



The Corporation of the Town of Orangeville

Notice of Decision to Approve a Draft Plan of Subdivision

Applicant: 2857802 Ontario Inc. c/o MHBC Planning Ltd.
File No.: SUB-2018-03
Subject Lands: Part of Lot 1, Concession 3 WHS,
Town of Orangeville, County of Dufferin
Date of Decision: April 29, 2024
Date of Notice: May 14, 2024
Last Date to Appeal: June 3, 2024
Related Applications: Zoning By-law Amendment Applications File No. RZ-2022-04

Take notice that the Council of The Corporation of the Town of Orangeville has made a decision on the 29th day of April 2024, to grant approval of a draft plan of subdivision for the above-noted lands, pursuant to Subsection 51(31) of the *Planning Act*, R.S.O. 1990, c.P.13. A copy of the conditions of the draft plan of subdivision approval are attached to this Notice.

The purpose and effect of the Draft Plan of Subdivision is to subdivide the subject lands to create a residential block containing future townhouse dwelling units fronting onto a private road; an open space conservation block and a site access block on the property.

Written and oral submissions from the public included concerns with development setbacks to nearby natural features, site access arrangements, pedestrian connectivity and tree preservation. All public comments received with respect to this amendment, as summarized in the Planning Staff Report, were considered by Council in making this decision.

Note: These lands are also subject to an application to amend the Town's Zoning By-law (File No. RZ-2024-04).

When and How to File an Appeal of the Decision

A Notice to Appeal to the Ontario Land Tribunal (OLT) must be filed with the Clerk of The Corporation of the Town of Orangeville no later than **4:30 pm on June 3, 2024**, being 20 days from the date of this notice. The notice of appeal must:

- i) Set out the reasons for the appeal;
- ii) Include the completed appeal form available from the OLT website at www.olt.gov.on.ca;
- iii) Be accompanied by the fee prescribed by the OLT in the amount of \$1,100.00 (per decision appealed), payable by certified cheque or money order to the Minister of Finance; and
- iv) Be accompanied by the Town of Orangeville appeal administration fee of \$222.00, payable to the Corporation of the Town of Orangeville

Who can File an Appeal?

Only those set out in subsection 51(39) of the Planning Act, subject to subsection 51(43) of the Planning Act may appeal decisions in respect to a proposed plan of subdivision to the Ontario Land Tribunal.

No qualifying person or public body shall be added as a party to the hearing of an appeal of the

decision of the Council of the Corporation of the Town of Orangeville, including the lapsing provisions or the conditions of approval, unless the qualifying person or public body, before the decision of the Council of the Corporation of the Town of Orangeville, made oral submissions at a public meeting or written submissions to the Council, or made a written request to be notified of changes to the conditions, unless in the Ontario Land Tribunal's opinion, there are reasonable grounds to add the qualifying person or public body as a party to an appeal.

Right of Applicant or Public Body to Appeal Conditions:

Only those set out in subsection 51(43) of the Planning Act at any time before the approval of the final plan of subdivision under subsection 51(58) of the Planning Act may appeal any of the conditions in respect to a proposed plan of subdivision to the Ontario Land Tribunal.

How to Receive Notice of Changed Conditions:

The conditions of approval of a draft plan of subdivision may be changed at any time before the final approval is given. You will be entitled to receive notice of any changes to the conditions of draft approval if you either:

- i) made a written request to be notified of the decision to give or refuse to give approval of a Draft Plan of Subdivision; or
- ii) make a written request to be notified of the changes to the conditions of draft approval.

Information Available:

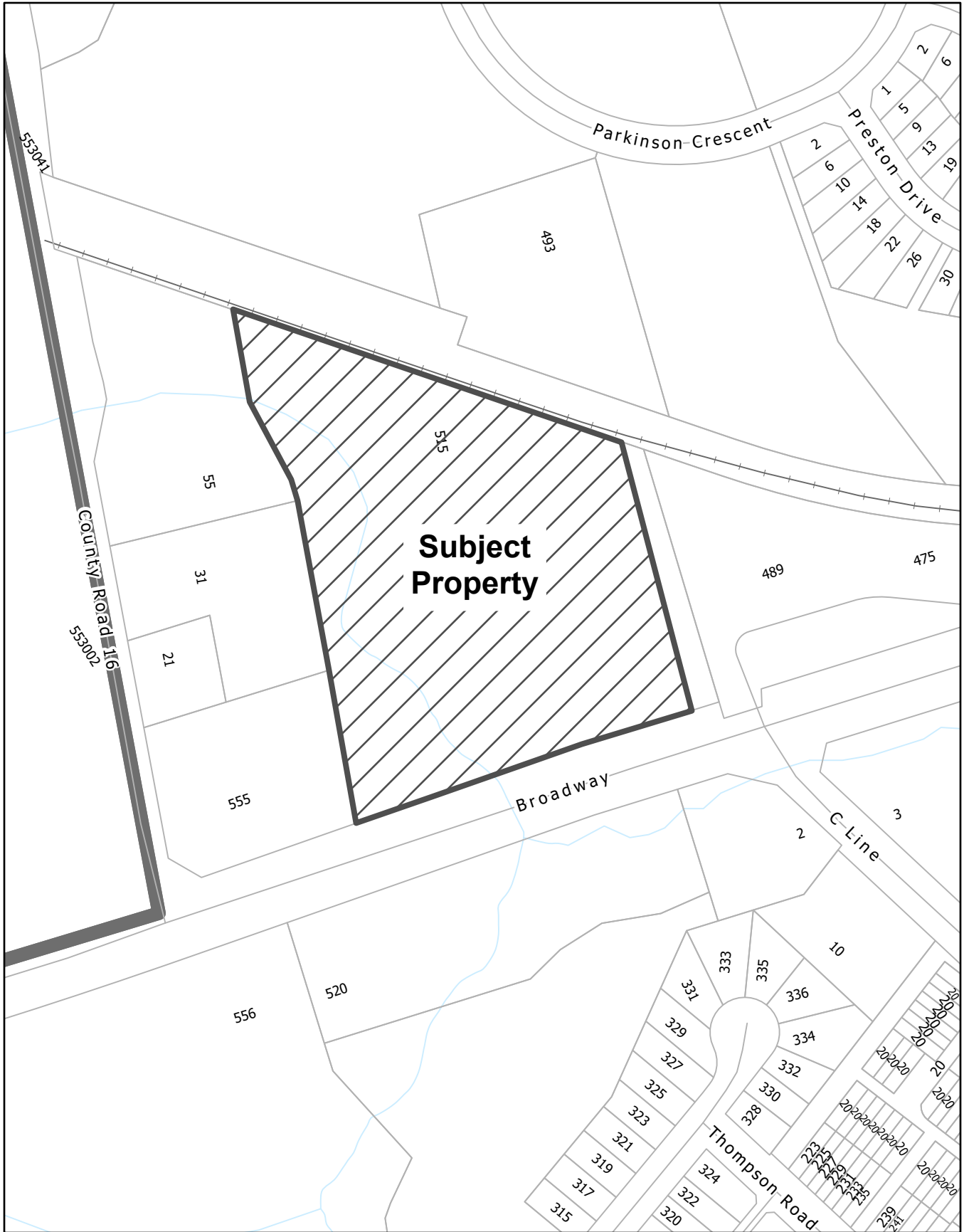
A key map showing the location of the lands affected by the Draft Plan of Subdivision is attached, as well as a copy of the conditions of approval of the Draft Plan of Subdivision. Additional information about the applications is available for public inspection by contacting the Planning Division at 519-941-0440 ext. 2228, by email at planning@orangeville.ca during regular office hours.

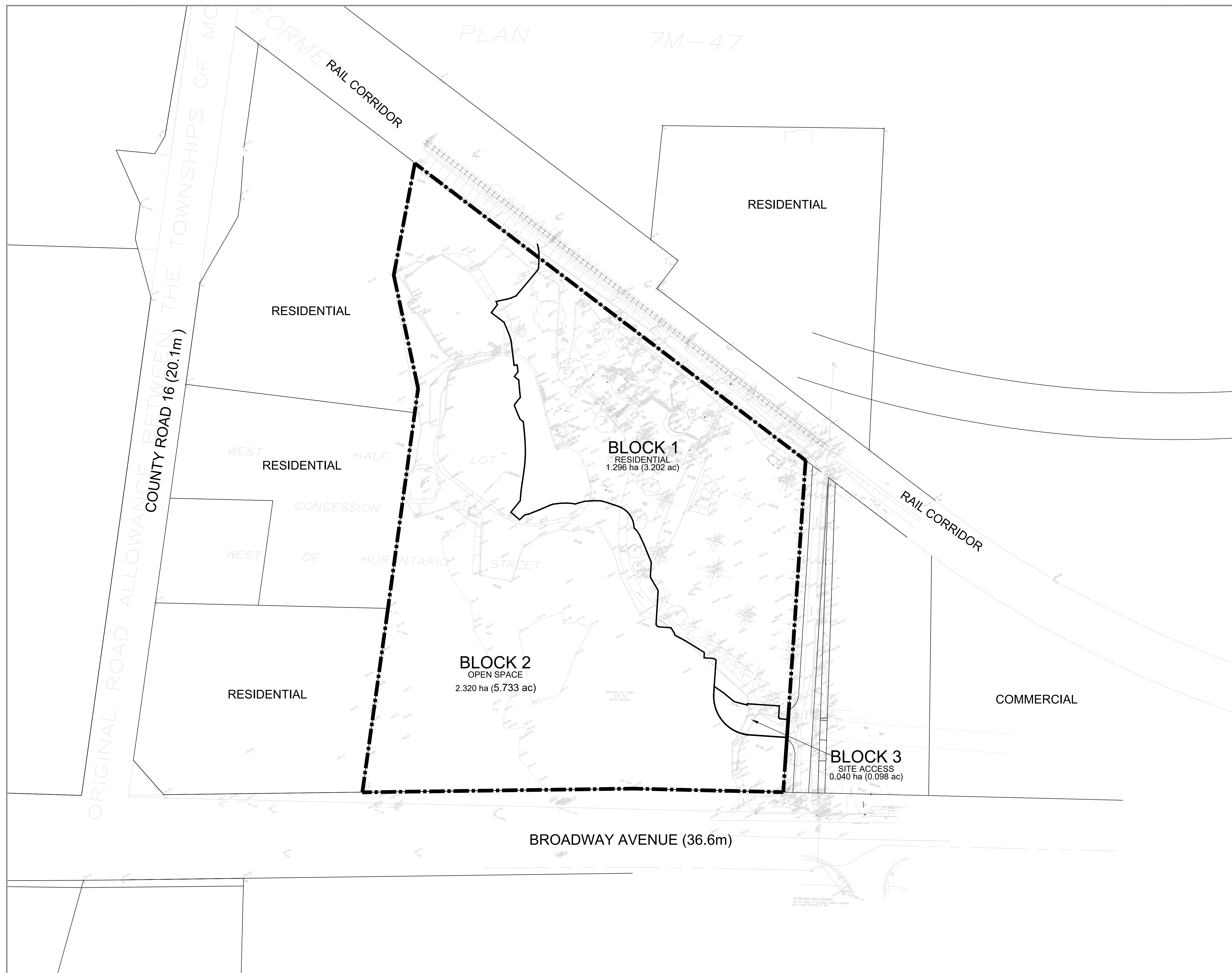
Dated at the Town of Orangeville this 14th day of May, 2024.

Raylene Martell, Town Clerk

Location Map

Applicant: 714415 Ontario Limited

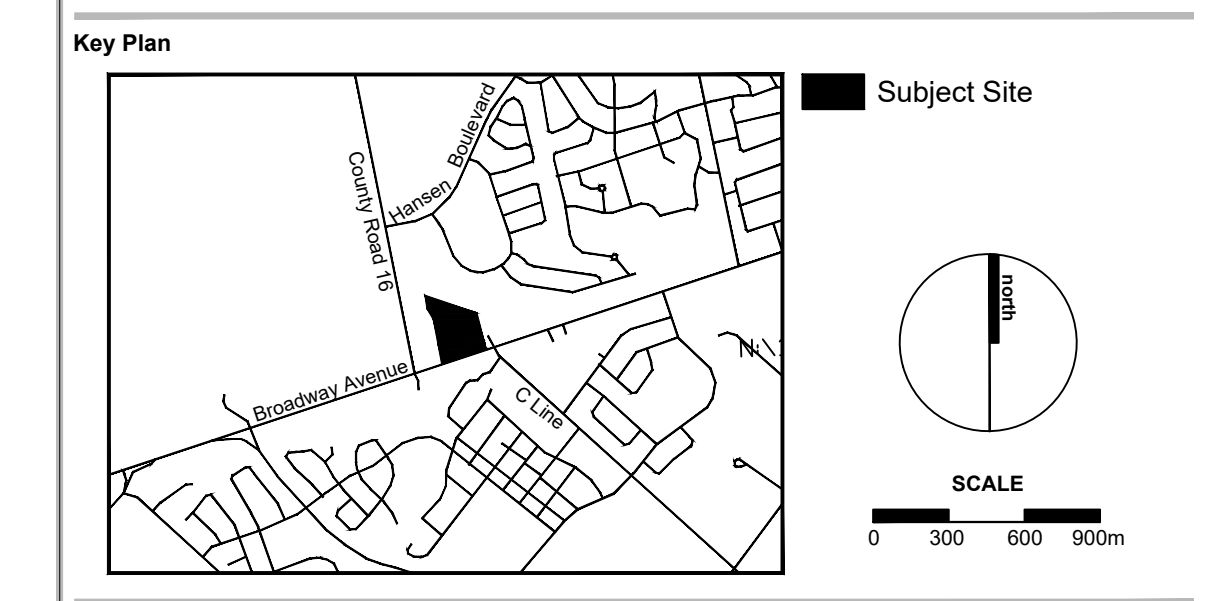




Legal Description
 Pt Lt 1, Con 3 Whs, As In Mf15706 ; Orangeville ; T/w Ease Over Pt Lot 1, Con 3whs Des As Pts 1, 3, 4 & 5, 7r5477 As In Dc64762; T/w Ease Over Pt Lot 1, Con 3 Whs Des As Pts 16, 17 & 18, 7r5477 As In Dc64764. T/w Ease Over Pt Lot 1, Con 3whs Des As Pts 4, 7, 12 & 13, 7r5477 As In Dc64765. T/w Ease Over Pt Lot 1, Con 3 Whs Des As Pts 4, 7, 10 & 12, 7r5477 As In Dc64766. T/w Ease Over Pt Lot 1, Con 3whs Des As Pt 17, 7r5477 As In Dc64767. T/w Ease Over Pt Lot 1, Con 3whs Des As Pts 4, 7, 10 & 12, 7r5477 As In Dc65573.

Owner's Certificate
 I HEREBY AUTHORIZE MACNAUGHTON HERMSEN BRITTON CLARKSON PLANNING LIMITED TO SUBMIT THIS PLAN FOR APPROVAL.
 DATE: _____ XXXXXXXXXXXX - PRESIDENT
 XXXXXXXXXXXX

Surveyor's Certificate
 I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE SUBDIVIDED ON THIS PLAN AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN.
 DATE: _____ XXXXXXXXXXXX - O.L.S.
 XXXXXXXXXXXX



No.	Date	Description	By
2	2024-01-05	Amend developable boundary limit & Update Blocks	TH
1	2023-12-21	Amend developable boundary limit	RM

Additional Information Required Under Section 51(17) of the Planning Act R.S.O. 1990, c.P.13 as Amended
 A. As Shown B. As Shown C. As Shown
 D. Residential, Stormwater Management, Open Space E. As Shown
 F. As Shown G. As Shown H. Municipal Water Supply
 I. Hillsburgh Sandy Loam/ Muck J. As Shown K. All Services As Required
 L. As Shown

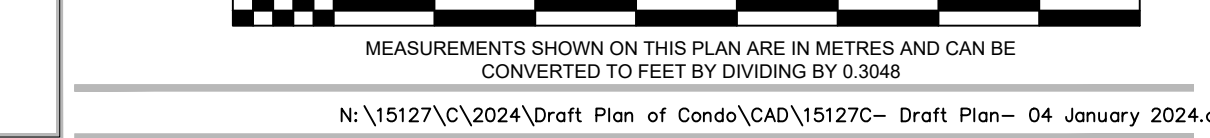
Area Schedule	Blocks	Units	Area (Hectares/ Acres)
Residential	1		1.335 ha (3.298 ac)
Open Space	2	N/A	2.320 ha (5.733 ac)
Site Access	3	N/A	0.040 ha (0.098 ac)
Total			3.656 ha (9.034 ac)

Stamp	Date December 20, 2023
	File No. 15127 C
	Plan Scale 1:750 (Arch D)
	Drawn By Y.Y.
	Checked By E.T.
	Other

Project
 Broadway Glen
 515 Broadway Avenue,
 Orangeville, Ontario

File Name
 DRAFT PLAN OF SUBDIVISION

Dwg No.
 1 of 1



CONDITIONS OF DRAFT APPROVAL
2857802 Ontario Inc. c/o MHBC Planning Ltd.
Part of Lot 1, Concession 3 WHS,
Town of Orangeville, County of Dufferin
File No: SUB-2018-03

Pursuant to Subsection 51(31) of the Planning Act, this approval applies to the Proposed Draft Plan of Subdivision prepared by MacNaughton Hermsen Britton Clarkson Limited (MHBC Planning Ltd.) dated December 20, 2023 (“the plan”), as submitted by 2857802 Ontario Inc. (the “Owner”), and showing:

- i) a residential block (Block 1) fronting on a private road;
- ii) an open space conservation block (Block 2); and,
- iii) a site access road (Block 3).

Draft Plan Approval Decision of Council: **April 29, 2024**
per Subsection 51(31) of the Planning Act

Date of Draft Plan Approval: **May 29, 2024**
being the day after the last date for appeals where no appeals are received, per Subsection 51(41) of the Planning Act.

Date of Latest Draft Plan Approval Extension, if any: **N/A**
per Subsection 51(33) of the Planning Act.

Date of Draft Plan Approval Lapsing: **April 28, 2027**
Per Subsection 51(32) of the Planning Act.

This draft approval shall lapse if the plan has not been registered within **three (3) years** of the decision of Council to approve, or extend the draft plan of subdivision approval, or, in the event of an appeal, within a period of three (3) years from the date of an Ontario Land Tribunal (OLT) order approving the draft plan of subdivision or any amended conditions thereof.

The Town may grant an extension of draft approval as its discretion, or may withdraw its approval of the draft plan of subdivision, or change the conditions listed below at any time.

The conditions applying to the approval of the final plan for registration are set out below.

Agreements

1. Prior to final approval, the Owner shall enter into a Site Plan Agreement, and such other agreements as may be required or appropriate, to satisfy all of the requirements, financial and otherwise of the Town of Orangeville (the “Town”) with respect to the development.

Zoning

2. Prior to the final approval, all lands within the Plan shall be appropriately zoned by a Zoning By-law which has come into effect in accordance with the provisions of the Planning Act.

Site Plan Approval

3. Prior to final approval, the Owner shall apply-for and obtain Site Plan Approval. Prior to Site Plan Approval, the Owner shall, to the satisfaction of the Town:
 - a. provide detailed design elements for the development of Block 1, including but not limited to landscaping, grading, servicing, stormwater management, site access, pedestrian connections and private amenity space;
 - b. enter into a site plan agreement with the Town to satisfy all requirements and obligations related to the development of lands within the subdivision plan, including financial obligations, contributions, land conveyances, provision of securities; and
 - c. prior to any grading, tree removal, dumping or removal of fill or any site alteration, obtain all necessary agency approvals and enter into applicable agreement(s) with the Town, if required, and post all associated securities and pay all associated fees, as required by the Town.

Street Naming and Municipal Numbering

4. That prior to registration of any Phase of the plan, all streets shall be named to the satisfaction of the Town and the County of Dufferin. In this regard, the Owner shall submit a list of proposed street names, including at least one pre-approved heritage street name.
5. That prior to registration, the Owner shall:
 - a. obtain municipal address numbers from the Town; and
 - b. agree to display the lot or block/unit number and corresponding municipal address number on all lots and blocks in a prominent location, until such time that the lot/block is transferred

Final Subdivision Plan

6. Prior to final approval, the Owner shall provide a final "M-Plan" for review and acceptance, which demonstrates that the plan proposed for final approval and to be submitted for registration is the same as the latest (most recent) draft-approved plan, to the satisfaction of the Town. Alternatively, if the proposed final "M-Plan" is not the same, the Owner shall provide a certificate signed by an Ontario Land Surveyor identifying any differences between the proposed registered plan and the latest draft plan, to the satisfaction of the Town.
7. That prior to final approval, the Owner shall submit to the Town, horizontal co-ordinates of all boundary monuments for the draft approved plan of subdivision. These co-ordinates are to be based on 6 degree UTM Projection and NAD83 Datum. The Owner shall agree to supply to the Town digital files (.dxf, .dwg and .shp file format) of the registered plan of subdivision.

Parkland Dedication

8. That the Owner agrees to provide the Town with a payment-in-lieu of a parkland dedication in accordance with Town By-laws and Section 51.1(3) of the Planning Act, as amended as a condition of Site Plan Approval.
9. The Owner shall agree to convey Open Space Block 2 and to the Town free of all cost and encumbrances in addition to the payment-in-lieu of a parkland dedication described above.
10. The Owner shall agree to provide fencing to the Town's current standard along all residential property lines that abut lands owned-by, or to be conveyed to the Town (Block 2), and in any other locations determined by the Town, to the satisfaction and in accordance with the timing schedule agreed to by the General Manager, Infrastructure Services. The Owner further acknowledges that there

shall be no gates or informal access points permitted into the Open Space Block, except as approved by the General Manager, Infrastructure Services.

Pre-Construction

11. Prior to final approval, the owner shall prepare a construction traffic access and control plan for all phases of servicing and building construction to the satisfaction of the General Manager of Infrastructure Services (GMIS). Any costs related to the implementation of such a plan shall be borne by the Owner. Any repair of damage or maintenance required to surrounding streets as a result of such traffic shall be at the Owner's cost
12. Prior to the initiation of the grading or striping of topsoil and final approval, the Owner shall submit a Topsoil Storage Plan detailing the location, size, slopes stabilization methods and time period, for the review and approval by the Town. Topsoil storage shall be limited to the amount required for final grading, with the excess removed from the site in accordance with the Town's Site Alteration By-Law.
13. The owner shall agree construct, install and maintain erosion and sediment control facilities, satisfactory to the GMIS, prior to any grading or construction on the subdivision lands in accordance with a plan that has been submitted to and approved by the GMIS.
14. The Owner shall agree that no building permits will be applied for or issued until the Town is satisfied that adequate road access, municipal water supply, sanitary sewers, and storm drainage facilities are available to service the proposed development.
15. The Owner shall agree that any lots or blocks to be left vacant shall be graded, seeded, maintained and signed to prohibit dumping and trespassing.
16. The Owner shall agree to carry out the natural channel construction and associated restoration of a tributary of Mill Creek in accordance with Permit 23/145 issued by the Credit Valley Conservation Authority within the time period stated in the aforementioned permit.

Water Conservation and Energy Efficiency

17. That prior to final approval, the Owner shall submit to the satisfaction of the Town, a Water Conservation Plan, which contains the following:
 - a. An analysis and recommendations for strategies including water efficient landscaping, water efficient fixtures and appliances, that reduce potable water consumption on average for all units within the Plan, by a minimum of 20% lower than the Ontario baseline average residential per capita daily water usage rate of 193 Litres per capita per day for the five (5) year period of 2013 to 2017; and
 - b. An implementation framework, which may include, but not be limited to measures such as information to be included in a homeowner's manual, a pre-approval process for building permit application submissions to ensure that the recommended water conservation and efficiency measures are incorporated into the building permit application process.
18. That prior to final approval, the Owner shall prepare and submit to the satisfaction of the Town, an Energy Efficiency Assessment, which shall evaluate and recommend measures and strategies to achieve low energy use intensities and reduced energy demands through measures that may include, but may not

be limited to:

- building orientation and solar controls;
- thermal effectiveness of the building envelope;
- daylighting design strategies;
- energy sharing opportunities for multi-unit developments;
- high efficiency mechanical systems (efficient HVAC systems, heat recovery, lighting solutions); and/or
- weather protection and insulation measures.

The Energy Efficiency Assessment shall demonstrate how the units in the plan can achieve on average, an overall minimum 10% reduction in energy consumption relative to the Ontario Building Code requirements in effect as of the date of draft plan approval.

Credit Valley Conservation (CVC)

19. That the implementing Zoning by-law shall contain provisions which will place all lands within the Open Space Block 2 in an appropriate designation such that the natural heritage system is protected in perpetuity.
20. That the portions of the Natural Heritage System on the property (Open Space Block 2) be gratuitously dedicated to the Town of Orangeville, as appropriate.
21. Prior to the registration of any phase of this plan and any site grading and servicing in the respective phases, that the following information be prepared to the satisfaction of the Town of Orangeville and CVC:
 - a. Detailed engineering, grading, servicing, and erosion and sediment control plans for the overall draft plan of subdivision in accordance with the approved Functional Servicing Report (FSR), Environmental Impact Study (EIS), Hydrogeology Reports and Stormwater Management (SWM) Report.
 - b. Detailed plans/reports demonstrating the location and description of all outlets and other facilities which may require a permit pursuant to Section 28 of the Conservation Authorities Act and Ontario Regulation 41/24.
 - c. Plans/reports demonstrating the overall water balance will be met including the details of Low Impact Development (LID) mitigation measures and water balance staging, as appropriate.
22. Prior to the registration of the plan and/or any phase of the plan, the following information will be prepared to the satisfaction of CVC and the Town of Orangeville:
 - a. Plans/reports demonstrating the details of the Restoration and Planting plans for lands adjacent to the watercourses, valley and wetland systems, and the proposed outlet locations.
 - b. The Owner is to obtain all necessary permits for development within the CVC Regulated Area in accordance with Section 28 of the Conservation Authorities Act and Ontario Regulation 41/24.
 - c. Execution of a Site Plan Agreement between the Owner and the Town, which contains provisions, wherein the Owner agrees to carry out the works noted in Conditions 21 & 22.

Approval Lapsing

23. This draft approval shall lapse if the plan has not been registered within three (3) years of the Council decision, or, in the event of an appeal, with a period of three years from the date of an Ontario Land Tribunal (OLT) order approving the draft plan of subdivision. The Town may grant an extension of draft approval as its discretion.