



The Corporation of the Town of Orangeville

By-law Number 2023-077

A By-law to amend Zoning By-law No. 22-90 as amended, with respect to Blocks 60, 62, 63 and 64, Plan 7M-47 (Sarah Properties Limited, File No. OPZ-2019-05)

WHEREAS authority is given to the Ontario Land Tribunal by Section 34 and 36 of the Planning Act, R.S.O. 1990, c. P. 13, as amended, to impose a holding symbol (H) and authority is given to Council to remove a holding symbol (H) when Council is satisfied that the conditions relating to the holding symbol have been satisfied; and

WHEREAS the Ontario Land Tribunal, pursuant to its Order in respect of Case No. OLT-22-02427 issued on April 4, 2023, upon hearing an appeal under subsection 34(11) of the Planning Act, R.S.O. 1990, c. P. 13, as amended, deems it advisable to amend By-law 22-90, as amended, for the Town of Orangeville, with respect to the lands known as Blocks 60, 62, 63 and 64, Plan 7M-47;

The Ontario Land Tribunal orders as follows:

1. That Zoning Map No's B2 and C2 are hereby amended in accordance with Schedule "A" hereto.
2. That Section 24 of Zoning By-law 22-90, as amended, is hereby further amended by adding the following text thereto:

"24.231

Notwithstanding the provisions of Section 12.1, the following uses are permitted on the subject lands zoned **Multiple Residential Medium Density (RM1) Zone**, SP 24.231:

- a *townhouse dwelling*
- a *multiple dwelling*
- a *home occupation* in accordance with the provisions of Section 5
- a public park or playground

Notwithstanding the provisions of Section 12.2, the following regulations apply to the lands zoned Multiple Residential Medium Density (RM1) Zone, SP 24.231:

a) Regulations for Townhouse Dwellings having frontage to Individual Dwelling Units from a Public Street (measurements taken from the Public Street, unless otherwise stated):

- | | |
|---------------------------------|-------------------------------------|
| 1) Lot Area (minimum) | 180 square metres per dwelling unit |
| 2) Lot Frontage (minimum) | 5.5 metres |
| 3) Front Yard (minimum) | 6.0 metres |
| 4) Exterior side yard (minimum) | |
| - To a Public Street | 4.0 metres |
| - To a Private Street | 1.9 metres |
| 5) Interior side yard (minimum) | 1.0 metres |
| 6) Rear yard (minimum) | 6.0 metres |
| 7) Building Height (maximum) | 7.0 metres |

b) Regulations for Townhouse Dwellings having frontage to Individual Dwelling Units from a Private Street (measurements taken from the Private Street, unless otherwise stated):

- | | |
|---------------------------------|-------------------------------------|
| 1) Lot Area (minimum) | 180 square metres per dwelling unit |
| 2) Lot Frontage (minimum) | 5.5 metres |
| 3) Front yard (minimum) | 6.0 metres |
| 4) Exterior side yard (minimum) | |
| - To a Public Street | 4.0 metres |
| - To a Private Street | 1.9 metres |
| 5) Interior side yard (minimum) | 1.0 metres |
| 6) Rear yard (minimum) | 6.0 metres |
| 7) Building Height (maximum) | 7.0 metres |

c) Yard Encroachments:

Notwithstanding the minimum required *front*, *exterior side* and *rear yards*, the following encroachments are permitted:

- 1) Unroofed, unexcavated, unenclosed decks and stairs attached to the main building are permitted to encroach up to a maximum of 3.0 metres into the minimum required *rear yard*; and
- 2) Covered porches and stairs are permitted to encroach a maximum of 1.0 metre into the minimum required *exterior side yard*.

Notwithstanding the provisions of Section 13.1, the following uses are permitted on the subject lands zoned **Multiple Residential High Density (RM2) Zone**, SP 24.232:

- a *townhouse dwelling*
- a *multiple dwelling*
- a *home occupation* in accordance with the provisions of Section 5
- a public park or playground

Notwithstanding the provisions of Section 13.3, the following regulations apply to the lands zoned Multiple Residential High Density (RM2) Zone, SP 24.232:

a) Regulations for Multiple Dwellings:

- | | |
|---------------------------------------|-----------------------|
| 1) Interior side yard (minimum) | |
| - from a lot line abutting an OS Zone | 4.5 metres |
| - from a lot line abutting an RM Zone | 5.5 metres |
| 2) Exterior side yard (minimum) | 5.0 metres |
| 3) Rear Yard (minimum) | 9.0 metres |
| 4) Building height (maximum) | 29.0 metres |
| 5) Maximum density | 180 units per hectare |

b) Parking Area Regulations:

Notwithstanding the provisions of Sections 5.17. 1) (a), parking spaces shall be provided in accordance with the following:

- A minimum of 1.25 parking spaces per *dwelling unit* for a *multiple dwelling*;

24.233

Notwithstanding the provisions of Section 15.1, the following uses are permitted on the subject lands zoned **Neighbourhood Commercial (C2) Zone**, SP 24.233:

- an *automobile service station*
- a *business or professional office*
- a *commercial school*
- a *financial establishment*
- a *medical centre*
- a *medical laboratory*
- a *nursery school*
- a *personal service shop*
- a *recreational establishment*

- a *restaurant*
- a *retail store*
- a repair, service or rental establishment
- a *veterinarian clinic*

3. Holding Symbol

That the Holding Symbol (H) shown on Schedule “A” to this By-law with a zone symbol that possesses an “H” prefix, shall only be removed from all or a portion of the lands when the Town is satisfied that:

1. There is sufficient water supply and sewage treatment capacity to service the development or portion thereof as the case may be;
2. There is sufficient capacity within the affected sanitary collection system to accommodate the development, taking into account existing flows and planning applications approved or anticipated for approval within the affected collection system;
3. The full connection of Hansen Boulevard between Blind Line and Veteran’s Way (County Road 16) has been constructed to its ultimate planned configuration, or alternatively:
 - i. satisfactory arrangements are in place for completing this connection; or;
 - ii. a suitable interim connection alternative is in place; and
4. For the affected road network including the intersections of County Road 16 and Broadway, County Road 16 and Hansen Boulevard, Hansen Boulevard and Parkinson Crescent and any access locations to the development or portion thereof, all improvements or upgrades necessary to accommodate the development have been completed, or satisfactory arrangements are in place for such completion.

Passed by an Order of the Ontario Land Tribunal Order issued on April 4, 2023.

