

Local Planning Appeal Tribunal
Tribunal d'appel de l'aménagement
local



ISSUE DATE: June 25, 2018

CASE NO(S): PL171189

The Ontario Municipal Board (the "OMB") is continued under the name Local Planning Appeal Tribunal (the "Tribunal"), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

PROCEEDING COMMENCED UNDER subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: Subject:	Orangeville Highland Limited Et Al Request to amend the Official Plan - Failure of the Town of Orangeville to adopt the requested amendment
Existing Designation:	"Open Space", "Medium Density Residential", "Open space Conservation", "Open space Recreation"
Proposed Designated: Purpose:	Site specific- to be determined To permit redevelopment and intensification of the subject site for a residential community
Property Address/Description: Municipality:	Part of East Half Lot 3, Concession 2 WHS Town of Orangeville
Approval Authority File No.:	OPZ 5/10
OMB Case No.:	PL171189
OMB File No.:	PL171189
OMB Case Name:	Orangeville Highland Limited Et Al vs. Orangeville (Town)

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: Subject:	Orangeville Highland Limited Et Al Application to amend Zoning By-law No. 22 - 90 - Refusal or neglect of the Town of Orangeville to make a decision
Existing Zoning:	Development "D"
Proposed Zoning: Purpose:	Site specific – to be determined To permit redevelopment and intensification of

Property Address/Description: the subject site for a residential community
 Part of East Half Lot 3, Concession 2 WHS
 Municipality: Town of Orangeville
 Municipality File No.: OPZ 5/10
 OMB Case No.: PL171189
 OMB File No.: PL171190

PROCEEDING COMMENCED UNDER subsection 51(34) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: Orangeville Highland Limited Et Al
 Subject: Proposed Plan of Subdivision - Failure of the
 Town of Orangeville to make a decision
 Purpose: To permit redevelopment and intensification of
 the subject site for a residential community
 Property Address/Description: Part of East Half Lot 3, Concession 2 WHS
 Municipality: Town of Orangeville
 Municipality File No.: S1/10
 OMB Case No.: PL171189
 OMB File No.: PL171191

Heard: June 4, 2018 in Orangeville, Ontario

APPEARANCES:

Parties

Counsel/Representative*

Orangeville Highland Limited <i>Et Al</i>	Michael McQuaid
Town of Orangeville	Andrew Biggart
Credit Valley Conservation Authority	Josh Campbell*

**MEMORANDUM OF ORAL DECISION DELIVERED BY RICHARD JONES ON
 JUNE 4, 2018 AND ORDER OF THE TRIBUNAL**

PREHEARING CONFERENCE

[1] This was the first Pre-hearing Conference held in connection with appeals by Orangeville Highland Limited *Et Al* ("Applicant"/Appellant) the owner of lands located on

the north side of Hansen Boulevard, west of the Orangeville Mall, and east of Lisa Marie Drive (“Subject Property”). The Subject Property consists of 17.96 hectares.

[2] Applications for Official Plan Amendment (“OPA”), Zoning By-law Amendment (“ZBA”) and Plan of Subdivision approval were submitted to the Town of Orangeville (“Town”) approximately eight years ago and were later appealed pursuant to s. 22(7), 34(11) and 51(34) of the *Planning Act*, due to the failure of the Town to make decisions on the matters.

[3] The Subject Property is currently designated “Open Space”, “Medium Density Residential” “Open Space Conservation” and “Open Space Recreation”. The OPA proposes to amend these designations in accordance with the proposed subdivision layout.

[4] The Subject Property is currently zoned “D” and the ZBA proposes to implement zone changes consistent with the plan of subdivision which proposes townhouses and apartment units for a total of approximately 545 units. Additional lands have been set aside for parks, conservation and storm management purposes.

[5] Mr. McQuaid, counsel for the Applicant, informed the Tribunal that revised draft plans with supporting documentation had just been deposited with the Town. Mr. Biggart, Town solicitor, responded that Town’s limited staff resources and a forthcoming municipal election this autumn may entail that a public meeting is not held until September, and further delay the receipt of Council instructions pursuant to the revised applications until early 2019.

[6] With consent of the parties, The Credit Valley Conservation Authority, represented by Senior Planning Manager, Josh Campbell was approved for party status.

[7] Furthermore, with the consent of the parties, nearby neighbours: Trish Spaulding, Phil Gallant, Marcelline Pascal, Ivan Koldsgaard, David Lyver, Angela Banks, Joan

Cervoni, Larry Cervoni, Dorothy Pedersed and Ben Cressman were granted participant status.

[8] Based on the discussions at the PHC, the Tribunal orders that the second Pre-hearing Conference is scheduled for **Tuesday, February 26, 2019 starting at 10 a.m.**

**Council Chambers
Orangeville Municipal Building
87 Broadway
Orangeville, ON**

This Pre-hearing Conference is intended to finalize the Procedural Order and Issues list in reference to the revised package of submissions, and other matters which may arise between now and next February. This member is not seized and no notice of the forthcoming second Pre-hearing Conference is required.

“Richard Jones”

RICHARD JONES
MEMBER

If there is an attachment referred to in this document,
please visit www.elto.gov.on.ca to view the attachment in PDF format.

Local Planning Appeal Tribunal

A constituent tribunal of Environment and Land Tribunals Ontario
Website: www.elto.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248