

**Subject:** 48-50, 50A and 52 Broadway, Public Meeting Information Report, OPZ-2022-01

**Department:** Infrastructure Services

**Division:** Planning

**Report #:** INS-2022-032

**Meeting Date:** 2022-05-09

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### Recommendations

That report INS-2022-032, 48-50, 50A and 52 Broadway, Public Meeting Information Report, OPZ-2022-01, be received by Council as information at the Public Meeting on May 9, 2022.

### Background and Analysis

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. Upon receipt of any comments following the statutory public meeting and the response by the applicant to these comments, a future staff report with additional detail and analysis will be brought forward to Council for consideration.

### Existing Site Context

The land subject to these applications is located on the south side of Broadway, between Third Street and Fourth Street. The subject lands are made up of three properties legally described as:

- **48-50 Broadway:** Lot 4, Part Lots 3, 5, 6 and 7, Block 2, Plan 138, Parts 1 to 6, 7R1860, Town of Orangeville;
- **50A Broadway:** Part Lot 5, Block 2, Plan 138, Part 1, 7R1978, Town of Orangeville; and
- **52 Broadway:** Part Lots 1 and 2, Block 4 and Part Lots 5 and 6, Block 2, Plan 138 and Part Amanda Street, Plan 138, as closed by BL140, as in MF135287; subject to, if any, MF17496 and MF17653, Town of Orangeville.

The subject lands have a combined lot area of approximately 0.96 hectares (2.37 acres), with approximately 139 metres (456 feet) of frontage along Broadway. The subject lands are accessible from Broadway, via existing driveways. Attachment No. 1 includes a location map of the subject land.

The subject lands are currently developed with an autobody shop and parking area. Site Photos are included as Attachment No. 2.

Existing land uses surrounding the subject land consist of:

- **North:** commercial uses abutting Broadway consisting of retail, personal service and restaurant uses, beyond which are a range of housing types including detached dwellings, 2 and 3-storey townhouses, and multi-residential buildings ranging from 3 to 6 storeys.
- **East:** commercial uses abutting Broadway, including fast-food restaurants, a grocery store, dental office and the LCBO.
- **South:** Mill Creek, beyond which are a range of housing types including detached, semi-detached and townhouse dwellings.
- **West:** mixed-used buildings within the Town's Central Business District containing commercial and residential uses.

## Development Proposal

On January 6, 2022, R.J. Burnside & Associates Ltd. submitted applications on behalf of Moksh Developments Ltd. to amend the Town's Official Plan and Zoning By-law, to permit the development of a 7-storey mixed-use building. A Conceptual Site Plan is included as Attachment No. 3.

The 7-storey mixed-use building is proposed to contain 129 residential units and 408 square metres of ground floor retail space. There is a mix of unit types, including 104 one-bedroom units, 20 two-bedroom units and 5 three-bedroom units, ranging in size from 54 square metres (580 square feet) to 98 square metres (1,060 square feet).

A total of 200 parking spaces are proposed, consisting of 146 resident parking spaces, 33 visitor parking spaces, and 21 retail parking spaces. They are provided through a combination of surface parking and 3 underground parking levels. Access to the proposed development is proposed via 2 driveway entrances on Broadway. The proposed southern entrance provides access directly into the underground parking garage, while the proposed northern entrance provides access to the surface parking area.

At this time, the proposed building footprint and required parking are proposed to be wholly contained within 48 and 50 Broadway. Should underground parking not be feasible, additional surface parking would be provided on 50A and 52 Broadway, in conjunction with the proposed development.

Approximately 30% of the rear portion of the subject lands will remain undeveloped for protection of the Mill Creek and associated setbacks.

An Official Plan amendment application has been submitted to re-designate the subject lands from “Service Commercial” to “Neighbourhood Commercial with Special Policy Area” and “Open Space Conservation” in order to permit the development as proposed.

Similarly, a Zoning By-law amendment application has been submitted to re-zone the subject lands from “Service Commercial (C3) Zone” to “Neighbourhood Commercial (C2) Zone with Site Specific Provision 24.XXX” and “Open Space Conservation (OS2) Zone” with a Holding (H) Symbol, in order to permit the development as proposed.

### **Additional Applications Required**

In addition to the current application, the following planning approvals would also be required to facilitate the proposed development:

1. **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.
2. **Lifting of the Holding (H) Symbol** to facilitate the removal of the Holding (H) Symbol that would be placed on the land as part of the Zoning By-law Amendment. The purpose of the (H) symbol is to ensure the appropriate servicing capacity needed to accommodate the proposed development is formally allocated to the development before it proceeds. An application to remove the Holding (H) Symbol will be required before Site Plan approval can be granted.
3. **Plan of Condominium (exemption)** to establish the individual units and common elements (i.e. parking, 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.

## **Analysis**

### **County of Dufferin Official Plan**

The subject land is designated ‘Urban Settlement Area’ on Schedule ‘B1’ in the County of Dufferin Official Plan.

The County Official Plan 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, affordable housing options and alternative housing forms for special needs groups. Urban settlement areas are to be designed to support walkable communities with opportunities for public transit use.

### **Town of Orangeville Official Plan**

The subject lands are designated as “Service Commercial” on Schedule ‘A’ (Land Use Plan) in the Town of Orangeville Official Plan, with Site Specific Special Policy E8.62. Service Commercial areas are situated along major transportation routes and permit a range of uses intending to provide specialized products or services relying on greater exposure to the travelling public (Section E2.7.1). These uses include (Section E2.7.2):

- automobile dealerships
- used car lots
- automobile parking depots
- automobile service stations
- public garages
- motels
- building supply sales
- warehouses with accessory retail
- furniture and home furnishing stores
- wholesale outlets

Site Specific Policy E8.62 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.

In order to facilitate the proposed development, an Official Plan Amendment is required. The Official Plan Amendment proposes to re-designate the subject lands from “Service Commercial” to “Neighbourhood Commercial with Special Policy Area” and “Open Space Conservation”.

“Neighbourhood Commercial” areas are distributed in various parts of Orangeville, primarily in response to the location of residential uses. Neighbourhood commercial uses should generally be located on arterial or major collector roads. Permitted uses include a supermarket, drug store, hardware store, service establishments, smaller retail outlets, recreational establishments, a nursery school, business or professional offices and a veterinarian clinic. Residential uses are permitted within upper floors of buildings containing other permitted uses (Section E2.6).

Permitted uses within the “Open Space Conservation” area 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). This ensures the protection of these open space areas and any natural features within.

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

The subject lands are 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:

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

The Zoning By-law amendment application proposes to rezone the developable portion of the subject lands to “Neighbourhood Commercial (C2) Zone with Site Specific Provision 24.XXX” and “Open Space Conservation (OS2) Zone” in order to permit the development as proposed. The C2 zone permits a range of uses including:

- dwelling unit or units on upper floors
- automobile service station
- business or professional office
- commercial school
- financial establishment
- home occupation
- medical centre
- medical laboratory clinic
- nursery school
- personal service shop
- recreational establishment
- restaurant
- retail store
- repair, service or rental establishment
- veterinarian clinic

The following table provides a comparison of the existing parent C3 zone standards, the parent C2 zone standards, and the proposed site-specific C2 regulations sought to accommodate this development:

Regulation	Existing C3 Zone	Standard C2 Zone	Site-Specific C2 Zone
Lot Area (min)	500 sq. m.	800 sq. m.	800 sq. m.
Lot Frontage (min)	12.0 m	20 m	20 m
Front Yard	3.5 m (min)	3.5 m (min) 22.5 m (max)	1.0 m (min)
Interior Side Yard (min)	0 m	5 m	0 m (west) 3 m (east)
Rear Yard (min)	7.5 m	7.5 m	7.5 m

Building Height (max)	23 m	12 m	23 m
Building Coverage (max)	50%	n/a	35%
Retail GFA (max)	n/a	1,858 sq. m.	1,858 sq. m.
Dwelling Units	Not permitted	Permitted on upper floors	Permitted on upper floors and limited on ground floor

Residential parking for all zones, except the Central Business District (CBD) zone, is required at a rate of 1.5 spaces per unit for residents, plus 0.25 spaces per unit for visitors. Retail parking is required at a rate of 1 space per 20 sq. m. of floor area. The site-specific C2 zone seeks to reduce the required resident parking only, from 1.5 spaces per unit to 1 space per unit (same as the CBD zone residential parking requirements).

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 and its approval would be granted once the Town is satisfied that the appropriate servicing requirements have been confirmed and are formally allocated to the development.

## Comments Received

### General Public

Town staff have received several inquiries regarding the proposed development; however, no formal comment letters have been received to-date.

### Internal Departments and External Agencies

On February 1, 2022, the applications were circulated to internal Town departments and external agencies for review and comment.

As a result of the circulation, the following internal department and external agencies have expressed **no concerns** with the application, or have provided standard conditions to be included in the future Site Plan Agreement:

- Community Services, Fire
- Community Services, Building
- Infrastructure Services, Environment
- Orangeville Business Improvement Area
- Upper Grand District School Board
- Rogers
- Enbridge Gas
- Canada Post
- County of Dufferin

As a result of the circulation, detailed comments from the following internal departments and external agencies were received:

- **Infrastructure Services, Planning:** A peer review of the “Urban Design Report” will be required.
- **Infrastructure Services, Transportation and Development:** Satisfied that the reports have adequately represented the current state of infrastructure and the expected impacts in the future; a peer review of the “Transportation Study” will be required.
- **Credit Valley Conservation Authority:** Require revisions to several technical reports and drawings including: Hydrogeology, Floodplain, Functional Servicing, and Ecology. A CVC permit will be required.

At the time of writing this report, no additional external comments or internal comments have been received with respect to these applications.

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## 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.

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## Notice Provisions

In accordance with the requirements of the Planning Act, on February 3, 2022, a Notice of Complete 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.

On April 14, 2022, A Notice of Public Meeting was provided in the same manner as described above.

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## **Financial Impact**

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

Respectfully submitted

Gary Kocialek  
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Reviewed by

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Prepared by

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**Attachment(s):**

1. Location Map
2. Site Photos
3. Conceptual Site Plan