

Subject: Orangeville Highlands Limited and Brucedale Investments Inc.
Part of the East Half of Lot 3, Concession 2
Orangeville Highlands – Phase II
Ontario Municipal Board (OMB) Appeal

Department: Economic Development, Planning and Innovation

Report #: PL-2018-08

Meeting Date: April 9, 2018

Orangeville Forward – Strategic Plan

Priority Area: Economic Vitality

Objective: Attract, Retain and Expand Business

Priority Area: Sustainable Infrastructure

Objective: Plan for Growth

Recommendations

That Report No. PL-2018-08, dated April 9, 2018, regarding the Ontario Municipal Board (OMB) Appeal by Orangeville Highlands Limited and Brucedale Investments Inc., be received;

And that staff and legal Counsel be directed to attend any Ontario Municipal Board (OMB) Hearings and/or Pre-Hearing Conference(s) related to this Appeal of a Draft Plan of Subdivision Application, Official Plan Amendment Application,

and, Zoning By-law Amendment Application with respect to Town File Nos. S1/10 and OPZ5/10.**Background**

The total landholding is situated on 17.95 hectares (44.36 acres) of land with approximately 479.0 metres of frontage along the north side of Hansen Boulevard. Adjacent and surrounding development includes General Commercial to the east (Orangeville Mall); Open Space Conservation land uses and the northern extent of the Settlement Area Boundary of the Town of Orangeville to the north; and, existing low density residential land uses to the west and south. The subject lands are currently vacant. Attachment No. 1 includes a location map.

Applications for Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment were submitted on June 30, 2010. The applications at that time proposed the development of a plan of residential subdivision, consisting of 545 residential units (245 townhouse dwellings; 300 apartment dwellings)(Blocks 1 to 6); Park Blocks (Blocks 7 to 9); Open Space Conservation Block (Block 10); and, Stormwater Management Block (Block 11). A copy of the proposed draft plan of subdivision (dated, May 31, 2010) is included as Attachment No. 2.

A statutory Public Meeting was held on March 7, 2011 to consider the applications. There were several submissions received with respect to the applications and considerable public/resident interest at the Public Meeting. Council received numerous presentations from area residents with respect to their concerns regarding the proposed development and questions for Planning Department staff and consultants.

Council received the Planning Department Staff Report (PL-2011-06) as information and further directed that the applicant be required to hold a Public Information Session for the purpose of providing additional information to assist in addressing residents' concerns.

Accordingly, a Public Information Session was held on May 5, 2011 and additional presentation boards were used to illustrate the development as contemplated at that time. No formal revisions to the applications have been considered by Council since that time though work on the development plan is ongoing to respond to public and staff comments.

Periodic discussions between the Town and the proponent have occurred over the last several years to address specific issues related to the proposed development. Planning Department staff most recently met with the applicant's current planning consultant in

September 2017 to review and provide preliminary comment on a revised plan for the development.

Analysis

The subject lands are designated 'Medium Density Residential' (Special Policy E8.66)(OPA No. 103) to Schedule 'C' of the Town of Orangeville Official Plan and zoned Development (D) Zone to Schedule 'A' (Map Nos. A3 and A4) of Zoning By-law No. 22-90.

As part of the Official Plan Review process and approval by Council of OPA No. 103 on June 8, 2009, a Special Policy (E8.66) was applied to these lands. The Official Plan Amendment permits the development of the property at a minimum residential density of 75 units per net residential hectare and a maximum residential density of 99 units per net residential hectare. A copy of an excerpt from OPA No. 103 is included as Attachment No. 3.

The Town was advised on October 31, 2017 of the applicant's appeal to the Ontario Municipal Board of the Draft Plan of Subdivision Application, Official Plan Amendment Application and Zoning By-law Amendment Application, pursuant to Section 51(34), Section 22(7) and 34(11) of the Planning Act, respectively, citing a refusal or neglect to make a decision within the prescribed period by the municipality.

The applicants have stated an interest in considering appropriate revisions to the proposed development based on the community's input provided at the Public Meeting and Open House. The filing of the appeals are in recognition of current changes in the Planning Act and as a pre-emptive approach to reserving a position at the Ontario Municipal Board.

An Ontario Municipal Board Pre-Hearing Conference has been scheduled for June 4, 2018. The Pre-Hearing Conference will provide an opportunity to identify the outstanding issues and also identify areas of agreement.

Financial Impact

There is a financial impact with respect to legal Counsel and their role in providing legal opinion, preparation for and attendance at the Pre-Hearing Conference.

Respectfully submitted:

Prepared by:

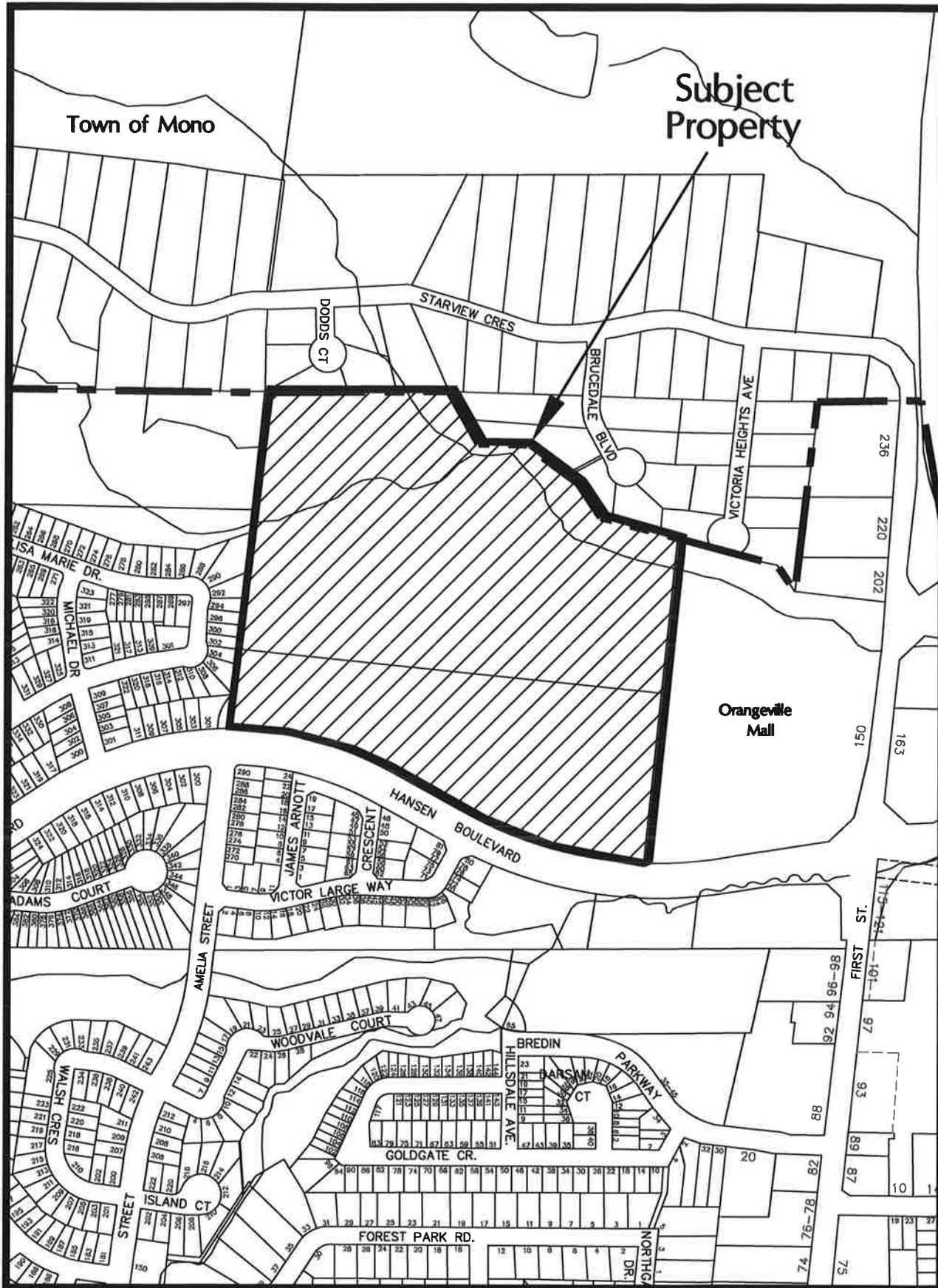
Ed Brennan
Chief Administrative Officer

Gordon Dickson, MEDES., MCIP, RPP
Senior Planner

Attachment:

1. Location Map.
2. Draft Plan of Subdivision (May 31, 2010).
3. OPA No. 103 (Excerpt).

LOCATION MAP
FILES S 1/10 AND OPZ 5/10
APPLICANT: ORANGEVILLE HIGHLANDS LTD.



amendment to the Zoning By-law and redevelopment proposals will be made in accordance with this policy so as to have the effect of relocating those automotive and automotive-related uses that rely on the outdoor storage and display of motor vehicles and equipment to more appropriate areas of Town."

72. Section E8.63 is hereby deleted and replaced with the following text:

"E8.63 Notwithstanding the Restricted Commercial Residential designation of the lands located on the south sides of Broadway, west of Dawson Road, a transition to higher density, mixed-uses over time, beyond house-form buildings, can be considered for this area. It is intended that the character of the adjacent residential neighbourhoods shall be respected through architecturally-sensitive forms of redevelopment and by properly locating and screening site elements such as off-street parking. Appropriate development regulations and restrictions shall be established in the Zoning By-law through site-specific amendments, and the process of redevelopment shall be subject to site plan control.

Furthermore, a restaurant shall be permitted on the property located on the southwest corner of Broadway and Dawson Road at 288 Broadway."

73. A new Section E8.65 is hereby added to the lands located on the south side of Broadway, east of Riddell Road as follows:

"E8.65 Notwithstanding the Low Density Multiple Residential designation of the lands located on the south site of Broadway, east of Riddell Road, the lands shall develop at a minimum residential density of 30 and a maximum of 49 units per net residential hectare."

74. A new Section E8.66 is hereby added to the lands located on the north side of Hansen Boulevard, west of First Street as follows:

"E8.66 Notwithstanding the Medium Density Residential designation of the lands located on the north side of Hansen Boulevard, west of First Street, the lands shall develop at a minimum residential density of 75 and a maximum of 99 units per net residential hectare."

75. Schedule A – Land Use Plan is hereby amended to replace certain land use designations as shown on Schedules "A", "B" and "C" hereto.

76. Schedule C – Residential Density Plan is hereby amended to amend certain residential density designations as shown on Schedules "D", "E" and "F" hereto.

77. Schedule B – Policies for Specific Areas is hereby amended to introduce the new site-specific special policy E8.65 and E8.66, reassign policy number E8.62 and

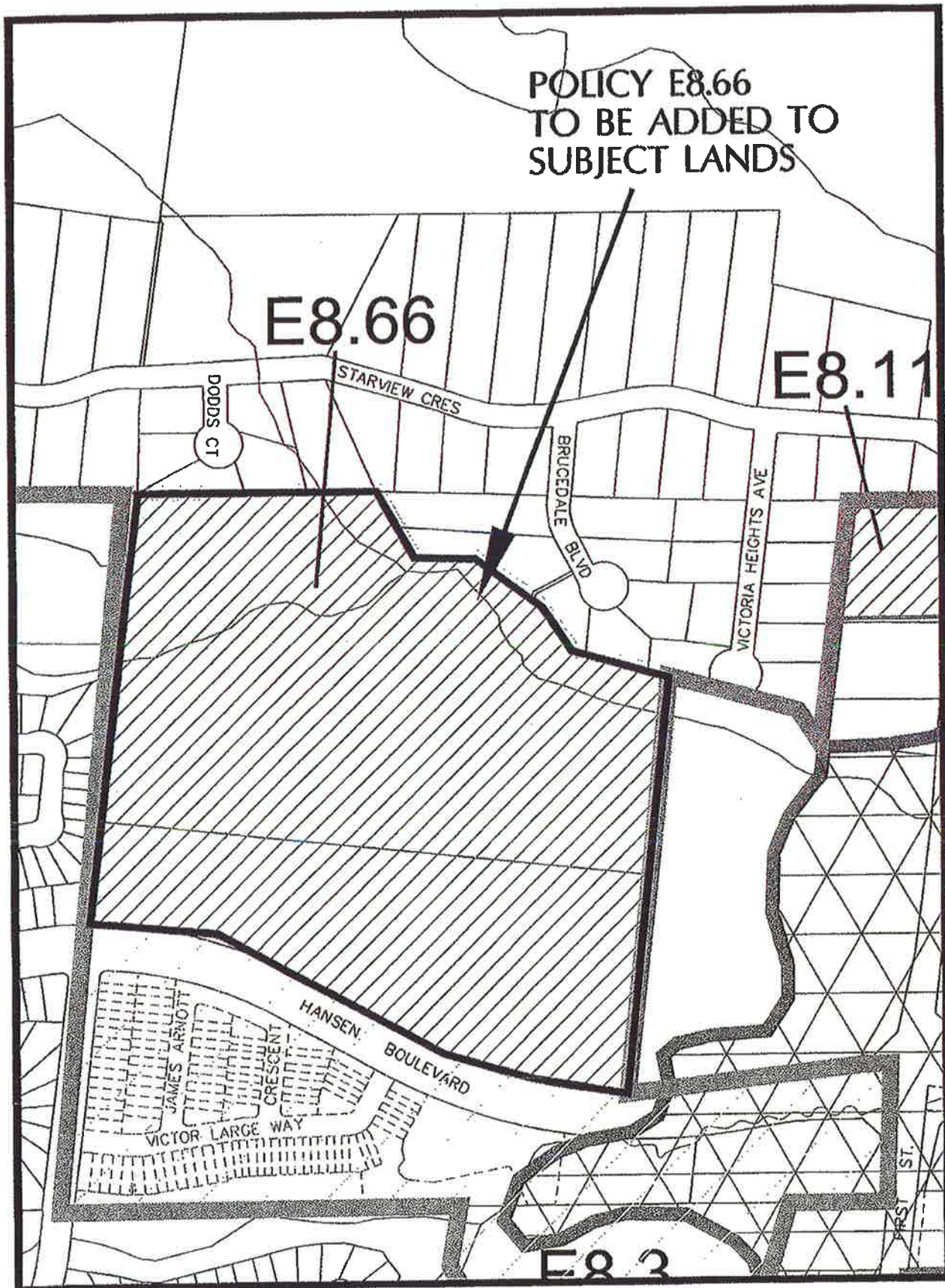
redefine the area covered by policy number E8.63 as shown on Schedules "G", "H", "I" and "J" hereto.

78. A new Schedule B1 – Built Boundary is hereby added as Schedule "K" hereto.
79. Map 1 in the Appendix is hereby deleted.

SCHEDULE "J" TO OFFICIAL PLAN AMENDMENT NO. 103



POLICY E8.66
TO BE ADDED TO
SUBJECT LANDS



E8.66

E8.11

E8.3