



THE CORPORATION OF THE TOWN OF ORANGEVILLE

BY-LAW NUMBER 131 - 2001

BEING A BY-LAW TO AMEND BY-LAW 22-90, AS AMENDED (Fairgrounds Shopping Centre Ltd., OPZ 10/00).

**WHEREAS** on October 29, 2001, Council held a public meeting with respect to Official Plan and Zoning Amendment Application OPZ 10/00;

**AND WHEREAS** on December 10, 2001, Council approved the application;

**BE IT THEREFORE ENACTED** by the Municipal Council of the Corporation of the Town of Orangeville as follows:

1. Zoning Maps A4 and B4 of Schedule "A" of By-law 22-90, as amended, is hereby amended in accordance with Schedule "A" hereto.
2. Subsection 24.83 is hereby amended by deleting the opening clause and substituting the following therefor:

"Notwithstanding the provisions of the General Commercial (C1) Zone, and the Open Space Recreation (OS1) Zone, the following provisions shall apply to the lands shown on Schedule "A" as C1 S.P. 24.83 and C1(H) S.P. 24.83, referred to herein as "the Section 24.83 Commercial lands" and, OS1 S.P. 24.83."
3. Subsection 24.83(1) is amended by deleting the definition of "Floor Area, Gross Leasable" and adding the following definition:

"FLOOR AREA, GROSS" means the total area of all of the floors in a *building* above or below *grade*, measured from the outside of the exterior walls but excluding car parking areas, loading areas and storage areas within the *building*."
4. Subsection 24.83(2) is hereby amended by deleting the opening clause and substituting the following therefor:

"The uses permitted on the Section 24.83 Commercial lands shall comprise a *shopping centre* within which may be located the following:"
5. Subsection 24.83(2)(c)(v) is hereby amended by deleting "a bowling alley" and by substituting "a *medical centre*" for "a medical clinic".
6. Subsection 24.83(2)(d) is hereby amended by deleting "a building supply outlet", "a candy shop", "a drug store", "a florist", "a frozen food store", "a hardware store" and, "an ice cream shop".
7. Subsection 24.83(4) is deleted and replaced with the following:

"4) The permitted uses listed in subsection 2) above are subject to the gross floor area restrictions contained in the "Table of Floor Space Restrictions – Section 24.83 Commercial lands" and accompanying Notes.

**Table of Floor Space Restrictions – Section 24.83 Commercial Lands**

<b>Use/Category</b>	<b>Minimum Gross Floor Area</b>	<b>Maximum Gross Floor Area</b>
a) <i>Mass General Merchandise Store</i>	Not applicable	9,855 square metres
b) <i>Home and Automotive Supply Store</i>	Not applicable	9,365 square metres
c) Service Commercial and Office i <i>financial establishments</i> <sup>1</sup> ii <i>eating establishments</i> <sup>2</sup> iii <i>offices</i> iv <i>specified personal services</i> <sup>3</sup> v <i>other service commercial</i> <sup>4</sup> ----- - Total of (i) to (v) inclusive	Not applicable See Note 2 Not applicable Not applicable See Note 4	1,095 square metres no specific limit 930 square metres 695 square metres no specific limit ----- 7,900 square metres
d) <i>Other Retail Commercial</i> <sup>5</sup>	Not applicable	6,375 square metres
e) <i>Supermarket</i>	Not applicable	5,620 square metres
<b>TOTAL</b>	Not applicable	39,115 square metres

Notes

1. There shall be a maximum of two *financial establishments* on the Section 24.83 Commercial lands and the lands that are subject to Section 24.82 hereof.
2. "Eating Establishments" are those uses listed in subsection 2) c) ii) hereof. No more than 4 eating establishments, other than a *fast food outlet*, may have a *gross floor area* of less than 465 square metres.
3. "Specified Personal Services" are those uses listed in subsection 2) c) iv) hereof.
4. "Other Service Commercial" uses are those uses listed in subsection 2) c) v) hereof. No more than 5 units devoted to such uses may have a *gross floor area* of less than 232 square metres.
5. "Other Retail Commercial" uses are those uses listed in subsection 2) d) hereof. The following restrictions apply in the aggregate to the Section 24.83 Commercial lands and the lands that are subject to Section 24.82 hereof:
  - (a) a maximum of 5 units may have a *gross floor area* of less than 465 square metres;
  - (b) a maximum of 2 of the 5 units noted in subsection (a) may have a *gross floor area* of less than 232 square metres.
  - (c) a minimum of 1(one) retail store shall have a minimum *gross floor area* of 1,394 square metres."
8. Subsection 24.83(5) is deleted and replaced with the following:
  - "5) "The "holding" symbol that is applicable to a portion or portions of the Section 24.83 Commercial lands shall be removed when Council is satisfied that the following requirements have been met:
    - a) that a site plan has been submitted and approved for the development for which there is an application to remove the "holding" symbol;
    - b) with respect to any development of the Section 24.83 Commercial lands that would result in the aggregate size of the development on the subject lands exceeding 35,100 square metres of *gross floor area*, that adequate transportation capacity is available or will be available to accommodate the proposed uses in the development or portion thereof for which an application is made to remove the "holding" symbol; and,

c) that there is sufficient water supply and sewage treatment capacity to service the development.”

9. Subsection 24.83(6) is deleted and replaced with the following:

“6) Until the “holding” symbol is removed from the Section 24.83 Commercial lands or a portion thereof, the uses permitted on that portion of the Section 24.83 Commercial lands shall be restricted to those uses existing as of December 10, 2001.”

10. Subsection 24.83(7) is amended by adding the following subsection and renumbering existing subsection 24.83(7)(d) as subsection 24.83(7)(e):

“d) minimum *building* setback from the southerly *lot line* abutting the lands subject to Section 24.82 hereof shall be 0 (zero) metres.”

11. Subsection 24.83 is amended by adding the following subsection 24.83(12):

“12) Notwithstanding the provisions of Section 5.17(2) and Section 24.83(9) hereof, the parking spaces required for that portion of the Section 24.83 Commercial lands that lies south of Fifth Avenue shall be provided in a *parking area* located on the portion of the Section 24.83 Commercial lands that lies south of Fifth Avenue or on the lands that are subject to Section 24.82 hereof.”

READ THREE TIMES AND FINALLY PASSED IN OPEN COUNCIL THIS 10TH DAY OF DECEMBER, 2001.

  
DREW BROWN, MAYOR

  
CHERYL JOHNS, CLERK

