



REPORT

TO: Mayor Bonnette and Members of Council

FROM: Jeff Markowiak, Director of Development Review

DATE: October 21, 2021

REPORT NO.: PD-2021-0064

SUBJECT: Recommendation Report for proposed Zoning By-law Amendment seeking to amend the previous approvals granted to the McGibbon development project at 69-79 Main Street South and 94-98 Mill Street (Georgetown)

RECOMMENDATION:

THAT Report No. PD-2021-0064, dated October 21, 2021, regarding a “Recommendation Report for proposed Zoning By-law Amendment seeking to amend the previous approvals granted for the McGibbon development project at 69-79 Main Street South and 94-98 Mill Street (Georgetown)”, be received;

AND FURTHER THAT the Zoning By-law Amendment, to amend Town of Halton Hills Zoning By-law 2010-0050, as amended by By-law 2017-0064, for the lands municipally known as 69-79 Main Street South and 94-98 Mill Street (Georgetown), as generally shown in SCHEDULE 5 – ZONING BY-LAW AMENDMENT, be approved on the basis that the application is consistent with the Provincial Policy Statement, conforms or does not conflict with all applicable Provincial plans, conforms with the Region of Halton Official Plan and the Town of Halton Hills Official Plan, has regard for matters of Provincial interest, and represents good planning for the reasons outlined in Report PD-2021-0064, dated October 21, 2021;

AND FURTHER THAT in accordance with Section 34(17) of the Planning Act, no further notice is determined to be necessary.

KEY POINTS:

The following are key points for consideration with respect to this report:

- In November 2017 the OMB issued a Final Board Order resulting in the adoption of a site-specific Zoning By-law Amendment to permit the development of a 10-storey, 125-unit condominium at 69-79 Main Street South and 94-98 Mill Street (the McGibbon site) in downtown Georgetown. The condominium had been proposed by Silvercreek Commercial Builders. The OMB approval also secured community benefits in the form of preserving the upper two floors of the Main Street façade of the McGibbon Hotel and a \$500,000 cash contribution to the Town for use towards heritage preservation.
- In December 2018 the Town learned that Silvercreek's condominium development was being cancelled due to being unable to achieve suitable financing.
- In 2020 Amico Properties advised the Town that they were picking up the project and would look to make some changes to the previous approvals in order to advance it to construction. Amico subsequently submitted a Zoning By-law Amendment application proposing revisions to the number of units in the building (125 to 169), modifications to the terraced design of the upper floors and to reduce the parking ratio. As part of the proposal Amico committed to honouring the previously secured community benefits and also proposed a new on-site pedestrian pathway to connect the 'Back Street' parking lot to Mill Street.
- Town staff has completed its review of Amico's Zoning By-law Amendment application. A review of the first submission of a Site Plan application has also been completed.
- This report is recommending approval of Amico's Zoning By-law Amendment application D14ZBA20.010. Staff are of the opinion that the proposed zoning changes will allow for the McGibbon development project to advance in a manner that is still consistent with the intent of the 2017 OMB decision.

BACKGROUND AND DISCUSSION:

1.0 Location and Site Characteristics:

The subject lands, municipally known as 69-79 Main Street South and 94-98 Mill Street, are located in Downtown Georgetown at the north-east corner of Main Street South and Mill Street; see **SCHEDULE 1 – LOCATION MAP**. The irregularly shaped site is approximately 0.28 hectares (0.68 acres) in size and has 42.0 metres (138.0 feet) of frontage on Main Street and 63.0 metres (207.0 feet) flanking Mill Street.

The consolidated site is occupied by the three-storey former McGibbon Hotel building, two-storey buildings with retail on the ground floor and residential above as well as a surface parking lot at the rear. All of the buildings are currently vacant and proposed to be demolished; however, the façade of the McGibbon hotel is intended to be reconstructed and incorporated into the proposed condominium project.

2.0 Site Development History:

In 2015 Silvercreek Commercial Builders (previous applicant) submitted Official Plan and Zoning By-law Amendment applications on behalf of the Owner (246776 Ontario Inc.), proposing the development of an 11-storey, 125-unit condominium at 69-79 Main Street South and 94-98 Mill Street. In August 2016 Silvercreek appealed those applications to the Ontario Municipal Board (OMB) on the basis that Council had not made a decision within the statutory timeframes.

Following a mediation process and OMB Decision a Final Board Order was issued by the Ontario Municipal Board on November 1, 2017, to allow for the development of a 10-storey building. The Final Board Order resulted in the adoption of Zoning By-law 2017-0064, which established the following site-specific permissions:

Zoning Standard	By-law 2017-0064 Approvals
Height	10 storeys (units on the tenth level to have a second storey loft space)
Units	125
Parking (Total)	1.65 spaces/unit + 20 Retail spaces
Resident Ratio	1.50 spaces/unit
Visitor Ratio	0.15 spaces/unit (2017 Minor Variance approval)
Retail Spaces	20 spaces

The by-law also contained a detailed massing schedule that established the setbacks, step-backs and heights for each of the terraced levels for the upper floors of the building.

As part of the OMB decision, community contributions were secured through a Height and Density Bonus (Section 37) Schedule within the by-law. The inclusion of the Section 37 schedule meant that an Official Plan Amendment (OPA) was no longer required and committed the Owner to provide the following, in lieu of obtaining an OPA:

- preserve and construct the upper two floors of the Main Street façade of the McGibbon Hotel using original brick and reconstruct the Mill Street façade using replica brick; and
- a \$500,000 cash contribution be made to the Town for use towards heritage preservation and/or Downtown Georgetown initiatives.

Additionally, the OMB decision recognized that a number of elements critical to the viability of constructing a condominium on the site had not been resolved prior to issuance of the Final Board Order. These deferred elements were outlined in By-law 2017-0064, through a list of conditions applied to the site through a Holding (H23) Provision.

The Town had also been reviewing the Site Plan application (File No. D11SPA16.015) submitted by Silvercreek. The Site Plan application was required to finalize and secure

the design of the building and servicing components of the site, amongst other things. Silvercreek was also using the Site Plan application process to resolve some of the elements deferred by the OMB that were captured in the Holding (H23) Provision.

However, in December 2018 the Town learned that the condominium development was being cancelled by the Owner due to being unable to achieve suitable financing for the project. At the time of cancellation, the Town was waiting for a third submission for the Site Plan application and only 2 of the 9 deferred elements outlined in the Holding (H23) Provision conditions had been addressed.

3.0 Amico Application:

In the first half of 2020, Amico Properties (new Applicant) advised the Town they would be picking up the McGibbon property with the intention of making some modifications to previously approved development in order to advance the building to construction. On September 16, 2020, Amico submitted a Zoning By-law Amendment application (File No. D14ZBA20.010) for 69-79 Main Street South and 94-98 Mill Street seeking to amend site-specific By-law 2017-0064 approved by the OMB in 2017. The key provisions of the by-law Amico is seeking to amend are:

a) Increase the number of units from 125 to 169

The increase in unit count (44 in total) is proposed to be achieved by reducing the average size of the condominium units within the building, resulting in a greater number of smaller units. However, the overall gross floor area of the building will actually be reduced. The proposed 169 units are broken down as follows: 49 one-bedroom; 108 two-bedroom; and, 12 three-bedroom.

b) Modify the terraced design of the upper floors of the building

Amico is proposing to modify the terraced step-backs of the building's upper floors adjacent to Main Street to facilitate the different unit sizes and result in a more traditional building design than the previous concept, which was providing larger terraced units. The massing of the street level podium and incorporation of the McGibbon façade will remain the same. A comparison of the massing and building design for Amico's proposal against the previous project is attached as **SCHEDULE 2** to this report.

c) Reduce the parking ratio from 1.65 to 1.40 spaces/unit and eliminate the 20 retail parking spaces

Amico is seeking to reduce the combined parking ratio from 1.65 spaces per unit to 1.40 spaces per unit. Under their proposal the resident parking ratio would change from 1.50 spaces/unit to 1.25 spaces/unit, while the previously approved visitor parking ratio would remain at 0.15 spaces/unit. As part of the proposal Amico intends to provide four auto-share spaces to address the reduction in resident spaces. Each of the auto-share spaces would contain vehicles that are available 24-hours to residents of the building to rent when needed.

Amico is also proposing to eliminate the 20 parking spaces that the previous proposal was including for patrons of the retail space within the building. They are proposing that the 26 visitor spaces (0.15 spaces/unit) being provided to serve the needs of visitors to residents within the building can serve a dual function of being made available to retail patrons as well.

As part of the proposal Amico is also seeking to reduce the retail space provided in the building at street level from approximately 1,200 m² to 361 m². Their plan is to also extend the parking garage to the first floor above ground. The above-grade portion of the garage is to be situated at the rear of the building, behind the retail space and condo lobby situated at street level on Main Street and Mill Street. Vehicular access in and out of the underground garage would be available both off Mill Street and through the adjacent municipal parking lot; garbage and loading would occur through the rear entrance only.

Elements of the previous approvals that Amico will keep the same are:

- the ten storey maximum height (units on the tenth level will continue to have a second storey loft space);
- reconstructing the upper two floors of the Main Street façade of the McGibbon Hotel using original brick and reconstruct the Mill Street façade using replica brick; and
- providing the \$500,000 cash contribution to the Town for use towards heritage preservation and/or Downtown Georgetown initiatives.

A comparison of some of the key elements of the previous Silvercreek approvals against Amico’s new proposal are provided below.

Zoning Standard	Silvercreek Approval	Amico Proposal
Height	10 storeys (34.4 metres)	10 storeys (36.0 metres)
Units	125	169
Gross Floor Area	18,190 m ² (195,800 sq.ft.)	15,053 m ² (162,000 sq.ft.)
Retail GFA	1,200 m ² (12,917 sq.ft.)	361 m ² (3,886 sq.ft.)
Parking (Total)	1.65 spaces/unit + 20 Retail spaces	1.4 spaces/unit
Resident Ratio	1.5 spaces/unit	1.25 spaces/unit (incl. 4 auto-share)
Visitor Ratio	0.15 spaces/unit	0.15 space/unit
Retail Spaces	20 spaces	N/A

In consideration of the proposed zoning changes Amico intends to provide a new community contribution in the form of an on-site pedestrian pathway that would connect the municipal parking lot behind the site to Mill Street. This path would be made available for use to the general public to maintain the current level of pedestrian circulation in Downtown Georgetown. A conceptual rendering of the proposed path is attached to the report as **SCHEDULE 3**.

Should the Zoning By-law Amendment be approved, in order to begin construction of the building Amico will need to obtain Site Plan approval and satisfy the conditions of the Holding (H23) Provision applied to the property under the 2017 OMB approval.

4.0 Planning Context and Policy Framework:

The purpose of this section is to evaluate the proposed Zoning By-law Amendment application against the relevant Provincial, Regional and Town policy framework to determine conformity with the applicable policies and guidelines.

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 services facilities, thus supporting the development of healthy communities. The proposal is required to be consistent with the relevant policies of the PPS in accordance with Section 3 of the Planning Act.

The PPS states that appropriate development standards should be promoted which facilitate *intensification, redevelopment* and compact form, while avoiding or mitigating risks to public health and safety (Section 1.1.3.4).

Planning staff is of the opinion that the proposed Zoning By-law Amendment application is consistent with the policies of the 2020 PPS.

Growth Plan for the Greater Golden Horseshoe:

The subject lands are part of a larger designated urban area in Georgetown. The 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. As per Section 3 of the Planning Act, the proposal shall conform and not conflict with the Growth Plan.

A major guiding principle of the Growth Plan is to prioritize intensification and higher densities, where appropriate, to make efficient use of land and infrastructure and support transit viability. The Growth Plan encourages intensification generally throughout the delineated built-up area. Section 2.2.2 of the Growth Plan also states that, until the Region of Halton completes its municipal comprehensive review, a minimum of 40 per cent of all residential development occurring annually will be within the delineated built-up area. Once the Region's comprehensive review has been completed, a minimum of 50 per cent of all residential development must be within the built-up area each year.

Planning staff is of the opinion that the proposed revisions to the McGibbon development is in conformity with the Growth Plan for the Greater Golden Horseshoe.

Region of Halton Official Plan:

The 2009 Regional Official Plan (ROP) designates the subject lands as Urban Area (Georgetown). Section 76 of the OP states that the range of permitted uses and the creation of new lots in the Urban Areas will be in accordance with Local Official Plans and Zoning By-laws.

Regional staff has confirmed that the application is in conformity with the ROP.

Halton Hills Official Plan – Destination Downtown Secondary Plan:

In 2019 Town Council adopted a new Secondary Plan for downtown Georgetown (OPA 37 – Destination Downtown), which was approved by the Region of Halton on June 10, 2021. The McGibbon site falls within the boundaries of the Destination Downtown Secondary Plan.

Under the Secondary Plan the lands are designated Historic Main Street and included within the Mid Rise 1 Building area. These designations allow for a maximum building height of 6 storeys. The Secondary Plan has removed any limits to density within Downtown Georgetown, instead relying on built form policies and criteria to establish appropriate building massing.

However, 69-79 Main Street South and 94-98 Mill Street is also identified as Special Policy Area 1 under the Secondary Plan, which allows a maximum height of 10 storeys (with a mezzanine level on the tenth storey) and building massing and set-backs consistent with the OMB approved By-law 2017-0064. Special Policy Area 1 also allows for appropriate modifications to the building massing through a Zoning By-law Amendment, provided Council is satisfied that:

- the building massing, scale and set-backs do not result in any identifiable negative shadow or view impacts on Main Street and Mill Street;
- the architectural style of the building and exterior building materials are high quality and shall be complementary and sensitive to the heritage façade of the McGibbon Hotel which shall be incorporated into any new building on-site. The building podium architecture shall be reflective of the Historic Main Street Area;
- the Height and Density Bonus Requirements detailed under By-law 2017-0064 are maintained, replicated and/or enhanced; and
- the public benefits provided through the development approvals under the OMB Board Decision are maintained, replicated and/or enhanced through any amendments or revisions to those development approvals.

Planning staff is of the opinion that the proposed Zoning By-law Amendment will allow for the McGibbon development project to advance in a manner that is still consistent with the 2017 OMB decision and satisfies the Special Policy Area 1 criteria set out in the Secondary Plan, as follows:

- As discussed further in the Zoning By-law section below, Town staff and the retained peer review consultant are satisfied that the proposed massing changes will not result in any identifiable negative impacts.

- A review of Amico's first Site Plan submission has been completed by Town Planning and Heritage staff as well as the Town's peer review consultant. Subject to some refinement, which can be secured through the Site Plan process, staff are satisfied that the architectural style and materials proposed by Amico will be complementary and sensitive to the heritage façade of the McGibbon Hotel and is appropriate for the Main Street area of Downtown Georgetown.
- Amico has agreed to honour the public benefits approved through the OMB decision and secured through the Height and Density Bonus provisions of By-law 2017-0064. Additionally, Amico is proposing to provide an additional public benefit in the form of an on-site pedestrian connection, which is discussed further below.

Given that the subject application was filed prior to Region of Halton approval of the Destination Downtown Secondary Plan, staff have also considered the policies of the parent Official Plan. Town staff are satisfied that Amico's proposed zoning amendments also satisfy the intent of the OP, especially given the pedestrian path community contribution Amico will provide.

Town of Halton Hills Zoning By-law:

As per site-specific Zoning By-law 2017-0064, the property is zoned Downtown Commercial 1 Exception 99 (DC1)(99), which permits an apartment building with a maximum height of 10-storées and 125 units. The massing and design of the building is strictly controlled by a height and massing schedule contained within the by-law. Parking for the site is currently permitted at a rate of 1.65 spaces/unit, which is broken down as: 1.50 resident spaces/unit; 0.15 visitor spaces/unit (Minor Variance approval); and, 20 spaces for commercial/retail purposes.

Through the subject Zoning By-law Amendment application, Amico is proposing to amend site specific By-law 2017-0064 to:

- increase the maximum permitted units from 125 to 169;
- modify the massing schedule; and
- reduce the combined parking ratio from 1.65 spaces/unit to 1.40 spaces/unit and eliminate the 20 parking spaces available for commercial/retail purposes.

Town staff are recommending approval of the proposed changes to site-specific By-law 2017-0064 in order to facilitate the construction of the McGibbon condominium project. Staff believe the amendments proposed by Amico to be consistent with the intent of the 2017 OMB approval and appropriate for the site for the following reasons:

Unit Increase from 125 to 169:

- While Amico is proposing to increase the total number of units in the building by 44, the overall gross floor area of the building is actually decreasing by approximately 3,000 m². The increase in units is largely being achieved by reducing the average size of the condominium units, not by increasing the mass of the building itself.

- Given that the volume of the building isn't increasing as a result of the rising unit count, the greatest consideration for the additional units would be the potential parking implications. The proposed amendments to the provision of parking is discussed below.

Massing Modifications:

- The previous Silvercreek proposal had substantial terraces/step-backs adjacent to Main Street, thereby pushing the majority of the massing towards the rear of the site. Amico is seeking to construct an L-shaped building that reflects more traditional terracing for the upper-storeys. The proposed massing adjacent to Mill Street remains mostly the same.
- Amico's proposal remains at 10-storeys (with the 10th storey units having loft space); however, the overall height has been increased by 1.6 metres (5.2 ft.) to accommodate taller ceiling heights for the smaller units.
- The massing of the street level podium and incorporation of the McGibbon façade remains the same. However, Amico's proposal provides a greater step-back of the fourth storey, beyond the heritage podium, than Silvercreek's original building (5.0 m vs. 3.3 m); this will better distinguish the 3-storey street wall.
- The Town retained BrookMcIlroy to complete an urban design peer review of the proposed massing changes and the submitted Shadow Impact Study; BrookMcIlroy was the consultant the Town used to complete the review of the original Silvercreek proposal.
- While Amico's more traditional terraced building design results in some of the upper storeys (7th, 9th and 10th) encroaching into the 45-degree angular plane from Main Street, BrookMcIlroy does not consider the encroachments to be inappropriate. They feel that the upper floors are set sufficiently back from Main Street to preserve sky views and should not create a sense of enclosure on the street. The modified terracing is also somewhat mitigated by providing the 5.0 metre step-back beyond the podium element, which should decrease the perceivable height of the building from the street.
- The Town's consultant views the 1.6 metre increase in height as a minor change, and that neither the height increase nor modified terracing should result in a material change in shadowing on the public realm. Their review of the submitted Shadow Impact Study confirms that Amico's proposed building should cast a shadow that has a similar impact to that of Silvercreek's proposal, which is consistent with best practices for shadow control in the public realm.
- Given the above, when viewed holistically, Planning staff do not believe the proposed massing modifications result in any unacceptable changes to the building originally approved at the OMB.

Reduction in Parking Ratio:

- Amico is seeking to reduce the combined parking ratio (resident and visitor) from 1.65 spaces per unit to 1.40 spaces per unit. They also seek to eliminate the 20 parking spaces that the previous proposal included for retail/commercial needs. Instead Amico proposes that the visitor parking spaces can serve a dual purpose as being available to both visitors to residents in the building and retail patrons.

- As part of the proposal Amico intends to provide four auto-share spaces to address the reduction in resident spaces (1.50 spaces/unit to 1.25). Each of the auto-share spaces would contain vehicles that are available 24-hours to residents of the building to rent when needed.
- Under Amico's proposal they would provide a total of 228 parking spaces – 198 resident, 4 auto-share and 26 visitor/retail. Each of the 169 units would be assigned one resident parking space, with the remaining 29 being available to those unit-owners who wish to have a second vehicle.
- Amico has also advised that they have a surplus of approximately 14 parking spaces available in the underground for Building 1 on the former Memorial Arena site. They intend make those spaces available to purchase or rent for any unit owners in the McGibbon should the demand arise in the future.
- Each of the 169 unit owners will also have the option of obtaining a bicycle rack to place in front of their parking space for those interested.
- The submitted Parking Study identifies that the peak demand for visitor parking usually occurs in the evening; whereas the contrary exists for commercial parking. Demand for commercial parking usually occurs in the midday to afternoon periods during hours of operation. Staff accepts this and has no objections to the proposed sharing of the 26 visitor parking spaces with commercial patrons.
- Staff are also supportive of the provision of the auto-share spaces and the availability of resident bicycle parking spaces for each unit. The hope is that these measures will help encourage a reduction in single-occupancy vehicle ownership and increase the use of alternate means of transportation. It should be noted that each auto-share parking space counts as 4 resident spaces for purposes of the by-law, which is common practice. This is due to auto-share spaces resulting in an evident reduction to the need for second cars for many occupants.
- Town Transportation staff have completed their review of the proposal and accept the findings of the submitted Parking Study, which concludes that the proposed parking provisions will be sufficient to accommodate the estimated parking demand for the building.

In consideration of the above mentioned proposed zoning changes Amico will be providing a new community contribution in the form of an on-site pedestrian pathway that would connect the municipal parking lot behind the site to Mill Street. This path would be made available for use to the general public to maintain the current level of pedestrian circulation in downtown Georgetown and should offer an identifiable improvement to the current project design. The pathway will be secured through a supplemental Section 37 Agreement to the satisfaction of Town Planning and the Town Solicitor, or such other legal agreement that the Town Solicitor may require.

It should be noted that the nine deferred elements that were identified through the OMB process for the Silvercreek proposal remain and must be addressed through the Site Plan process for Amico's development. These nine elements will continue to be listed as conditions applied to the site through the Holding (H23) Provision.

5.0 Department and Agency Comments:

Amico's development proposal for the McGibbon site and requested changes to site-specific By-law 2017-0064 were circulated to Town departments and external agencies for review and comment. Staff from the various departments and agencies have completed their review and have indicated that they have no concerns or objections with the proposed Zoning By-law Amendment being approved, subject to the Holding (H23) Provision remaining in place until all conditions have been satisfied.

Comments flagged in the October 16, 2020, Public Meeting report pertaining to necessary revisions to the Parking Study and additional detail regarding the proposed massing have all been addressed appropriately to staff's satisfaction.

6.0 Public Comments:

The proposed Zoning By-law Amendment was presented to the Public by way of Report No. PD-2020-0053 through a Statutory Public Meeting on October 26, 2020. There were approximately 52 interested persons who participated in the virtual Public Meeting, 7 of whom spoke during the meeting to provide comments or raise concerns. Additionally, staff have received written correspondence from 11 members of the public pertaining to Amico's proposal. The following sections outline the specific public questions/concerns received and provide staff responses:

Objections To The 10-Storey Height

Some voiced concern about the proposed 10-storey height of the building, believing it to be too tall and not reflective of the current character of Downtown Georgetown.

Staff Response:

The 2017 OMB decision granted permission for a 10-storey building. As previously noted, that permission has been included as a Special Policy Area in the Destination Downtown Secondary Plan. Therefore, the 10-storey height approved by the OMB is the starting point for evaluating the merit of any revised proposal. Amico's concept maintains the 10-storey height.

Want To See The Project Advance But The OMB Decision Respected

Some residents identified the desire to see the McGibbon site redevelop but believe that the height and massing approved through the 2017 OMB decision should be respected. Some view Amico's revised proposal to be more intrusive to Main Street and prefer the larger terraces provided under the previous design.

Staff Response:

The previous development concept based upon the 2017 OMB decision was subsequently cancelled by the owner due to the inability to obtain suitable financing. As the new proponent for the project, Amico has indicated they believe the previous

massing and design was not viable. As such they have submitted a revised proposal that they feel can successfully be advanced to construction if approved by the Town.

Town staff have thoroughly reviewed Amico's design and believe that the revisions to the massing of the upper floors is acceptable for the site and maintains the intent of the 2017 OMB decision. While the previous design did offer very generous step-backs/terraces at the upper floors off Main Street, Amico's revised concept still provides for an appropriate relationship to the Main Street right-of-way. Amico's concept follows a more traditional building design and the majority of the building massing falls within the 45-degree angular plane, which is a common planning tool used to reduce shadow impacts and visibility for upper storeys from the street level. The Town's peer review consultant has reviewed the submitted Shadow Impact Study and is satisfied that the any incremental shadow cast beyond that of the previous massing will be adequately limited on Main Street to a degree in line with best practices for shadow control.

Shadow Impact During Farmers Market and Other Events

A resident inquired about the potential for any incremental shadowing cast by Amico's redesign resulting in adverse impacts for the many events held on Main Street, especially the Farmers Market which occurs in the AM period during seasonable months.

Staff Response:

Town staff requested the Town's peer review consultant specifically look at potential shadow impacts that could negatively affect the hosting of events on Main Street, namely the Farmers Market. The peer review consultant found that the proposed massing changes should not cause any undue negative impacts on the market. Early in the morning the sun is at such a low altitude that many of the existing buildings already cast a substantial shadow; however, by around 10:00 am the street should experience near full sun under either massing design for the McGibbon project.

Building Design

Amico's original submission provided architectural renderings that showed the McGibbon façade in detail but the rest of the building was shown as a large blank structure. Some residents interpreted this to suggest Amico was proposing a concrete structure with minimal windows and large blank facades that won't fit in to the character of Main Street. Concern was also raised that the design of the parking garage to project above ground could create a long stretch of blank wall resulting in a dull, inactive pedestrian experience.

Staff Response:

Amico explained that the initial drawings were only intended to depict the proposed massing changes between their concept and the original to illustrate the nature of the zoning relief they were requesting. The McGibbon was shown in detail to demonstrate their intent on still preserving the façade. They hadn't completed the detailed design of the rest of the building at that time, which is why the drawings looked incomplete.

Amico has now completed architectural drawings showing their intended design for the rest of the building, which have been attached to this report under **SCHEDULE 4**.

Town staff and our urban design peer review consultant have reviewed the new drawings and are of the opinion that the design generally reflects good architectural principles and should respond well to the character of Downtown Georgetown. However, additional information is required on the proposed materials and we have provided suggestions on how refinements could help enhance the Main Street pedestrian experience, help distinguish the new construction from the retained heritage façade and minimize the visual appearance of the upper storeys. The ground floor Mill Street design proposes to incorporate a combination of masonry and clear and spandrel glazing which should help break up the wall and add visual interest, but the peer review consultant has also provided additional suggestions to help enhance the pedestrian experience there as well.

Staff and our consultant will continue to work with Amico to refine and finalize the final building design through the Site Plan process should the requested zoning amendments be approved.

Retail Space

Some concerns were raised about the proposed reduction in retail space provided in the ground floor of the building. Amico is proposing 361.0 m² of floor area whereas the original concept suggested approximately 1,200.0 m².

Staff Response:

Amico has indicated that their redesign provides less opportunity for commercial floor area within the building, especially towards the interior of the building and adjacent to Mill Street. However, the intended 361.0 m² (3,885 sq.ft.) floor area should still allow for a very viable retail presence on Main Street. It should be noted that the Town's policy framework does not establish minimum commercial floor area requirements in downtown Georgetown, it just requires that high activity uses that animate the streetscape and encourage foot traffic are required at grade abutting Main Street. The proposed store front and the condo lobby entrance proposed for the length of Main Street should adequately address this requirement and provide for an animated street frontage.

Retained Brick

Questions continue to be raised regarding the feasibility and desirability of retaining original brick from the McGibbon Hotel and incorporating it into the Main Street façade of the new building, as was secured through the original OMB decision.

Staff Response:

The reconstruction of the Main Street façade of the McGibbon Hotel using original brick was an important component of the 2017 OMB approvals. Using original materials, where possible, represents good heritage preservation practices and helps maintain the

character of the reconstructed facade. The heritage consultants retained by both the Town and Owner believe that there should be a sufficient number of bricks that can be salvaged to reconstruct the facade as originally approved following the OMB decision.

McGibbon Hotel Sign

Some residents inquired about the McGibbon Hotel sign on the exterior of the building and whether it would be retained, restored and reattached on the rebuilt facade as part of the new condominium.

Staff Response:

The Section 37 Agreement, secured as part of the OMB approval, committed the Owner to restore, revitalize and reattach the McGibbon sign through the reconstruction program for the facade. However, Amico's preference is to not reattach the sign to the facade of the new condo (the detailed drawings attached to this report have not been updated to remove the sign). They believe that the sign is in poor shape, is not an integral component of the original building's heritage and that if it were reattached it may lead some people to think the new condo is still an operable hotel and bar. Instead Amico would prefer to restore the sign and place it in the lobby of the condominium with the appropriate references to its significance.

Amico's revised design for the McGibbon project was considered by the Heritage Halton Hills Committee on October 20, 2021. While the Committee does not object to Amico's proposed zoning changes, they do have a concern with the McGibbon sign not being retained and attached to the reconstructed facade. They believe it to be an integral component of the buildings heritage and important to be preserved in place.

Recognizing that the Section 37 includes the retention of the sign, Town staff will work with Amico through the Site Plan process to explore the most appropriate method to retain the sign as part of the reconstruction program.

Green Development Standards

Silvercreek had previously proposed to incorporate geothermal heating as part of their development proposal. Some residents have inquired whether Amico intends to do the same. If not, how do they intend to comply with the Town's Green Development Standards.

Staff Response:

Amico does not intend to use geothermal heating. During the design stages of the building they said they made the determination that geothermal would not provide the expected energy efficiency and cost effectiveness, in part, due to soil conditions, restrictions due to the water table, conditions identified through the Record of Site Condition process and overall performance. Therefore, they are opting to heat, ventilate and cool the building using high efficiency water heat pump units. It should be noted that the Town does not have any policies that would require Amico to use geothermal.

As part of Amico's first Site Plan submission they included a completed Green Developments Standards checklist. Amico has indicated they intend to achieve a 10% or better energy efficiency, construct the building to be solar ready and provide at least 5% of the parking spaces with plug-ins for electric vehicles, amongst other provisions. Subject to providing additional details regarding some of the chosen standards, Town staff is satisfied that Amico has demonstrated compliance with the Town's GDS requirements.

Bicycle Parking

Questions have been raised about the availability of bicycle parking in the building to encourage alternate means of transportation.

Staff Response:

Amico has advised that the underground parking garage has been designed to allow for individual bicycle racks to be mounted on the wall in front of each unit's private parking space for those purchasers interested in obtaining one. This will provide the option for at least one bicycle parking space to be available per unit. Additional surface bicycle spaces will also be provided for use by visitors and retail patrons.

Three of the submitted letters also indicated support for the project and Amico's proposed revisions. Concerns were raised by some that if the project does not proceed some of the downtown business may be further impacted by a derelict building at the heart of downtown and lack of residents to support the businesses.

STRATEGIC PLAN ALIGNMENT:

This report aligns to the Town's Strategic Plan recognizing the value to achieve sustainable growth to ensure that growth is managed so as to ensure a balanced, sustainable, well planned community infrastructure and services to meet the needs of its residents and businesses.

This report also identifies shaping growth as one of the Town's Strategic priorities.

RELATIONSHIP TO CLIMATE CHANGE:

This report impacts and/or helps address climate change and the Town's Net Zero target through climate mitigation.

PUBLIC ENGAGEMENT:

Public Engagement has been conducted as follows: A Statutory Public Meeting was held on October 16, 2020. This meeting fulfilled the requirements for public participation under the Planning Act, and provided for Transparency, Notification and Participation, as defined in the Town's Public Engagement Charter.

INTERNAL CONSULTATION:

Planning staff have consulted with the appropriate Town Departments and the Region of Halton in preparation of this report.

FINANCIAL IMPLICATIONS:

This report is administrative in nature and does not have any financial implications.

Reviewed and approved by,

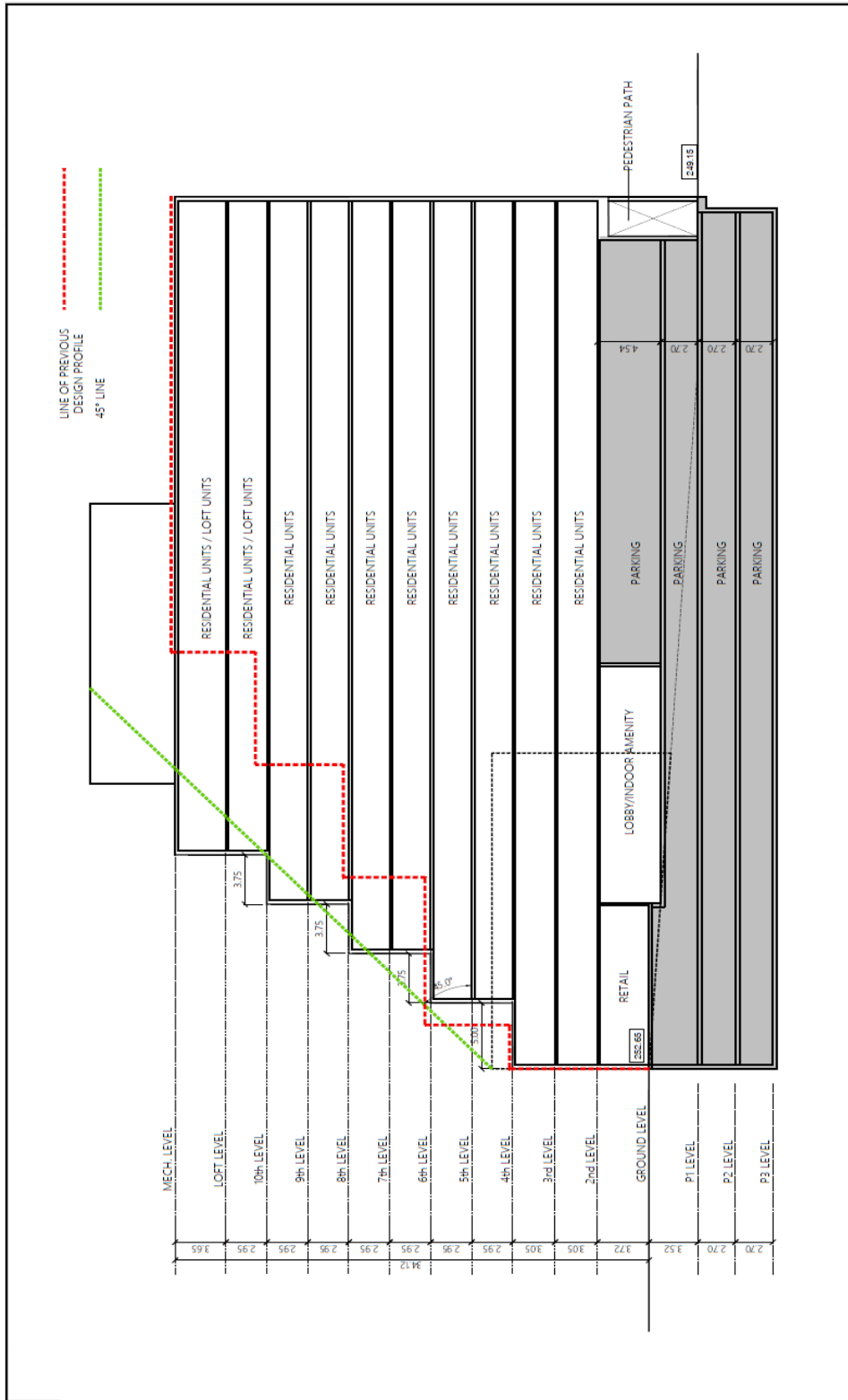
John Linhardt, Commissioner of Planning and Development

Chris Mills, Acting Chief Administrative Officer

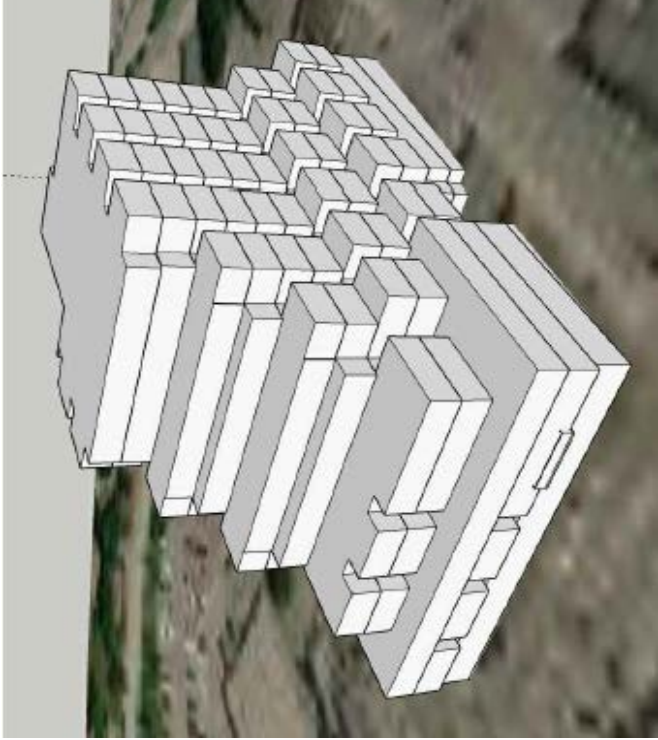
SCHEDULE 1 – LOCATION MAP



SCHEDULE 2 – MASSING COMPARISON



Cross-section of Amico's proposed building. The dotted red line represents the cross-section of the previously approved building in comparison.



Massing of previously approved building

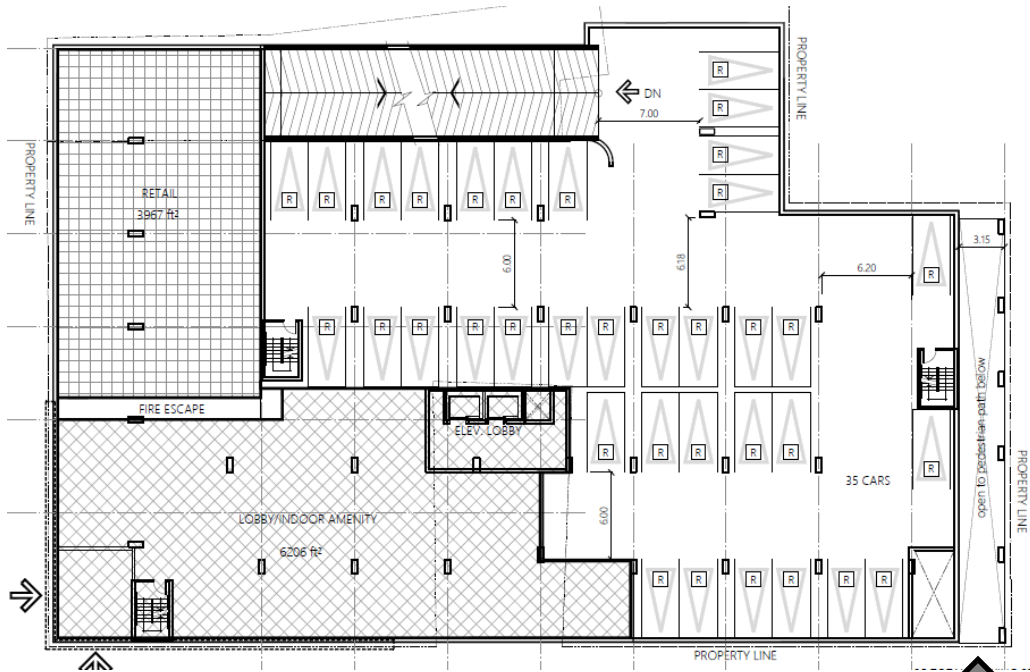


Massing for Amico's proposed building

SCHEDULE 3 – PROPOSED PEDESTRIAN PATH



Pedestrian Path



Pedestrian Path

SCHEDULE 4 – DETAILED ARCHITECTURAL DRAWINGS



View from Main Street



View from Main Street and Mill Street intersection



View from Mill Street

SCHEDULE 5 – ZONING BY-LAW AMENDMENT



BY-LAW NO. 2021-00XX

A By-law to Amend Zoning By-law 2010-0050, as amended by By-law 2017-0064, for the lands described as Part Lots 1, 2 & 3, Registered Plan 37, Part of Lot 18, Concession 9, Town of Halton Hills, Regional Municipality of Halton, municipally known as 69-79 Main Street South and 94-98 Mill Street (Georgetown)

WHEREAS Council is empowered to enact this By-law by virtue of the provisions of Sections 34 and 37 of the Planning Act, R.S.O.1990, as amended;

AND WHEREAS on November 15, 2021, Council for the Town of Halton Hills approved Report No. PD-2021-0064, dated October 21, 2021, in which certain recommendations were made relating to amending Zoning By-law 2010-0050, as amended by By-law 2017-0064;

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

AND WHEREAS said recommendation will conform to the Official Plan for the Town of Halton Hills, as amended by Official Plan Amendment No. 37;

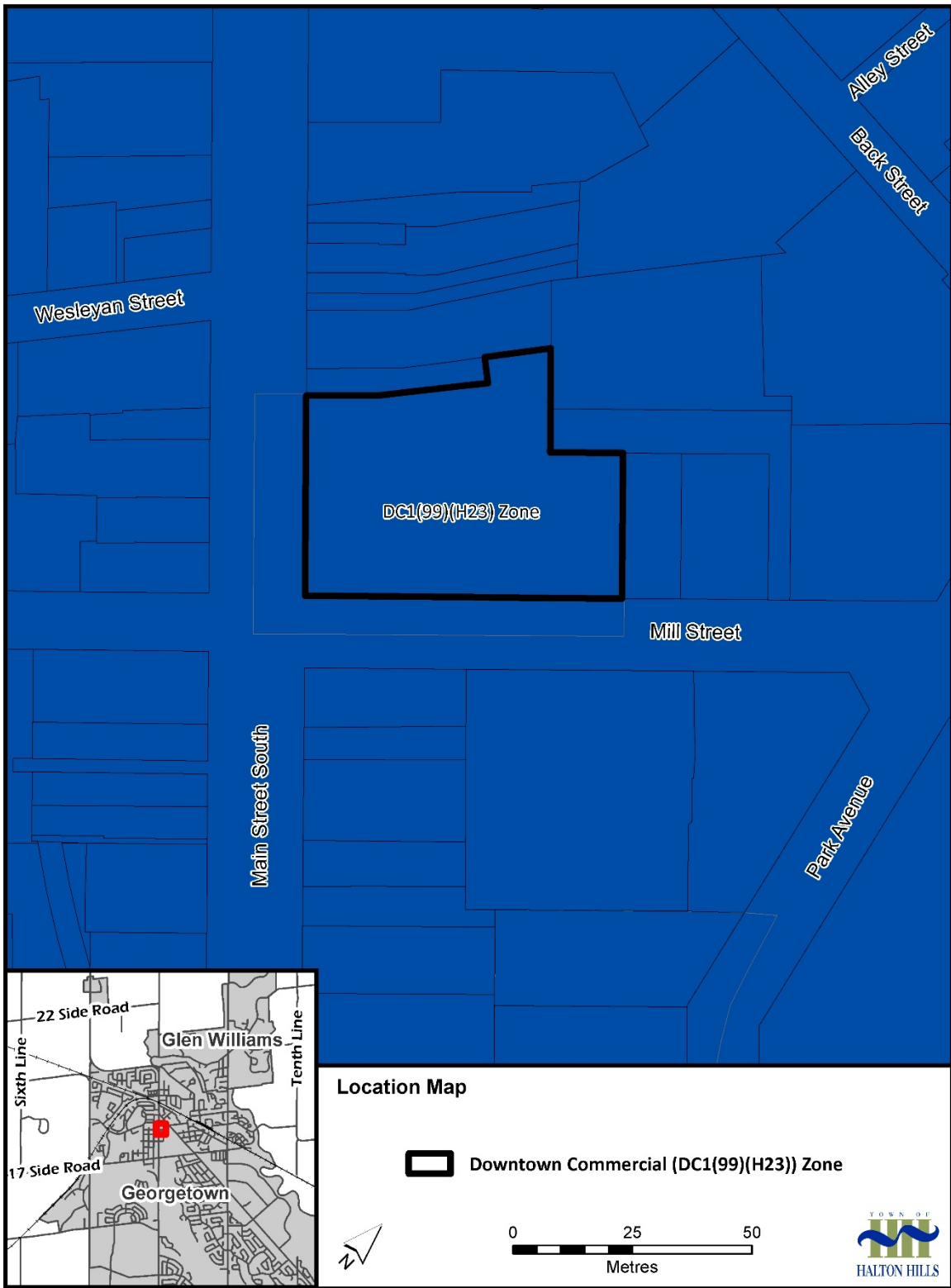
AND WHEREAS the Official Plan for the Town of Halton Hills contains provisions relating to the authorization of increases in height and density of development;

NOW, THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWN OF HALTON HILLS ENACTS AS FOLLOWS:

1. That Schedule "A4" of Zoning By-law 2010-0050, as amended by By-law 2017-0064, shall continue to reference the lands described as Part of Lots 1, 2 & 3, Registered Plan 37 and Part of Lot 18, Concession 9, Town of Halton Hills, Regional Municipality of Halton, municipally known as 69-79 Main Street South and 94-98 Mill Street (Georgetown), as a Downtown Commercial One (DC1) Exception 99, Holding (H23) Zone, as shown on Schedule "1" attached to and forming part of this By-law;
2. That Table 13.1: Exceptions of Zoning By-law 2010-0050, as amended by By-law 2017-0064, is hereby further amended by replacing the existing Exception Provision 99 with that contained in Schedule "2" and the Height and Density Bonusing requirements contained in Schedule "4" attached to and forming part of this By-law; and
3. That Table 14.1: Holding Zones of Zoning By-law 2010-0050, as amended by By-law 2017-0064, is hereby further amended by replacing the existing Holding Provision 23 (H23) with that contained in Schedule "5" attached to and forming part of this By-law.

BY-LAW read and passed by the Council for the Town of Halton Hills this 15th day of November, 2021.

SCHEDULE 1 to By-law 2021-00XX



SCHEDULE 2 to By-law 2021-00XX

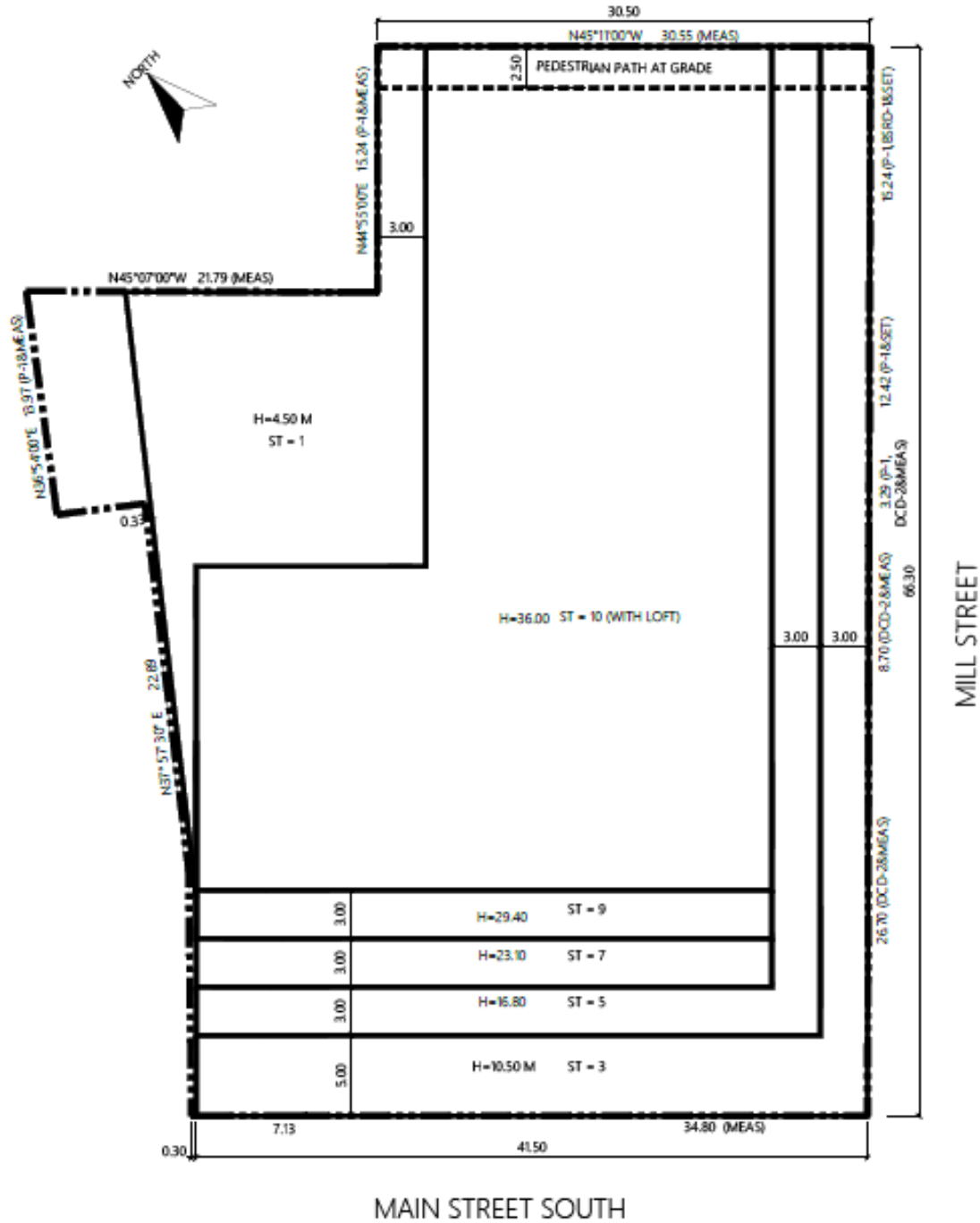
13.1 EXCEPTIONS

1 Exception Number	2 Zone	3 Municipal Address	4 Additional Permitted Uses	5 Only Permitted Uses	6 Uses Prohibited	7 Special Provisions
99	DC1	69-79 Main Street South and 94-98 Mill Street (Georgetown), (Part Lots 1, 2 & 3, Registered Plan 37, Part of Lot 18, Concession 9)	Apartment Dwelling Units			<ul style="list-style-type: none"> (i) Maximum number of Apartment Dwelling Units – 169; (ii) Maximum height – as shown on Schedule 3 to this By-law. No portion of the building or structure, excluding parapets, guard rails, railing and dividers, trellises, eaves, screens, stairs, roof drainage, window washing equipment, lightning rods, garbage chute overruns, make up air unit to a maximum height of 3.5 metres, roof drains, plumbing vents, electrical panel with enclosure, architectural features and/or landscaping elements of a green roof is to have a height greater than the height in metres specified by the number following the H symbol as shown on Schedule 3; (iii) The Mechanical Penthouse shall not project more than 3.6 metres above the highest point of the roof to the building and other freestanding mechanical equipment, such as cooling towers, shall not project more than 6.0 metres above the highest point of the roof to the building; (iv) For the purposes of this zone “Storey” means the portion of a building between the surface of a floor and the floor, ceiling or roof immediately above. Any loft or mezzanine space on the tenth storey shall not be considered as a separate storey; (v) Main Street South is

						<p>defined as the front yard;</p> <p>(vi) Minimum required front yard – as shown on Schedule 3 to this By-law;</p> <p>(vii) Minimum required rear yard – as shown on Schedule 3 to this By-law;</p> <p>(viii) Minimum required interior side yard – as shown on Schedule 3 to this By-law;</p> <p>(ix) Minimum required exterior side yard – as shown on Schedule 3 to this By-law;</p> <p>(x) The portions of the building or structure above ground must be located within the areas delineated by heavy lines as shown on Schedule 3 of this By-law except that cornices, light fixtures, ornamental elements, parapets, art and landscape features, eaves, window sills, planters, ventilation and exhaust shafts, guardrails, balustrades, railings, stairs, stair enclosures, doors, wheelchair ramps, fences, screens, site servicing features, awnings and canopies, window washing equipment and underground garage ramps and associated structures may extend beyond;</p> <p>(xi) Minimum required number of loading spaces – 1 loading space;</p> <p>(xii) Minimum width of an aisle providing access to a parking space within a parking area – 6.0 metres;</p> <p>(xiii) Minimum required number of parking spaces for residents – 1.25 spaces per dwelling unit, 4 of which can be an <i>Auto-Share Parking Space</i>;</p> <p>(xiv) Minimum required number of parking spaces for visitors and</p>
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						<p>retail/commercial – 0.15 parking spaces per dwelling unit;</p> <p>(xv) For the purposes of this Zone “<i>Auto-Share Parking Space</i>” means a parking space that accommodates a vehicle offered for short-term rental for use by the public. Each Auto-Share Parking Space shall be equal to 4 spaces for residents when calculating the on-site parking supply;</p> <p>(xvi) Height and Density Bonusing Requirements as per Schedule 4 to this By- law.</p>
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SCHEDULE 3 to By-law 2021-00XX



NOTE:

- H DEMOTES MAXIMUM HEIGHT IN METRES ABOVE GRADE OF 252.80 M CANADIAN GEODETIC DATUM
- ST DENOTES NUMBER OF STOREYS PERMITTED
- ALL DIMENSIONS ARE IN METRES
- BUILDING SETBACKS ARE PROVIDED & FLEXIBILITY OF +/- 0.1 M

SCHEDULE 4 to By-law 2021-00XX

Height and Density Bonusing Requirements

The following requirements were secured through an agreement under Section 37 of the Planning Act, registered on title on June 27, 2017:

- (i) Prior to the issuance of a demolition permit for the McGibbon Hotel (71-79 Main Street South and 98 Mill Street), the Owner shall submit a Heritage Reconstruction and Restoration Plan for the McGibbon Hotel, to the satisfaction of Town Administration and have said Plan approved.
- (ii) The facades of the existing McGibbon Hotel (71-79 Main Street South and 98 Mill Street) are to be reconstructed in accordance with the approved Heritage Reconstruction and Restoration Plan on Main Street South and replicated on Mill Street as follows:
 - the upper two floors of the facade on Main Street will be reconstructed in a two brick wythe using original brick retained during demolition, or in the alternative the upper two floors of the facade will be retained in situ and restored;
 - the façade along Mill Street may use the same original brick retained during demolition or new brick that is matched for colour, size and appearance;
 - using original materials and elements retained during demolition such as stone window sills, metal tieback plates and the restoration, reuse and reinstallation of the McGibbon Hotel sign;
 - both facades will replicate all of the details and ornamentation of the existing McGibbon Hotel; and,
 - the intent of these provisions shall be implemented through a condition of the Holding Provision of this By-law, the section 37 Agreement and/or through the Site Plan Control approval process.
- (iii) The facade of the upper floor of the existing building at 69 Main Street South to be replicated to the extent reasonably practicable in accordance with the approved Heritage Reconstruction and Restoration Plan on Main Street as follows:
 - where feasible, using original materials and elements retained during demolition such as stone window sills, limestone bricks, metal tieback plates, together with such new materials that are matched for colour, size and appearance where the use of original materials is not feasible;
 - where feasible, the façade will replicate all of the details and ornamentation of the upper floor of the existing building; and
 - the intent of these provisions shall be implemented through a condition of the Holding Provision of this By-law, the section 37 Agreement and/or through the Site Plan Control approval process.
- (iv) The Owner shall make a cash contribution of \$500,000 payable prior to the lifting of the Holding (H23) provision as referenced in SCHEDULE 5 of this Bylaw which contribution shall be allocated by and expended by the Town to a) the enhancement and preservation of heritage conservation initiatives within the Town to increase the historic connection to Downtown Georgetown and/or to b) the provision of additional public facilities and improvements within and adjacent to Downtown Georgetown to increase the vitality of Downtown Georgetown. Allocation and expenditure of the contribution shall not occur prior to consultation with the Owner and other stakeholders to obtain input on the potential projects to which the contribution may be expended.

The following requirement shall be implemented through a supplemental agreement under Section 37 of the *Planning Act*:

- (v) The Owner shall develop and make available a permanent on-site pathway or connection for use by the general public that will provide pedestrian access, to municipal standards, between the abutting "Back Street" municipal parking lot and Mill Street. An access easement over the pedestrian connection in favour of the Town of Halton Hills will be required to secure the public connection. Perpetual maintenance of the permanent on-site pathway or connection, to municipal standards and the Town's satisfaction, will be the responsibility of the property owner or subsequent condominium corporation.

SCHEDULE 5 to By-law 2021-00XX

14.1 HOLDING ZONES

	Zone Designation	Property/Legal Description	Conditions for Removal	Date Enacted
H23	DC1(99)	69-79 Main Street South and 94-98 Mill Street (Georgetown), (Part Lots 1, 2 & 3, Registered Plan 37, Part of Lot 18, Concession 9)	<p>The Holding (H23) provision may be lifted upon:</p> <ul style="list-style-type: none"> i) Execution of agreement under Section 37 of the <i>Planning Act</i>, or other such legal agreement that the Town Solicitor may require, providing for the public benefits referenced in SCHEDULE 4 of this Bylaw; ii) Payment of the \$500,000 contribution as set out in SCHEDULE 4 of this Bylaw and in the agreement under Section 37 of the <i>Planning Act</i>; iii) Approval of a Site Plan application and execution of a Site Plan Agreement in accordance with Section 41 of the <i>Planning Act</i>, for any future development; iv) Approval by Town Administration of a Heritage Reconstruction and Restoration Plan, prior to the issuance of any Demolition Permit(s); v) The Owner satisfies the Region of Halton's Protocol for Review Contaminated and Potential Contaminated sites, by submitting a Ministry of the Environment and Climate Change acknowledged Record of Site Condition in accordance with Ontario Regulation 153/04, or the Owner provides documentation prepared by a Qualified Professional that demonstrates that the lands are or will be suitable for the intended use, both of which shall be to the Region of Halton's satisfaction; vi) The Town of Halton Hills and the Region of Halton being satisfied that the subject site has received the necessary servicing allocation (SDE). A Water Usage and Sanitary Discharge Report shall be submitted to the Region of Halton for review; vii) Arrangements for an easement over the Back Street parking lot and all necessary upgrades, improvements or restoration of the parking lot shall be secured to ensure access to the garbage and loading area as well ensuring reasonable access to adjacent properties is maintained, to the satisfaction of Town Administration; viii) Arrangements for the relocation of existing utilities located on the subject lands, to the satisfaction of Town Administration; and ix) Approval by Town Administration of a Construction Management Plan. 	November 15, 2021