

**Subject: Orangeville Highlands Phase 2
Planning Recommendations for Draft Plan of
Subdivision and Zoning By-law Amendment
Applications**

Department: Infrastructure Services

Division: Planning

Report #: IS-PL-2020-009

Meeting Date: May 25, 2020

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.**

Recommendations

**That report IS-PL-2020-009, Orangeville Highlands Phase 2, Planning
Recommendations for Draft Plan of Subdivision and Zoning By-law Amendment
Applications, be received;**

**And that the Local Planning Appeal Tribunal (LPAT) be advised that Council
supports the approval of the applications:**

- i) for a draft plan of subdivision (File: S 1/10) as per Attachment No. 1,
subject to the conditions of draft approval as per Attachment No 2; and**
- ii) to amend Zoning By-law No. 22-90, as amended (File: OPZ 5/10) to
rezone the subject lands as described in this report;**

And that a copy of report IS-PL-2020-009 and the resolution of Council be forwarded to the LPAT;

And that the Mayor and Clerk be authorized to execute Minutes of Settlement in support of the proposed draft plan of subdivision and zoning by-law amendment as outlined in this report, subject to any minor refinements as deemed necessary by Town staff and in consultation with the Town's solicitor;

And that Town staff and the Town's solicitor be authorized to continue to act on behalf of the Town going forward with respect to the proposed draft plan of subdivision and zoning by-law amendment under appeal before the LPAT, in accordance with the recommendations of this report and the usual proceedings of an LPAT appeal matter.

Report Summary

Applications for a draft plan of subdivision, Official Plan amendment and Zoning By-law amendment were originally filed in 2010 to subdivide a 17.95 hectare (44.36 acre) parcel to create 545 dwelling units, comprised of 245 townhouse dwellings and approximately 300 apartment dwellings, together with community park blocks, a stormwater management facility, an open space conservation area and an internal public street network.

Public information meetings were held in 2011 and in 2018 and the proposed development has generated considerable public interest. Several concerns have been expressed regarding potential impacts to traffic, natural features, groundwater infiltration and surface water drainage, as well as concerns with the overall appropriateness of the proposed density, unit composition and compatibility with the surrounding built environment.

In 2017, the applications were appealed by the applicant, based on a failure of the Town to make a decision within the timeframes prescribed by the Planning Act. The appeal was filed pre-emptively to preserve the ability to adjudicate the appeal under the former Ontario Municipal Board (OMB) regime, which was in the midst of being revamped by the province (to the current Local Planning Appeal Tribunal) at that time and there was great uncertainty about how a new appeal system would function.

Pre-hearing conferences were held in June 2018 and February 2019, which largely determined procedural and participatory aspects of the appeal adjudication process. A 10-day hearing was been scheduled to begin on May 25, 2020 for this appeal to be decided by the Tribunal.

Notwithstanding the non-decision appeal, the applications have continued to proceed through a typical planning review process, which, in addition to consultation with the public, has included a review of application submission materials by internal Town departments and external public agencies. Through this process, technical studies

submitted with the applications were circulated to staff within the same subject disciplines to verify whether the conclusions, methodology and recommendations contained in the reports are appropriate. This informs the overall review of the applications to determine if the proposal can be accommodated on the subject lands without negative impacts and whether it aligns with applicable planning policies.

The Town's Official Plan (OP) designates the subject lands as Medium Density Residential, with Open Space Conservation and Open Space Recreation applied to the north and west parts of the site respectively. The lands are also subject to a special policy (E8.66) which applies an increased density target for the overall site, ranging between 75 and 99 units per hectare. The lands are zoned "Development (D)" in the Town's Zoning By-law, which freezes the lands for future development until a site-specific development application is submitted for approval. The corresponding provincial, County and Town planning policy framework encourages an appropriate range of housing types, efficient densities and usage of existing infrastructure, while also ensuring land use compatibility, stormwater management, safe and efficient transportation and protection of natural features are upheld.

Different iterations of the proposed subdivision have evolved in response to comments received during the review process. In 2018, the draft plan proposed a total of 623 units. The proposed subdivision has now been reduced to 541 dwelling units in total, comprised of 207 townhouse units and approximately 334 apartment units, as well as a 1.68-hectare community park, a 0.41-hectare dog park, a stormwater management facility, a 6.24-hectare open space conservation area and an internal public street network. The reduction in units was in response to community concerns about density and compatibility. The open space conservation and parkland areas have also been slightly increased in response to technical review comments.

The review dialogue has reached a point where all comments have been addressed to the satisfaction of department and agency staff. This has confirmed that the above-noted concerns of the public regarding impacts to natural features, groundwater infiltration and surface water drainage, traffic, and land use compatibility have been addressed. The supporting submission information is deemed acceptable, the conclusions and recommendations contained therein are considered appropriate and approval of the applications can be supported. Any further subdivision design and construction details can be appropriately determined through the normal process for clearance of draft-approval conditions that must occur before final approval of the subdivision can be granted.

Staff is of the opinion that the proposal is consistent with the Provincial Policy Statement (PPS), conforms to the Growth Plan (2019), as well as the policies of the County Official Plan and the Town's Official Plan. It is therefore recommended that Council support the applications in their present form, as outlined in this report. It is further recommended that this position be advanced to the LPAT, with direction for Town staff and the Town's solicitor to continue to act on behalf of the Town going forward in accordance with

normal appeal proceedings, including finalizing any minutes of settlement with respect to this appeal.

The LPAT hearing originally scheduled to commence on May 25, 2020 was adjourned due to the COVID-19 emergency orders. The Tribunal has now moved forward with convening certain hearing matters remotely via videoconferencing. For the Orangeville Highlands matter, the Tribunal may set aside June 4-5, 2020 to convene a videoconference to consider a settlement of this appeal consistent with the recommendations provided in this report. For Parties and Participants in this matter, the same participation abilities and procedural rules that would apply to an in-person event will also apply to this hearing event being convened remotely.

If Council chooses an alternative position from the recommendation provided in this report, the June 4-5, 2020 dates will be used by the Parties to finalize a new Procedural Order for a future contested hearing event, which would likely be scheduled by the Tribunal many months from now.

Background and Analysis

The following sections of this report will:

1. Summarize the background and evolution of the application submission and review process;
2. Describe the proposed development in its current form;
3. Explain the consultation process that has occurred, including the review of application submission documents by internal Town Departments/Divisions and external public agencies, as well as consultation with the public; and
4. Present an analysis of the proposed development in the context of Provincial, County and Town planning policies;

Subject Lands

The subject lands consist of a 17.95 hectare (44.36 acre) vacant parcel with approximately 479.0 metres of frontage along the north side of Hansen Boulevard. Existing uses surrounding the subject lands consist of general commercial to the east (Orangeville Mall); open space conservation uses and the northern limits of the Town's settlement area boundary to the north; and existing residential uses to the west and south.

Applications Submitted

Applications for a draft plan of subdivision (File: S-1/10), Official Plan amendment and Zoning By-law amendment (File: OPZ 5/10) were originally filed by Orangeville Highlands Limited and Brucedale Investments Inc. ("applicants") on June 30, 2010 and deemed complete on July 9, 2010. The applications proposed to create 545 dwelling units, comprised of 245 townhouse dwellings and approximately 300 apartment

dwellings, together with a community park, a dog park, a stormwater management facility, an open space conservation area and an internal public street network.

In response to the application review process, several iterations of the development proposal have evolved from its original form. This is discussed in further detail in the following report sections.

Consultation

A public meeting was initially held on March 7, 2011 pursuant to the requirements of the Planning Act. The purpose of the meeting was to share information about the proposed development and obtain public feedback. The applications generated considerable public interest, with many verbal and written submissions expressing concerns about potential impacts to groundwater, natural environment, traffic, privacy and compatibility, as well as impacts due to construction activity. As a result, Council directed the applicant to hold a public open house with surrounding residents to further address these concerns. This was held on May 5, 2011 and following this, the applicant proceeded over the next few years to revise their development concept and supporting studies.

In September 2017, the applicant approached Town staff with an updated development plan being contemplated in anticipation of a revised application submission. The revised proposal intended to address comments received on the applications since their original submission. In May 2018, the applicant filed a revised application submission, which consisted of key differences from the original submission as follows:

- An overall increase from 545 to 623 dwelling units;
- An increase in the number of apartment units, from 345 to 432 units and a decrease in the number of townhomes, from 245 to 191 units;
- An increase to the open space conservation area (from 5.53 hectares to 6.12 hectares) due to more detailed on-site natural feature evaluations; and
- A relocation of park blocks from the east to west part of the site and an increase in the overall parkland area to be dedicated to the Town (from 2.16 hectares to 2.41 hectares).

A public meeting was held on September 10, 2018 to share the updated development proposal and obtain further feedback from the public. An [information report \(No. PL-2018-22\)](#) was included with the meeting agenda to provide details about the proposed development and explain the history of the application review. This public meeting generated several questions and concerns from the community about the proposed development, some of which echoed previous concerns with the initial concept from 2011. Concerns expressed at the September 2018 public meeting related to the potential for environmental, groundwater, and traffic impacts attributable to the proposed development, as well as the appropriateness of the proposed density and its compatibility with surrounding development.

In April 2019, December 2019 and February 2020, the applicant submitted revised iterations of the development proposal, with corresponding updates to supporting technical reports. These modifications have been advanced to address public concerns and to respond to agency and departmental circulation review comments. All submission documents have been made publicly available for review on the Town's [website](#).

The current development proposal (February 2020) now consists of the following:

- A reduction in the overall number of residential units to **541 dwelling units**, comprised of:
 - 93 conventional (on-street) townhouse units;
 - 26 back-to-back townhouse units;
 - 88 stacked condominium townhouse units; and
 - Approximately 334 apartment units, conceptually divided amongst 5 apartment buildings at heights of between five and six storeys, dispersed over two property blocks.
- 6.24 hectares (15.42 acres) of **natural heritage system lands** to be protected;
- An **open space walkway** block specifically to provide a trail connection between the subdivision development and Brucedale Boulevard in Mono to the north, which will formalize an existing informal trail system.
- A 1.68 hectare (4.16 acre) **community park block**, which will conceptually accommodate facilities for active recreation, including playing fields, play structures, multi-purpose open space area for non-structured sports, hard-surface court area, potential community garden area, an integrated trail system and associated parking lot area.
- A 0.42 hectare (1.03 acre) **dog park block**, which will conceptually include fenced areas with a variety of topographical features, landscaped elements and amenities, as well as a parking lot area.
- A 1.24 hectare **stormwater management block**, which will include facilities to treat the quantity and quality of stormwater runoff for the development lands. The stormwater management block has also been configured to accommodate appropriate provisions for maintenance access and an integrated pedestrian trail.
- An **integrated multi-use trail system** has also been conceptually included within the proposed subdivision development, consistent with the Town's Cycling and Trails Master Plan.

The February 2020 draft plan of subdivision is included as Attachment No. 1. Many of the conceptual design items to be included in the proposed development, as described above, are not illustrated on the draft plan. These items would be subject to further refinement and implementation as part of the detailed design process that would follow the issuance of draft plan approval. The detailed design process is administered through the imposition of the conditions of draft plan approval, whereby the fulfillment of all such conditions by the owner must be completed to the satisfaction of the Town and other public agencies before final approval of the subdivision can be granted. Therefore, the review of the draft plan of subdivision application determines whether draft approval

can be contemplated, and specifically considers whether the block configuration illustrated on the plan has been appropriately sized and oriented to accommodate the inclusion of such features. Proposed conditions of draft plan approval are included as Attachment No. 2.

LPAT Appeal

On October 31, 2017, the applicant appealed their applications to the Local Planning Appeal Tribunal (“LPAT” or “Tribunal”, formerly the “Ontario Municipal Board, or “OMB”) based on no decision being made by Council within the timelines stated in the Planning Act. The appeals were filed pre-emptively, in light of pending legislative changes to the appeal system being initiated by the province at that time. Filing the appeals prior to such changes coming into effect preserved the applicant’s ability to pursue consideration of their appeals under the pre-existing and more familiar OMB rules and procedures.

Pre-hearing conferences were held on June 4, 2018 and February 26, 2019 with respect to the appeals, which largely determined procedural and participatory aspects of the appeal adjudication process. A 10-day hearing was originally scheduled to commence on May 25, 2020 for the Tribunal to consider the applications. However, this hearing was adjourned in late March 2020, due to the COVID-19 emergency orders. Since this adjournment, the Tribunal has moved forward with convening certain hearing matters remotely via videoconferencing.

For the Orangeville Highlands matter, the Tribunal may set aside June 4-5, 2020 to convene a videoconference to consider a resolution of this appeal consistent with the recommendations provided in this report. For Parties and Participants in this matter, the same participation abilities and procedural rules that would apply to an in-person event will also apply to this hearing event being convened remotely.

If Council chooses an alternative position from the recommendation provided in this report, the June 4-5, 2020 dates will be used by the Parties to finalize a new Procedural Order for a future contested hearing event, which would likely be scheduled by the Tribunal many months from now.

Notwithstanding the non-decision appeal, the applications have continued to proceed through a typical planning review process, which in addition to consultation with the public, has included a review of application submission materials by internal Town departments and external public agencies.

Agency and Department Review

The application submission contains a number of detailed studies prepared by consultants on behalf of the applicant, which present analyses of the proposed development to demonstrate that there will not be any negative impacts. The application materials are circulated to internal Town departments and external public agencies for

review and comment. The purpose of this review is to verify whether the conclusions, methodology and recommendations contained in technical reports submitted by the applicant are appropriate and acceptable. In this process, staff within the circulated departments and agencies who have professional qualifications and expertise in the respective disciplines of the submission studies conduct their own non-partisan technical reviews of the studies. The focus of the reviewing department/agency depends on the scope and mandate of that party. If, among the internal department and external agency reviewing parties, there are no staff in a particular discipline qualified to review a submission study in the same field, the Town will hire a third-party peer review consultant in that discipline to review the study on its behalf. The Town follows an impartial procurement process to retain any peer review consultant and the costs to cover peer reviews are borne by the applicant. This circulation review process ultimately informs staff's overall assessment of the applications and determination of: i) whether the applicable policy tests have been satisfied; ii) the appropriateness of the proposed development; and, iii) whether it can be accommodated on the subject lands without negative impacts.

The following provides a description of key areas evaluated in the submitted studies and the corresponding agency/department review. This also serves to demonstrate how the related areas of concern raised by the community through the public consultation process have been addressed.

- **Density and compatibility**

An Official Plan Amendment application (OPA) was submitted with the initial application submission in 2010. The first subdivision concept proposed the park block on the east part of the site, whereas Schedule 'A' of the Official Plan designates the western portion of the site as "Open Space Recreation". The OPA therefore proposed to revise the land use designations on the subject lands to reflect the proposed subdivision development at that time.

The subdivision concept was later revised to a form that resembles the current proposed layout, with the park blocks being re-oriented to the west part of the site, consistent with the current Open Space Recreation designation in the Official Plan. This therefore brought the need for the OPA application into question. However, Town staff maintained that the review of the proposal and supporting documentation would confirm whether it conforms to the policies of the Town's Official Plan. This would further determine if the designations and/or site-specific policies would need to be revised through the OPA in order to facilitate the proposed development. This was especially pertinent with respect to questions and concerns about the appropriateness of the density and unit composition proposed for the site.

The subject lands are designated as 'Medium Density Residential', subject to Special Policy E8.66 (OPA No. 103) on Schedules 'C' and 'B', respectively. Special Policy E8.66 prescribes an overall net residential density range between a minimum of 75 to a maximum of 99 units per hectare specifically for the subject lands.

The revised subdivision concept submission of 2018 proposed a total unit increase up to 623 units, including approximately 432 apartment units. This resulted in a unit density that planning staff noted appeared to exceed the overall density and unit composition envisioned for the site when Policy E8.66 was applied to the area. In response to these comments, and to concerns from the community about density, the latest draft plan has reduced the total number of units to 541, with the number of apartment units being reduced from 432 to 334 units. This results in an overall density reduction from 97.6 to 89.1 units per hectare, which falls more centrally within the overall medium density range of 75 to 99 units per hectare for the site. As a result, planning staff are of the opinion that previous concerns with respect to density and unit composition have been addressed by the revised draft plan submission and the OPA application (File OPZ 5/10) is not necessary to facilitate the proposed development. Put simply, the application that is currently before Council conforms to our Official Plan.

- **Water and wastewater servicing**

A Functional Servicing Report was submitted with the applications and provides preliminary infrastructure servicing design information in support of the proposed plan of subdivision. The report confirms there is sufficient sanitary servicing capacity, water supply and appropriate servicing infrastructure in place to support the proposed development. The report also describes how site grading details can be accommodated within the subdivision layout and demonstrates how storm drainage will be addressed through a preliminary design of the stormwater management block. This design and analysis has been submitted to demonstrate consistently with the Town's engineering design criteria and the Credit Valley Conservation (CVC) environmental standards.

The report was reviewed in detail by CVC staff as well as staff within the Infrastructure Services, Transportation & Development division. During the course of review, technical comments were provided to the applicant's consultant, who have provided responses in the form of additional information, revisions and/or updates as necessary, which have been further reviewed by staff to determine if their comments have been addressed. This review process has progressed to a point where all review comments have been satisfied. Staff have confirmed that the supporting submission information is satisfactory, the conclusions and recommendations contained in this report are acceptable and draft approval of the applications can be supported, with any further subdivision design and construction details to be appropriately determined through the draft-approval condition clearance process.

- **Groundwater infiltration**

A Hydrogeological Assessment submitted by the applicants has evaluated groundwater conditions for the overall area, as well as surface water level and stream flow information for Middle Monora Creek. The assessment evaluates the potential for impacts to these attributes that may result from the proposed development. Included with the overall hydrogeological analysis is a water balance assessment, which examines pre-development groundwater infiltration relative to post-development infiltration and whether groundwater and surface water features, as well as natural heritage attributes (i.e. wetlands) may experience infiltration-related impacts resulting

from the proposed development. This assessment indicated that based on the proposed subdivision plan, impervious (hard) surfaces would comprise roughly 44% of the overall site area. The assessment recommends the incorporation of low impact development (LID) measures as part of the functional servicing and stormwater management design for the subdivision. The proposed LID practices include infiltration trenches/soak-away pits in the front and rear yards of lots, as well as other measures that would collectively direct stormwater drainage from hard surfaces to pervious areas to enhance infiltration. These low impact development measures have been assessed to confirm that they will enable post-development infiltration to remain equal to pre-development infiltration conditions (or within 5%, consistent with CVC's development standards). Maintaining post-development infiltration at pre-development levels has demonstrated that there will be no negative impacts to existing groundwater conditions resulting from the proposed development.

Groundwater quality impacts potentially resulting from the proposed development were also assessed in the hydrogeology assessment, which demonstrated that the proposed development would have very limited sources of potential contaminants that would have no impacts relative to the entire watershed area.

The hydrogeological and stormwater management submissions have been evaluated by Town and CVC staff, with detailed comments being provided to the applicant and responses received to the satisfaction of reviewing staff in these disciplines. CVC has confirmed that the supporting information and recommendations are satisfactory, with remaining details to be confirmed and implemented through clearance of draft approval conditions and/or through CVC's regulatory permitting process. Town staff have also confirmed that the analysis and recommendations provided in these submissions are acceptable. In particular, staff within the Town's Infrastructure Services, Environment division have recommended that additional LID measures be incorporated into the future park block, which will further enhance groundwater infiltration for this development area. The implementation of such measures will be determined to the satisfaction of the Town and CVC as part of the detailed design and condition clearance process.

- **Traffic impact**

A Transportation Impact Study presented an analysis of traffic impacts associated with the previously proposed 623-unit subdivision plan. The study evaluates the anticipated traffic impacts to the Hansen Boulevard corridor from First Street to Blind Line and confirms that the intersections within this corridor are predicted to remain operating with acceptable levels, taking into account future traffic projections in conjunction with the proposed subdivision development. No changes or upgrades to the Hansen Boulevard cross-section are warranted to accommodate the proposed development.

An "unwarranted" traffic signal has been recommended for the Hansen Boulevard and Victor Large Way intersection with the Street 'A' entrance to the subdivision, in order to address any excessive delays for outbound traffic exiting the subdivision at this location. The signals are considered to be "unwarranted" because, although they are not

projected to meet warrants over an eight-hour period as per the Ontario Traffic Manual, they would be required to address any excessive delays anticipated for outbound traffic and would help pedestrian circulation.

The foregoing conclusions are consistent with the overall findings contained in the Town's 2008 Functional Design Study for Hansen Boulevard. In addition, since revised subdivision now proposes a reduced unit count to 541 units, this analysis is considered to be conservative and overestimates the anticipated future traffic demands.

The transportation impact study submission was reviewed by a peer review consultant retained on behalf of the Town, due to the complexity of the analysis contained within the study. The consultant identified some technical comments with the study analysis, which were subsequently addressed through the submission of addendum information. The Town's peer review consultant concurred with the recommendations to install traffic signals at the Victor Large Way and Hansen Boulevard intersection with the main Street 'A' entrance into the proposed subdivision. The peer reviewer noted that the timing of implementing these signals should be deferred until the development is sufficiently built-out and the costs of the signals would be borne by the applicant. The timing and completion of the signal installation at this intersection would be determined to the satisfaction of the Town as part of the detailed design and draft approval condition clearance process for this development.

The transportation impact study was also circulated to the Ministry of Transportation (MTO) for their review, with respect to any broader traffic implications for the First Street and Highway 10 intersection, which was a public concern about the applications. No detailed comments or concerns were noted by MTO staff, who confirmed that the subject lands are outside of MTO approval jurisdiction.

- **Built form and architectural design**

In response to concerns of Town staff and members of the public about the proposed design and visual impacts of the proposed development, an Urban Design Brief has been submitted with the applications. The design brief presents fundamental community design principles and guidelines for the proposed development so that it represents a compact, pedestrian-scaled mixed-density neighbourhood. It builds on these principles, utilizing renderings, photographs, commentary and massing plans to deliver a detailed assessment and recommendations for the design and architectural formats for the development. The report also evaluates the built form within existing neighbourhoods in the vicinity of the subject property to ensure compatibility is maintained. The objective of this design analysis is to ensure a high-quality building form and streetscape environment is created and sustained for the long-term.

Included with this analysis are a detailed series of architectural design criteria that would guide the design, siting and approval of new buildings to be implemented through a recommended architectural control process. The proposed subdivision is comprised of multi-unit housing forms which are subject to site plan approval. This will provide an

opportunity to ensure that the site development is consistent with the design criteria recommended by the urban design brief.

In addition to the site plan approval process, staff have recommended a series of draft approval conditions to establish an “architectural control” process. This process would obligate the applicant/developer to retain an architect to review and approve all architectural plans before they are submitted with a building permit application. This review would only evaluate the architectural appearance of the dwelling unit design for consistency with the design guidelines approved as part of the subdivision development. The architect retained to review and approve the architectural design would be at the discretion of the Town and the costs associated with administering this architectural control process would be borne by the developer.

- **Tree Preservation**

A Tree Inventory and Preservation Plan and Report was submitted with the applications, which provides an analysis of tree removal, preservation and associated impacts relative to the proposed development. The report demonstrates that many of the trees along the western limit of the property are comprised of Manitoba Maple, which are exhibiting leaning and poor conditions. These trees are located within the proposed park block and adjacent proposed Street ‘B’ right-of-way (aligning with Amelia Street) and have been identified for removal. To compensate for this removal, additional woodland planting is proposed within a 0.11-hectare area along the western limit of the 1.68 hectare park block, adjacent to the existing dwellings on Lisa Marie Drive. The extent of any compensation planting and corresponding specifications are to be determined through the detailed design condition clearance process to the satisfaction of the Town and CVC.

The tree inventory and preservation report demonstrated that no trees located on private lands adjacent to the west of the subject lands would be impacted or require removal as a result of the proposed development. A condition of draft plan approval has been included to require the formal submission and acceptance of a final tree preservation report and plan as part of the detailed design process. If during the detailed design and construction process for the construction of the Street ‘B’ intersection with Amelia Street, it becomes evident that adjacent trees on private lands may be impacted or require removal, the applicant will have to follow the Town’s process for notification and replacement planting compensation. This is consistent with the Town’s practice for municipally-initiated roadway and infrastructure reconstruction projects where privately-owned trees are impacted.

- **Protection of natural features**

An Environmental Impact Study and Management Plan (EIS & MP) was submitted to identify and evaluate natural heritage features present on and adjacent to the subject property. The purpose of this study has been to address any potential impacts to existing and candidate significant features. Significant natural heritage features are defined and classified according to criteria prescribed by province through a series of legislation and policy framework. Candidate features are those that have been identified

but do not meet the corresponding criteria for them to be classified significant according to provincial policies regarding natural heritage features. A number of significant natural features were identified on the northern part of the site, including a provincially-significant wetland, significant woodland, candidate significant wildlife habitat, Middle Monora Creek and two associated intermittent drainage features. The study evaluated the corresponding ecological and hydrologic functions of these features and determined the necessary boundaries for protection, as well as any areas recommended for restoration to a natural condition. Appropriate protection buffer areas have also been applied outside of these feature boundaries to provide further protection. Collectively these areas are protected within the 6.24 hectare (15.42 acre) Open Space Conservation block (Block 27) illustrated on the draft plan. These lands would be conveyed to the Town as part of the condition clearance and final approval process, consistent with other open space conservation areas adjacent to subdivision lands throughout the Town.

In addition to identifying the environmental feature areas for protection, the study presents a management plan for the completion of the proposed development. The management plan prescribes certain matters to be implemented during the detailed design and construction stage, including certain time restrictions for construction activity, restoration practices for buffer areas void of vegetation, erosion and sediment controls and best practices for constructing the connecting trail system through the area. In addition, proposed draft approval conditions include warning clauses to be included in any purchase and sale agreements to advise adjacent properties that these lands will be allowed to re-naturalize without maintenance and private access or encroachment is prohibited.

In consultation with the Ministry of Natural Resources and Forestry (MNRF), the EIS & MP assessed the property to determine if there are Species at Risk (SAR) that may potentially exist on or within the general area of the site. The analysis revealed two species present or utilizing the subject lands, which are protected under Ontario's Endangered Species Act (ESA) and include the Eastern Meadowlark (Threatened) and the Butternut (Endangered). The Butternut trees identified are located within the open space conservation area to be protected, as described above. For the Eastern Meadowlark, before beginning any site alteration, the proponent is obligated prepare a development plan and submit it to MNRF for approval pursuant to the ESA. The development plan must outline the existing habitat, the proposed work and appropriate compensation habitat to the satisfaction of MNRF.

The EIS & MP submission have been evaluated by CVC staff, with detailed comments being provided to the applicant and responses received to the satisfaction of reviewing staff in these disciplines. CVC has confirmed that the supporting information and recommendations are satisfactory and will be implemented through clearance of draft approval conditions requested by CVC and/or through CVC's regulatory permitting process.

Planning Analysis

Documents that have been considered by the Town Staff in conducting a review of the subject applications include the following:

- Provincial Policy Statement (PPS, 2014)
- Growth Plan (2019)
- County of Dufferin Official Plan
- Town of Orangeville Official Plan
- Supporting technical studies and reports
- Comments and recommendations provided by reviewing departments and agencies
- Public comments

○ **Provincial Policy Statement, 2014**

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Section 3(5) of the Planning Act states that where a municipality is exercising its authority affecting a planning matter, such decisions “shall be consistent with” all policy statements issued under the Act and shall conform with the provincial plans that are in effect on that date, or shall not conflict with them.

The PPS contains policies with respect to promoting efficient and resilient development and land use patterns in order to create healthy, liveable and safe communities and providing for an appropriate range of housing types and densities to meet requirements of current and future residents. The PPS also speaks to land use compatibility, stormwater management, transportation and natural heritage. After reviewing the materials submitted with the applications and based upon the written comments received through the review process described above, staff is of the opinion that the applications have demonstrated consistency with the PPS.

○ **Growth Plan (2019)**

The latest iteration of the Growth Plan for the Greater Golden Horseshoe (Growth Plan) came into effect in May 2019. The Growth Plan provides policy direction that emphasizes growth and development (i.e. residential and employment) to be promoted within settlement areas, with a particular focus on developing complete communities that encompass a diverse range of land uses, a range and mix of employment and housing types, high quality public open spaces and easy access to local stores and services. Development patterns are also to efficiently utilize existing and sustainable infrastructure, and growth is to be directed away from areas of natural heritage significance and sensitivity. All planning decisions must conform to the Growth Plan.

Based on the review of the application materials and taking the consultation comments received into consideration, staff is of the opinion that a decision to support the applications would conform to the policies of the Growth Plan.

- **County of Dufferin Official Plan**

The Town of Orangeville is identified as an 'Urban Settlement Area' on Schedule 'B1' (Community Structure and Land Use) in the County of Dufferin Official Plan ("County OP"). Urban settlement areas are identified in the County OP as focal points for growth that will accommodate a broad range of uses. The subject lands are designated in a 'greenfield' area (within the 'Urban Settlement Area'). County OP policies encourage new development within greenfield areas to achieve a minimum density target (i.e. 46 residents and jobs combined per hectare) and to develop comprehensively, either through a phased approach or through a secondary plan process.

Under Schedule E (Natural Heritage Features) a portion of the site is identified as Provincially Significant Wetlands (S.5.3.1), Woodlands (S.5.3.4), and Watercourses (S.5.3.8). No development or site alteration is permitted within Provincially Significant Wetlands. For any development proposal within 120 metres of a Provincially Significant Wetland, an Environmental Impact Study (EIS) is required (Policy 5.3.1). Development and site alteration are not permitted within or adjacent to significant woodlands unless it has been demonstrated through the preparation of an EIS, that there will be no negative impacts on the natural features or their ecological functions (Policy 5.3.4).

The proposed development has a density 89.1 units per hectare, which exceeds the minimum greenfield density target prescribed by the County OP. The proposal also comprises a mixture of housing types and provides for appropriate environmental protections through the delineation of the Open Space Conservation block on the norther part of the site. As noted previously, an EIS and addendum information have been submitted in support of the proposal to the satisfaction of CVC. Based on the review of the submission materials and the comments received through the circulation review, staff is of the opinion that the proposed development conforms to the policies of the County OP.

- **Town of Orangeville Official Plan**

Schedule 'A' (Land Use Plan) to the Town of Orangeville Official Plan ("Orangeville OP") designates the subject lands as 'Residential', 'Open Space Conservation', and 'Open Space Recreation'.

The current draft plan proposes Natural Heritage System (NHS) (i.e. wetland, floodplain, woodlot, creek and buffers) and Park block areas which reflect the 'Open Space Conservation' and 'Open Space Recreation' designation areas respectively.

Within the 'Residential' designation, the Orangeville OP contemplates various residential densities and a mixture of housing types. The subject lands are designated as 'Medium Density Residential', subject to Special Policy E8.66 (OPA No. 103) on Schedules 'C' (Residential Density Plan) and 'B', (Policies for specific Areas) respectively. Permitted uses in the 'Medium Density Residential' designation include row/townhouse dwellings and apartments with a maximum density of 99 units per net residential hectare. Notwithstanding the Medium Density Residential designation, Special Policy E8.66 prescribes an overall net residential density range between a

minimum of 75 units per hectare and a maximum of 99 units per hectare specifically for the subject lands.

Special Policy E8.66 is the result of a Town-initiated Official Plan review (OPA No. 103) approved by Council on June 8, 2009. OPA 103 was initiated to bring the Orangeville OP into conformity with the provincial 'Places to Grow' Growth Plan, 2006 and the related Dufferin County Growth Management Study, which prescribe more ambitious density and intensification targets to be implemented within municipal Official Plans. At that time, the subject lands were already designated for a maximum density of up to 99 units per hectare. However, OPA No. 103 introduced site-specific policy E8.66 to add a minimum development density of 75 units per hectare. This implemented an intent for these lands to develop at a higher density range as part of the Town's overall effort to achieve the greater density and intensification targets in conformity with the provincial Growth Plan.

Based on a review of the submission materials, as well as the agency and department comments received, staff is of the opinion that the proposed development conforms to the policies of the Town's Official Plan. The proposed development is a permitted residential use in accordance with the land use Schedule 'A', it consists of a density and unit composition permitted by the Medium Density Residential designation and the special policy E8.66. The subdivision configuration has provided the open space conservation and open space recreation blocks consistent with the land use policy framework of the OP.

- **Zoning By-law 22-90, as amended**

The lands are currently zoned Development (D) Zone to Schedule 'A' (Map No's. A3 and A4) of Zoning By-law No. 22-90. Uses permitted in the Development ('D') Zone include existing uses, buildings and structures. The 'D' Zone is intended to freeze the lands for future development purposes until a specific development proposal is brought forward to be reviewed and implemented through a Zoning By-law amendment application process.

The Zoning By-law amendment application proposes to rezone the subject lands to a site-specific "Multiple Residential Medium Density (RM1) Zone" to permit the range of residential uses proposed, as well as Open Space – Recreation (OS1) and Open Space – Conservation (OS2) zones to reflect the proposed parks, environmental protection area and stormwater management facility consistent with the proposed draft plan configuration.

The site-specific RM1 zone proposes special standards with respect to the various dwelling types proposed. It includes reductions to the minimum lot area; lot frontage; front yard and exterior side yard requirements; as well as increases to the maximum permitted building height. Site-specific zone provisions for the different townhouse dwelling types proposed (i.e. stacked and back-to-back) are also included. An overall density limitation to a maximum of 99 units per hectare is also included in the proposed site-specific RM1 zone, consistent with the Orangeville OP policies.

A Holding (H) Symbol is also to be applied to the site-specific RM1 zone areas within the amending By-law. The site development of residential blocks within the plan cannot proceed until the Holding (H) symbol has been removed through Council's approval of a subsequent Zoning By-law amendment. The removal of the Holding (H) Symbol would be contemplated at such time as site development approvals advance for the residential blocks within the plan and the corresponding servicing provisions are confirmed and allocated to the units. This is consistent with the Town's practice for regulating and monitoring servicing allocation for new development activity throughout the Town. Staff are finalizing an amending Zoning By-law consistent with the amendments described above, which would be forwarded to the LPAT for final approval pursuant to the recommendations outlined in this report.

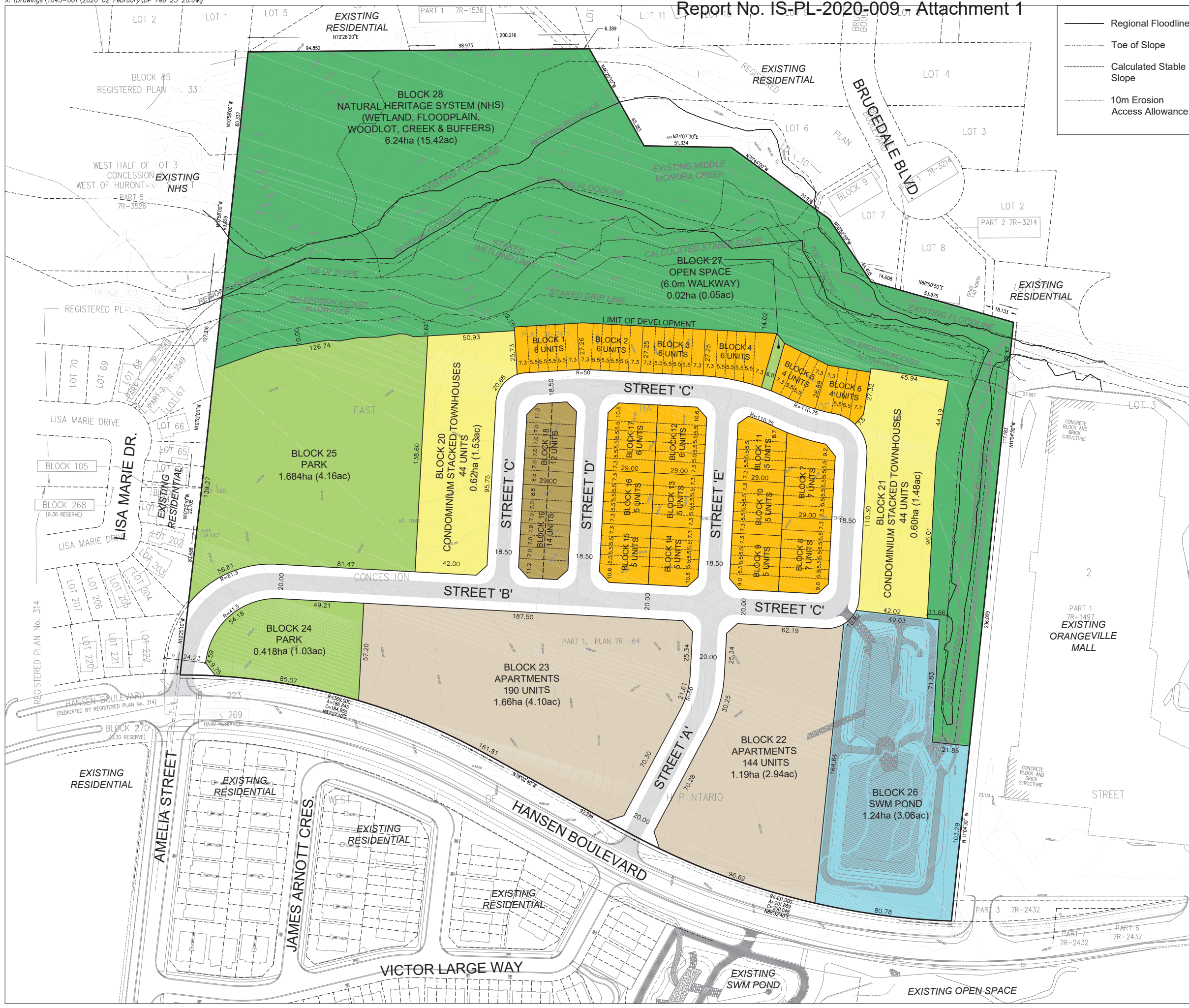
Financial Impact

As noted in this report, a 10-day hearing was scheduled to commence on May 25, 2020. This was adjourned due to the COVID-19 circumstances and the Tribunal has since moved forward with convening certain hearing matters (such as the Orangeville Highlands appeal) remotely via videoconferencing. As with any application under appeal, there are financial impacts anticipated with respect to the Town's legal Counsel representation in the appeal resolution process and their role in providing legal support to the Town. Should Council wish to proceed with an alternative position from the recommendation provided in this report, there will be additional costs and further financial impacts anticipated, as it may be necessary to engage external consultants/expert witnesses to provide testimony and evidence to support any such alternative position of the Town.

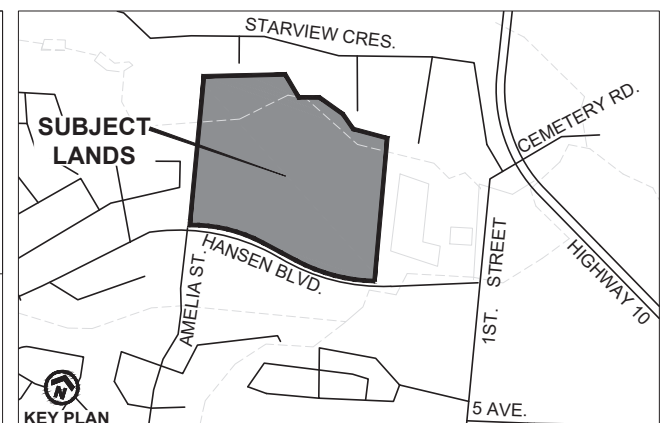
Respectfully submitted:	Prepared by:
Douglas G. Jones, M.E.Sc., P.Eng.	Brandon Ward, MCIP, RPP
General Manager, Infrastructure Services	Manager, Planning, Infrastructure Services

Attachment

1. Draft Plan of Subdivision (February 25, 2020)
2. Proposed Conditions of Draft Plan Approval



Regional Floodline
 Toe of Slope
 Calculated Stable Slope
 10m Erosion Access Allowance



DRAFT PLAN OF SUBDIVISION
ORANGEVILLE HIGHLANDS LIMITED & BRUCEDALE INVESTMENTS INC.

FILES: OPZ 5/10 & S 1/10

PART OF LOT 3,
 CONCESSION 2 W.H.S.,
 TOWN OF ORANGEVILLE
 DUFFERIN COUNTY

OWNERS CERTIFICATE
 I HEREBY AUTHORIZE GLEN SCHNARR & ASSOCIATES INC. TO PREPARE AND SUBMIT THIS DRAFT PLAN OF SUBDIVISION TO THE TOWN OF ORANGEVILLE FOR APPROVAL.

BRUCEDALE INVESTMENTS INC.
 SIGNED: JOHN G. NESBITT, PRESIDENT
 GILBERT L. BOLAND, DIRECTOR
 DATE OCT. 17, 2017

ORANGEVILLE HIGHLANDS LIMITED
 SIGNED: GILBERT L. BOLAND, PRESIDENT
 JOHN G. NESBITT, SECRETARY
 DATE OCT. 17, 2017

SURVEYORS CERTIFICATE
 I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AS SHOWN ON THIS PLAN AND THEIR RELATIONSHIP TO ADJACENT LANDS ARE CORRECTLY AND ACCURATELY SHOWN.

SIGNED: THOMAS SALB, O.L.S.
 JD BARNES LIMITED
 401 WHEELABRATOR WAY, SUITE A
 MILTON, ONTARIO L9T 3C1
 DATE SEPT. 28, 2017

ADDITIONAL INFORMATION
 (UNDER SECTION 51(17) OF THE PLANNING ACT) INFORMATION REQUIRED BY CLAUSES A,B,C,D,E,F,G,J & L ARE SHOWN ON THE DRAFT AND KEY PLANS.

- H) MUNICIPAL AND PIPED WATER TO BE PROVIDED
- I) SANDY LOAM AND CLAY LOAM
- K) SANITARY AND STORM SEWERS TO BE PROVIDED

LAND USE SCHEDULE

LAND USE	BLOCKS	AREA (ha)	AREA (ac)	UNITS
TOWNHOUSE (STREET) - 5.5m (18')	1-17	1.71	4.23	93
TOWNHOUSE (BACK TO BACK) - 7.0m (23')	18,19	0.29	0.72	26
TOWNHOUSE (CONDOMINIUM STACKED)	20,21	1.22	3.01	88
APARTMENTS	22,23	2.85	7.04	334
PARK	24,25	2.10	5.19	
SWM POND	26	1.24	3.06	
OPEN SPACE (WALKWAY)	27	0.02	0.05	
NATURAL HERITAGE SYSTEM & BUFFER (NHS)	28	6.24	15.42	
18.5m ROW (615m)		1.15	2.84	
20.0m - 24.23m ROW (562m)		1.13	2.79	
TOTAL	28	17.95	44.36	541

- NOTES**
- Streets A / B & Hansen Blvd. intersection daylight triangles = 7.5m x 7.5m
 - All other daylight triangles are 6m x 6m
 - Pavement Illustration is diagrammatic only
 - Natural Heritage System constraint information provided by Urbantech April, 2019



Scale 1:1000
 (24 x 36)
 February 25, 2020



CONDITIONS OF DRAFT APPROVAL
Orangeville Highlands Ltd. and Brucedale Investments Inc.
Orangeville Highlands, Phase 2
Part of Lot 3, Concession 2, W.H.S.
File: S-1/10

Pursuant to Subsection 51(31) of the Planning Act, this approval applies to the draft plan of subdivision prepared by Glen Schnarr & Associates Ltd., dated February 25, 2020 (“the Plan”), submitted on behalf of Orangeville Highlands Ltd. and Brucedale Investments Inc. (the “Owner”) for the property described as Part of the Lot 3, Concession 2, W.H.S., and illustrating:

- | | | |
|---|--------------------------------|--------------------|
| - | 93 Street townhouses | Blocks 1 to 17 |
| - | 26 Back-to-back Townhouses | Blocks 18, 19 |
| - | 88 Stacked Townhouses | Blocks 20, 21 |
| - | Apartment Blocks (334 units) | Blocks 22, 23 |
| - | Parkland | Blocks 24, 25 |
| - | Stormwater management facility | Block 26 |
| - | Open Space | Block 27 |
| - | Natural Heritage System | Block 28 |
| - | Internal street network | Streets ‘A’ to ‘E’ |

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 a Local Planning Appeal Tribunal (LPAT) order approving the draft plan of subdivision. The Town may grant an extension of draft approval as its discretion.

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

Agreements

1. That the Owner enters into a subdivision 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. That the plan conforms to the amending zoning by-law enacted by the Town, and that this condition be considered capable of fulfillment only once the amending zoning by-law is in force with all levels of appeal exhausted.
3. That prior to final approval of the plan, the Owner will provide a surveyor's certificate indicating the areas and frontages of all lots in the plan, for the purpose of establishing the conformity of the lots with the Zoning By-law.

Street Naming

4. That prior to final approval of the plan, all streets shall be named to the satisfaction of the Town and the County of Dufferin.

Phasing

5. That prior to final approval of the Plan, in the event that the development of the property is to be phased, a detailed development phasing plan shall be submitted prior to final approval of the first phase of development. The Phasing Plan shall indicate the sequence of development, the land area in hectares, the number of lots and blocks in each phase, grading to minimize the total soil area exposed at a given time and construction of public services, to the satisfaction of the Town.
6. That the Owner agrees, in the subdivision agreement, that acting reasonably in order to reduce the extent of disruption on purchasers occupying units within the subdivision, construction shall proceed sequentially such that the first lots/blocks to be built are those most interior within the Plan and the last lots to be built are those nearest to the egress to the Plan.

Parkland Dedication

7. That the Owner agrees to convey parkland to the Town pursuant to the requirements of the Planning Act. The Owner shall agree in the subdivision agreement, to provide unit counts for each block for the purpose of tracking parkland dedication requirements and providing for credit or additional conveyance at a later date as necessary.

Archaeological Evaluation

8. That prior to final approval, and prior to the initiation of any grading to any lands included in the Plan, a preliminary archaeological evaluation of the entire area within the Plan shall be carried out at the Owner's expense, and the same report shall identify any significant archaeological sites found as a result of the assessment. The archaeological assessment report shall be carried out by a licensed archaeologist and prepared according to the requirements of the Ministry of Tourism, Culture and Sport (MTCS). The archaeological assessment shall be submitted to the Town and the said Ministry for review and approval.
9. That the Owner agrees, in the subdivision agreement, that no development or grading shall occur on any site identified as being archaeologically significant as a result of the archaeological evaluation carried out on the property, until such time as protective and mitigative measures of all significant archaeological sites have been fulfilled to the satisfaction of the MTCS and the Town.

Pre-Servicing

10. The Owner agrees to 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.

11. The Owner further agrees that no work, including, but not limited to tree cutting, grading or filling, will occur on the lands until such time as the Owner has obtained written permission from the GMIS or has entered into a Subdivision Agreement with the Town. The Owner further agrees that prior to any grading or construction on the site, the Owner enters into an Engineering Services Agreement with the Town, to be registered on title, satisfactory to the Town's Solicitor, which includes all requirements, financial and otherwise, to the satisfaction of the Town of Orangeville.
12. Prior to any development or grading of the site, the developer shall submit to the Town, a report indicating how regular dust suppression will be accomplished during the construction phase of the subdivision.
13. That any domestic, observation or other wells located within the lands be properly abandoned in accordance with current Ministry of the Environment, Conservation and Parks (MECP) Regulations and Guidelines to the satisfaction of the GMIS. Any boreholes drilled for hydrogeological or geotechnical investigations must also be properly abandoned.
14. The Owner shall prepare an overall site drainage and grading plan, satisfactory to the GMIS, for the entire subdivision, prior to any grading or construction on the site. Such a plan will be used as the basis for a detailed lot grading plan to be submitted prior to the issuance of any building permit within the subdivision.
15. That the Developer constructs, installs and maintains 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.

Engineering

16. That prior to final approval, the Owner agrees to prepare or cause to prepare, by a qualified Consulting Engineer(s) and submitted to the Town and Credit Valley Conservation ("CVC") for approval, the following reports, based on Terms of Reference as approved by the Town and CVC:
 - a. A **Functional Servicing Report** that addresses water distribution, sanitary collection, storm sewage collection and stormwater management to confirm that the existing municipal services are adequately sized to accommodate the demands associated with the proposed development.
 - b. **Stormwater Management Implementation Report** to be completed to the satisfaction of the Town and CVC, and must address quality and quantity control of post-development flows up to and including the 100-year storm, and demonstrate how the Regional Storm will be conveyed through the

development in accordance with Ontario Provincial Standards and Specifications and Town Standards. The report will describe in detail the means whereby stormwater will be conveyed from the site to a receiving body, and also the means whereby erosion, sedimentation and their effects will be contained and minimized on the site both during and after the construction period.

The Stormwater Management Implementation Report will take the effects of climate change into consideration, pursuant to any applicable policies, standards and/or guidelines of the Province, CVC and Town.

- c. An **Operations Maintenance and Monitoring Program** for the stormwater management facility, which shall provide a monitoring procedure and schedule for all stormwater management facilities / works immediately after all stormwater management facilities / works become operational.
- d. A **Siltation, Sedimentation and Erosion Control Report** to provide recommendations for the control, maintenance and monitoring of sediment during all phases of construction and to address erosion control issues specific to the draft plan of subdivision for all sloped areas and wetland protection, the sediment removal efficiency of temporary ponds, and address post construction water quality from storm ponds to document temperature and sediment removal efficiency.
- e. A **Construction Management Plan** prior to any site alteration, which shall include the following as a minimum:
 - i. Central coordinating point of contact, with contact information to be made available for public questions or complaints;
 - ii. A tracking and documentation plan for any complaints and respective responses;
 - iii. A communication and enforcement plan for any trades, contractors and delivery providers
 - iv. Parking plan for trades and delivery activities
 - v. Office space (construction trailers)
 - vi. Working hours of operation, staging areas and periods of activity
 - vii. Storage plan for construction materials and any debris/refuse
 - viii. Noise and dust control/suppression
 - ix. Site access plan that includes mud and debris management as a result of the construction on site
- f. That the Owner agrees to provide three second order, second level **Horizontal and Vertical Controls** prepared by an Ontario Land Surveyor, in locations within the proposed subdivision to the satisfaction of the Town.
- g. A **Tree Inventory and Preservation Plan and Assessment Report** that documents and inventories all existing trees within the Plan and provides an

assessment of significant trees to be preserved together with the proposed methods of tree preservation, remedial planting and removal of invasive species. The Owner shall agree in the Subdivision Agreement to undertake the measures identified in the approved Tree Inventory and Assessment Plan and Report to the satisfaction of the Town

- h. A **Phase 1 Environmental Site Assessment (ESA)** and if required, a Record of Site Condition (RSC) acknowledged by the Ministry of Environment, Conservation and Parks for the whole site or parts thereof, to the satisfaction of the Town, including all reports required to obtain the RSC.
17. Recommendations from the reports will be implemented in the detailed design process to the satisfaction of the Town. All reports and studies must refer to the draft plan of subdivision prepared by Glen Schnarr and Associates Inc. as draft approved by the Town.
18. That prior to final approval of the Plan, the Owner agrees to design and construct additional Low Impact Development measures (LID) within the Park blocks 24 and/or 25 to ensure pre-development infiltration rates are maintained within the Wellhead Protection Q1/Q2 area applicable to the subject lands, as identified in the Approved Source Protection Plan for the CTC Source Protection Region. These additional LID features will be designed to compensate for any infiltration losses anticipated for privately-owned LID's within the Plan. The final design and location of LID measures will be incorporated into the subdivision detailed design drawings to the satisfaction of the Town.

Transportation

19. That the Owner agrees in the subdivision agreement, to implement the recommendation of the Traffic Impact Study and any recommendations of the Town's peer review consultant, to the satisfaction of the Town. The Owner further agrees to fulfill all requirements of the Town with regard to the design, construction, site works and attainment of approvals with respect to vehicular site access, additional traffic control measures, traffic signals and other measures as may be identified within existing and proposed roads.
20. That the road allowances included in the draft plan be shown and dedicated as public highway's and that prior to the registration of any phase of the subdivision, the Town shall receive a letter from the O.L.S. preparing the plan that certifies that the layout of the roads in the plan conforms to the Ontario Geometric Design Criteria, with the exception of the road widths which shall comply with the widths shown on the approved draft plan of subdivision.
21. That daylight triangles be shown on the engineering drawings and dedicated to the Town, as required, to improve visibility at all intersections of roads and corner

blocks.

22. That the Owner agrees in the subdivision agreement, to make the appropriate upgrades to the Amelia Street/Street 'B' Intersection, Victor Large Way/Street 'A' Intersection and Hansen Boulevard, as necessary to facilitate the connections of Streets 'A' and 'B' to the existing intersections, in accordance with the Town's Municipal Design Standards, to the satisfaction of the Town
23. That the Owner agrees to provide concrete sidewalks to Municipal Standards, on both sides of Street "B" and Street "A" from the limits of the existing sidewalk, as may be required by the Town.
24. That the Owner agrees to connect Street "A" (Victor Large Way) to Hansen Boulevard and Amelia Street/Street "B" such that the intersections are constructed at a minimum of 85 degrees or as close to 90 degrees as possible and approved by Transportation and Development Staff.
25. That the Owner agrees, in the subdivision agreement, to install traffic signals for the Victor Large Way / Street 'A' and Hansen Boulevard intersection in accordance with the Town's standards prior to final approval of the Plan.
26. That the Owner agrees to construct 2.5 metre wide, asphalt multi-purpose trailways within and through Block 27 (Open Space-Walkway) and Block 26 (Stormwater management facility), connecting to sidewalks and/or other trails as appropriate, to the satisfaction of the Town.
27. That the Owner agrees to construct concrete sidewalks as directed by the Town during detailed design review, on Hansen Boulevard adjacent to the development, and on both sides of Streets 'A' and 'B', as required by the Town, to facilitate accessible and safe pedestrian movement.
28. That the Owner agrees, in the subdivision agreement, to construct bus stop pads, shelters, signs, etc. at locations to be determined by Orangeville Transit.

Servicing

29. That prior to final approval of the plan, the Town will allocate water supply and sewage treatment capacity to the development. This allocation is at the sole discretion of the Town and will not be made until such time as the Town is satisfied that there is adequate water supply and sewage treatment capacity to service the proposed development.
30. That no works or servicing occur on the site until the Owner has made arrangements satisfactory to the Town, including, but not necessarily limited to, the posting of securities for the desired works and services and/or the fulfillment of the requirements of the Town's Topsoil Removal By-law, as updated or amended.

Noise Study

31. That the Owner agrees, prior to final approval of the plan, to retain a suitably accredited acoustical consultant to investigate the noise levels on the site and make recommendations to ensure that the Province's recommended sound level limits for the proposed residential land uses are maintained.
32. That the Owner agrees, in the subdivision agreement, to implement the recommendations of the approved acoustical report and construct the required noise attenuation features to the Town's current standards.

Landscaping and Fencing

33. That prior to final approval, the Owner shall submit to the satisfaction of the Town a Master Landscape Plan prepared by a suitably accredited landscape architect. This plan shall address the following:
 - a. Street trees on the boulevards;
 - b. the landscaping of Blocks 27 (open space) and Block 26 (stormwater management pond);
 - c. a design of the trailway connections through Blocks 27 and other blocks as may be identified by the Town, including Hansen Boulevard, Street 'C' and Street 'B'; and
 - d. the landscaping treatment along the road allowance of Hansen Boulevard and Street 'B';
34. That the Owner agrees, in the subdivision agreement, to implement the approved Master Landscape Plan.
35. That the Owner agrees, in the subdivision agreement, to install a 1.5 metre high, black vinyl chain link fence in accordance with the Town's standards, along the boundaries of Blocks 20, 21, 24, 25, 27 and 28, as directed for these blocks by the Town during the detailed engineering review.
36. That the Owner agrees, in the subdivision agreement, not to store or stockpile any soil or material, other than topsoil to be used for parks, on Park Blocks 24 and 25.
37. That the Owner agrees, in the subdivision agreement, to construct the Park blocks 24 and 25 to meet the overall grading and drainage plans and to pre-park facility development conditions at their sole expense. Construction of the park blocks shall also include:
 - a. any required Low Impact Development measures as specified by the detailed design review; and

- b. a pre-determined amount of topsoil stockpiling as identified by the Town during the detailed design review,
- to the satisfaction of the Town.
38. That the Owner agrees, in the subdivision that all lots to be left vacant for a period of time as determined by the Town shall be graded, seeded, maintained, signed and, if required, fenced to prohibit dumping and trespassing.

Credit Valley Conservation

39. That the Functional Servicing Report and associated hydraulic analysis be updated based on the revised post-development outflows from the stormwater management pond.
40. That the implementing Zoning by-law shall contain provisions which will place all lands within Block 28 in an appropriate designation such that the natural heritage system is protected in perpetuity.
41. That the portions of the Natural Heritage System on the property (Block 28) be gratuitously dedicated to the Town of Orangeville, as appropriate.
42. 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. A stormwater Management (SWM) Implementation Report consistent with the recommendations of the approved Functional Servicing Report (FSR) and the Hydrogeology report.
 - b. Detailed engineering and grading plans prepared by a professional engineer for the respective phase and/or overall draft plan of subdivision in accordance with the approved FSR and SWM Implementation Report.
 - c. Plans/reports demonstrating the overall water balance will be met including the details of LID mitigation measures and water balance staging, as appropriate.
 - d. Plans/reports demonstrating the details of stormwater management facilities in Block 26 and drainage feature modifications in Block 28 and their associated outfalls, including the fulfillment of all requirements for the issuance of permits pursuant to Ontario Regulation 160/06.
 - e. Appropriate sediment and erosion control measures be implemented as approved by the Town and CVC.
 - f. A dewatering plan based on direction from a qualified engineer.

-
- g. Plans/reports demonstrating the details in accordance with the recommendations and proposed mitigation measures of the Environmental Impact Study, Addendum and subsequent Response letter:
 - i. Plans/reports demonstrating the details of the proposed wetland, including a supporting feature-based water balance if necessary, as per the approved EIS and to the satisfaction of CVC.
 - ii. Plans/reports demonstrating the details of the proposed drainage feature enhancement as per the approved EIS and to the satisfaction of CVC.
 - iii. Fulfilling all requirements for the issuance of a permit pursuant to Ontario Regulation 160/06 for any proposed modifications and enhancements in the drainage feature and wetland creation.
 - h. Satisfactory landscape plans for offsetting/mitigation plantings to be implemented as approved by the Town and CVC.
 - i. A monitoring program on groundwater conditions/base flow contributions including but not limited to:
 - i. Continuous monitoring to determine the high seasonal groundwater elevations on site, particularly at the locations of the SWM Pond Block and in the location of the proposed wetland creation.
 - ii. A schedule for monitoring during and for a defined period after construction.
43. The Owner is to obtain all necessary permits for development within the CVC Regulated Area in accordance with Ontario Regulation 160/06.
44. Prior to the registration of any phase of the plan, the following information will be prepared to the satisfaction of the Town and CVC:
- a. Plans/reports demonstrating the details of the proposed trails within or adjacent to the NHS, including fulfilling all of the requirements for the issuance of a permit pursuant to Ontario Regulation 160/06.
 - b. That prior to final approvals written correspondence from qualified professional(s) be provided confirming that the stormwater management facilities and associated mitigation measures required by the approved FSR and/or SWM Implementation Report have been constructed and operational as per the approved design including the operation of the pond liner, berms, and proposed earthworks have been built as per design of the geotechnical engineer.

- c. That the Engineering Servicing Agreement between the Owner and the Municipality contain provisions, wherein the Owner agrees to:
 - i. Carry out the works noted in Conditions #39 through 43 above.
 - ii. That a Warning Clause be included in the Agreements of Purchase and Sale advising that the future landowners of Lots abutting the NHS (Block 28) and SWM (Block 26) that the adjacent public land will remain as a low maintenance environment.
 - iii. That a Homeowner's Factsheet describing the benefits of some landscape naturalization for lots backing onto the NHS, as an educational tool to promote enhancement, be completed and included as part of the Purchase of Sale Agreement prior to closing.

Plan Modifications and Conveyances

45. That prior to final approval, the Owner shall dedicate all lands to be conveyed to the Town free of charge and with clear title (free and clear of encumbrances) and any necessary easements. A Certificate of Title shall be provided in a form satisfactory to the Town:
 - a. That the Street "A", Street "B", Street "C", Street "D" and Street "E" road allowances be conveyed to the Town as delineated on the plan in a condition to the satisfaction of the Town.
 - b. That the final Plan be modified to provide 0.3m reserves along:
 - i. the flankages (i.e. exterior side lot lines) of Blocks 7 to 19; and
 - ii. the frontages and flankages of Blocks 20, 21, 22 and 23 on Streets "A", "B" and "C" and Hansen Boulevard;

to ensure that the Municipality controls the access to those Blocks and that the 0.3 metre reserves be conveyed to the Town in a condition satisfactory to the Town.
 - c. That any other 0.3 metre reserves, as may be required by the Town upon the review of the engineering drawings, be shown on the final Plan and conveyed to the Town in a condition satisfactory to the Town.
 - d. That any daylight triangles, as may be required by the Town upon the review of the final engineering drawings, be shown on the final Plan and conveyed to the Town in a condition satisfactory to the Town.
 - e. That the Owner agrees, in the subdivision agreement, to provide access easements adjacent to the end row house units on Blocks 1 to 17 inclusive,

in favour of the owners/occupants of the interior units of each respective block, and in favour of all units in the respective blocks across the rear of said blocks.

- f. That the Owner convey to the Town all parkland (Blocks 24 and 25), open space (Block 27), Natural Heritage System (Block 28) as delineated on the Plan in a condition satisfactory to the Town.

Utilities

46. That the Owner will make satisfactory arrangements with Bell Canada, Rogers Communications, Enbridge Gas and Orangeville Hydro, and all applicable public utilities, to ensure the appropriate utility distribution and servicing of this development including the provision of any easements required by the Town to accommodate the servicing.

Display Mapping

47. The Owner agrees, in the subdivision agreement, that prior to executing any offer of purchase and sale with prospective purchasers, the Owner shall prepare and prominently display or cause to be displayed, a plan on a wall of the sales office, to the satisfaction of the Town, showing the following information:

For the Lands within the Plan

- a. All lots or blocks in a colour coded form that identify all land use types in their respective locations;
- b. The identification and location of all surrounding land uses, both existing and as designated/proposed in accordance with the Town's planning documents;
- c. those lots or blocks that are the subject of specific recommendations in the approved noise report, i.e. relating to noise attenuation measures and/or warning clauses;
- d. the type, location and material of all required fencing and noise attenuation features;
- e. all sidewalks and trailways;
- f. on-street parking provision for all roads;
- g. The location of all stormwater management and infiltration measures situated on private lots;
- h. the location or potential location of all Community Mailboxes;

- i. all regulatory and/or traffic control signage;
- j. the following statement in **BOLD CAPITAL TYPE**

**THIS MAP IS BASED ON INFORMATION AVAILABLE AS OF ___date
AND MAY BE REVISED WITHOUT NOTIFICATION TO PURCHASERS.**

**CONSTRUCTION OF HOMES (EXCLUDING MODEL HOMES) CANNOT
COMMENCE UNTIL THIS PLAN OF SUBDIVISION HAS BEEN
REGISTERED AND BUILDING PERMITS HAVE BEEN ISSUED**

For all lands within 100 metres of the subdivision

- k. any existing or proposed open space, park or stormwater management blocks and trailways;
 - l. the land use designation of lands in accordance with the Town's Official Plan;
 - m. any major easements (i.e. Hydro corridors, Trans Canada Pipelines, etc.); and,
 - n. any arterial and collector roads including the number of lanes and bicycle lanes.
48. In the alternative, if a sales office does not exist, the Owner shall provide evidence that the Sales Office Plan has been included in promotional advertising material (i.e. brochures, websites, etc.), to the satisfaction of the Town.
49. That the Owner agrees, in the subdivision agreement, that it will update or cause to be updated, the Display Plan, at its expense, from time to time, as conditions change and as required by the Town, and will submit the revised plan to the Town for prior approval.
50. The Owner agrees, in the subdivision agreement, to prominently display or cause to be displayed an above-ground utility plan on a wall of the sales office, once finalized and signed by the GMIS showing the locations of all catch basins, hydro transformers, utility boxes, street lights and fire hydrants within the subdivision.

Block Identification

51. That prior to final approval of the Plan, the Owner shall install a sign to be not less than 1.2 metres by 1.2 metres on all parkland, open space, high density residential, medium density residential, and stormwater management facility blocks, to clearly advise of the future use and function of these blocks, to the satisfaction of the Town and at locations to be determined by the Town. A clause shall be included in the Subdivision Agreement stating that the Owner shall maintain these signs in good condition until such time as the land is developed.

Warning Clauses

52. The Owner agrees to include the following warning clauses in on all offers of purchase and sale for lots within this plan:
- a. "The purchaser and/or tenant(s) acknowledges that mail delivery to this lot will be provided from a Community Mailbox, to be located [*describe location by municipal address and reference to a lot or block number*].
 - b. "The purchaser and/or tenant(s) acknowledges that the Town will, by By-law, prohibit parking on both sides of Street "A" and "B" (or as to be named on the final Plan) and in proximity to all street corners in accordance with the By-law. Parking will be prohibited on one side of the street for all other street areas within this plan of subdivision. Generally, parking is prohibited on the side of the street that has fire hydrants."
 - c. "The purchase and/or tenant(s) acknowledges that the Town will construct and install traffic signals at the intersection of Street A and Hansen Boulevard and that the signals will include Accessible Pedestrian Signals that will have audible instructions for pedestrians that are visually impaired".
 - d. "The purchaser and/or tenant(s) acknowledges that street tree planting is a requirement of the subdivision agreement and trees are planted on the public boulevard in accordance with the approved street tree planting plan. The Town will not accept requests for changes to tree species types or the elimination of a street tree. Utility locations, setbacks and driveway locations may reduce the number of street trees planted on the municipal boulevard to avoid conflicts with public utilities."
 - e. "The purchaser and/or tenant(s) acknowledges that parking is not permitted on the public sidewalk, and accordingly, the location of the sidewalk in front of the property, if applicable may preclude two vehicles from parking end to end between the curb and the house."
 - f. "The purchaser and/or tenants acknowledge that Town owned natural features and storm water treatment facilities will be left in a naturally vegetated condition and will receive minimal maintenance. Uses such as private picnic, barbeque or garden areas; storage of materials and/or dumping of refuse or ploughed snow; cutting or removal of vegetation are not permitted on these lands. In addition, direct access to Town owned natural features and stormwater management facilities through such means as private rear yard gates is prohibited"
53. The Owner agrees to include in all offers of purchase and sale of residential lots within this plan, information to the satisfaction of the Town and Credit Valley Conservation related to the stormwater management design, including low impact

development (LID) measures within the Plan.

54. The Owner agrees to include in all offers of purchase and sale of residential lots within this plan until the permanent separate elementary school for the area has been completed the following warning clauses:

“Whereas, despite the best efforts of the Dufferin-Peel Catholic District School Board, sufficient accommodation may not be available for all anticipated students from the area, you are hereby notified that students may be accommodated in temporary facilities and/or bussed to a school outside of the neighbourhood, and further, that students may later be transferred to the neighbourhood school.”

“That the purchasers agree that for the purposes of transportation to school, the residents of the subdivision shall agree that children will meet the bus on roads presently in existence or at another place designated by the Dufferin-Peel Catholic District School

Urban Design and Architectural Control

55. That the Owner agrees, in the subdivision agreement, to incorporate and implement the content of the reports prepared by John G. Williams Limited, Architect, entitled “Orangeville Highlands – Phase 2 Urban Design Brief”, dated April 16, 2019 and “Response to 3rd Submission Review Comments (Urban Design Brief)”, dated December 4, 2019 (the “Urban Design and Built Form Guidelines”) in the detailed design process with respect to matters including but not limited to: streetscape design criteria; landscape elements and location; gateway elements; stormwater management facility; open space network and parks, as well as architectural design criteria including building siting, massing and form, architectural elements, priority lot dwellings and other design issues unique to the proposed development and necessary mechanisms for their implementation, to the satisfaction of the Town.
56. That the Owner agrees, in the subdivision agreement, to hire a Control Architect, at the Owner’s expense, to review and approve all design elements to ensure compliance with the architectural, streetscape and landscape design guidelines in accordance with the Urban Design and Built Form Guidelines. The Owner or builder(s) shall submit plans, elevations, details, landscape drawings and any other required documents to the Control Architect in sufficient detail to assess compliance. The selection of the Control Architect shall be subject to the approval of the Town’s Manager of Planning, or their designate. The Town reserves the right to replace the Control Architect at its sole discretion, should inadequate review and enforcement by the Control Architect become evident. The provisions of the Control Architect review process will be specified in the subdivision agreement, or any other agreement with the Owner as may be appropriate, consistent with the Implementation recommendations of the Urban Design and Built Form Guidelines.

57. That the Owner agrees, in the subdivision agreement, that building permit applications will not be accepted and building permits will not be issued by the Town without certification by the Control Architect, to the satisfaction of the Town that the Architectural Design Review, as set out in the Urban Design and Built Form Guidelines, has been complied with.

Canada Post

58. That the Owner will consult with Canada Post to determine suitable locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans.
59. The Builder/Owner/Developer will confirm to Canada Post that the final secured permanent locations for the Community Mailboxes will not be in conflict with any other utility; including hydro transformers, bell pedestals, cable pedestals, flush to grade communication vaults, landscaping enhancements (tree planting) and bus pads.
60. The Owner will install concrete pads at each of the Community Mailbox locations as well as any required walkways across the boulevard and any required curb depressions for wheelchair access as per Canada Post's concrete pad specification drawings.
61. The Owner will agree to prepare and maintain an area of compacted gravel to Canada post's specifications to serve as a temporary Community Mailbox location. This location will be in a safe area away from construction activity in order that Community Mailboxes may be installed to service addresses that have occupied prior to the pouring of the permanent mailbox pads. This area will be required to be prepared a minimum of 30 days prior to the date of first occupancy.
62. The Owner will communicate to Canada Post the excavation date for the first foundation (or first phase) as well as the expected date of first occupancy.
63. The Owner agrees, prior to offering any of the residential units for sale, to place a "Display Map" on the wall of the sales office in a place readily available to the public, which indicates the location of all Canada Post Community Mailbox site locations, as approved by Canada Post and the Town of Orangeville.
64. The Owner agrees to include in all offers of purchase and sale, a statement advising the prospective new home purchaser that mail delivery will be from a designated Community Mailbox, and to include the exact locations (list of lot #s) of each of these Community Mailbox locations and further, advise any affected homeowners of any established easements granted to Canada post.
65. The Owner/Developer will be responsible for officially notifying the purchasers of the exact Community Mailbox locations prior to the closing of any home sales with

specific clauses in the purchase offer, on which the homeowners will sign off.

Rogers Communications Inc.

66. Prior to registration of the plan of Subdivision, the Developer/Owner will, at its own cost, grant all necessary easements and maintenance agreements required by those CRTC-licensed telephone companies and broadcasting distribution companies intending to serve the Subdivision (collectively, the "Communications Service Providers"). immediately following registration of the Plan of Subdivision, the Developer/Owner will clause these documents to be registered on title.
67. Prior to registration of the plan of Subdivision, the Developer/Owner will, with consultation with the applicable utilities and Communications Service Providers prepare an overall utility distribution plan that shows the locations of all utility infrastructure for the Subdivision, as well as the timing and phasing of installation.

Enbridge Gas Distribution Inc.

68. Enbridge Gas Distribution requests that the following conditions be included in the subdivision agreement:
 - a. The Owner is responsible for preparing a composite utility plan that allows for the safe installation of all utilities, including required separation between utilities.
 - b. Streets are to be constructed in accordance with composite utility plans previously submitted and approved by all utilities.
 - c. The Owner shall grade all road allowances to as close to final elevation as possible, provide necessary field survey information and all approved municipal road cross sections, identifying all utility locations prior to the installation of the gas piping.
 - d. It is understood that the natural gas distribution system will be installed within the proposed road allowance. In the event that this is not possible, easements will be provided at no cost to Enbridge Gas Distribution Inc.
69. The applicant shall contact Enbridge Gas Distribution's Customer Connections department by emailing SalesArea20@enbridge.com for service and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping (including, but not limited to: tree planting, silva cells, and/or soil trenches) and/or asphalt paving.

If the gas main needs to be relocated as a result of changes in the alignment or grade of the future road allowances or for temporary gas pipe installations pertaining to phase construction, all costs are the responsibility of the applicant.

70. In the event a pressure reducing regulator station is required, the applicant is to provide a 3 metre by 3 metre exclusive use location that cannot project into the municipal road allowance. The final size and location of the regulator station will be confirmed by Enbridge Gas Distribution's Customer Connections department. For more details contact SalesArea20@enbridge.com.

Upper Grand District School Board

71. The Owner agrees that Education Development Charges shall be payable prior to the issuance of a building permit.
72. The Owner agrees to provide the Upper Grand District School Board with a digital file of the plan of subdivision in either ARC/INFO export or DWG format containing parcel fabric and street network.
73. The Owner shall agree in the subdivision agreement that adequate sidewalks, lighting and snow removal (on sidewalks and walkways) will be provided to allow children to walk safely to school or to a designated bus pickup point.
74. The Owner and the Upper Grand District School Board reach an agreement regarding the supply and erection of a sign (at the developer's expense and according to the Board's specifications) affixed to the permanent development sign advising prospective residents about schools in the area.
75. The developer shall agree in the subdivision agreement to advise all purchasers of residential units and/or renters of same, by inserting the following clause in all offers of Purchase and Sale/Lease.
76. "In order to limit liability, public school buses operated by the Service de transport de Wellington-Dufferin Student Transportation Services (STWDSTS), or its assigns or successors, will not travel on privately owned or maintained right-of-ways to pick up students, and potential busing students will be required to meet the bus at a congregated bus pick-up point."

Dufferin-Peel Catholic District School Board

77. That the applicant shall agree in the development and/or servicing agreement or condominium declaration to include the following warning clauses in all offers of purchase and sale of residential units:
78. "Whereas, despite the best efforts of the Dufferin-Peel Catholic District School Board, sufficient accommodation may not be available for all anticipated students from the area, you are hereby notified that students may be accommodated in temporary facilities and/or bussed to a school outside of the neighbourhood, and further, that students may later be transferred to the neighbourhood school."; and
79. "That the purchasers agree that for the purpose of transportation to school, the

residents of the subdivision shall agree that children will meet the bus on roads presently in existence or at another place designated by the Board."

Clearances

80. Prior to the registration of the final plan, clearance will be required from the following agencies to indicate that their conditions have been satisfied:

AGENCY	CONDITIONS
Bell Canada	46
Canada Post	58 to 65
Credit Valley Conservation	39 to 44
Dufferin-Peel Catholic District School Board	77 to 79
Enbridge Gas Distribution Inc.	46, 68 to 70
Ministry of Tourism, Culture and Sport	8 and 9
Orangeville Hydro	46
Rogers Communications Inc.	46, 66 and 67
Upper Grand District School Board	71 to 76