



REPORT

REPORT TO: Mayor Bonnette and Members of Council

REPORT FROM: Tara Buonpensiero, Senior Planner - Policy

DATE: November 14, 2013

REPORT NO.: PDS-2013-0092

RE: Proposed Revisions to Parking Requirements in Downtown Acton – Recommendation Report
File: D08 DO

RECOMMENDATION:

THAT Report No. PDS-2013-0092, Proposed Revisions to Parking Requirements in Downtown Acton – Recommendation Report dated November 14, 2013 be received;

AND FURTHER THAT Council, in accordance with Section 34(17) of the Planning Act, determine that no further notice is required;

AND FURTHER THAT the Zoning By-law Amendment providing for exemptions to certain parking requirements in the Downtown Core of Acton (attached as Schedule C) be approved.

BACKGROUND:

1. Context

Through Economic Development Report No. PDS-2013-0048, an overview of the policy framework and current situation with respect to parking in the Georgetown and Acton Downtown Areas was provided.

Through the recommendations of that report, staff were directed to prepare a Zoning By-law Amendment which exempted existing non-residential buildings in the Downtown Commercial One (DC1) Zone in Downtown Georgetown and Downtown Acton from providing additional parking when converting to another non-residential use. The properties zoned DC1 in Downtown Acton are shown on Schedule A.

The report also recommended that staff prepare a subsequent report to Economic Development Committee proposing a value for cash-in-lieu of parking for the Acton and Georgetown Downtown Areas. At the time of writing this report, it is intended that the cash-in-lieu of parking reports for Downtown Georgetown and Downtown Acton are to proceed to the December 2nd, 2013 meeting of the Economic Development Committee. Those reports propose a value of \$5,000/space for cash-in-lieu of parking and propose that a meeting be held with the Georgetown and Acton Business Improvement Areas and the Halton Hills Chamber of Commerce to discuss the proposed cash-in-lieu of parking value.

Through the recommendations of Report No. PDS-2013-0048, Council authorized staff to hold a statutory public meeting to obtain public comments on the Town initiated Zoning By-law Amendment pertaining to parking requirements for non-residential uses within Downtown Georgetown and Downtown Acton.

2. Draft Zoning By-law Amendment

On October 21, 2013, a statutory public meeting was held to obtain public input on the draft Zoning By-law Amendment. The Statutory Public Meeting Report provided an overview of the draft Zoning By-law Amendment, which is summarized below.

a) Proposed Revisions to Parking Requirements for Non-Residential Uses in the DC1 Zone in the Georgetown and Acton Downtown Areas.

The draft Zoning By-law Amendment specified that within existing non-residential buildings and structures in the Downtown Commercial One (DC1) Zone in Downtown Georgetown and Downtown Acton no additional parking spaces would be required when changing to another non-residential use that would otherwise generate a requirement for additional parking (for example retail to restaurant).

The draft Zoning By-law Amendment also specified that any expansion to non-residential buildings within the DC1 Zones are not permitted to remove existing parking spaces unless the same number of parking spaces can be provided elsewhere on site, or if Council approves the provision of cash-in-lieu of the removed parking spaces.

Parking requirements would still be triggered for the following:

- Construction of a new non-residential or residential building.
- An increase in net floor area due to an expansion to an existing non-residential building.
- Conversion of a residential use to a non-residential use.

b) Proposed Revisions to the Size of Home Occupations in the DC1 Zone

In addition to the changes above, the draft Zoning By-law Amendment also proposed to make a minor revision to the home occupation provisions in the DC1 Zone. Currently the provisions in the Zoning By-law only allow a maximum of 15 square metres for all

dwelling unit types. The threshold of 15 square metres is based on the parking requirements for home occupations, because once the home occupation exceeds 15 square metres, parking requirements are triggered.

The standard in all other areas of the Town permit single detached units to have home occupations to a maximum of 45 square metres or 25% of the floor area of the dwelling, provided the parking requirements can be met. The draft amendment proposed to apply the same standards for home occupations in single detached dwellings in the DC1 Zone as are currently applied in the rest of the Town. This is based on the expectation that any parking requirements generated from home occupations in a single detached dwelling could be accommodated on the same property or on another property within the DC1 Zone.

3. Report Purpose

The purpose of this report is to:

- summarize the results of the statutory public meeting and agency and public review of the draft Zoning By-law Amendment as it relates to Downtown Acton; and,
- recommend approval of the Zoning By-law Amendment.

COMMENTS:

1. Public and Agency Comments on the Draft Amendments as it Relates to Downtown Acton

a) Public Comments

With respect to consultation on the Town initiated Zoning By-law Amendment pertaining to parking requirements for non-residential uses within Downtown Acton, a statutory public meeting was held on October 21, 2013. Relevant background information and the draft Amendment was available to the public on the Town's website on September 26, 2013.

There were no members of the public in attendance at the public meeting. The public meeting minutes are attached to this report as Schedule B.

There were also no written submissions received from the public on the draft Zoning By-law Amendment.

b) Agency Comments

Circulation of the draft Zoning By-law Amendment was undertaken in accordance with the requirements of the Planning Act. The formal agency circulation was mailed on September 27, 2013 and the comment deadline was November 1, 2013.

The Town received written submissions from the Region of Halton, and the Halton District School Board both advising that they did not have any comments on the draft Zoning By-law Amendment.

There are no changes proposed to the Zoning By-law Amendment as a result of public and agency consultation. The only revision to the Zoning By-law Amendment is that it specifically applies to Downtown Acton. The Zoning By-law Amendment has been attached to this Report as Schedule C. A subsequent Zoning By-law Amendment has been prepared which applies the same zoning provisions to Downtown Georgetown.

3. Next Steps

Should Council agree with the recommendations of this report, and pass the Zoning By-law Amendment pertaining to parking requirements for non-residential uses within Downtown Acton, notice must be issued within 15 days of the date of passage. Notice of passage initiates the 20 day appeal period. If there are no appeals, the Zoning By-law Amendment is deemed to come into effect. If appeals are received, the matter goes before the Ontario Municipal Board.

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 and **Strategic Objective C.6** - To maintain and enhance our historic downtowns and vibrant commercial areas to provide for shopping, services, cultural amenities and entertainment.

FINANCIAL IMPACT:

There is no financial impact associated with this report.

COMMUNICATIONS IMPACT:

Notification of adoption of the Zoning By-law Amendment will be provided in accordance with the statutory obligations under the Planning Act.

SUSTAINABILITY IMPLICATIONS:

The Zoning By-law Amendment, which proposes revisions to the parking requirements in Downtown Acton, helps promote the resilient economy aspect of sustainability. By providing more opportunities for non-residential uses to locate or relocate within existing non-residential buildings in the Downtown Area, without the need to provide additional parking will help attract and retain businesses in Halton Hills. This in turn will provide more opportunities for people to be employed locally and shop locally.

The proposed Amendments help implement Green Plan Action #13.

#13 By providing “ways to encourage local shopping, particularly for local products, in order to reduce the community’s “carbon footprint”.

CONSULTATION:

The Town initiated Zoning By-law Amendment pertaining to parking requirements for non-residential uses within Downtown Acton was discussed at Economic Development Committee.

CONCLUSION:

This report has summarized the results of the statutory public meeting and agency circulation on the draft Zoning By-law Amendment pertaining to parking requirements for non-residential uses as it relates to Downtown Acton.

There are no changes proposed to the Amendment as a result of public and agency review and comment.

Planning staff is of the opinion that the final Amendment is in keeping with the policies of the Provincial Policy Statement, Provincial Growth Plan, Regional Official Plan and Town of Halton Hills Official Plan and will help support economic growth in Downtown Acton.

This report recommends that the Zoning By-law Amendment (attached as Schedule C) be approved by Council.

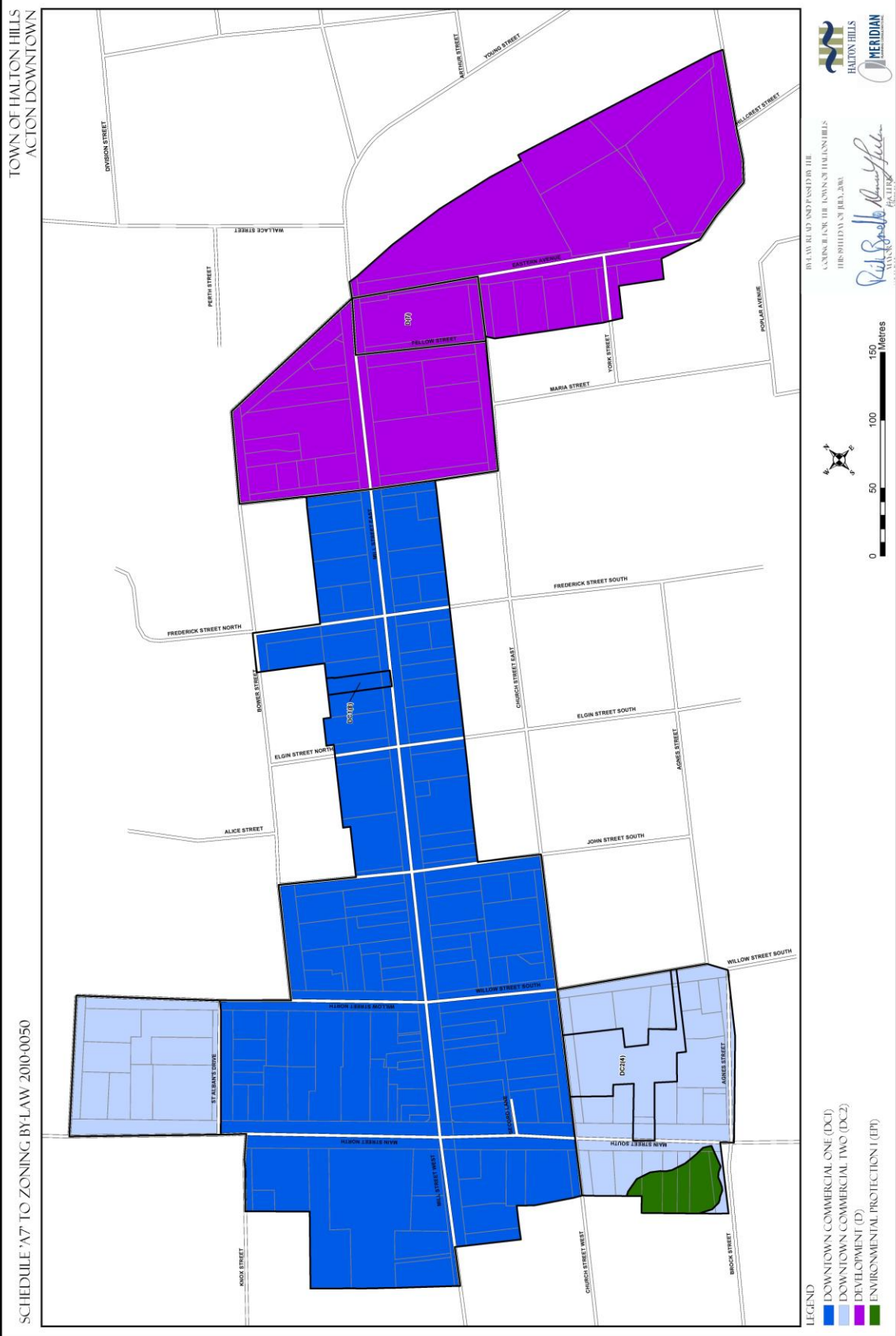
Respectfully submitted,

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Senior Planner - Policy

Steve Burke, MCIP, RPP
Manager of Planning Policy

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

David Smith
Chief Administrative Officer





MINUTES

PUBLIC MEETING-2013-0004

DRAFT ZONING BY-LAW AMENDMENT PERTAINING TO PARKING REQUIREMENTS IN THE ACTON AND GEORGETOWN DOWNTOWN AREAS

Minutes of the Public Meeting held on Monday, October 21, 2013 at 7:49 p.m., in the Council Chambers, Town of Halton Hills Civic Centre, 1 Halton Hills Drive.

Councillor C. Somerville chaired the meeting.

Councillor C. Somerville 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 proposed Zoning By-law Amendment. 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 this application to the Ontario Municipal Board for a hearing. Please note that an appeal may be dismissed if an individual or group appealing a decision has not provided Council with an oral submission at this Public Meeting or a written submission. You may wish to talk to Planning staff regarding further information on the appeal process.

The format of this Public Meeting is as follows:

- Town planning staff will generally explain the purpose and details of the draft Zoning By-law Amendment
- Next, the public can obtain clarification, ask any questions and express their views on the draft Zoning By-law Amendment

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

PROPOSAL

This Public Meeting involves a Town Initiated Zoning By-law Amendment which proposes to revise the parking requirements for non-residential uses in the Acton and Georgetown Downtown Areas.

The Chair asked if there were any persons in attendance who were interested in this Zoning By-law Amendment.


The Chair noted that there were no persons in attendance interested in the Zoning By-law Amendment.

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The Chair noted for the record that there were no persons present who were interested in this Zoning By-law Amendment. The Chair declared the Public Meeting closed. Staff will report at a future date with a recommendation concerning the Zoning By-law Amendment. If you wish to receive further notice of consideration of this matter, please leave your name with staff outside of the Council Chambers.

The Public Meeting Closed at 7:52 p.m.

 *Ann Lawlor* Acting
MAYOR
~~Rick Bonnette~~
Ann Lawlor

 *Suzanne Jones* CLERK
Suzanne Jones



BY-LAW NO. 2013-

A By-law to amend By-law 2010-0050, as amended, being a By-law to amend parking requirements for non-residential uses in Downtown Acton.

WHEREAS Council is empowered to enact this By-law by virtue of the provisions of Section 34 of the Planning Act, R.S.O. 1990, as amended;

AND WHEREAS the matters set out herein are in conformity with the Town of Halton Hills Official Plan;

AND WHEREAS Council has recommended that Zoning By-law 2010-0050 be amended as hereinafter set out;

AND WHEREAS on _____, 2013, Council for the Town of Halton Hills approved Report No. PDS-2013-_____, dated _____, in which certain recommendations were made related to this Zoning By-law Amendment pertaining to the parking requirements for non-residential uses in Downtown Acton.

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF HALTON HILLS ENACTS AS FOLLOWS:

- 1. **THAT** Part 5 – Parking and Loading Standards be amended Section 5.2.7 Parking Requirements for Non-Residential Uses in the Downtown Commercial One (DC1) Zone as shown in **bold** below:

Section 5.2.7 Parking Requirements for Non-Residential Uses in the Downtown Commercial One (DC1) Zone

- a) Notwithstanding Section 5.1, existing non-residential *buildings* and *structures* in the Downtown Commercial One (DC1) Zone in Downtown Georgetown **and Downtown Acton** are exempt from providing additional *parking spaces* if they are changing to another non-residential use that would require additional *parking spaces*.
- b) Expansions to non-residential *buildings* and *structures* within the Downtown Commercial One (DC1) Zone in Downtown Georgetown **and Downtown Acton** shall not result in the removal of existing *parking spaces* unless the same number of *parking spaces* can be provided elsewhere on the *lot* or in accordance with Section 5.2.5 or Section 5.2.6.”

- 2. **THAT** Part 7 – Urban Commercial Zones, Section 7.2 Permitted Uses, Table 7.1 Permitted Residential Uses in Urban Commercial Zones be amended as shown in **bold** below:

USE	DC1
<i>Home Occupations</i>	X (12)

- 12. A *home occupation* in a *single detached dwelling* in Downtown Georgetown **and Downtown Acton** can occupy no more than 25% of the *floor area* of the *single detached dwelling* unit or a maximum of 45 square metres, whichever is

lesser. For all other *dwelling unit* types a *home occupation* cannot occupy more than 15 square metres.

BY-LAW read and passed by the Council for the Town of Halton Hills this day of
, 2013.

MAYOR – Rick Bonnette

TOWN CLERK – Suzanne Jones