

Subject: Delegation – Orangeville Highlands Ltd. Proposed Development, North Side of Hansen Boulevard, Applications for Plan of Subdivision, Official Plan and Zoning By-law Amendments, File No’s S1/10 & OPZ 5/10

Department: Infrastructure Services

Division: Planning

Report #: IS-PL-2019-006

Meeting Date: January 28, 2019

Orangeville Forward – Strategic Plan

Priority Area: Sustainable Infrastructure

Objective: Plan for Growth

Recommendations

For the information of Council.

Background

In June 2010, Orangeville Highlands Ltd. submitted Draft Plan of Subdivision (File: S1/10), Official Plan Amendment and Zoning By-law Amendment (File: OPZ 5/10) for lands located on the north side of Hansen Boulevard and immediately west of the Orangeville Mall. The purpose of these applications was to facilitate the development of a 545-unit (245 townhomes and 300 apartment units) residential subdivision including parkland and open space uses.

In October 2017, the applicant appealed their applications to the Ontario Municipal Board (“OMB”), based on the Town’s failure to make a decision on the applications within the time periods prescribed by the Planning Act. The appeals were filed primarily due to Planning Act amendments being initiated by the province at that time, which sought to revamp appeal adjudication procedures by replacing the OMB regime with a new Local Planning Appeal Tribunal (“LPAT”). Filing the appeals prior to the pending legislative changes coming into effect preserved the applicant’s ability to pursue their appeals under the pre-existing OMB rules and procedures that were better understood at that time.

In May 2018, the applicant formally submitted updated technical studies and plans in support of a revised draft plan of subdivision. Several notable changes were incorporated into the revised development proposal, which included:

1. increases to the proposed parkland area and open space conservation lands;
2. an increase in the number of proposed residential units (from 545 to 623 units);
and
3. a modification to the unit configuration, which now consists of approximately 191 townhouse dwellings (comprised of 93 street townhouses, 72 stacked townhouses and 26 back-to-back townhouses) and 432 apartment units.

Analysis

The Town held a public meeting on September 10, 2018 to present the updated proposal to the public and Council, to receive comments and answer questions about the applications. Considerable interest was raised at the meeting and the comments expressed can be categorized as concerns about potential environmental, groundwater and traffic impacts as well as compatibility with surrounding residential development. A position or recommendation for a decision on the applications was not made at the September 2018 public meeting, given that the public meeting forms part of the overall application review process that is underway.

Public comments are to be taken into consideration by staff as part of the overall application review and consultation process. A substantial part of this process includes a review of the application submission documents by staff within Town departments and external public agencies who are sufficiently qualified in the disciplines of the respective reports. The purpose of this agency and departmental review is to determine whether the conclusions and recommendations contained in the application submission documents are satisfactory and whether all applicable planning policies can be satisfied. Once this has been determined, Planning staff are in a position to bring forward a recommendation report for Council with respect to a decision on the applications.

As the Orangeville Highlands Ltd. applications have been appealed to the LPAT, (formerly the "OMB") the final decision for these applications rests with the Tribunal. At an initial pre-hearing conference held on June 4, 2018, the Tribunal confirmed the parties and participants to the matter and scheduled a second pre-hearing conference for February 26, 2019. This second pre-hearing conference was scheduled to allow the detailed review of the revised application materials to proceed and a second public meeting to be held in the interim. The objective is to reconvene before the Tribunal with an update on the progress of the application review, which may include a determination of the technical matters remaining to be addressed, based on the agency/department review and comments received from the public. From there, a subsequent hearing event would likely be scheduled and the function of which (i.e. a conference or a hearing) would be determined based on the advancement of the ongoing application review process. Prior to the Town's involvement in such a forthcoming hearing event, staff will bring forward a report to council to explain the review process as described above and if

appropriate, provide recommendations with respect to a formal position on the applications and the Town's involvement in the LPAT appeal procedures.

It would be premature for Council to take a position on these applications at this time, given that the review process as described above is still underway. The comments expressed through the delegation related to this matter, as well as the comments received through the public consultation and technical review process will be addressed in the forthcoming staff report.

Financial Impact

There is no financial impact associated with this information report.

Respectfully submitted
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Attachments:

1. None