

Subject: 60-62 Broadway, Recommendation Report, OPZ-2019-06

Department: Infrastructure Services

Division: Planning

Report #: INS-2021-047

Meeting Date: 2021-08-09

Recommendations

That Report INS-2021-047, 60-62 Broadway, Recommendation Report, OPZ-2019-06 be received;

And that the Official Plan Amendment and Zoning By-law Amendment Applications (OPZ-2019-06) be approved;

And that Council pass a By-law to adopt Amendment No. 128 to the Official Plan for the Town of Orangeville, to re-designate Part of Lots 1, 3, 4 & 5, Block 4, Registered Plan 138, Town of Orangeville, County of Dufferin, municipally known as 60 and 62 Broadway from from “Service Commercial” and “Open Space Conservation” to “Central Business District” and “Open Space Conservation” to permit a mixed-use building;

And that Council pass a By-law amending Zoning By-law 22-90, as amended to rezone Part of Lots 1, 3, 4 & 5, Block 4, Registered Plan 138, Town of Orangeville, County of Dufferin, municipally known as 60 and 62 Broadway from “Service Commercial (C3) Zone” to “Central Business District (CBD) Zone, Special Provision 24.227, with Holding (H) Symbol”, “Central Business District Floodplain (CBD-F) Zone” and “Open Space Conservation (OS2) Zone” to permit a 5-storey, 58-unit mixed use building with retail at grade.

Background and Analysis

The lands subject to these applications are comprised of two parcels located on the south east corner of Broadway and Wellington Street, municipally known as 60 & 62 Broadway. The two parcels have a combined lot area of approximately 0.631 hectares (1.56 acres), with approximately 59.1 metres (167.1 feet) of frontage along Broadway and approximately 131.9 metres (423.8 feet) of frontage along Wellington Street. Attachment No. 1 includes a location map of the subject properties.

Proposed Development

On, August 29, 2019, MHBC Planning Ltd. submitted applications on behalf of 2575845 Ontario Inc. & 2659546 Ontario Inc. to amend the Town's Official Plan and Zoning By-law to facilitate the development of a 5-storey mixed-use building. The applications were deemed incomplete by Planning Division staff on September 11, 2019, and subsequently deemed complete on December 13, 2019.

A public meeting was held on March 9, 2020 to present the proposed development to Council and members of the public, answer any questions and obtain feedback. Several questions and concerns were expressed with respect to the proposed development and its potential impacts to traffic and natural features, as well as its compatibility with the surrounding area. In response to the comments received, and through the application review process, the applicant has revised the concept plan. The current concept plan is included as Attachment No. 4. Key revisions made in comparison to the original development plan are summarized in the following table:

Statistic	Original Concept	Current Concept
Number of Units	60	58
Retail Gross Floor Area	800 sq. m.	587 sq. m.
Height	21.0 m (5 storeys)	<ul style="list-style-type: none"> - 16.0 m (4 storeys) for the portion of the building that is within 21 metres of the easterly side lot line - 20.0 m (5 storeys) for the remainder of the building

Analysis

Subsection 3(5) of the Planning Act states that where a municipality is exercising its decision-making authority affecting a planning matter, such decisions “shall be consistent with” policy statements issued under the Act and “shall conform to”, or “shall not conflict with” the provincial plans that are in effect on that date. The following sections provide an analysis of the proposal's adherence to provincial, County and Town planning policy in support of the recommendation for Council's decision concerning this application.

Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The 2020 PPS came into effect on May 1, 2020, replacing the former PPS of 2014. PPS policies require municipalities to facilitate the development of compact, complete communities in a manner that encourages efficient use of existing infrastructure and public service facilities while protecting public health and safety and the natural environment.

The Official Plan and Zoning By-law amendment applications are consistent with the policies of the PPS because the approval of these amendments would assist in:

- promoting efficient development and land use patterns, avoiding development patterns which may cause environmental or public health safety concerns, and promoting cost-effective development to minimize land consumption and servicing costs (Section 1.1.1);
- contributing to land use patterns within a settlement area that are based on densities and a mix of land uses which a) efficiently use land and resources; and b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available (Section 1.1.3.2);
- implementing the minimum targets for intensification and redevelopment within built-up areas, as established by the County and Town (Section 1.1.3.5);
- promoting appropriate development standards which facilitate intensification, redevelopment and compact form while avoiding or mitigating risks to public health and safety (Section 1.1.3.4); and
- providing for an appropriate mix and range of employment, institutional and broader mixed uses to meet long term needs (Section 1.3.1.a).

Growth Plan for the Greater Golden Horseshoe (2019)

The current provincial Growth Plan (A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019) came into effect on May 16, 2019 and was most recently updated as of August 28, 2020. The Growth Plan provides an overall growth strategy for the Greater Golden Horseshoe region aiming to create compact, vibrant and complete communities by directing new growth and development (i.e. residential and employment) to occur within settlement areas, with a focus on providing a diverse range of housing and employment, high quality public open spaces, easy access to local amenities and protection of cultural heritage resources.

The Official Plan and Zoning By-law amendment applications conform to the policies of the Growth Plan because the approval of these amendments would contribute to:

- focusing growth to a delineated built-up area within a settlement area that has existing municipal water and wastewater systems (Section 2.2.1);
- achieving the minimum intensification target that applies to the County of Dufferin for all residential development occurring annually (Section 2.2.2.1 b)); and
- supporting the achievement of a complete community through providing a diverse range and mix of housing options (Section 2.2.1.4).

County of Dufferin Official Plan

The subject lands are designated “Urban Settlement Area” on Schedule ‘B1’ in the County of Dufferin Official Plan (County OP).

The County OP identifies urban settlement areas as focal points for growth, which are intended to accommodate a broad range of uses. These areas are comprised of lands

that provide full municipal services (i.e. sewage, water and stormwater management) and support a broad range of land uses and densities, including a mix of housing types. Urban settlement areas are to be designed to support walkable communities with opportunities for public transit use. The range of permitted uses and associated land use policies are to be prescribed in municipal official plans.

The Official Plan and Zoning By-law amendment applications are consistent with the policies of the County OP.

Town of Orangeville Official Plan

The subject lands are designated 'Service Commercial' and 'Open Space Conservation' on Schedule 'A' (Land Use Plan) in the Town of Orangeville Official Plan ("OP"), with Site Specific Policy E8.62.

The 'Service Commercial' designation permits a range of automotive-related uses, including dealerships, used car lots, parking depots, service stations and public garages, as well as other commercial uses such as motels, building supply sales, warehouses with accessory retail, furniture and home stores, wholesale outlets, hardware stores, animal hospitals or boarding kennels, repair service and rental establishments, commercial recreation uses, private clubs, funeral homes, day care centres and other similar uses that require large display or storage areas (Section E2.7.2). Site Specific Policy 8.62 removes permissions for automotive uses such as automobile parking depots, automobile dealerships and used car lots. The intent of this policy is to reinforce and complement the focus of the east Broadway area as the easterly gateway into Town, and the entry into the Downtown Heritage Conservation District, and the Town's continuing efforts to beautify this area (Section E8.62).

The OP amendment proposes to re-designate the subject lands as 'Central Business District' and 'Open Space Conservation' on Schedule 'A' (Land Use Plan).

The subject lands are located adjacent to the current boundary of the 'Central Business District' and the proposed OP amendment would enlarge the boundary of this designation to include the developable portion of the subject lands. The 'Central Business District' area accommodates the largest and most diverse concentration of central functions in the Town, including retail, office, services, entertainment and other commercial uses, as well as governmental, institutional, residential and community activities (Section E2.4.1).

The undevelopable remainder of the land is proposed to be designated 'Open Space Conservation' which will prohibit development on this portion of the site and will protect the natural features within. Permitted uses are limited to public works associated with watercourses (i.e. bridges, wells and sewage treatment facilities), outdoor recreational uses, and accessory uses, subject to approvals by all appropriate agencies (Section E5.3.6).

The subject lands are located within the “Built Boundary” on Schedule ‘B1’ (Built Boundary) in the OP. The corresponding policies generally support intensification of previously developed areas where appropriate, in order to maximize existing infrastructure and efficiently utilize developable land.

The Official Plan amendment and Zoning By-law amendment applications are in keeping with the policies of the Town OP because the applications would:

- increase supply of good quality living accommodations with a full range of types, densities and architectural forms (Section B2.2);
- provide a balanced range of housing that meets a variety of needs in terms of size, type, ownership status and location (Section E1.2.3);
- contribute to the intensification target of 50% of all residential development occurring annually to be situated within the ‘Built Boundary’ (Section E1.11.8);
- contribute to the economic vitality and community value of the Central Business District (Section E1.11); and
- contribute to the creation of a complete community that provides a diverse mix of land uses, high quality of urban design, and complements the established character of the neighbourhood (Section E1.11.7).

The proposed Official Plan Amendment (OPA No. 128) is included as Attachment No. 2.

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

The subject property is zoned ‘Service Commercial’ (C3 Zone) on Schedule ‘A’ to Zoning By-law No. 22-90, as amended. The ‘C3’ Zone permits a range of commercial uses including:

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| • assembly hall | • kennel |
| • automotive uses | • printing and photocopying establishment |
| • adult entertainment parlour | • real estate office |
| • building supply outlet | • recreational establishment |
| • club house | • restaurant |
| • dry cleaning or laundry establishment | • variety store |
| • farm implement sales | • vehicle storage facility |
| • funeral home | • veterinarian clinic |
| • hardware store, | • video film outlet |
| • home furnishing or improvement retail uses, | • warehouse |
| • hotel or motel | • wholesale establishment |

The Zoning By-law amendment application proposes to rezone the developable portion of the subject lands to ‘Central Business District’ (CBD), with a Holding (H) Symbol to permit the proposed development. The ‘CBD’ Zone permits a range of commercial uses, including:

- art gallery,
- personal service shop,

- assembly hall
- business or professional office,
- cinema,
- financial establishment,
- funeral home,
- library,
- medical laboratory,
- museum,
- nursery school,
- recreational establishment,
- repair, service or rental establishment,
- restaurant,
- retail store,
- school,
- theatre,
- veterinarian clinic,
- wholesale establishment
- residential uses on upper floors

In addition, the undevelopable portion of land is proposed to be rezoned as 'Open Space Conservation (OS2) Zone', and will be dedicated to the Town. The 'OS2' zone will protect the lands for conservation uses.

Lastly, a portion of the lands is proposed to be rezoned as 'Central Business District Floodplain (CBD-F) Zone.' These lands make up a 6.0 metre deep portion of lands between the proposed 'CBD' and 'OS2' zones. The Floodplain 'F' suffix denotes that the development of the lands requires written approval by Credit Valley Conservation (CVC). The applicant has satisfied the CVC's requirements to accommodate parking in this area; however, the discretion for the development of the lands remains with CVC given the 'F' overlay.

In order to permit the development as proposed, new site-specific zone standards are required. The following table provides a comparison of the parent CBD zone standards, and the proposed site-specific CBD regulations sought to accommodate this development:

Regulation	Standard CBD Zone	Site-Specific CBD Zone
Lot Area (min)	nil	-
Lot Frontage (min)	nil	-
Front Yard (min)	nil	-
Interior Side Yard (min)	Abutting Residential zone – 4.5 m Abutting all other zones – nil	-
Exterior Side Yard (min)	nil	-
Rear Yard (min)	7.5 m	-
Building Height (max)	23.0 m (6-storeys)	- 16 metres (4 storeys) for the portion of the building that is within 21 metres of the easterly side lot line

		- 20 metres (5 storeys) for the remainder of the building
Coverage (max)	75%	-
No. of Units (max)	n/a	58

The Zoning By-law Amendment application also requests relief from Section 5.17.7(a) of the By-law, which stipulates that a 1.0 metre landscape strip must be provided where any parking area abuts a street. The site-specific special provisions reduce this requirement to 0.4 metres along the Wellington Street lot line, as the proposed development concept includes retail parking abutting the entrance into the development, at the rear of the building.

A Holding (H) Symbol will be applied to the subject land through the Zoning By-law Amendment. Removal of this Holding (H) Symbol will require a subsequent Zoning By-law amendment application submission, with approval granted once the Town is satisfied that the appropriate servicing requirements have been confirmed and are formally allocated to the development.

The proposed Zoning By-law Amendment is included as Attachment No. 3.

Additional Applications Required

In addition to the Official Plan and Zoning By-law Amendment approvals for the subject lands, the following applications will be required:

1. **Residential Demolition Permit** to facilitate the demolition of the existing dwelling on the subject land prior to development. A Residential Demolition Permit application has not been submitted to date in conjunction with this application.
2. **Site Plan Approval** to facilitate the proposed development. The site plan review and approval process will address the exterior elements of the development in detail, including site servicing, drainage and stormwater management, architectural design, lighting, and landscaping, as applicable. An executed Site Plan Agreement between the Town and the applicant will be required prior to the commencement of construction. A Site Plan Application has not been submitted to date in conjunction with this application.
3. **Lifting of the Holding (H) Symbol** to formally confirm and allocate the appropriate servicing capacities needed to accommodate the development. An application to remove the Holding (H) Symbol will be required after Site Plan approval has been granted and has not been submitted to date in conjunction with this application.

4. **Plan of Condominium (exemption):** to establish the individual units and common elements (i.e. internal roadway, landscape and amenity areas, internal common spaces, etc.) that will form the condominium plan. A Condominium Exemption Application has not been submitted to date in conjunction with this application.

Review and Consultation

Internal Departments and External Agencies

The applications and supporting documentation were circulated to internal departments and external agencies for comment, pursuant to the mandate and technical area of expertise of each reviewing department/agency.

Comments from the following agencies, Town departments and Committees have expressed **no concerns** with the application, or have provided standard conditions to be included in the future Site Plan Agreement:

- Infrastructure Services, Planning
- Infrastructure Services, Building
- Infrastructure Services, Environment
- Infrastructure Services, Transportation and Development
- Community Services, Fire
- Heritage Orangeville
- Dufferin County
- Credit Valley Conservation Authority
- Dufferin Peel Catholic District School Board
- Conseil Scolaire Viamonde
- Enbridge Gas
- Orangeville Hydro
- Hydro One
- Canada Post
- Rogers

No additional comments have been received from internal departments or external public agencies with respect to this application.

Public Consultation

A public information meeting was held in accordance with the Planning Act requirements on March 9, 2020. The purpose of this public meeting was to provide an opportunity for the applicant to present their application to the public and Council, to receive comments, and answer any questions raised about the proposed development.

Comments and questions were expressed at the public meetings seeking clarification on certain aspects of the proposal and responses were provided by Planning division staff and the applicant's representative in attendance at the meeting. The questions and

comments raised at the meeting which required further exploration as part of the application review process, as well as staff responses, are summarized in the following table:

Issue	Response
<p>Building Height</p> <ul style="list-style-type: none"> - Impact on property to the east - Interface with Broadway - Not consistent with heritage district 	<ul style="list-style-type: none"> - The Central Business District permits a height of 23.0 m, however the permitted height within the area of the Downtown Heritage Conservation District is restricted to a maximum of 12.0 m. The height of the building within 20 metres of the east property line has been reduced to 16.0 m (4-storeys). The height of the remainder of the building is 20 m (5-storeys). Revised elevations are included as Attachment No. 5 to this report. - The building is located at the street line, which is consistent with the built-form within the Central Business District. No changes are proposed. - The property is located outside of the Heritage Conservation District. However, the applicant has provided several façade treatment options to Heritage Orangeville in order to address massing and height concerns. The preferred option is included as Attachment No. 6 to this report. Heritage Orangeville has expressed no further concerns with the development concept at this time and will be further consulted at the Site Plan Application stage.
<p>Impacts on Mill Creek</p>	<p>The applicant has worked with the Credit Valley Conservation Authority to establish the development limits for the property. The land that is not developable will be designated and zoned Open Space Conservation, and will be transferred to Town ownership.</p>
<p>Traffic</p> <ul style="list-style-type: none"> - Volume Impact - Location of Proposed Access / Potential Access to Broadway 	<ul style="list-style-type: none"> - A Traffic Study was submitted and reviewed as part of the application. The study concluded that the proposed development will have a negligible impact on traffic operations at this location. - The existing site has two accesses onto Broadway and these will be removed as part of the redevelopment (i.e., all access is proposed off of Wellington Street). Since Broadway is a major arterial road, it is considered desirable to locate access off intersecting public roads. This minimizes the number of access points along Broadway, which is beneficial from an access management / potential conflict perspective. Providing a right-out restriction onto Broadway is possible; however, it typically has enforcement issues, unless a centre median is also provided. As such, the provision of a right-out onto Broadway at this location is not desirable.

Pedestrian Safety	The applicant is proposing a sidewalk along the east side of Wellington. This will assist with pedestrian connectivity to the building and out to Broadway.
Too Much Retail	The proposed retail area has been reduced by approximately 30%, from 800 sq. m. to 587 sq. m. As Orangeville continues to grow, additional retail and jobs will be required to support the growth. In keeping with the Central Business District, the proposed retail units are small, and are not intended to accommodate large big-box retailers.
Lack of Parking	The proposed development includes 86 parking spaces which meets the parking requirements of the Zoning By-law. The requirements are broken down as follows: <ul style="list-style-type: none"> - Residential: 1 space per unit = 58 spaces - Visitor: 0.25 spaces per unit = 14 spaces - Retail: 1 space per 40 sq. m. of GFA = 14 spaces

Strategic Alignment

Orangeville Forward – Strategic Plan

Priority Area: Sustainable Infrastructure

Objective: Plan for Growth

Sustainable Neighbourhood Action Plan

Theme: Land Use and Planning

Strategy: Co-ordinate land use and infrastructure planning to promote healthy, liveable and safe communities.

Notice Provisions

The applications were received on August 29, 2019 and deemed incomplete by Planning Division staff on September 11, 2019. The applications were subsequently deemed complete by Planning Division staff on December 13, 2019, following the receipt of outstanding documentation required for the applications to be considered a complete submission.

In accordance with the requirements of the Planning Act, on October 3, 2019, a Notice of Complete Application and Public Meeting was:

- i. circulated to all property owners within 120 metres of the subject property;
- ii. advertised in the Orangeville Citizen;
- iii. published to the Town website; and
- iv. posted via signage on the subject property.

An additional Notice of Public Meeting was advertised in the Orangeville Citizen and published to the Town website on February 13, 2020.

Financial Impact

There are no anticipated financial impacts to the Town arising from this Report.

Respectfully submitted

Reviewed by

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Attachments:

1. Location Map
2. Official Plan Amendment
3. Zoning By-law Amendment
4. Conceptual Site Plan
5. Conceptual Renderings
6. Preferred Façade Treatment