



THE CORPORATION OF THE TOWN OF ORANGEVILLE

87 Broadway,
Orangeville, On. L9W 1K1
Phone: (519) 941-0440

NOTICE OF THE ADOPTION OF OFFICIAL PLAN AMENDMENT

TAKE NOTICE THAT the Council of The Corporation of the Town of Orangeville passed By-law No. 121-2001 adopting Official Plan Amendment No. 76 on the 26th day of November, 2001, under the provisions of the Planning Act, R.S.O. 1990, c.P.13.

AND TAKE NOTICE THAT a notice of appeal to the Ontario Municipal Board in respect to the by-law may be submitted to the Clerk of The Corporation of the Town of Orangeville no later than the **27th day of December, 2001**. The notice of appeal must set out the specific part of the proposed official plan amendment to which the appeal applies and the reasons for the appeal. Only individuals, corporations and public bodies may appeal a decision of the municipality to the Ontario Municipal Board. A notice of appeal may not be made by an unincorporated association or group. However, a notice of appeal may be made in the name of an individual who is a member of the association or the group on its behalf. The Ontario Municipal Board requires that a notice of appeal be accompanied by a cheque in the amount of \$125 payable to the Minister of Finance.

AND TAKE NOTICE THAT the proposed official plan amendment is exempt from approval by The Ministry of Municipal Affairs and Housing, and the decision of Council is final if a notice of appeal is not received before or on the last day for filing a notice of appeal.

DATED AT THE TOWN OF ORANGEVILLE THIS 7TH DAY OF DECEMBER, 2001.

CHERYL JOHNS, A.M.C.T.
Town Clerk

THE PURPOSE AND EFFECT:

The purpose and effect of Official Plan Amendment No. 76 (OPA 76) is to revise existing policies and add new policies to the Official Plan affecting development in the Town's industrial areas, and residential development in proximity to industrial areas.

The policies touch on a variety of topics including the following:

- Goals related to industrial areas;
- Economic development initiatives;
- Assessments to determine impacts of industry on residential development proposals in the vicinity, and measures to address those impacts;
- Permitted and prohibited uses in the industrial areas;
- Policies to be applied in the review of development proposals in industrial areas, including the assessment of impacts on nearby residential and other sensitive uses;
- Preparation of a secondary plan for the undeveloped industrial lands east of Veterans' Way; and
- Policies for designating new industrial areas.

The amendment is applicable to lands located throughout the Town of Orangeville and accordingly no key map is provided.

Additional information and a copy of the by-law may be obtained by contacting the Planning Department at (519) 941-0440, ext. 246.



THE CORPORATION OF THE TOWN OF ORANGEVILLE

BY-LAW NUMBER 121-2001

A by-law to adopt Amendment No. 76 to the Official Plan (Town of Orangeville, Industrial Land Use Policies & Regulations Study, OPZ 5/01).

The Council of the Corporation of the Town of Orangeville, in accordance with the provisions of Section 21 of the Planning Act, R.S.O. 1990, c.P.13 and amendments thereto, hereby enacts as follows:

1. Amendment No. 76 to the Official Plan for the Town of Orangeville, consisting of the attached explanatory text is hereby adopted.

READ THREE TIMES AND FINALLY PASSED IN OPEN COUNCIL THIS 26th DAY OF NOVEMBER, 2001.

A handwritten signature in cursive script that reads "Drew Brown".


Drew Brown, Mayor


A handwritten signature in cursive script that reads "Cheryl Johns".

Cheryl Johns, Clerk

THE OFFICIAL PLAN
FOR THE
TOWN OF ORANGEVILLE
AMENDMENT NO. 76

The attached explanatory text and map, constituting Amendment Number 76 to the Official Plan for the Town of Orangeville, was adopted by the Council of the Corporation of the Town of Orangeville, under the provisions of Section 21 of the Planning Act, R.S.O., 1990, c. P.13. on November 26, 2001.


Drew Brown
Mayor


Cheryl Johns
Clerk

THE OFFICIAL PLAN
FOR THE
TOWN OF ORANGEVILLE
AMENDMENT NO. 76

PART A - THE PREAMBLE

1. Purpose of the Amendment

The purpose of the amendment is to amend the policies of the Official Plan with respect to industrial development.

2. Basis of the Amendment

At its meeting held on February 6, 2000, Council directed staff "to prepare Terms of Reference for a study of the Town's Industrial Areas to address issues related to residential/industrial buffering, building height, land uses and site plan control, to include consultation with the Manufacturers' Association."

On October 2, 2000, following approval of the budget and consultation with the Manufacturers' Association, Council adopted Terms of Reference for the Study.

On December 11, 2000, Council appointed the firm of Macaulay Shiomi Howson Ltd. in association with Valcoustics Canada Ltd., Cosburn/Giberson Inc. and Envirometrex Corporation to undertake the study.

On May 14, 2001, Council received the consultants' report entitled "Industrial Land Use Policies & Regulations: Issues & Options". This report outlined possible options for amendments to the policies of the Official Plan. On June 25, 2001, Council held a public meeting on the report and referred the submissions back to the consultant for consideration.

On October 29, 2001, Council received a joint report dated October 25, 2001, from the consultant and staff reporting on the results of the public review and recommending appropriate amendments to the Official Plan.

PART B - THE AMENDMENT

The Official Plan for the Town of Orangeville is amended as follows:

1. Section B2.3 is hereby amended by adding the following text thereto:

"To encourage a high quality of urban design in industrial areas which connects industrial development with the rest of the community, while recognizing the need to ensure that impacts from industrial development on sensitive land uses are minimized."

2. The opening paragraph of Section D1 is hereby amended by substituting "Greater Toronto Area" for "Toronto Centred Area".

3. The third paragraph of Section D1 is hereby amended by inserting the following sentence before the words "The following policies shall apply:"

"The Town will seek to maintain and enhance the community's economic base through its economic development and planning program."

4. Sections D1.1, D1.3, and E1.8 are hereby deleted and replaced with the following:

"D1.1 The Town has a limited supply of serviced industrial land. The Town will actively seek to maintain an adequate supply of vacant industrial land to accommodate new or expanding industries, and to provide the infrastructure required to support such development. The Town will discourage the encroachment of uses incompatible with industry on existing industrial lands. The Town will determine the feasibility of industrial development on the vacant industrial lands located east of Veterans' Way (County Road 16), and will investigate other options for expanding the supply of industrial land.

D1.3 Continued efforts shall be made to attract new small to medium-sized industries. The Town will work closely with federal and provincial agencies, adjacent municipalities and the private sector to ensure a co-ordinated approach to industrial attraction.

E1.8 Prior to approving any proposal for a significant residential development and/or other sensitive land uses, to be located on lands that are partially or completely within 300 metres of an industrial zone, the Town will require the proponent to undertake a comprehensive assessment to:

- (a) establish whether there are any adverse impacts arising from existing or future uses within the industrial zone, and
- (b) determine what measures, if any, are desirable and feasible in order to protect the proposed use from these impacts.

For the purpose of interpreting the foregoing paragraph, "Significant residential development" generally means a project containing five or more units. "Sensitive land uses" will be defined as buildings, amenity areas, or outdoor spaces where

routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Such uses may be a part of the natural or built environment. Examples include day care centres and educational and health facilities.

The comprehensive assessment will focus on existing industrial uses and/or current industrial development applications. Hypothetical scenarios will generally not be utilized, unless no other options are available. The assessment will examine all possible impacts, at the level of detail feasible given available information. At a minimum, the following will be carried out:

- a) a preliminary noise feasibility assessment which examines among other matters the type of residential or sensitive development and its form;
- b) preliminary vibration feasibility assessment; and,
- c) preliminary air quality feasibility assessment.

Based on the outcome of this assessment, if residential development is feasible, appropriate buffering measures and separation distances, as determined by the Town, will be imposed as requirements of development through zoning regulations, subdivision agreements and/or site plan agreements. In addition, warning clauses may be required to be registered on title to warn prospective purchasers of the proximity of such uses. Notwithstanding the foregoing, the Town in determining appropriate buffering measures, will have regard for urban design considerations and will minimize the use of physical barriers such as noise walls which are unusually high in order to encourage integration between the industrial development and the community."

5. Section E3 is hereby deleted and the following substituted therefor:

"E3. INDUSTRIAL

E3.1 GOAL

- a) To provide an adequate supply of vacant, zoned industrial land within an industrial park setting; to support the expansion of existing industries; and to attract new industries in order to continue diversification of the local employment base and provide a balanced tax assessment.
- b) To recognize Orangeville's function as a sub-regional service centre as well as a political and administrative centre, and thus to encourage a balanced and varied commercial economy to serve the needs of residents in Orangeville, the surrounding trade area, and the travelling and vacationing public.
- c) To encourage a high quality of urban design in industrial areas which connects industrial development with the community, while recognizing the need to ensure that impacts from industrial development on sensitive land uses are minimized.

E3.2 PRIMARY PERMITTED USES

The primary uses permitted within the Industrial designation as shown on Schedule "A" are industrial facilities including manufacturing, assembling, processing, fabricating, refining, repairing, warehousing, and wholesaling, offices, transportation and communication uses, research and information processing facilities, recreational uses and accessory uses.

E3.3 SECONDARY PERMITTED USES

The secondary uses permitted within the Industrial designation, as shown on Schedule "A" are:

- a) retail sales provided that the retail use is accessory to an industrial use (on the same site) and occupies a portion of the building and the site which is significantly less than that occupied by the main use of the site in accordance with the regulations of the zoning by-law;
- b) limited service commercial uses providing a support function to industrial uses including restaurants, print shops, computer service facilities, business/computer supply and service establishments and other service uses subject to an amendment to the zoning by-law provided they can be demonstrated to provide a support function needed in close proximity to industrial uses;
- c) limited industrial/commercial uses including automotive uses, building contractor's yards, and lumber yards, subject to the submission of a detailed site and landscaping plan which demonstrates that significant landscaping, fencing and other buffering will be provided between open storage and vehicle parking and display area and the street and adjacent residential or other sensitive land uses;
- d) day care facilities which do not have an outdoor play area. Other day care facilities may be permitted subject to the submission of any studies or other information required by the Town which demonstrates that the use requires a location in the industrial area and can be designed and located in such a manner as to ensure that the day care use will not restrict the operation of any adjacent industrial uses, and subject to a Zoning By-law amendment;
- e) residential dwelling units required for essential operational personnel, subject to a zoning by-law amendment; and,
- f) adult entertainment parlours in free standing structures, provided that such uses are located no closer than 500 metres in a continuous path over the shortest distance from a residence or a residential or institutional zone.

E3.4 PROHIBITED USES

Industrial or commercial uses which are likely to create a public nuisance or danger to health or danger of fire or explosion are prohibited. The zoning by-law will specify the prohibited uses.

E3.5 GENERAL POLICIES: EXISTING DEVELOPED INDUSTRIAL AREAS

E3.5.1 Development Evaluation Criteria

The Town will work with industry and landowners to encourage the continuing development of existing developed industrial areas in a manner that will:

- a) not result in any significant negative impacts on adjacent residential development and other sensitive uses;
- b) not utilize excessive sewage and water servicing capacity;
- c) maintain and enhance existing urban design; and,
- d) not result in significant traffic impacts, and which will improve external and internal access including roads and pedestrian/bicycle paths where feasible, while recognizing the need for the segregation of truck traffic from residential areas.

E3.5.2 Development Review

a) Site Plan Control

The Town will evaluate all applications for new development in existing industrial areas with respect to their conformity with the objectives in Section E3.5.1. To provide for the evaluation, the Town will require that all development be subject to site plan control. The site plan will only be approved by the Town when a review of the proposed development indicates that the objectives are satisfied.

b) Evaluation Process

All applications will be subject to a preliminary review by the Town to ensure that they are able to satisfy the evaluation criteria in Section E3.5.1. Where issues are identified by the Town, additional information, prepared at the applicant's expense by a qualified professional retained by the Town, may be required to be submitted as follows:

i) Impacts on Sensitive Uses

A noise impact study; vibration study; air quality assessment; and, environmental soil and groundwater analysis, in accordance with applicable Ministry of Environment guidelines or regulations or other appropriate criteria.

ii) Servicing Capacity

Engineering studies related to impacts on the sewer and water capacity.

iii) Urban Design

A streetscape or landscaping plan.

iv) Access

A traffic impact analysis.

E3.6 GENERAL POLICIES: EXISTING UNDEVELOPED INDUSTRIAL AREAS

The Town will work with industry and landowners to develop the designated industrial land in the northwest section of the Town in a manner that will:

- a) not result in any significant negative impacts on adjacent residential development and other sensitive uses and the natural environment;
- b) not utilize significant sewage and water servicing capacity, as determined by the Town, at its sole discretion, and generally based on a comparison with the average consumption per hectare for the developed industrial land in the municipality;
- c) reflect good design principles appropriate to the community; and,
- d) maximize external and internal connections to the community including roads, rail and pedestrian/bicycle paths, while recognizing the need for the segregation of truck traffic.

As a basis for the development of the new industrial area, the Town will prepare a secondary plan. The plan will be based on detailed technical studies including:

- a) Master Servicing Study;
- b) Environmental Management Plan;
- c) Heritage and Archaeological Analysis;
- d) Preliminary Noise Feasibility Assessment;
- e) Preliminary Vibration Feasibility Assessment;
- f) Preliminary Soil Quality Assessment; and,
- g) Urban Design Guidelines.

E3.7 GENERAL POLICIES: NEW INDUSTRIAL AREASE3.7.1 Designation Criteria

The Town will work with industry and landowners to provide additional designated industrial land to accommodate new or expanding industries, as well as the infrastructure required to support such development. In identifying new industrial lands, the Town will generally seek to ensure that:

- a) there is a significant separation distance, where feasible, from residential and other sensitive land uses. The separation distance will be based on environmental studies, including a general noise impact assessment, but which should be a minimum of 70 metres between residential development

and other sensitive uses and proposed industrial development;

- b) the developable lands are of sufficient size and appropriate topography to provide for the creation of an industrial park which will provide for a range of site sizes and appropriate infrastructure;
- c) there is ready access from arterial roads and/or provincial highways, with potential to connect to the Town's pedestrian/bicycle path system;
- d) there is access to rail service; and,
- e) the area can be serviced with municipal sewer and water systems.

E3.7.2 Development Criteria

The Town will work with industry and landowners to encourage the development of new industrial areas in a manner that will:

- a) not result in any significant negative impacts on adjacent residential development and other sensitive uses and the natural environment;
- b) not utilize significant sewage and water servicing capacity, as determined by the Town, at its sole discretion, and generally based on a comparison with the average consumption per hectare for the developed industrial land in the municipality;
- c) reflect good design principles appropriate to the community; and,
- d) maximize external and internal connections to the community including roads, rail and pedestrian/bicycle paths, while recognizing the need for the segregation of truck traffic.

E3.7.3 Secondary Plan

As a basis for the development of any new industrial area, the Town will prepare a secondary plan. The plan will be based on detailed technical studies including:

- a) Master Servicing Study;
- b) Environmental Management Plan;
- c) Heritage and Archaeological Analysis;
- d) Preliminary Noise Feasibility Assessment;
- e) Preliminary Vibration Feasibility Assessment;
- f) Preliminary Soil Quality Assessment; and,
- g) Urban Design Guidelines."