



THE CORPORATION OF THE TOWN OF ORANGEVILLE

BY-LAW NUMBER 132 - 2001

BEING A BY-LAW TO AMEND BY-LAW 22-90, AS AMENDED (1268919 Ontario Limited, OPZ 10/00).

WHEREAS on October 29, 2001, Council held a public meeting with respect to Official Plan and Zoning Amendment Application OPZ 10/00;

AND WHEREAS on December 10, 2001, Council approved the application;

BE IT THEREFORE ENACTED by the Municipal Council of the Corporation of the Town of Orangeville as follows:

1. Zoning Map B4 of Schedule "A" of By-law 22-90, as amended, is hereby amended in accordance with Schedule "A" hereto.
2. Section 24 of By-law 22-90, as amended, is hereby amended by adding the following text thereto:

"24.82 Notwithstanding the provisions of the General Commercial (C1) Zone, the following provisions shall apply to the lands shown on Schedule "A" hereto as C1(H) S.P. 24.82.

- 1) The following definitions shall apply only to the lands that are subject to Section 24.82:

"BEER STORE" means a retail establishment primarily devoted to the sale of beer, but shall not include an establishment where beer or wine-making supplies are sold, beer is brewed, or related services are provided.

"BUILDING SUPPLY/HOME IMPROVEMENT ESTABLISHMENT" means a retail establishment devoted principally to the sale or rental of materials, products, tools and equipment used in construction, furnishing and decorating, and may include the sale of appliances and a garden centre but excludes an *automotive use*.

"FAST FOOD OUTLET" means a *restaurant* where table service is not provided.

"GOVERNMENT OFFICE" means any *office* in which local or other government administration is carried out.

"FLOOR AREA, GROSS" means the total area of all of the floors in a *building* above or below *grade*, measured from the outside of the exterior walls but excluding car parking areas, loading areas and storage areas within the *building*.

"LIQUOR STORE" means a self-contained store primarily for the sale of wine and spirits for home consumption, and shall include both private and government-operated outlets.

"SHOPPING CENTRE" means a group of commercial establishments designed, developed and managed as a unit.

"SPECIALTY FOOD STORE" means a store specializing in a specific type or class of food items such as a bakery, butcher, delicatessen, fish or seafood store or gourmet food outlet, but shall not include a candy shop, an ice cream shop or a frozen food store."

- 2) Permitted uses shall comprise a shopping centre within which may be located the following:
 - a) a building supply / home improvement establishment;
 - b) an office supply establishment;

- c) the following service commercial and office uses:
- i) a *financial establishment*
 - ii) the following eating establishments:
 - a *fast food outlet*
 - a *restaurant*
 - a *tavern*
 - iii) the following office uses:
 - a *business or professional office*
 - an *office*
 - a *real estate office*
 - iv) the following specified personal services:
 - a *dry cleaning or laundry establishment;*
 - a *hair care establishment*
 - a *photofinishing business*
 - a *shoe repair shop*
 - a *video film outlet*
 - v) the following other service commercial uses:
 - an *amusement arcade*
 - a *caterer's establishment*
 - a *cinema*
 - a *hotel or motel*
 - a *medical centre*
 - a *personal service shop*
 - a *recreational establishment*
 - a *service establishment*
- d) the following other retail commercial uses:
- an *art gallery*
 - an *art or photographic studio*
 - an *automotive parts store*
 - a *gas bar*
 - a *retail store*
 - a *variety store*
 - a *wholesale establishment*

- e) the following additional uses:
- a parking area
 - a stormwater management facility
- f) uses accessory to those permitted uses listed above.
- 3) Notwithstanding subsection 2) hereof, the following uses are not permitted on the lands that are subject to Section 24.82:
- a beer store;
 - a government office;
 - a liquor store;
 - a specialty food store.
- 4) The permitted uses listed in subsection 2) above are subject to the gross floor area restrictions contained in the "Table of Floor Space Restrictions – Section 24.82 Lands" and accompanying Notes.

Table of Floor Space Restrictions – Section 24.82 Lands

Use/Category	Minimum Gross Floor Area	Maximum Gross Floor Area
a) <i>Building Supply/Home Improvement Establishment</i>	465 square metres	12,080 square metres
b) Office Supply Establishment	465 square metres	2,420 square metres
c) Service Commercial and Office		
i) <i>financial establishments</i> ¹	Not applicable	500 square metres
ii) <i>eating establishments</i> ²	Not applicable	no specific limit
iii) <i>offices</i>	Not applicable	no specific limit
iv) <i>specified personal services</i> ³	Not applicable	no specific limit
v) <i>other service commercial</i> ⁴	See Note 4	no specific limit
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Total of (i) to (v) inclusive		1,490 square metres
e) Other Retail Commercial ⁵	See Note 5	3,865 square metres
TOTAL	Not applicable	19,855 square metres

Notes

1. There shall be a maximum of two *financial establishments* on the lands that are subject to Sections 24.82 and 24.83 hereof.
2. "Eating Establishments" are those uses listed in subsection 2) c) ii) hereof
3. "Specified Personal Services" are those uses listed in subsection 2) c) iv) hereof.
4. "Other Service Commercial" uses are those uses listed in subsection 2) c) v) hereof. No more than 5 units devoted to such uses may have a *gross floor area* of less than 232 square metres.
5. "Other Retail Commercial" uses are those uses listed in subsection 2)d) hereof. The following restrictions apply in the aggregate to the lands that are subject to Sections 24.82 and 24.83 hereof:
 - (a) a maximum of 5 units may have a *gross floor area* of less than 465 square metres;
 - (b) a maximum of 2 of the 5 units noted in subsection (a) may have a *gross floor area* of less than 232 square metres.

- 5) "The "holding" symbol that is applicable to a portion or portions of the lands that are subject to Section 24.82 shall be removed when Council is satisfied that the following requirements have been met:
- a) that a site plan has been submitted and approved for the development for which there is an application to remove the "holding" symbol;
 - b) with respect to any development of the lands that are subject to Section 24.82, that would result in the aggregate size of the development on the lands exceeding 465 square metres of *gross floor area*, that adequate transportation capacity is available or will be available to accommodate the proposed uses in the development or portion thereof for which an application is made to remove the "holding" symbol; and
 - c) that there is sufficient water supply and sewage treatment capacity to service the development.
- 6) Until the "holding" symbol is removed from the lands that are subject to Section 24.82 hereof, or a portion thereof, the uses permitted on the lands that are subject to Section 24.82 hereof shall be restricted to those uses existing as of December 10, 2001.
- 7) Notwithstanding the provisions of the General Commercial (C1) Zone, the location of the *buildings* on the lands subject to Section 24.82 hereof shall be governed by the following restrictions:
- a) minimum *building* setback from the *lot line* adjoining Fourth Avenue shall be 6 metres;
 - b) minimum *building* setback from the *lot line* adjoining Third Street shall be 25 metres;
 - c) minimum *building* setback from the *lot line* adjoining Highway 10 shall be 13.7 metres;
 - d) there shall be no setback requirement from the northerly *lot line* abutting the lands that are subject to Section 24.83 hereof.
- 8) A landscaped strip with a minimum width of fifteen metres shall be provided along the east side of Third Street, as existing on December 10, 2001, and, in addition, the *yard* between Third Street, as existing on December 10, 2001, and any *building*, or portion thereof, that is within 30 metres of Third Street, as existing on December 10, 2001, shall be landscaped, except for a service road and/or fire route.
- 9) Notwithstanding any other provision of By-law 22-90, as amended, to the contrary, the lands subject to Section 24.82 hereof shall be treated as one single *lot* or parcel of land for zoning purposes.

Notwithstanding the provisions of the Open Space - Conservation (OS2) Zone, the following provisions shall also apply to the lands shown on Schedule "A" hereto as OS2 S.P. 24.82:

In addition to the uses permitted under Section 21.1 hereto, the following uses shall be permitted on the lands zoned OS2 S.P. 24.82, in conjunction with the uses permitted on the adjoining General Commercial (C1) lands:

- a) a loading area;
- b) a driveway or drive aisle."

READ THREE TIMES AND FINALLY PASSED IN OPEN COUNCIL THIS 10TH DAY OF DECEMBER, 2001.


DREW BROWN, MAYOR


CHERYL JOHNS, CLERK

