations that are currently the site of existing automotive commercial uses, this section also outlines the current policies pertaining to the *General Employment Area* (the boundaries of which are shown on Schedule B to this report), as this is the applicable land use designation for the property to the rear of Georgetown Toyota and is proposed as part of their redevelopment plans.

The Official Plan is structured to direct automotive commercial uses to the Corridor Commercial Area. Notwithstanding this direction, expansion of existing uses within existing sites can be considered in accordance with Section G5.1 of the Official Plan, addressing legal non-conforming uses.

##### **Corridor Commercial Area**

Within the Official Plan, the objectives of the *Corridor Commercial Area* designation are summarized as follows:

- To recognize existing linear commercial development;

- To encourage the consolidation, intensification and expansion of certain commercial uses in this area; and,
- To encourage redevelopment of existing commercial uses to foster a more pedestrian-oriented environment.

The *Corridor Commercial Area* designation in the Official Plan permits a wide range of uses including automotive commercial uses. There are a number of existing automotive commercial uses on properties within this designation; however there are limited lands suitable for development of a new automotive commercial use.

### Georgetown Community Node

Within the Official Plan, the objectives of the *Georgetown Community Node* are summarized as follows:

- To maintain and enhance the function of this area as the major multi-use, multi-purpose commercial area of the Town;
- To foster development and redevelopment, providing a diverse range of uses that serve a major part of the Town which foster a more pedestrian-oriented environment;
- To encourage consolidation, intensification and expansion of major commercial uses; and,
- To encourage the development of complementary residential and institutional uses to capitalize on the location of the area and existing infrastructure.

### Secondary Commercial Sub-Area

Specifically related to the *Secondary Commercial Sub-Area* designation, the vision in the Official Plan recognizes that there are a number of existing free-standing commercial uses and small plazas on relatively small lots. In the long-term, the intent of the Official Plan is to encourage the comprehensive redevelopment of the lands within this designation to provide additional opportunities for retail and complementary residential and institutional development in a manner that improves the aesthetics, vibrancy and pedestrian-scale of the area.

Within the *Georgetown Community Node – Secondary Commercial Sub-Area*, there are a number of existing automotive commercial uses; however automotive commercial uses are not a permitted use in this land use designation.

The current policy framework requires that the development of any new building or the redevelopment of any parcel of land within the *Secondary Commercial Sub-Area* designation shall be subject to preparation of a Comprehensive Development Plan. The Comprehensive Development Plan will include all contiguous lands and will outline the:

- nature of proposed uses;

- built form;
- access points along Guelph Street and Mountainview Road;
- proposed location of parking areas; and,
- driveways and streetscape components.

Policies in the Official Plan state that the implementing Zoning By-law shall only recognize development that exists at the time the By-law comes into effect.

### General Employment Area Designation

With respect to *Employment Areas*, some of the relevant objectives of the Official Plan include ensuring that there are sufficient lands for diverse employment opportunities, and that the Town is positioned to accommodate new and expanded business activities. Further, policies in the Official Plan focus on the need to preserve employment lands to enable the Town to meet its employment targets and that conversion of lands within the *Employment Area* designation to non-employment uses should not be considered outside of a municipally initiated comprehensive review.

Policies in the Official Plan specifically related to the *General Employment Area* designation are aimed at maintaining the existing employment areas and ensuring that the employment areas are not limited by the introduction of incompatible land uses. Automotive commercial uses are not permitted uses within the *General Employment Area* designation.

### **b. Town of Halton Hills Official Plan Amendment No. 10**

On June 28, 2010, Halton Hills Council adopted Official Plan Amendment No. 10, which is the Town's Growth Plan Conformity (Urban Matters) amendment. As part of that amendment, a new policy was included which enables Council to waive the requirement for a Comprehensive Development Plan in the *Secondary Commercial Sub-Area* designation, subject to criteria.

Official Plan Amendment No. 10 is not in full force and effect at this time, and is pending approval from the Region of Halton. Given that Official Plan Amendment No. 10 must be in conformity with the Region's Growth Plan Conformity Amendment (ROPA No. 38), and that currently ROPA No. 38 has been appealed to the Ontario Municipal Board, it is not anticipated that a decision from the Region on Halton Hills Official Plan Amendment No. 10 will be forthcoming for some time.

### **c. Urban Design Policies and Guidelines**

The Official Plan includes urban design policies and guidelines. The Urban Design section of the Official Plan includes objectives aimed at encouraging a high quality of built form. This section includes policies pertaining to a number of urban design matters, some of which include: the public realm; the private realm; natural heritage; cultural

heritage; and safety. The policy framework requires that urban design policies will apply as appropriate, to all developments within the urban areas.

In addition to the urban design policies, the Official Plan also includes urban design guidelines for various districts in the Town. Any redevelopment within both the *Corridor Commercial* and *Secondary Commercial Sub-Area* designation would be subject to the Guelph Street Corridor District Urban Design Guidelines. The guidelines encourage a significant built form presence including building placement close to the street, particularly within 200 metres of the intersection of Guelph Street and Mountainview Road. One of the main objectives of the guidelines is to develop a pedestrian oriented streetscape.

#### **d. Growth Plan Conformity**

The Growth Plan includes policies which specify that a municipal comprehensive review is required prior to the conversion of lands within Employment Areas to non-employment uses. For the purpose of this policy, “major retail” uses are considered non-employment uses. A municipal comprehensive review must demonstrate a number of factors including that there is a need for the conversion, that the conversion does not compromise the ability of the Region and the local municipality to meet their employment target, and that the conversion will not adversely affect the viability of the Employment Area<sup>1</sup>. To achieve conformity with the Growth Plan, this policy has been included in Regional Official Plan Amendment No. 38 (under appeal) and the Town Official Plan Amendment No. 10.

### **COMMENTS:**

#### **1. Limited opportunities for automotive commercial uses in Georgetown**

As stated in the Background section above, existing automotive commercial uses in Georgetown are concentrated along Guelph Street and Mountainview Road North. The existing automotive dealerships are within two main land use designations in the Official Plan, which are the *Corridor Commercial Area* designation and the *Secondary Commercial Sub-Area* designation.

Automotive commercial uses are permitted within the *Corridor Commercial Area* designation; however there are limited opportunities for the location or expansion of automotive commercial uses on properties within this designation.

In general, there are limited opportunities for automotive dealerships to relocate, redevelop or expand, except on their current sites within the Georgetown Urban Area.

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<sup>1</sup> **Employment Area** – Areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities. (Growth Plan for the Greater Golden Horseshoe, 2006)

## 2. Economic Benefits of Automotive Retailers

Through discussions with the Economic Development Officer, Planning staff were advised of the numerous economic benefits of automotive retailers, which are summarized below:

- Automotive dealerships provide significant employment opportunities in the Town.
- Manufacturers impose high standards of building design for automotive dealerships that result in attractive, modern buildings.
- Automotive dealerships, and associated service shops assist in providing a broad range of products and services, providing more opportunities for Halton Hills residents to shop locally.

## 3. Staff are seeking direction to prepare draft Official Plan and Zoning By-law Amendments to be presented to the public at a statutory public meeting in June 2012

In light of the limited opportunities for the relocation or expansion of automotive commercial uses within Georgetown, staff are bringing this matter to Economic Development Committee for consideration. Through the recommendations of this report, staff are seeking direction from Economic Development Committee to prepare draft Official Plan and Zoning By-law Amendments to be presented to the public at a statutory public meeting in June 2012.

The draft Official Plan Amendment is proposed to include the following:

- Add automotive commercial uses as a permitted use in the *Secondary Commercial Sub-Area* designation.
  - It is the opinion of planning staff that permitting automotive commercial uses in the *Secondary Commercial Sub-Area* would not compromise the overall objectives of the Community Node designation as they encourage major commercial expansion. The other sub-areas within the Georgetown Community Node provide opportunities to meet the other objectives such as development of complementary residential and institutional uses. The Georgetown Community Node will remain a major multi-use, multi-purpose commercial area in the Town.
  - As part of any application, the Official Plan requires that an urban design study be prepared which will address how the urban design policies and guidelines in the Official Plan have been met.
- Re-designate the property behind Georgetown Toyota from *General Employment Area* to *Secondary Commercial Sub-Area*.

- The current policy framework speaks to the need for a municipal comprehensive review to ensure the ability of the municipality to achieve employment targets is not compromised. It is the opinion of planning staff that given the size of this parcel (0.9 acres), it is appropriate to be re-designated Secondary Commercial Sub-Area and merged with the Georgetown Toyota property without the need for a municipal comprehensive review. This will create a more viable property for the expansion of Toyota.
- Given the size of the parcel, staff are of the view that a re-designation of this property to a *Secondary Commercial Sub-Area* would not compromise the ability of the Town to achieve its employment targets. Retail employment was included in the employment targets of the provincial Growth Plan as well as in the Region and the Town's Growth Plan conformity Official Plan Amendments.
- Bring forward the policies previously included in Official Plan Amendment No. 10 enabling Council to waive the requirements for a Comprehensive Development Plan in the *Secondary Commercial Sub-Area* subject to a number of criteria.
  - Given that this policy revision is currently awaiting Regional approval, pending the resolution of appeals to the Region's Growth Plan Amendment (ROPA No. 38), it is anticipated that this matter will not be addressed in the short term.

Staff will also make appropriate amendments to the Comprehensive Zoning By-law to effectively implement the amendments to the Official Plan.

### **Next Steps**

Through the recommendations of this report, staff are seeking direction to prepare draft Official Plan and Zoning By-law Amendments to be presented at a statutory public meeting in June 2012.

### **RELATIONSHIP TO STRATEGIC PLAN:**

This report relates to **Strategic Direction C) Foster a Prosperous Economy**, and specifically **Strategic Objective C.2** - To facilitate the retention and expansion of existing businesses in the Town.

### **FINANCIAL IMPACT:**

There is no financial impact associated with this report.

### **COMMUNICATIONS IMPACT:**

Should Economic Development Committee agree with the recommendations of this report, notification of the statutory public meeting will be undertaken in accordance with the requirements of the *Planning Act*.

### **SUSTAINABILITY IMPLICATIONS:**

The purpose of this report is to seek direction for staff to proceed to prepare a draft Official Plan Amendment and draft Zoning By-law Amendment for the purposes of public consultation. Should Economic Development Committee endorse the recommendations of this report, sustainability implications would be addressed in a future report to Council.

### **CONSULTATION:**

Staff consulted with the Economic Development Officer during preparation of this report. Staff have also discussed this matter with Georgetown Toyota and Georgetown Volkswagen.

### **CONCLUSION:**

A number of properties within the *Secondary Commercial Sub-Area* designation that are the site of existing automotive commercial uses were removed from the Comprehensive Zoning By-law at the time of Council approval, leaving existing zoning in effect. This approach was temporary, pending a determination whether Council would like to revisit the approved Official Plan policy context for the *Secondary Commercial Sub-Area* designation as it pertains to automotive commercial uses.

There have been two recent inquiries related to expansions or redevelopment of existing automotive dealerships where zoning and official plan issues have been encountered.

This report has outlined the limited opportunities in the Town currently for the relocation of automotive commercial uses and the economic benefits automotive dealerships provide. In light of the above, staff are seeking direction through the recommendation of this report to prepare draft Official Plan Amendments and Zoning By-law Amendments which would:

- Add automotive commercial uses as a permitted use in the *Community Node - Secondary Commercial Sub-Area* in the Official Plan.
- Re-designate the property to be merged with the existing Georgetown Toyota dealership site from *General Employment Area* to *Secondary Commercial Sub-Area* in the Official Plan.

- Bring forward the policies included in Official Plan Amendment No. 10 (awaiting Regional approval) enabling Council to waive the requirements for a Comprehensive Development Plan in the *Secondary Commercial Sub-Area* subject to a number of criteria.
- Make appropriate amendments to the Comprehensive Zoning By-law to effectively implement the amendments to the Official Plan.

Respectfully submitted,

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Steve Burke, MCIP, RPP  
Manager of Planning Policy

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John Linhardt, MCIP, RPP  
Director of Planning  
Development and Sustainability

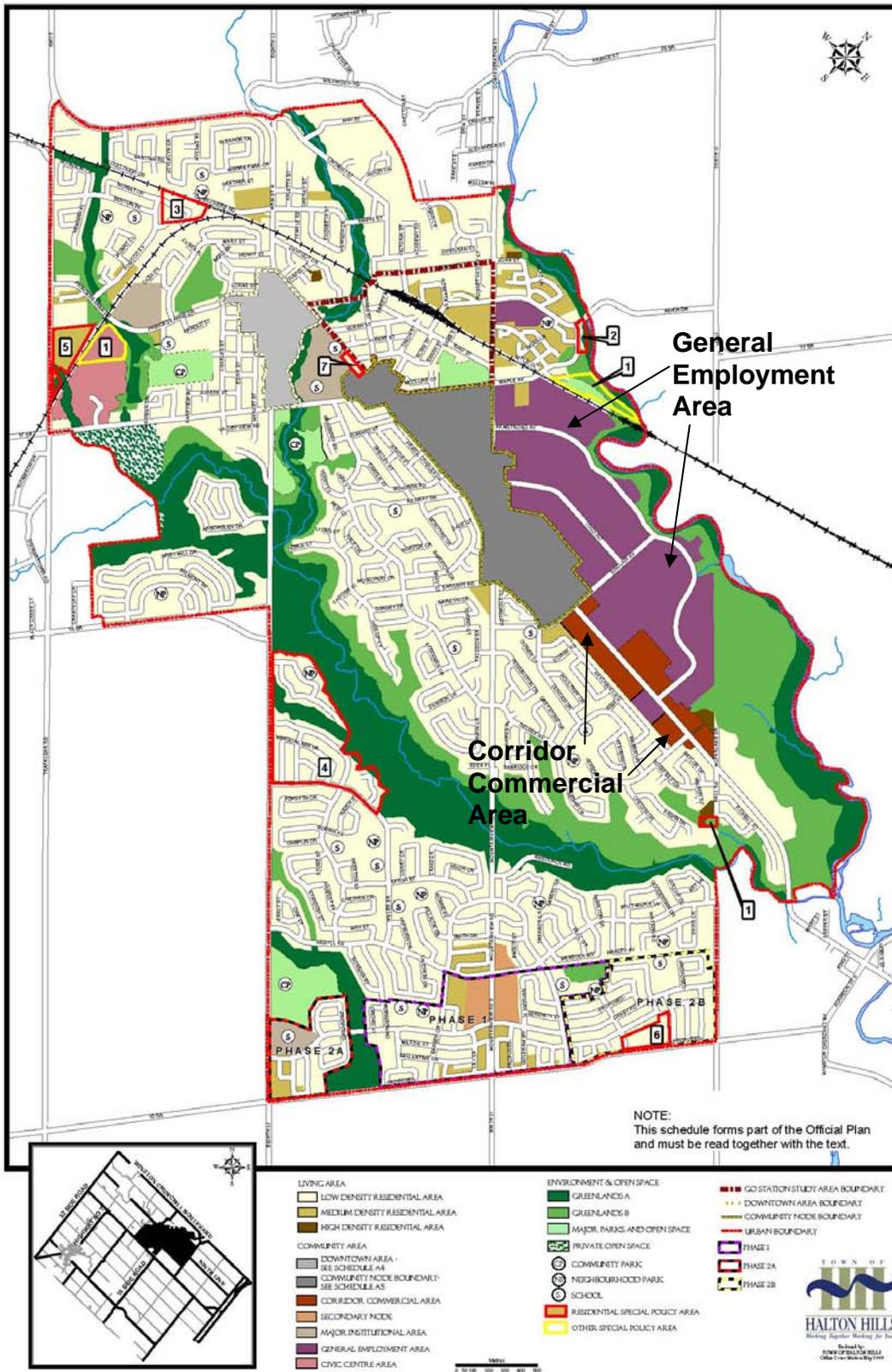
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Dennis Y. Perlin  
Chief Administrative Officer



SCHEDULE A3

TOWN OF HALTON HILLS OFFICIAL PLAN  
GEORGETOWN LAND USE



GEORGETOWN COMMUNITY NODE

TOWN OF HALTON HILLS OFFICIAL PLAN  
SCHEDULE A5

