



Subject: Plan of Subdivision, Official Plan Amendment & Zoning By-law Amendment Applications – File Nos. S1/10 & OPZ5/10
Orangeville Highlands Ltd.
North Side of Hansen Boulevard & West of First Street

Department: Infrastructure Services

Division: Planning

Report #: PL-2018-22

Meeting Date: September 10, 2018

Orangeville Forward – Strategic Plan

Priority Area: Sustainable Infrastructure

Objective: Plan for Growth

Recommendation

That report No. PL-2018-22 Plan of Subdivision, Official Plan Amendment & Zoning By-law Amendment Applications – File Nos. S1/10 & OPZ5/10, Orangeville Highlands Ltd., North Side of Hansen Boulevard & West of First Street be received.

Background

Purpose of a Public Meeting

In accordance with the Planning Act, a Public Meeting is held for applicants to present their applications to the public and Council, to receive comments and answer questions that the public and members of Council may have.

Staff and Council will not make a recommendation, decision or take a position on the applications at a Public Meeting. A Planning Report will be brought forward by staff and considered by Council at a later date.

Property Information

The subject lands are 17.95 hectares (44.36 acres) in area with approximately 479.0 metres of frontage along the north side of Hansen Boulevard. Existing uses surrounding the subject lands consist of general commercial to the east (Orangeville Mall); open space conservation uses and the northern limits of the Town of Orangeville settlement area boundary to the north; and existing residential uses to the west and south. The subject lands are currently vacant. Attachment No. 1 includes a location map.

Original Development Concept (May 2010)

On June 30, 2010, The Town received Draft Plan of Subdivision (File: S1/10), Official Plan Amendment and Zoning By-law Amendment (File: OPZ 5/10) applications from Orangeville Highlands Ltd. for the subject lands. The proposed plan of subdivision at that time consisted of: 545 residential dwelling units including approximately 245 townhouse dwellings and 300 apartment dwellings; a series of three (3) Park Blocks totalling 2.11 hectares (5.21 acres) in area; a 5.53 hectare (13.66 acre) Open Space Conservation Block; and a 0.96 hectare (2.37 acre) Stormwater Management Facility Block. A copy of the original 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 share information on the applications and receive public questions and comment. There were several submissions received and considerable public interest expressed at the meeting. Concerns expressed at the meeting regarding the proposed development are summarized, together with the applicant's responses, as follows:

2011 Comment	Applicant Response
1. Potential risk of vandalism	During the construction and development phase, the site would contain appropriate security and surveillance measures to deter and detect any vandalism activity.
2. Construction and vibration to surrounding residential areas	The relocation proposed Park Block to the west side of the plan (adjacent to Amelia Street) where residential development was proposed in the original plan, would minimize vibration and construction impacts to the existing residential dwellings located the west side of the future Amelia Street extension.

2011 Comment	Applicant Response
	The applicant has advised that construction related to the Amelia Street extension may pose impacts, however, if there are concerns from adjacent landowners, that a pre-construction survey could be undertaken to determine the stability of existing structures prior to construction.
3. Privacy concerns for existing surrounding residential areas	Privacy concerns will be mitigated through the development of a complete community utilizing a sensitive and innovative design approach.
4. Groundwater Impacts	The submission of an addendum Hydrogeological Assessment (2018) addresses items such as the general direction of ground water flow and elevation.
5. Anticipated Traffic and Access Impacts	The updated Traffic Impact Study (2018) evaluates the design of Hansen Boulevard and its ability to accommodate projected traffic volumes. The Study also evaluates the intersections at Hansen Boulevard/Amelia Street and Hansen Boulevard/Victor Large Way.

Council received an Information Report (PL-2011-06) at the Public Meeting and further directed that the applicant be required to hold a public information session to provide additional information to assist in addressing residents' concerns. Accordingly, this public information session was held on May 5, 2011 and additional presentation materials were used to illustrate the development concept under consideration. No formal revisions to the applications have been presented to the public since that time.

Revised Development Concept (September 2017)

In September 2017, planning staff met with the applicant's current planning consultant (Glen Schnarr & Associates Inc. or "GSAI") to review an updated development concept being contemplated for a revised application submission. On October 31, 2017, the applicant appealed their applications to the Ontario Municipal Board ("OMB") on the basis of the Town's failure to make a decision on the applications within the time periods prescribed by the Planning Act. The filing of these appeals was primarily due to pending amendments to Planning Act being initiated by the province at that time which. These changes sought to revamp the procedures for appeals by replacing the OMB regime with a new Local Planning Appeal Tribunal ("LPAT"). Filing the appeals prior to the pending legislative changes coming into force and effect preserved the applicant's ability to pursue consideration of their appeals under the existing (and well understood) OMB rules and procedures.

Subsequent to the appeal of the applications, the applicants submitted technical studies and revised plans in support of a revised draft plan of subdivision in May 2018. Several notable changes were included in the revised 2017-2018 development concept that differed from the original 2010 draft plan:

1. **An increase in the number of proposed residential units** from 545 in the original 2010 draft plan to 623 in the 2017 revised draft plan.
2. **An increase in the overall residential density** of the draft plan from 75.6 units per net hectare (2010) to 97.7 units per net hectare (2017).
3. **A modification to the overall unit configuration**, from approximately 245 street townhouse dwellings and 300 apartment dwellings within the 2010 draft plan to 191 townhouse dwelling (comprised of 93 street townhouses, 72 stacked townhouses and 26 back-to-back townhouses) and approximately 432 apartment dwellings within the 2017 draft plan.
4. **A reduction in the developable area of the site** due to the completion of ecological surveys for natural heritage features which resulted in refined open space conservation area boundaries on the site. Accordingly, the proposed Open Space Conservation Block in the northern portion of the plan area has been increased from 5.53 hectares (2010) to 6.12 hectares (2017 draft plan).
5. **An increase in dedicated parkland** from 2.16 hectares (2010) to 2.41 hectares (2017), due to increase in total number of proposed residential units and corresponding parkland dedication requirements under the Planning Act.
6. **A relocation of the proposed park** from the eastern portion (behind the Orangeville Mall) to the western portion of the site.
7. **A reconfiguration of the stormwater management facility** to be less linear and located within the southeast portion of the property.
8. **An increase to the width of certain road allowances** (Streets A & B) from 18.50 metres 20.0 metres while the remaining streets (C, D and E) remain at 18.50 metre road allowance widths.

A copy of the revised draft plan of subdivision (2017) is included as Attachment No. 3. Staff are presently reviewing these revisions to the development concept in consultation with the internal Town departments and external public agencies.

Analysis

County of Dufferin Official Plan

The Town of Orangeville is identified as an 'Urban Settlement Area' on Schedule 'B1' in the County of Dufferin Official Plan ("County OP"). Urban settlement areas are identified in the County OP as focal points for growth that will accommodate a broad range of uses. The subject lands are designated in a 'greenfield' area (within the 'Urban Settlement Area'). County OP policies encourage new development within greenfield areas to achieve a minimum density target (i.e. 46 residents and jobs combined per hectare) and to develop comprehensively, either through a phased approach or through a secondary plan process.

The proposed development will be required to demonstrate conformity to the objectives and policies of the County of Dufferin Official Plan as part of the overall review of these applications.

Town of Orangeville Official Plan

Schedule 'A' (Land Use Plan) to the Town of Orangeville Official Plan ("Orangeville OP") designates the subject lands as 'Residential', 'Open Space Conservation', and 'Open Space Recreation'.

The 2017 revised draft plan proposes Natural Heritage System (NHS) (i.e. wetland, floodplain, woodlot, creek and buffers) and Park block areas which reflect the 'Open Space Conservation' and 'Open Space Recreation' designation areas respectively.

Within the 'Residential' designation, the Orangeville OP contemplates various residential densities and a mixture of housing types. This is further guided by 'Low Density Residential', 'Medium Density Residential' and 'High Density Residential' designation areas shown on Schedule "C" (Residential Density Plan). Each residential density area includes specific policies that prescribe a range of permitted densities and housing types as well as specific locational criteria as to where such density designation areas may be appropriately located in the Town.

The subject lands are designated as 'Medium Density Residential', subject to Special Policy E8.66 (OPA No. 103) on Schedules 'C' and 'B', respectively. Permitted uses in the 'Medium Density Residential' designation include row/townhouse dwellings and apartments with a maximum density of 99 units per net residential hectare. Notwithstanding the Medium Density Residential designation, Special Policy E8.66 prescribes an overall net residential density range between a minimum of 75 units per hectare and a maximum of 99 units per hectare specifically for the subject lands.

Special Policy E8.66 is the result of a Town-initiated Official Plan review amendment (OPA No. 103) which was approved by Council on June 8, 2009. OPA 103 was initiated by the Town to comply with the provincial 'Places to Grow' Growth Plan, 2006 and the related Dufferin County Growth Management Study which set-out more ambitious density and intensification targets to be implemented within municipal Official Plans. At that time, the subject lands were already designated for a maximum density of up to 99

units per net residential hectare. However, OPA No. 103 introduced site-specific policy E8.66 to add a minimum development density of 75 units per net residential hectare. This was in order to implement an intention for these lands to develop at a higher density range as part of the Town's overall effort to achieve the greater density and intensification targets, as directed by the provincial Growth Plan, 2006.

An application to amend the Town's Official Plan has been submitted to facilitate the proposed development. The review of the applications and supporting documentation will determine whether the proposed development conforms to the policies and intent of the Orangeville OP. Based on this review, the Official Plan Amendment application will be evaluated to determine the pertinent land use designations and/or site-specific policies that would be appropriate to facilitate the proposed development.

Town of Orangeville Zoning By-law No. 22-90

The lands are currently zoned Development (D) Zone to Schedule 'A' (Map No's. A3 and A4) of Zoning By-law No. 22-90. Uses permitted in the Development ('D') Zone include existing uses, buildings and structures. The 'D' Zone is intended to freeze the lands for future development purposes until a specific development proposal is brought forward to be reviewed and implemented through a Zoning By-law amendment application process.

The Zoning By-law amendment application proposes to rezone the subject lands to a site-specific "Multiple Residential Medium Density (RM1) Zone" to permit the range of residential uses proposed, as well as Open Space – Recreation (OS1) and Open Space – Conservation (OS2) zones to reflect the proposed park, environmental protection area and stormwater management facility uses.

The site-specific RM1 zone proposes special standards with respect to the various dwelling types under consideration in this development and includes reductions to the minimum lot area; lot frontage; front yard and exterior side yard requirements; as well as increases to the maximum permitted building height. Site-specific definitions for the proposed form of townhouse dwelling types may also be required to reflect the specific housing types proposed.

Consultation

Public Notification

In accordance with the requirements of the Planning Act, a Notice of Public Meeting was circulated to all property owners within 120 metres of the subject property on July 24, 2018 and a notification sign was also posted on the property. The Notice was also posted on the Town website and published in the August 2, 2018 edition of the Orangeville Citizen.

As noted previously, this is the second public meeting scheduled for the proposed development since the original application submission in 2010. The intent of this meeting is to advise Council and residents of the changes to the development plan since the initial public meeting/information session held in 2011 in consideration of the original development proposal.

In response to the notification procedure for this public meeting, staff have received a number of inquiries regarding the proposed development and one (1) formal letter of objection from an area resident. The two primary areas of concern expressed in the letter related to environmental impact and traffic impacts.

Internal Department and External Agency Review

The applications were circulated to internal departments and external public agencies for review and comment on June 6, 2018. Comments expressing no concerns and/or requesting standard conditions of draft approval (i.e. matters to be incorporated into a future subdivision agreement) have been received from the following:

- Hydro One Networks Inc.
- Enbridge Gas Distribution Inc.
- Conseil Scolaire Viamonde
- Dufferin-Peel Catholic District School Board

Specific comments received to-date from the following external agencies are summarized below:

- **Upper Grand District School Board:** Expressed support for the recommendations of the Transportation Impact Study with respect to the installation of signalized intersections to assist in safer crossings of Hansen Boulevard.
- **County of Dufferin:** Provided an overview of applicable County Official Plan policies related to the development applications.
- **Wellington-Dufferin-Guelph Public Health:** Provided recommendations with respect to addressing connectivity/public realm/integration, active pedestrian frontage, tree cover, parkland/common amenity area connectivity, community garden, bicycle parking and snow removal.

To date, the review of these applications by internal Town departments remains ongoing and comments have not been formalized.

Next steps

As the applications have been appealed to the Local Planning Appeal Tribunal (“LPAT” or “Tribunal”, formerly the “Ontario Municipal Board”, or “OMB”) the jurisdiction for a final decision for these applications is with the Tribunal. An initial Pre-Hearing Conference was held on June 4, 2018 with respect to the appeals. At that pre-hearing conference, the Tribunal scheduled a second Pre-Hearing Conference in February 2019. The scheduling of this second pre-hearing conference is generally to allow for a detailed review of the revised application materials and scheduling a second public meeting to proceed, in an effort to return before the Tribunal with a prescriptive series of matters to be addressed with the applications, based on the technical review and comments received from the public. Staff anticipates a report in January 2019 to seek Council direction to attend the second LPAT Pre-Hearing Conference with respect to outstanding and identified issues related to these applications.

Financial Impact

There are anticipated financial considerations with respect to the Town’s legal counsel representation and attendance at the upcoming Pre-Hearing Conference in February 2019 and their role in providing legal opinion and preparation for Planning Division staff.

Respectfully submitted:
Douglas G. Jones, M.E.Sc., P.Eng.
General Manager, Infrastructure Services

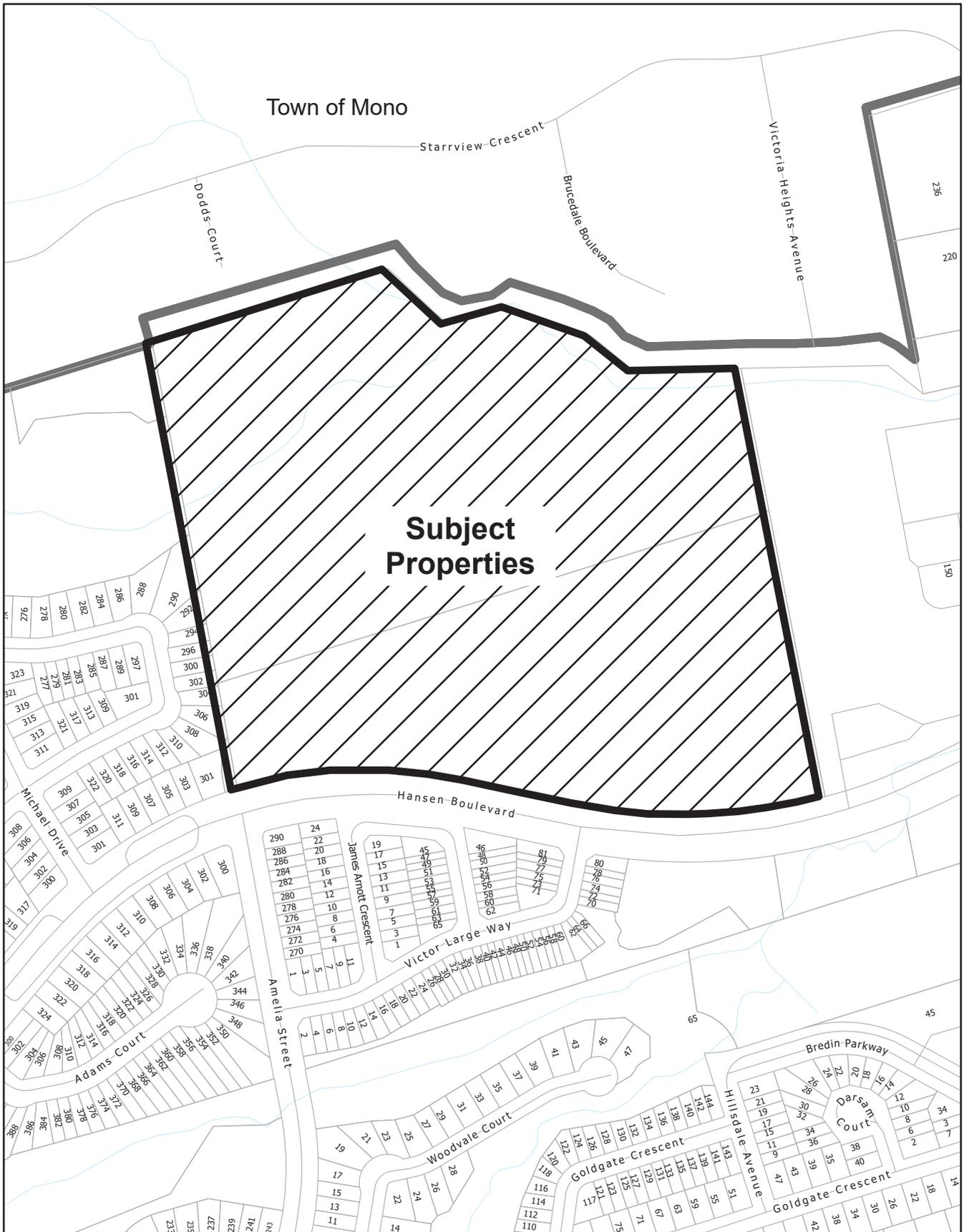
Prepared by:
Brandon Ward, MCIP, RPP
Manager, Planning, Infrastructure Services

Attachments:

1. Location Map.
2. Draft Plan of Subdivision (May 31, 2010).
3. Revised Draft Plan of Subdivision (October 17, 2017).

Location Map

Applicants: Orangeville Highlands Limited and Brucedale Investments Inc.





**DRAFT PLAN OF SUBDIVISION
ORANGEVILLE HIGHLANDS LIMITED &
BRUCEDALE INVESTMENTS INC.**
FILES: OPZ 5/10 & S 1/10

PART OF LOT 3,
CONCESSION 2 W.H.S.,
TOWN OF ORANGEVILLE
DUFFERIN COUNTY

OWNERS CERTIFICATE
I HEREBY AUTHORIZE GLEN SCHNARR & ASSOCIATES INC. TO PREPARE AND SUBMIT
THIS DRAFT PLAN OF SUBDIVISION TO THE TOWN OF ORANGEVILLE FOR APPROVAL

DATE OCT. 17, 2017

DATE OCT. 17, 2017

DATE SEPT. 26, 2017

Thomas Sabl
THOMAS SABL, O.S.S.
PRESIDENT

Joanna Nesbitt
JOANNA NESBITT,
SECRETARY

SURVEYORS CERTIFICATE
I HEREBY CERTIFY THAT THE DIMENSIONS OF THE LANDS TO BE SUBMITTED AS
SHOWN ON THIS PLAN AND THEIR RELATIONSHIP TO ADJACENT LANDS ARE
CORRECTLY AND ACCURATELY SHOWN.

ADDITIONAL INFORMATION
(UNDER SECTION 51(7) OF THE PLANNING ACT) INFORMATION REQUIRED BY CLAUSES
A,B,C,D,E,F,G,H & I ARE SHOWN ON THE DRAFT AND KEY PLANS.

- H) MUNICIPAL AND PIPES WATER TO BE PROVIDED
- I) SANDY LOAM AND CLAY LOAM
- K) SANITARY AND STORM SEWERS TO BE PROVIDED

LAND USE SCHEDULE

LAND USE	BLOCKS	AREA (H.A.)	UNITS
TOWNHOUSE (STREET - 7.5m (24'6"))	1-17	1.75	4.25 (0)
TOWNHOUSE (BACK TO BACK - 7.0m (22'7"))	18-19	0.29	0.72 (26)
TOWNHOUSE (CONDOMINIUM STACKED)	20-31	1.31	3.24 (72)
PARK	22-23	2.03	5.14 (221)
STREET	24	0.02	0.05 (2)
OPEN SPACE (WALKWAY)	25	1.08	2.62 (116)
OPEN SPACE (WALKWAY)	26	0.02	0.05 (2)
18.5m ROW (6.5m) - OPEN SPACE (BUFFER AREA)	27	0.02	0.05 (2)
20.0m - 23.0m ROW (50m)	28	1.16	2.97 (125)
TOTAL	29	11.3	27.9
		17.95	44.35

NOTES
- Streets A, B & Hansen Blvd. Intersection daylight triangles = 7.5m x 7.5m
- All other daylight triangles are 6m x 6m
- Natural Heritage System contrast information provided by Azimuth Environmental Consulting dated September, 2017

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