



Agenda

Heritage Orangeville Committee Meeting

Thursday, June 17, 2021, 7:00 p.m.

Chair and Secretary Participating Remotely

The Corporation of the Town of Orangeville

NOTICE

Due to efforts to contain the spread of COVID-19, the Council Chambers at Town Hall will not be open to the public to attend Heritage Orangeville meetings until further notice.

Prior to the meeting, written comments may be sent to the Secretary of the Heritage Orangeville Committee by email at ckhan@orangeville.ca. Such written comments will become part of the public record.

Members of the public may access the meeting on the above-noted date and time by telephone at:

[+1 289-801-5774, 424247834#](tel:+12898015774424247834) Canada, Brampton

Phone Conference ID: 424 247 834#

Please note that your full name and comments will be part of the public record and will be included in the minutes of the meeting.

Accessibility Accommodations

If you require access to information in an alternate format, please contact the Clerk's division by phone at 519-941-0440 x 2256 or via email at clerksdept@orangeville.ca

	Pages
1. Call to Order	
2. Disclosures of (Direct or Indirect) Pecuniary Interest	
3. Adoption of Minutes of Previous Meeting	3
Recommendations:	
That the minutes of the following meeting are approved:	
4. Presentations	
4.1. Mr. Jon Hack, Director and Ms. Lindsay Cudmore, Consultant, Sierra Planning and Management – Community Improvement Plan	8
4.2. Mr. James Dymont, President, Municipal Planning Consultants Inc - 60-62 Broadway Design Options	10
5. Items for Discussion and Reports	
5.1. 2022 Heritage Calendar	
5.2. 3 Amanda Street	

5.3.	Memo from Brandon Ward, Manager, Planning - Heritage Orangeville Member Appointment	23
6.	Facade Improvement Applications	
6.1.	Facade Grant Application - Update - 7 Mill Street	31
7.	Correspondence	
7.1.	Boulevard Cafes - Approval Letters	32
7.2.	Residential Demolition Permit Application, 14 William Street - Update	41
8.	New Business	
9.	Date of Next Meeting	
	The next meeting is scheduled for Thursday July 22nd.	
10.	Adjournment	



Minutes of Heritage Orangeville

May 13, 2021, 7:00 p.m.

Chair and Secretary Participating Remotely
The Corporation of the Town of Orangeville

Members Present: Councillor D. Sherwood
L. Addy
L. Banks
M. Hauck
G. Sarazin
M. Beattie

Staff Present: B. Ward, Manager of Planning
A. Graham, Secretary
B. Ewald

1. Call to Order

The Chair called the meeting to order at 7:01 p.m.

2. Disclosures of (Direct or Indirect) Pecuniary Interest

3. Adoption of Minutes of Previous Meeting - Not Applicable

4. Presentations

5. Items for Discussion and Reports

5.1 Comments from Bruce Ewald, Chief Building Official - Demolition of Dwelling - 14 William Street

Bruce Ewald, CBO presented to the Committee his observations and professional opinion from his visit to 14 William Street, in which he conducted a thorough inspection.

In his opinion the structure of this building, starting with foundation and to the roof is in very poor condition. A considerable amount of brick has been stuccoed and painted because the clay brick deteriorated badly. Mr. Ewald stated that previous repair work has not been done properly as the wood framing is substandard with significant rot in the floor joists. In his professional view, the dwelling cannot be restored to its original condition.

Recommendation: 2021-024

Moved by G. Sarazin

That the Committee approve the demolition at 14 William Street.

Carried Unanimously

6. Facade Improvement Applications

- 7. Correspondence**
- 8. New Business**
- 9. Date of Next Meeting**
- 10. Adjournment**

The meeting adjourned at 7:13 p.m.



Minutes of Heritage Orangeville

May 20, 2021, 7:00 p.m.

Chair and Secretary Participating Remotely
The Corporation of the Town of Orangeville

Members Present: Councillor D. Sherwood
L. Addy
L. Banks
M. Hauck
G. Sarazin
Mike Beattie

Staff Present: B. Ward, Manager of Planning
A. Graham, Secretary

1. **Call to Order**
2. **Disclosures of (Direct or Indirect) Pecuniary Interest**
3. **Adoption of Minutes of Previous Meeting**

Recommendation: 2021-025

Moved by M. Hauck

That the minutes of the following meeting are approved:

Carried Unanimously

4. **Presentations**

4.1 **Lynda Addy, Designation and Non-Designation - Roles of the Committee and Council**

This item was presented after item 5.1. Lynda Addy outlined the reasons designation is important and how by using that process the Committee can protect heritage buildings.

Councillor Sherwood asked the Committee to keep in mind designating other areas of interest, such as Little York Street and appealing to Council for their inclusion to the Heritage Conservations District as a part five, thus providing those areas with more protection.

5. **Items for Discussion and Reports**

5.1 **Memo from Brandon Ward, Senior Planner - 41 William Street - Application for Zoning By-law Amendment**

The applicants previously submitted an application for mulit-dwelling buildings. This new submission is scheduled to have a public meeting on June 7th, 2021 and is therefore being circulated for Committee comments. Councillor Sherwood confirmed that the current proposal will leave the

heritage building untouched. Lynda Addy commented that it was a win for the non-designated building to remain intact. Gary Sarazin voiced concern about the close proximity of the new unit to the heritage structure.

Brandon Ward confirmed that a zoning permit is required for adding a semi-detached dwelling and that it will be more of a townhouse sized product. Special provisions will be required due to the irregular lot line around Hannah Street. It was recommended that the Committee's focus be to dissipate potential heritage impact of the additional building by advocating for a complementary heritage design.

Recommendation: 2021-026

Moved by L. Addy

That the Committee approve Lynda Addy to provide a memo to Planning for Council, which: i) indicates the Committee's support for the existing detached dwelling being preserved within this development proposal; and ii) describes the Committee's desire for the proposed new dwellings to be designed and oriented to complement the existing structure.

Carried Unanimously

6. Façade Improvement Applications

6.1 7 Mill Street - Updated Façade Improvement Grant Application

The applicant was previously approved for \$4700 and would now potentially qualify for a remainder of \$4200 of grant money. The original grant was approved by the Sub-Committee. They are applying again as they were not able to get a contractor and now they would like another evaluation for a change to the intended exterior façade colour. The Committee had no objection to the proposed green paint colour.

Recommendation: 2021-027

Moved by L. Addy

That the Committee approve the grant on the condition that the applicant supply the Committee with and then acquire approval of a specific black paint colour or accept the Committee's suggestion of using Day's End (2133-30) or Deep River (1582) from Benjamin Moore.

Carried

7. Correspondence

7.1 Boulevard Cafe Permits - Approval Letters

There were no new changes to the approvals. Councillor Sherwood noted that the Stay at Home orders still do not permit boulevard cafes.

7.2 CHO Spring Newsletter

Councillor Sherwood commented that the online general meeting is free and will be held via Zoom on the 29th. It was also noted that the newsletter is open for submissions, should any Committee members wish to contribute.

8. New Business

Councillor Sherwood noted that the price for extending the gifts to the OPP would be excessive and thus the Committee elects to verbally extend their gratitude to the former OPS members for being in the 2021 calendar.

Lynda Addy shared that the historical information for 56 Mill Street cannot be verified until the library reopens and thus that particular plaque is on hold.

The Committee discussed the sign for the new medical building and suggested that signs in the Heritage Conservation District be an aspect of the Façade Improvement Grant program as a way of allowing business owners an opportunity to improve their signage with Committee support.

Recommendation: 2021-028

Moved by Councillor Sherwood

That the Committee provide Council with comment on substandard sign at 195 Broadway and that they propose an amendment to the Sign By-law to tighten criteria.

Carried

9. Date of Next Meeting

10. Adjournment

The meeting adjourned at 8:12 p.m.

Town of Orangeville Community Improvement Plan (CIP)

The Town of Orangeville has retained Sierra Planning & Management to consult and prepare a **Community Improvement Plan (CIP)** for **The Town**. Private property owners and businesses can take advantage of the financial incentive programs contained in CIPs to achieve a range of community improvement goals such as improving their property façades and redeveloping property.



In order to tailor the financial incentive programs to meet and address the specific and unique needs of Orangeville, it is important for business and property owners, the public and Council to provide their input. An online survey will be distributed to downtown property owners, businesses, and other key stakeholders, but to ensure you have an opportunity to have your say on the CIP, please send an email to Jon Hack at info@sierraplan.com or give him a call at 416-363-4443 ext. 20.

You can also visit our project webpage at:

<https://www.orangeville.ca/en/town-hall/community-improvement-plan.asp>.

What is a Community Improvement Plan (CIP)?

A Community Improvement Plan (CIP) is a tool available to municipalities under the *Planning Act* to help facilitate revitalization and redevelopment efforts in a defined area(s). To carry out CIPs, municipalities can establish grant, loan and other programs to encourage private sector investment in development and renovation efforts that seek to improve and revitalize areas and achieve local goals and priorities.

CIP Basics

A Community Improvement Plan is focused on private ownership commercial, industrial and residential stock and is a tool available to municipalities under the *Planning Act* to help facilitate revitalization and redevelopment efforts in defined target areas.

Municipalities with community improvement policies in their official plans have the authority under Section 28 of the *Planning Act* to designate a Community Improvement Project Area (CIPA), and to prepare and adopt a Community Improvement Plan (CIP). The definitions of “community improvement,” “community improvement plan,” and “community improvement project area” can be viewed in the sidebar.

Under Section 28(6) of the *Planning Act*, municipalities through the implementation of the CIP have the authority to:

(a) construct, repair, rehabilitate or improve buildings on land acquired or held by it in the community improvement project area in conformity with the community improvement plan, and sell, lease or otherwise dispose of any such buildings and the land appurtenant thereto;

(b) sell, lease or otherwise dispose of any land acquired or held by it in the community improvement project area to any person or governmental authority for use in conformity with the community improvement plan.

In implementing the CIP, municipalities may also provide “grants or loans, in conformity with the community improvement plan, to registered owners, assessed owners and tenants of lands and buildings within the community improvement project area (Planning Act, Section 28(7)).” Eligible costs include those “related to environmental site assessment, environmental remediation, development, redevelopment, construction and reconstruction of lands and buildings for rehabilitation purposes or for the provision of energy efficient uses, buildings, structures, works, improvements or facilities (Planning Act, Section 28(7.1)).”

Section 28 (1.1) Affordable Housing specifically identifies the provision of affordable housing as part of community improvement.

Relevant definitions under Section 28(1) of the Planning Act

“community improvement” means the planning or replanning, design or redesign, resubdivision, clearance, development or redevelopment, construction, reconstruction and rehabilitation, improvement of energy efficiency, or any of them, of a community improvement project area, and the provision of such residential, commercial, industrial, public, recreational, institutional, religious, charitable or other uses, buildings, structures, works, improvements or facilities, or spaces therefor, as may be appropriate or necessary;

“community improvement plan” means a plan for the community improvement of a community improvement project area;

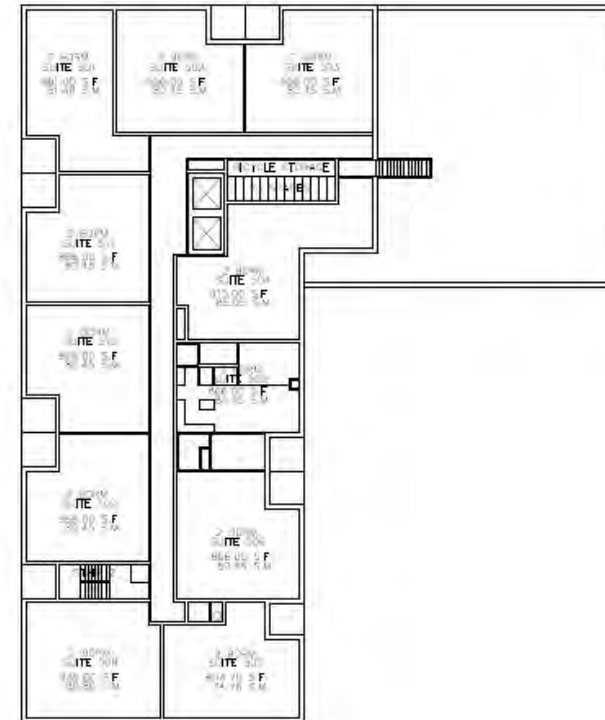
“community improvement project area” means a municipality or an area within a municipality, the community improvement of which in the opinion of the council is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason. R.S.O. 1990, c. P.13, s. 28 (1); 2001, c. 17, s. 7 (1, 2); 2006, c. 23, s. 14 (1).



Revised Plan



5 FOURTH FLOOR PLAN



6 FIFTH FLOOR PLAN

SITE PLAN

PAGE 2/2

PROPOSED FEATURES

60 BROADWAY

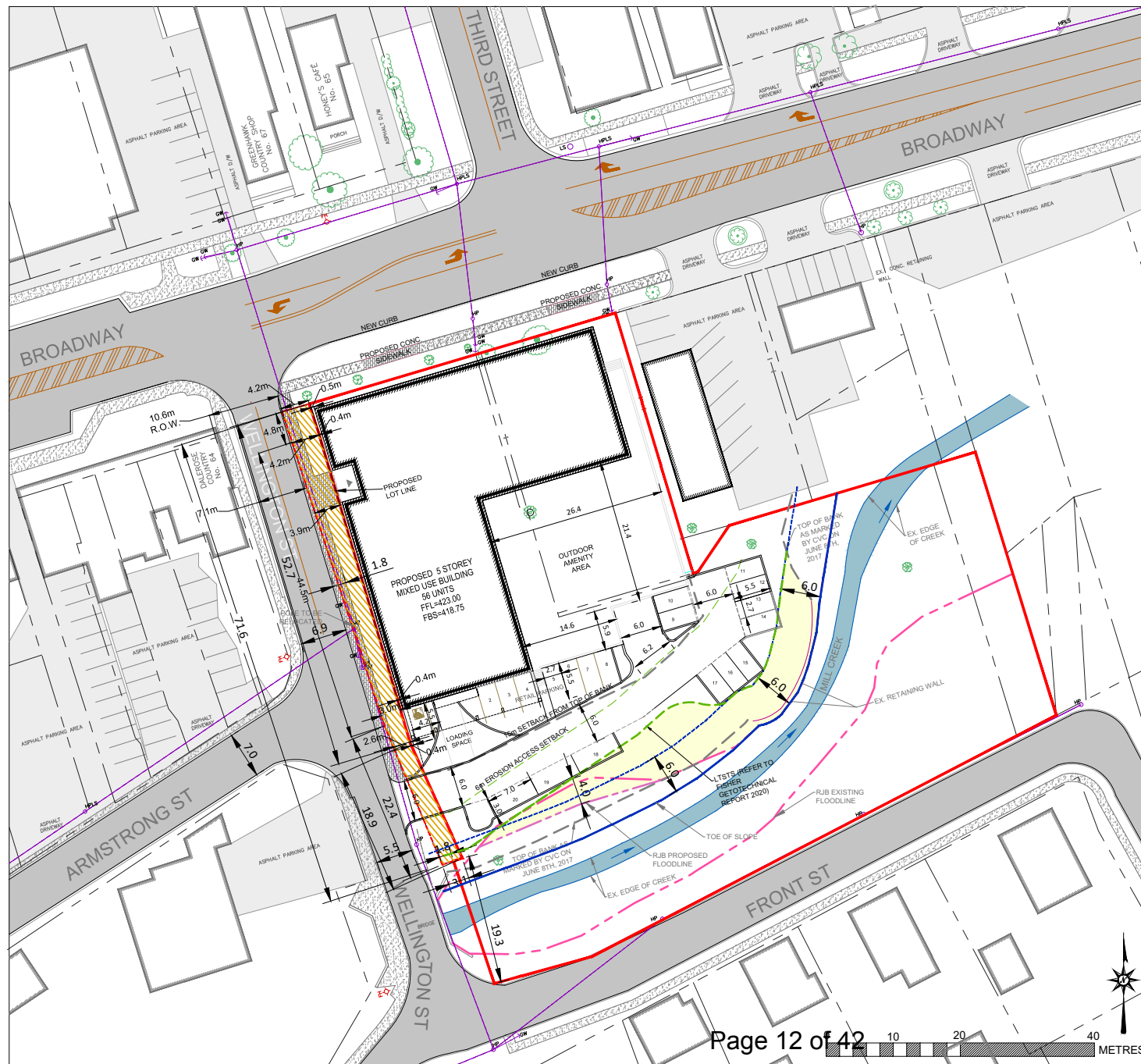
TOWN OF ORANGEVILLE



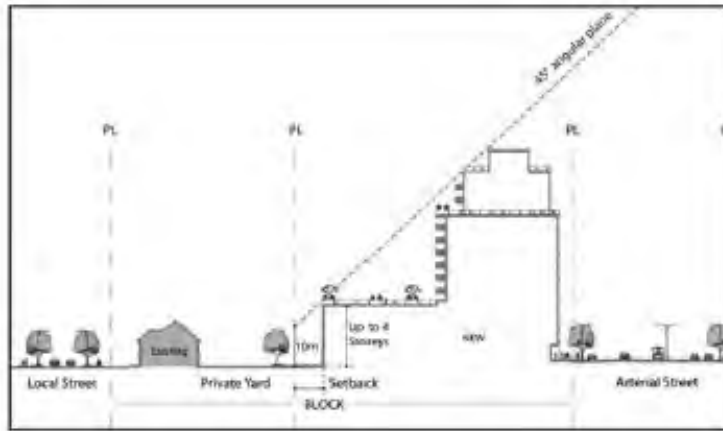
DRAFT
MAY 27, 2021

LEGEND

- SUBJECT PROPERTY
- - - LONG TERM STABLE TOP OF SLOPE (LTSTS, REFER TO FISHER GEOTECHNICAL REPORT 2020)
- - - EXISTING FLOODLINE (RJB)
- - - PROPOSED FLOODLINE (RJB)
- - - TOP OF BANK (CVC, JUNE 8TH 2017)
- TOE OF SLOPE
- 6m FROM TOE OF SLOPE
- - - EXISTING PROPERTY LINE
- EXISTING BUILDING
- EXISTING DRIVEWAY/PARKING LOT
- PUBLIC ROAD WITH MARKINGS
- EXISTING VEGETATION
- EXISTING OVERHEAD WIRE/ HYDRO POLE & GUY WIRE
- EXISTING SIDEWALK
- PROPOSED SIDEWALK
- PROPOSED R.O.W. WIDENING
- STABLE SLOPE
- EXISTING FIRE HYDRANT
- EXISTING EDGE OF CREEK







Woodbridge (Vaughan) Urban Design Guidelines



Markham Urban Design Guidelines



Wellington Street











Drop Predominant Cornice



Burlington Vermont



Rochester New York



Mansard Roof Options





Subject: Heritage Orangeville Member Appointment

Department: Infrastructure Services

Division: Planning

Meeting Date: 2021-06-17

Recommendations

That Heritage Orangeville appoint a member to serve each of the following responsibilities:

- 1. Alternate Reviewer for Boulevard Café Permits**
- 2. Primary Reviewer for Sign Variance and Permits**
- 3. Alternate Reviewer for Clearing Conditions of Demolition Approvals for heritage properties.**

Background and Analysis

At its meeting of September 16, 2020, Heritage Orangeville appointed certain members to various roles and responsibilities with respect to review and comment on planning matters that are processed outside of the Committee's normal meeting schedule. A copy of the various roles and responsibilities for those Committee member appointments is included as Attachment 1.

On January 21, 2021 the Committee appointed certain members to review and provide clearance of heritage-related conditions of demolition approvals for heritage properties. A copy of this memo is included as Attachment 2

With the resignation of Martin Woodhouse from the Committee on March 18, 2020, this left vacancies in certain member roles he had previously served:

- 1. Alternate Reviewer for Boulevard Café Permits**
- 2. Primary Reviewer for Sign Variance and Permits**
- 3. Alternate Reviewer for Clearing Conditions of Demolition Approvals for heritage properties.**

The Committee is therefore requested to re-appoint a member to each of the foregoing roles in order to fill these vacancies.

Strategic Alignment

Orangeville Forward – Strategic Plan

Priority Area: Strong Governance

Objective: Transparent and fair decision-making processes

Sustainable Neighbourhood Action Plan

Theme: Economic Development and Culture

Strategy: Further establish Orangeville's identity through the preservation and expansion of tourism, culture and heritage.

Notice Provisions

Not applicable.

Financial Impact

There are no financial impacts anticipated.

Respectfully submitted

Brandon Ward, MCIP, RPP,
Manager, Planning, Infrastructure Services

Attachment(s): 1. Member-Appointed Roles
2. Demolition Condition Clearance memo

Infrastructure Services

Memo

To: Heritage Orangeville

From: Brandon Ward, Manager of Planning, Infrastructure Services

Subject: **Appointment of Members for Planning Review Sub-Committees**

Date: May 15, 2019

Heritage Orangeville meets on a monthly basis to carry-out its business in fulfilling its mandate. Some of the responsibilities of the Committee include reviewing and commenting on certain planning and permit application processes that relate to heritage matters. The processing of such items often occurs within timeframes that do not align with the monthly meeting schedule of Heritage Orangeville. Because of this, Heritage Orangeville has traditionally appointed Sub-Committees comprised of certain members of Heritage Orangeville who are then responsible for conducting a review and comment on such matters on behalf of the Committee outside of its monthly meeting schedule.

The following provides an outline of the responsibilities of Heritage Orangeville that necessitate the appointment of Sub-Committees in order to fulfil its mandate pursuant to its Terms of Reference and adhere to the processing timeframe expectations of the Town. Included in this outline is an overview of the responsibilities of each corresponding Sub-Committee:

1. **Boulevard Café Permit Application Review Sub-Committee**

1.1 Overview:

The Boulevard Café Permit process allows businesses within the Central Business District (i.e. lands zoned Central Business District in Zoning By-law 22-90, as amended) to operate an outdoor patio within the public boulevard area adjacent to their premises on a seasonal basis. This program is administered by staff pursuant to By-law 41-2003 which states that issuance of a Boulevard Café permit also constitutes approval of a Heritage Permit as it relates to the exterior appearance of the building within the Downtown Heritage Conservation District.

1.2 Responsibilities of Members:

To review and comment on the Boulevard Café permit application with respect to the proposed exterior building site alteration in accordance with the mandate and objectives of Heritage Orangeville and pursuant to the Downtown Orangeville Heritage Conservation District Plan and Guidelines document.

Infrastructure Services

Memo

1.3 Process:

The permit application is submitted to Infrastructure Services staff who then coordinate a review of the application through a circulation (by email) to pertinent internal Division Staff and to the appointed Sub-Committee members for their review and comment.

1.4 Members:

Two (2) representatives from Heritage Orangeville

2. **Downtown Heritage Conservation District Heritage Permit Application Review Sub-Committee**

2.1 Overview:

Within the Downtown Heritage Conservation District (HCD) area, any exterior building alteration proposal that will affect the external appearance of the building requires a heritage permit approval. The heritage permit application review process is administered by the Infrastructure Services Department and the approval authority is delegated to staff through By-law 108-2007. This process requires consultation with appointed members of Heritage Orangeville. The process is to be timely and efficient for applicants and as a result, the intended timeframes for processing heritage permits do not align with the monthly meeting schedule of Heritage Orangeville. The Committee therefore appoints certain members as a Sub-Committee responsible for reviewing and commenting on heritage permit applications outside of the monthly Heritage Orangeville meeting schedule.

2.2 Responsibilities of Members:

To review and comment on heritage permit applications with respect to the proposed exterior building alteration in accordance with the mandate and objectives of Heritage Orangeville and pursuant to the Downtown Orangeville Heritage Conservation District Plan and Guidelines document.

2.3 Process:

The permit application is submitted to Infrastructure Services staff who then coordinate a review of the application through circulation (by email) to the appointed Sub-Committee members for their review and comment.

2.4 Members:

Two (2) representatives from Heritage Orangeville

Infrastructure Services

Memo

3. Downtown Heritage Conservation District Façade Improvement Grant Sub-Committee

3.1 Overview

Orangeville's Downtown Heritage Conservation District Façade Assistance Program has existed since 1998 and serves as an incentive for business owners to preserve and enhance the architectural heritage of buildings within the Central Business District. The program contributes 50% of the cost towards a pre-approved façade renovation, up to \$10,000 (for the lifetime for a particular property). Successful applicants have a timeframe to complete the renovations and must fulfil all conditions applied with the grant approval.

3.2 Responsibilities of Members:

To review and comment on façade improvement grant applications with respect to the proposed exterior building alteration in accordance with the guidelines in the documents entitled "Take a Good Look: Maintaining, Restoring and Constructing Building Facades in Orangeville's Central Business District" and "Downtown Heritage District Façade Assistance Program Grant Details and Application Procedures".

3.3 Process:

The application is submitted to Infrastructure Services staff who then coordinate a review of the application through a circulation (by email) to the appointed Sub-Committee members for their review and comment. The Sub-Committee members will subsequently convene a meeting with the applicant to discuss the application.

3.4 Members:

- 1 Councillor
- 3 existing members of Heritage Orangeville
- 1 Business Improvement Area (BIA) representative
- Manager of Planning

4. Pre-Submission Consultation

4.1 Overview

Proponents intending to submit a planning application for a proposed development/redevelopment are required to engage in pre-submission consultation with Town staff before filing their application submission. Pre-submission consultation allows staff to review the proposed development and advise the proponents of the planning approvals required, submission documentation that will be needed to accompany the application and any other technical issues that will need to be addressed through the submission of the application. This gives proponents a clear understanding of the submission expectations of the Town in order for an application to be reviewed and considered to be a complete submission.

Infrastructure Services

Memo

A proponent may submit an application requesting a pre-submission consultation meeting with Town staff at any time. Upon receipt of the meeting request, together with all required supporting information, staff will arrange the pre-consultation meeting with the proponent within approximately two (2) weeks of receipt of the request. Because these timelines do not align with the monthly Heritage Orangeville meeting schedule, it is necessary for the Committee to appoint a representative to review proposals and attend pre-consultation meetings on its behalf.

4.2 Responsibility of Members

To review the proposal and attend any pre-submission consultation meetings with Town staff and the proponents in order to provide any comments that relate to heritage matters.

4.3 Process

An application requesting a pre-submission consultation meeting is submitted to staff who then circulate the submitted information for review and coordinate the meeting.

4.4 Members

One (1) representative from Heritage Orangeville

Respectfully submitted,

Brandon Ward, MCIP, RPP
Manager, Planning, Infrastructure Services

Infrastructure Services

Memo

To: Heritage Orangeville

From: Brandon Ward, Manager of Planning, Infrastructure Services

Subject: **Appointment of a Committee Member for Clearing Conditions of Demolition Approvals for Properties listed on the Town's Municipal Heritage Register**

Date: January 21, 2021

The Demolition Control policies (Section I16) of the Town of Orangeville Official Plan ("OP") requires Council approval for any residential dwelling demolition. Proponents must submit a residential demolition permit application, which is circulated to pertinent Town Divisions before a recommendation is made to Council for a decision on the application. For properties on the Town's Municipal Heritage Register, the application is also circulated to Heritage Orangeville for their review and comment.

The Town's OP policies state that for properties listed on the Municipal Heritage Register, the Town may require, as a condition of approval of a demolition permit, that the owner:

- a) permit Heritage Orangeville to photograph or otherwise document the existing building prior to demolition;
- b) provide measured floor plan drawings of the building; and
- c) salvage for reuse, any significant architectural artefacts, as identified by Heritage Orangeville, and provide them to the Town or to the Dufferin County Museum (Museum of Dufferin), if requested.

Demolition approvals for residential dwellings on the Town's Municipal Heritage Register typically include the conditions described above. These conditions must be satisfied before the demolition of the property can proceed and proponents must consult with Town staff and Heritage Orangeville to fulfill such conditions. To avoid a process where satisfying such conditions would have to proceed to the next monthly Heritage Orangeville meeting to coordinate a further review and clearance of the Committee, staff is recommending that the Committee appoint two of its members to serve as the primary and alternate contacts responsible for such matters. The appointed member(s) would:

- i) photograph and document the existing building at their discretion (once the applicant has made arrangements for such),
- ii) review any submitted floor plans; and
- iii) identify any building materials or artefacts for salvage or reuse that, in the opinion of the Committee member, are of heritage importance.

Respectfully submitted,

Infrastructure Services

Memo

Brandon Ward, MCIP, RPP
Manager, Planning, Infrastructure Services

HISTORICAL COLOURS ▾

Black
HC-190

♡

COLOUR DETAIL

SEE IN ROOM

Infrastructure Services

May 26, 2021

Philip Welsh
Euphoria Café and Smoothies
154 Broadway
Orangeville, Ontario
L9W 1K3

Dear Mr. Welsh:

**RE: Euphoria Café and Smoothies – 154 Broadway
Boulevard Café Permit**

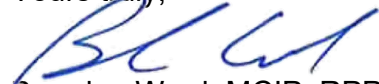
This letter constitutes a Boulevard Café Permit issued in accordance with Town of Orangeville By-laws 41-2003 and 2021-023, and Guidelines for Temporary Outdoor Patios. Approval of this Permit is subject to the conditions contained in the By-laws and Guidelines, attached hereto, as well as the following conditions:

1. The area to which the permit applies is that portion of the Broadway road allowance that is located north of the property at 154 Broadway and measuring 8.5m x 2.7m (28 ft x 9 ft) as shown on the sketch.
2. A railing will be used to enclose the boulevard café on all sides, except for an entrance on the south side only.
3. The railing to be used is illustrated in the photo submitted with the application.

This permit is valid until November 30, 2021. At the end of the season, the railings and all furnishings must be removed from the road allowance. You must apply for a new permit next season.

The Town appreciates your interest in establishing a boulevard café which will enhance the vitality of our downtown.

Yours truly,



Brandon Ward, MCIP, RPP
Manager, Planning
Infrastructure Services

cc: John Lackey, Manager, Transportation and Development
Bruce Ewald, Manager, Building – Chief Building Official
Heritage Orangeville c/o Carolina Khan, Deputy Clerk
Ruth Phillips, Manager, Economic Development
Doug Jones, General Manager, Infrastructure Services
David McLagan, Ontario Provincial Police

attach.



Guidelines for Temporary Outdoor Patios

Outdoor boulevard cafés have been permitted in the Town's Central Business District under the Town's Outdoor Café By-law (41-2003) and (2021-023). In addition to these By-laws, the following provides greater clarity regarding the criteria for outdoor boulevard café's or patio areas (patios):

1. **Locations:** Patios may be permitted partially or entirely within the sidewalk and boulevard area adjacent to the business that they are intended to serve and must meet the following criteria:
 - a. **Same area as the building they serve:** Patios may not encroach into the frontage of a neighbouring establishment unless they have consent from the establishment(s) being encroached upon or approval from the Town to do so.
 - b. **Pedestrian path must be maintained:** Patios are to be situated so that a 1.5 metre wide unobstructed and barrier-free public pathway for pedestrians must be maintained at all times. If there are any braces supporting the railing, they will not encroach onto the 1.5 metre wide clearance pathway and are not to be fastened to the surface of the ground. Patios are encouraged to be situated so that the public pathway weaves as little as possible and maintaining a straight corridor alignment abutting the building faces is maximized. Patios should not obstruct accessibility ramps adjacent to the building.
 - c. **Patios to be physically delineated:** Patios are to be surrounded as follows:
 - i. using a fence or railing with a height of at least 0.9m but not exceeding 1.2m and/or planter boxes or pots so that the patio area is appropriately and tastefully delineated or physically enclosed.
 - ii. Enclosure requirements will be subject to the AGCO requirements, which shall prevail in the event of any conflict with these criteria.
 - iii. Patio enclosures must include a barrier-free access opening of at least 1.2m wide. No access opening is to be provided on the street-facing side of the patio unless the patio directly abuts the building. No gates are permitted.
 - d. **Patios or walkways may be in the on-street parking area:** Patios may be situated to occupy up to two parking spaces in front of the establishment, provided that:
 - i. Any public pathway circumventing a patio area within the parking space area must be delineated and separated from vehicular traffic to the satisfaction of Town staff. Jersey Barriers may be installed by the Town at certain locations at the discretion of the General Manager of Infrastructure Services.
 - ii. Any patio and/or public pathway situated within the parking space area of the roadway must be situated on a suitable platform constructed to match

the grade of the abutting sidewalk/boulevard area. Such platforms must be constructed in a manner that does not negatively impact the drainage. It is the applicant's responsibility to ensure the removal of any waste or debris that may accumulate in this area.

- iii. When the café and accessories are being placed on Municipal Property, you are required to complete the work in accordance with Ontario Traffic Manual Book 7 to ensure proper traffic protection is being administered and maintained during the work.
 - iv. Traffic signals and other traffic control devices must not be impacted by the boulevard café.
2. **Alterations on municipal property:** The Town of Orangeville will not allow any alterations to pavement, curb, boulevard, sidewalk, etc. including the permanent fastening of railings or other parts of the café enclosure to the hard surfaces. Any damage deemed to have been caused by the installation, removal and use of the café shall be rectified at the Applicant's expense.
3. **Maintenance by municipality:** The Town will retain the right to have the applicant make modifications, including removal of the enclosure system, as it deems necessary should there be maintenance, access or other boulevard related issues associated with the location of the enclosed café. The Town is not responsible for damages and/or inconvenience to patrons as a result of regular maintenance on the sidewalks and/or abutting roadway.
4. **Capital Project – Removal and replacement of boulevard bricks, sidewalk and other surface areas and amenities:** The Town of Orangeville will be undertaking a capital project that involves the removal and replacement of the boulevard bricks, sidewalk and other surface areas and amenities on both sides of Broadway between third Street and John Street. The work is expected to commence on or about June 1 and be completed by September 30. Interruptions to the café are likely. The applicant may be required to remove and or relocate the approved café should the Town make that request. The applicant will be given further direction by the Town should the approved café be in conflict with the scheduled construction.
5. **Snow removal:** All outdoor patio furniture, equipment and other items be removed as required by the Town for snow removal.
6. **Conflicts:** The Town accepts no responsibility and/or liability in the event that there is conflict between pedestrians, patrons and/or staff persons.
7. **Insurance:** A valid liability insurance policy naming the Town as an additional insured party in the amount of no less than \$2,000,000 must be maintained throughout the duration of the boulevard café.
8. **COVID-19 Emergency Measures By-law and Public Health Guidelines:** All patron seating areas must comply with the Town of Orangeville COVID-19 Emergency Measures By-law, as applicable. In addition, all Public Health and Safety guidelines must be complied with.



9. **Season:**

- a) For patios located on the **sidewalk/boulevard**, the duration of the patio season is from April 1 to November 30, 2021.
- b) For patios located within the **on-street parking area**, the patio may exist from May 1 to November 30, 2021.

Notwithstanding the permitted seasonal patio durations described above, the Town may at its discretion, require the proponent to remove all patio implements and furnishings to accommodate winter maintenance activities, subject to weather conditions.

10. **Application process:** Applicants are to submit the Boulevard Café Application form with accompanying checklist items identified on the form by email to planning@orangeville.ca. There is no fee for boulevard café applications.

Application submissions received will be processed as quickly as possible within 5 business days.



THE CORPORATION OF THE TOWN OF ORANGEVILLE

BY-LAW NUMBER 41 - 2003

A BY-LAW TO PERMIT THE CREATION OF BOULEVARD CAFÉS IN THE CENTRAL BUSINESS DISTRICT

WHEREAS the *Municipal Act, 2001*, S.O. 2001, c.25, S.8 provides a Municipality natural person powers for the purposes of exercising capacity, rights and powers of the Act;

AND WHEREAS the *Municipal Act, 2001*, S.O. 2001, c.25, S.130 authorizes a municipality to regulate matters for purposes related to the health, safety and well-being of its inhabitants;

AND WHEREAS the Council of the Town of Orangeville wishes to permit the establishment of boulevard cafés in the Central Business District while ensuring the safe and accessible passage over sidewalks;

NOW THEREFORE the council of The Corporation of the Town of Orangeville hereby enacts as follows:

1 DEFINITIONS

In this by-law:

- 1.1 “boulevard café” means a designated outdoor area on the sidewalk associated with an adjoining commercial premises, no wider than the width of the premises’ storefront, excluding the width of the entrance.
- 1.2 “Central Business District” means the area that is zoned Central Business District (CBD) by By-law 22-90, as amended.
- 1.3 “Officer” means a municipal by-law enforcement officer, provincial offences officer, police officer or a public health inspector.
- 1.4 “sidewalk” means the hard surface provided for use of pedestrians on the municipal road allowance and situated between any building and the curb of the street.
- 1.5 “summer season” means the period of time between May 1 and September 30 of any given year.
- 1.6 “Town” means The Corporation of the Town of Orangeville.

2 REQUIREMENT FOR PERMIT

- 2.1 No person shall create a boulevard café in the Central Business District unless a permit has been obtained in accordance with the requirements of this by-law.

3 EXCEPTION

- 3.1 The regulations in this by-law do not apply to events organized by the Orangeville Business Improvement Area or authorized by the Town, which events involve the closing of Broadway to vehicular traffic.

4 APPLICATION

4.1 Every person applying for a permit, as required by this by-law, shall file with the Director of Planning, or his designate, a completed application in the form prescribed by the Director of Planning. The application will be accompanied by a scaled plan showing the extent of the boulevard café on the sidewalk and illustrations of all associated structures and the required insurance certificate. The application will also indicate how the proposal complies with the conditions of this by-law. The Director of Planning will circulate the application to the Building and Public Works Departments and designated members of Heritage Orangeville for comment prior to approval.

4.2 There will be no fee for a permit required by this by-law.

5 COMMENCEMENT AND EXPIRY

5.1 Any permit issued under the provisions of this by-law shall be limited to the summer season only of the year in which it is issued.

6 GENERAL CONDITIONS

6.1 A boulevard café must be associated with and accessory to an adjoining eating establishment, restaurant or food store use that is permitted by the Town's Zoning By-law and all other applicable Town by-laws.

6.2 The playing of music is prohibited in a boulevard café.

6.3 The right of access for the Town will be maintained should repairs or maintenance be required on the boulevard on which the boulevard café is located.

6.4 Any and all emergency accesses and exits as marked on the approved plan will be maintained.

6.5 A liability insurance policy in an amount of no less than \$2,000,000, with a cross liability clause naming the Town as an additional insured will be obtained.

6.6 A boulevard café shall not impede the flow of pedestrian traffic. A minimum 1.5 metre wide free and clear pathway must be maintained on the sidewalk at all times.

6.7 A boulevard café must be enclosed by a fence or railing that is at least 0.9 metres high, but no more than 1.2 metres high. If alcoholic beverages are to be served, the fencing requirements of the Alcohol and Gaming Commission of Ontario will supersede this requirement.

6.8 Where possible, a fence associated with a boulevard café shall not obstruct the sight lines at the intersection of two streets.

6.9 No permanent structures are permitted.

6.10 All elements of a boulevard café (i.e. fencing, tables, chairs, heaters, etc.) must be removed from the sidewalk at the termination of the permit.

6.11 Any and all lighting associated with a boulevard café must be directed away from residential areas, other properties and streets.

7 INSPECTION

7.1 Any person to whom a permit has been issued pursuant to this by-law shall permit any Officer to inspect the premises for which the permit was issued at any time.

8 HERITAGE PERMITS

- 8.1 Issuance of a permit for a boulevard café by the Town will constitute approval of a Heritage Permit for the alteration of the exterior of a building within the Downtown Orangeville Heritage Conservation District, as designated under Part V of the *Ontario Heritage Act*.

9 REVOCATION, SUSPENSION

- 9.1 The Town reserves the right to terminate permission at any time for any or no reason upon fourteen (14) days written notice, mailed or delivered to the applicant's last known address.

10 OFFENCE AND PENALTY

- 10.1 Any person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine and/or penalty as provided for in the *Provincial Offences Act, R.S.O. 1990, Chapter P.33 as amended*, for each offence and such penalty and/or fine shall be recoverable under the *Provincial Offences Act*

11 WORD USAGE

- 11.1 As used in this by-law, words used in the present tense include the future; words used in the masculine gender include the feminine and neuter; and the singular number includes the plural and the plural the singular.
- 11.2 The headings and subheadings used in this by-law shall not form part of the by-law, but shall be deemed to be inserted for convenience of reference only.

12 SEVERABILITY

- 12.1 Should any section or subsection of this by-law or any part or parts thereof be found by law to be illegal or beyond the power of Council to enact, such section or subsection or part or parts thereof shall be deemed to be severable so that the remainder of this by-law is separate and therefore enacted as such.

13 CONFLICT WITH ANY OTHER BY-LAW

- 13.1 In the event of any conflict between any provisions of this by-law and any other by-law previously passed, the provisions of this by-law shall prevail.

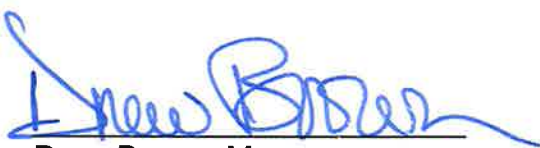

14 SHORT TITLE

- 14.1 This by-law shall be known as the "Boulevard Café By-law."

15 EFFECTIVE DATE

- 15.1 This by-law shall come into force and take effect on the date of passing.

READ THREE TIMES AND FINALLY PASSED IN OPEN COUNCIL THIS 5TH DAY OF MAY, 2003.


Drew Brown, Mayor
Cheryl Johns, Clerk



The Corporation of the Town of Orangeville

By-law Number 2021-023

A by-law to amend By-law 2003-041 being a By-law to permit Boulevard Cafes in the Central Business District

Whereas the Town wishes to amend By-law 2003-041 to implement measures to provide flexibility for local food and beverage establishments in response to the COVID-19 pandemic;

Now therefore be it resolved that the Council for The Corporation of the Town of Orangeville hereby enacts as follows:

1. That By-law 2003-041 be amended for the 2021 Calendar year by amending the definition of “boulevard café” and “summer season” as follows:

“boulevard café” means a designated outdoor area on the sidewalk associated with an adjoining commercial premises, no wider than the width of the premises’ storefront, excluding the width of the entrance and may include up to two parking spaces in front of the subject commercial premises.”

“summer season” for the purpose of a boulevard café located:

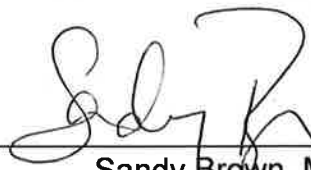
- (a) on a sidewalk means the period of time between April 1, 2021 and November 30, 2021;
- (b) on a parking space means the period of time between May 1, 2021 and November 30, 2021.


2. That By-law 2003-041 be amended for the 2021 Calendar year by adding the following:

6.12 That a 2021 permit be subject to the following terms and conditions:

- (a) all Public Health and Safety guidelines be complied with;
- (b) that all outdoor patio furniture, equipment and other items be removed as required by the Town for snow removal or property maintenance;
- (c) any safety measures applied by the Town as part of the approval of an application be adhered to.

Read three times and finally passed this 8th day of March, 2021.


Sandy Brown, Mayor


Karen Landry, Clerk

Meeting Type: Council Meeting
Meeting Date: CM_May31_2021
Department: Planning
Agenda Item: 14 William Street, Residential Demolition Permit Application, File No. RD-2021-01, INS-2021-036
Assigned to: Doug Jones, Brandon Ward, Larysa Russell, Alexandra Graham
Due Date: None
Status: Incomplete
Priority: Low
Category: None
Resolution(s): 2021-200
Moved By: Todd Taylor
Seconded by: Debbie Sherwood

That report INS-2021-036, 14 William Street, Residential Permit Application, File No. RD-2021-01, be received

And that the residential demolition permit application for 14 William Street, be approved, subject to the following conditions:

- 1. That the applicant allows Heritage Orangeville access to the subject property to document the existing structure and any existing historical elements on the property, prior to demolition;**
- 2. That the owner salvages for reuse, any significant architectural artefacts or building materials as may be identified by Heritage Orangeville, and provides such artefacts to the Town or Museum of Dufferin, if requested; and**
- 3. That the applicant constructs and substantially completes the new dwelling to be erected on the subject property not later than two (2) years from the date of the issuance of the demolition permit.**

Result: Carried

Action Required:

2021-200
That report INS-2021-036, 14 William Street, Residential Permit Application, File No. RD-2021-01, be received

And that the residential demolition permit application for 14 William Street, be approved, subject to the following conditions:

That the applicant allows Heritage Orangeville access to the subject property to document the existing structure and any existing historical elements on the property, prior to demolition;

That the owner salvages for reuse, any significant architectural artefacts or building materials as may be identified by Heritage Orangeville, and provides

such artefacts to the Town or Museum of Dufferin, if requested; and

That the applicant constructs and substantially completes the new dwelling to be erected on the subject property not later than two (2) years from the date of the issuance of the demolition permit.

Result: Carried

Comments:

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Delegable:

☐ Is this task delegable?

Task Details

☐ Are task details incomplete?

Save

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